



**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:** CEO/HR  
**Department No.:** 064  
**For Agenda Of:** 5-25-10  
**Placement:** Administrative  
**Estimated Time:**  
**Continued Item:**  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department Susan Paul, Assistant CEO/HR Director 568-2815

Contact Jeri Muth, Assistant HR Director 568-2816  
Joe Pisano, Employee Relations Deputy 568-2839

**SUBJECT:** Adoption of Wage Concession Agreements

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**County Counsel Concurrence**

As to form: Select\_Concurrence

**Other Concurrence:** Select\_Other

As to form: Select\_Concurrence

**Auditor-Controller Concurrence**

As to form: Select\_Concurrence

**Recommended Actions:**

1. That the Board of Supervisors adopt the ratified tentative agreements reached with the Service Employees International Union, Local 620 (SEIU Local 620), the Engineers and Technicians Association (ETA), and the Union of American Physicians and Dentists (UAPD), for wage concessions; and
2. Implement the same provisions for Confidential employees.

**Background:**

In order to address the County's fiscal challenges, the Board of Supervisors directed staff to meet and confer with the County's labor organizations to explore potential cost savings measures. Tentative agreements have been reached with SEIU Local 620, the ETA, and the UAPD, and these agreements have been ratified by each union's respective memberships. The recommended actions adopt these agreements. Confidential employees are unrepresented employees who work in classifications that correspond to those of Local 620 employees. These employees are scheduled to receive the same increases in wages and benefits as those employees in Local 620. The recommended actions implement the same changes for Confidential employees as agreed to by Local 620. The total value of all

concessions over the term of the agreements is estimated at approximately \$9.6 million. Negotiations are still in process with the rest of the labor organizations.

### **SEIU Local 620, ETA, and Confidential Employees**

There are approximately 1,983 employees represented by SEIU Local 620, 128 employees represented by the ETA, and approximately 64 Confidential unrepresented employees. The tentative agreements with SEIU, Local 620 and the ETA include the following concessions to preserve jobs and maintain service levels:

- Deferring a 2.5% wage increase through June 26, 2011;
- Holding in abeyance a \$20 per pay period benefit allowance increase scheduled for July 12, 2010 through June 26, 2011, at which time, the County and the unions will meet to discuss this provision; and
- Eliminating a 1.5% equity adjustment.

The agreements also provide some job protection to maintain service levels. In consideration of these concessions, employees represented by these groups would receive a bank of 40 hours of paid time off (PTO), which is designed to be taken between the 2010 Christmas and 2011 New Year's holidays. Staff would work with County departments to maximize to the extent to which the County can close during that time. Employees who could not take time off during this period, could use PTO at other times, but all PTO hours would have to be used within a year. In addition, the PTO time would have no cash value and would be pro-rated for part-time employees. Staff will return on a future agenda with any provisions that may need Board adoption.

### **UAPD**

The Union of American Physicians and Dentists represents approximately 36 employees. The tentative agreement with the UAPD:

- Eliminates a \$20 per pay period benefit allowance increase scheduled for June 28, 2010;
- Defers a 3.5% wage increase scheduled for October 4, 2010 to June 26, 2011; and
- Provides time off with pay between the 2010 Christmas and 2011 New Year's holidays in consideration of the concessions, and under the same terms as described above.

### **Fiscal Impact:**

The estimated savings associated with these concessions over this fiscal year and the next are approximately \$8,490,000 from Local 620; \$672,000 from ETA; \$225,000 from Confidential Unrepresented employees; and \$262,000 from UAPD for an estimated total savings from all



these groups of approximately \$9,649,000. The following chart itemizes the savings associated with these tentative agreements:

Group	Concession	FY 2009-10 Savings	FY 2010-11 Savings	Total Estimated Savings
Local 620	2.5% Wage Increase Deferral	897,000	3,890,000	4,787,000
	Abeyance of \$20 Benefit Allowance		1,403,000	1,403,000
	Elimination of 1.5% Equity Adjustment		2,300,000	2,300,000
<b>Total Estimated Local 620 Savings</b>		<b>897,000</b>	<b>7,593,000</b>	<b>8,490,000</b>
Confidential Unrepresented Employees	2.5% Wage Increase Deferral	23,000	99,000	122,000
	Abeyance of \$20 Benefit Allowance		44,000	44,000
	Elimination of 1.5% Equity Adjustment		59,000	59,000
<b>Total Estimated Savings from Confidential Unrepresented Employees</b>		<b>23,000</b>	<b>202,000</b>	<b>225,000</b>
ETA	2.5% Wage Increase Deferral	74,000	321,000	395,000
	Abeyance of \$20 Benefit Allowance		87,000	87,000
	Elimination of 1.5% Equity Adjustment		190,000	190,000
<b>Total Estimated ETA Savings</b>		<b>74,000</b>	<b>598,000</b>	<b>672,000</b>
UAPD	Elimination of \$20 Benefit Allowance		26,000	26,000
	3.5% Wage Increase Deferral		236,000	236,000
<b>Total Estimated UAPD Savings</b>			<b>262,000</b>	<b>262,000</b>
<b>Total Estimated Savings from All Groups</b>		<b>994,000</b>	<b>8,655,000</b>	<b>9,649,000</b>

The estimated General Fund Savings are approximately \$3,859,600; the estimated savings from all other funds are approximately \$5,789,400.

