



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: Human Resources
Department No.: 064
For Agenda Of: February 14, 2017
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Lori Gentles, Human Resources Director, 568-2816
Contact Info: Robert Clark, Employee Relations Manager, 568-2829

SUBJECT: ***Civil Attorneys' Association Successor Memorandum of Understanding***

County Counsel Concurrence

As to form: N/A

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Approves a successor Memorandum of Understanding (MOU) with the Civil Attorneys' Association (CAA), effective February 13, 2017 through June 30, 2019, implementing the changes summarized in Attachment A and detailed in Attachment B (changes tracked) and Attachment C (changes not tracked), and
- b) Provides the same unit wide wage increases and wage adjustments for two similarly-situated unrepresented attorneys as is provided to attorneys represented by the CAA; and
- c) Determines pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) that the above action is a government fiscal activity which does not involve any

commitment to any specific project which may result in a potentially significant physical impact on the environment, and therefore is not a project subject to environmental review.

Summary Text:

The most recent MOU between the County and the CAA expired on December 18, 2016. The parties have been engaged in negotiations for a successor contract since October 2016 and have reached a tentative agreement for a successor MOU that would expire on June 30, 2019 if approved by the Board.

The recommended actions adopt the proposed MOU in Attachment B (changes tracked) and Attachment C (untracked version). This Board letter has been filed with the Association's knowledge in anticipation of its members' ratification of the tentative agreement prior to the Board meeting on February 14, 2017. Significant changes from the most recent MOU are summarized in Attachment A.

Background:

CAA represents approximately 25 employees working in the County Counsel's office and Child Support Services. In addition there is one confidential attorney position in the County Council's Office and one supervisory attorney position in Child Support Services which are not represented by the Association, but are similarly-situated, and should receive the same adjustments. The recommended actions approve and implement provisions of a successor MOU between the County and CAA, which include significant changes from the previous MOU (summarized in Attachment A) as well as ministerial changes to update or clarify language or to eliminate obsolete language in certain sections.

The complete text of the successor MOU appears in Attachments B and C. Significant changes include:

- 2% salary increase effective February 13, 2017
- 2.5% salary increase effective July 3, 2017
- 2.5% salary increase effective July 2, 2018
- Removing negotiated restrictions on multiple step increases and adhering to Civil Service Rule 409 again going forward
- Me-Too Provision regarding base salary increases and equity adjustments for Civil Attorney classifications with the Public Defender's bargaining unit and the Deputy District Attorneys Association
- Increase in Professional Training Expenses (for training, subscriptions, books, computer equipment, software, etc.) from an annual maximum of \$250 to an annual maximum of \$750 annually on a use it or lose it basis
- A contract reopener on the issue of employee retirement contribution rates and potential related salary adjustments on or after September 1, 2017

- A reopener if the Association desires to participate in State Disability Insurance (Twelve of the twenty-eight bargaining units currently participate, and the cost is borne by the employee)

Fiscal Analysis:

Budgeted: Yes, for the current fiscal year.

As noted above, the recommended actions provide for general wage increases in each year of the successor agreement and other financial benefits upon approval by the Board. The approximate initial incremental cost increases, as well as the ongoing cost of each component of the agreement, are estimated by fiscal year in the table below. Fiscal Year 2017-18 and Fiscal Year 2018-19 costs will be incorporated into future years' budgets.

Tentative Agreement	FY 2016-17	FY 2017-18	FY 2018-19
2% February 13, 2017	35,547	92,432	92,432
Remove restriction on multiple steps	2,682	6,973	6,973
\$500 increase to Professional Training Expenses	12,500	12,500	12,500
2.5% July 3, 2017	-	117,839	117,839
2.5% July 2, 2018	-	-	120,785
Total	50,729	229,744	350,529

cc: Mona Miyasato, County Executive Officer
 Michael C. Ghizzoni, County Counsel
 Theo Fallati, Auditor-Controller
 Assistant CEOs

Attachment A: Summary of Changes to CAA MOU
 Attachment B: Successor CAA MOU (changes tracked)
 Attachment C: Successor CAA MOU (untracked/final)