



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: County Executive Office
Department No.: 012
For Agenda Of: July 10, 2012
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director: Chandra L. Wallar, County Executive Officer, 568-3400
Contact Info: Renée Bahl, Assistant CEO, 568-3400
SUBJECT: Joint Labor Compliance Program, All Supervisorial Districts

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: No

Recommended Actions:

That the Board of Supervisors:

- A. Adopt a Joint Labor Compliance Program for the Departments of General Services, Community Services, and Public Works for all Capital Improvement Contracts.
- B. Find that the proposed action(s) do not constitute a "Project" within the meaning of CEQA, pursuant to 14 CCR 15378(b)(2) (continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy and procedure making), and approve the filing of a Notice of Exemption on that basis.

Summary Text:

A Labor Compliance Program is the procedure by which an agency monitors its project contracts to ensure that contractors are paying their employees prevailing wages, training wages, and overtime. The State and Federal government set Labor Compliance regulations for special grant-funded construction projects. For example, California Cities and Counties use the CALTRANS Labor Compliance Manual for projects that use State and Federal highway grant funding. The State Division of Industrial Relations enforces State and Federal Labor Laws, and may impose fines on contractors who violate these laws, or ban them from bidding on projects.

Staff members from the Departments of General Services, Community Services and Public Works ("Departments") have reviewed the policies and procedures of each Department, and determined that overall, the County is meeting State and Federal Labor Compliance requirements for grant-funded projects.

The Departments reviewed an existing successful program in the City of Los Angeles and drafted a similar program to augment the County's existing Labor Compliance. The new Joint Labor Compliance Program would be used for County projects which have Federal, State and Local Funding, in General Services, Community Services and Public Works. Staff recommends your Board's approval of the Joint Labor Compliance Plan.

Background:

The proposed Joint Labor Compliance Program would allow compliance group representatives to assist County staff in conducting interviews with contractor employees at construction sites. Information obtained from these employee interviews is compared against monthly certified payrolls submitted by contractors on County projects to ensure contractors are paying employees correctly.

Labor Compliance is founded in State and Federal Law. To establish a level playing field for all contractors bidding on County projects, Labor Compliance is necessary, and an augmentation of existing Labor Compliance with the Joint Labor Compliance Program would be an added value. Staff has met with the City of Los Angeles to discuss their Labor Compliance augmentation program, which has been a successful program for seven years. Staff has also met with interested construction groups in the community to review the purposed program. Staff used components of the Los Angeles program, as well as input from these meetings to develop the proposed Joint Labor Compliance Plan for Santa Barbara County.

Fiscal and Facilities Impacts:

Budgeted: N/A

Fiscal Analysis:

A nominal amount of additional staff time would be required to implement and schedule employee interviews. Implementation of the proposed Joint Labor Compliance Program would not require additional employees.

Special Instructions:

Please return one copy of the executed agreement and a certified stamped Minute Order to each of the following:

- Cam Van Wingerden, County Executive Office, ext. 3404
- Gena Valentine Felix, Public Works, Transportation, ext. 3064

Attachments:

Joint Labor Compliance Monitoring Program

Authored by:

Scott McGolpin, Director, Public Works