**Attachments:**

Concession Agreements

**Authored by:** Joseph Pisano, Employee Relations Manager

**Cc:** Robert Geis, Auditor-Controller  
 Jason Stillwell, Assistant CEO/Budget Director  
 Robert MacLeod, Chief of Employee Relations  
 Department Heads

**Side Letter Agreement  
Cost-Reductions  
SEIU, Local 620 and the County of Santa Barbara  
May 4, 2010**

Based on the following agreement, the parties agree that there will be no reduction or diminishment to budgeted, filled positions represented by SEIU Local 620 (the Union) in the adopted Fiscal Year 2010-2011 County of Santa Barbara (County) Budget.

- 1) The parties agree that under no circumstances will the County propose to reduce or diminish the SEIU, Local 620 represented workforce prior to March 2011.
- 2) The Union agrees:
  - o The 2.5% wage increase due April 5, shall be deferred to pay period 14 June 26, 2011;
  - o The \$20 benefit allowance increase due July 12, 2010 shall be held in abeyance to pay period 14 June 26, 2011. This wording is intended to reflect that the payment of the benefit allowance will not occur until the time specified, and that Local 620 and the County will meet to discuss the provision prior to implementing it.
  - o The equity adjustment of 1.5% of salary due July 12, 2010 shall be eliminated.
  - o Local 620 members shall receive 40 hours of paid time off during the 2010 Christmas/New Years holidays. If an employee is unable to take time off during the holiday, the employee will receive a bank of 40 hours to be used as he/she would use vacation leave. The following provisions apply to the paid leave:
    - o Each Full-Time Regular employee, regardless of work schedule, will receive 40-hours of paid time off, preferably to be used during the week between Christmas and New Years 2010. Part-Time Regular Employees will receive a pro-rated number of hours based on their typical work schedule.
    - o Employees who do not use any or all of the time during the specified time, will have one year to use the time – balances will be eliminated at the beginning of the Pay Period #1 in 2012.
    - o The time has no cash value.

*DL* 5-4-10

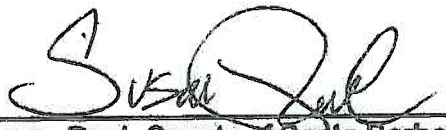


- 3) In the event that the County notifies the Union in March 2011 (or thereafter) of its intent to reduce or diminish the represented workforce, the parties agree to meet and confer over the impacts of the County's proposal.
- 4) The parties further agree that, even if layoff notices are issued during March 2011 (or thereafter), no reduction or diminishment will be implemented prior to the County's adoption of its Fiscal Year 2011-2012 Budget.
- 5) Should there be significant and unanticipated impacts due to State Budget cuts, the parties agree to meet and discuss the impacts.

Agreement:



Bruce Corsaw, SEIU, Local 620  
May 4, 2010



Susan Paul, County of Santa Barbara  
May 4, 2010

Bruce 5-4-10

**TENTATIVE AGREEMENT  
BETWEEN  
THE COUNTY OF SANTA BARABARA AND  
THE ENGINEERS AND TECHNICIANS ASSOCIATION**

**Revised: April 1, 2010**

The County of Santa Barbara (County) and the Engineers and Technicians Association (ETA), collectively referred to as the parties, have met and conferred and hereby agree to the following changes to the current Memorandum of Understanding between the two parties:

1. The previously negotiated 2.5% unit-wide salary increase scheduled for implementation effective April 5, 2010 shall be deferred until June 26, 2011;
2. The previously negotiated \$20 per pay period increase in ETA member's benefit allowance scheduled for implementation effective July 12, 2010 will be held in abeyance to Pay Period 14 June 26, 2011;
3. The previously negotiated 1.5% equity adjustment scheduled for implementation effective July 12, 2010 shall be eliminated.
4. In return for the concessions listed above, ETA members, not on Leaves of Absences as of December 27, 2010, shall receive 40 hours of paid time off during the 2010 Christmas/New Years holidays. This paid time off will be treated like regular vacation time relative to the accumulation of benefits and rights.

Employees who are unable to take time off during this period shall be allowed to schedule the balance of hours remaining after January 2, 2011 using the same procedures used to schedule vacation time off. The intent of the parties is that these hours will be scheduled and used no later than January 8, 2012.

There is no cash value associated with these paid leave hours; employees credited with these paid leave hours who leave County service prior to using them as leave time will not receive payment for any unused hours.

5. The County and ETA agree that there will be no reduction or diminishment to budgeted, filled positions represented by ETA in the adopted Fiscal Year 2010-2011 County budget.
6. The parties agree that under no circumstances will the County propose to reduce or diminish the ETA represented workforce or employee work week hours prior to March 2011.
7. In the event that the County notifies ETA in March 2011 or thereafter, of its intent to reduce or diminish the ETA represented workforce, the parties agree to meet and confer over the impacts of the County's proposal.

8. The parties further agree that should layoff notices be issued during March 2011 or thereafter, no reduction or diminishment will be implemented prior to the County's adoption of its Fiscal Year 2011-2012 Budget.
9. Should there be significant and unanticipated impacts as a result of State budget cuts, the parties agree to meet and discuss the impacts.

The parties stipulate that this agreement shall not be binding upon the parties either in whole or in part, unless and until formally approved by a majority vote of the County Board of Supervisors.

Dated: 4/12/10

County of Santa Barbara



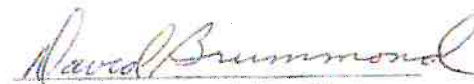
Sue Paul, Assistant CEO/HR Director



Nicci Plata, Employee Relations Specialist

Dated: 4/12/10

Engineers and Technicians Association



David Brummond, President



Henry Bongiovi, ETA Counsel



**Tentative Agreement for  
Side Letter Agreement  
Cost-Reductions  
Union of American Physicians and Dentists and the  
County of Santa Barbara  
April 1, 2010**

This letter is to memorialize recommendations made by the County of Santa Barbara aimed at reducing workforce costs by requesting possible concessions with regards to the current contract between the Union of American Physicians & Dentists (UAPD) and the County of Santa Barbara (September 10, 2007 through October 3, 2010), the UAPD Contract Extension (through October 2, 2011), and the four side letters dated December 12, 2007 (which remain in effect through the contract extension period).

Discussions were held in the office of Susan Paul-Assistant CEO/HR Director on March 25, 2010 and April 1, 2010 at the CEO/Human Resources Building located at 1226 Anacapa Street, Santa Barbara. Present for the UAPD were Dr. Mark Kofler, ADMHS and UAPD Representative David Trujillo.

By mutual agreement the parties stipulate the following:

1. The Union of American Physicians & Dentists agrees to forgo the additional Benefit Allowance of \$20.00 per pay period due to accrue to union members beginning 6/28/10. The County shall still continue to contribute \$267.99 per pay period per full-time employee as a benefit allowance. Regular part-time employees will continue to be eligible for this allowance based on a prorated equivalent of their employment status. The benefit allowance, which is received in cash, has a primary purpose of allowing employees to fund employee and dependent health insurance costs. Employees may also use the allowance to fund options in the Flexible Spending Account Plan and/or receive the remainder in cash.
2. Per the current MOU, and the negotiated MOU extension for 2010-2011 fiscal year, Staff Physician and Psychiatrist classifications represented by the Union are currently scheduled to receive a 3.5% salary increase in October 2010, and then again in October 2011, if they achieve satisfactory employee performance reviews (EPRs). The UAPD agrees to defer the scheduled October 2010 increase due bargaining unit members, until the first full pay period in July 2011. Therefore, for example, those employees currently on step "E" will instead receive their increase in July, 2011, as they move to a step "F." Then they will receive the same increase as they move to step "G" in October 2011, based upon a satisfactory Employee Performance Review (EPR). Job classifications



include: Psychiatrist II, Psychiatrist, Staff Physician, Staff Physician I, Supervising Staff Physician, and Forensic Pathologist.

3. The County of Santa Barbara agrees to grant union members forty (40) hours of paid leave time as outlined below:

- Each full-time regular employee, regardless of work schedule, will receive 40-hours of paid time off. Part time employees will receive a pro-rated number of hours based on their typical work schedule.
- Employees will need to use these balances by the end of the 2011 payroll year. Balances will be eliminated at the beginning of the Pay Period #1 in 2012.
- The time has no cash value.

4. This Agreement sets forth the full understanding of the parties regarding the matters set forth herein. Any prior Board resolutions or ordinances, agreement between the parties or any agreement between an employee (and group of employees) and a supervisor/manager, which is inconsistent with provisions of this Agreement, is hereby superseded.

**Tentative Agreement:**

\_\_\_\_\_  
David Trujillo  
UAPD Representative

\_\_\_\_\_  
Dr. Mark Kofler  
UAPD - ADMHS

4-6-10

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Susan Paul  
Assistant CEO/HR Director

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Jeri Muth  
Assistant HR Director

*Susan Paul* 4/6/10

*Jeri Muth*