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Human Resource Services

July 19, 2022

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, California 94612-4305

SUBJECT: ADOPT SALARY ORDINANCE AMENDMENTS TO: 1) UPDATE SUBSECTION 1-1.1 TO AMEND THE FLSA DESIGNATION FOR THE CLASSIFICATIONS OF DEPUTY SHERIFF II (JOB CODE (“JC”) #8604) AND SERGEANT (JC #8617); 2) EXTEND SUBSECTION 3-19.18 (FOOTNOTE FOR THE CLASSIFICATION OF BUSINESS LICENSE TAX AUDITOR (JC #0161)); AND 3) REMOVE REFERENCE TO THE CLASSIFICATION OF SOCIAL WORK SUPERVISOR (JC #6730) IN SUBSECTION 3-21.12

Dear Board Members:

RECOMMENDATIONS:

Adopt Salary Ordinance amendments to update:

- A. Article 1, Section 1-1 (Pay Rate Schedules), Subsection 1-1.1 by amending the Fair Labor Standards Act (“FLSA”) designation to non-exempt for the classifications of the Deputy Sheriff II (Job Code (“JC”) #8604) and Sergeant (JC #8617) effective August 7, 2022;
- B. Article 3, Section 3-19 (Tax Collector - Treasurer Department) by extending subsection 3-19.18, a footnote for one (1) employee in the classification of Business License Tax Auditor (JC #0161), when assigned lead functions, to receive additional compensation of five percent (5%) of the base pay to July 23, 2023; and
- C. Article 3, Section 3-21 (Miscellaneous) subsection 3-21.12 by removing reference to the classification of Social Work Supervisor (JC #6730), as agreed-upon in the 2017-2022 Memorandum of Understanding (“MOU”) between the Alameda County Management Employees Association General Government Unit (“Union”) and the County of Alameda (“County”) retroactive to March 25, 2018.

DISCUSSION/SUMMARY:

The Human Resource Services Department, Personnel Services Division (“PSD”) recently reviewed the Fair Labor Standards Act (“FLSA”) designation for the classifications of Deputy Sheriff II (JC #8604) and Sergeant (JC #8617), FLSA-mixed designated and FLSA-exempt designated, respectively. PSD completed an updated FLSA status exemption review and determined that said classifications are not appropriately designated. PSD determined that both classifications should be designated as FLSA non-exempt and eligible for overtime. This determination has no fiscal impact given that both classifications are eligible to receive overtime pursuant to Section 7.D (Overtime) of the 2012-2025 Memorandum of Understanding with the County of Alameda (“County”) and the Deputy Sheriffs’ Association (“DSA”). Further, the County notified DSA of the recommended update and DSA agrees with the County’s recommendation. Therefore, staff recommends that your Board approve an amendment to subsection 1-1.1 to amend the FLSA designation to non-exempt for the classifications of Deputy Sheriff II (JC #8604) and Sergeant (JC #8617) effective August 7, 2022.

On June 24, 2021, your Board approved to re-establish and amend subsection 3-19.18 of the Salary Ordinance, a footnote for one (1) employee in the classification of Business License Tax Auditor (JC #0161) to receive an additional five percent (5%) compensation of base pay to July 23, 2022. The additional compensation will be authorized when the employee is assigned to

perform lead duties in the Business License Tax Unit and serve as the Office Manager in the Hayward Office in the absence of the Supervisor. TTCO determined that they have an ongoing and permanent need for these functions to be performed in that office and will continue to work with PSD to create a new classification, inclusive of said lead functions. Staff recommends extending the footnote to July 23, 2023 which will allow PSD additional time to work with TTCO to create the new classification. Thus, said footnote will sunset on July 22, 2023 and shall be deleted from the Salary Ordinance upon the sunset date.

Lastly, on February 6, 2018, your Board approved the adoption of the 2017-2022 MOU between the Union and the County. Specifically, it included an amendment to subsection 3-21.12 of the Salary Ordinance that effective two (2) pay periods following adoption of said MOU, the provisions of said subsection shall no longer apply to employees occupying positions in the classification of Social Work Supervisor (JC #6730). Thereafter, staff recommends removing reference to JC #6730 as cleanup to subsection 3-21.12 retroactive to March 25, 2018.

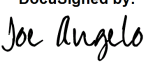
FINANCING:

Funds are available in the 2022-2023 Approved Budget and will be included in future years' requested budgets to cover the cost resulting from the applicable recommendation.

VISION 2026 GOAL:

The Salary Ordinance amendments meet the 10x goal pathways of **Employment for All** in support of our shared vision of a **Prosperous and Vibrant Economy**.

Very truly yours,

DocuSigned by:

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Joe Angelo, Director
Human Resource Services

- c: CAO
- Auditor-Controller
- County Counsel
- Sheriff
- Treasurer-Tax Collector
- Interim Director, SSA

By 
Kristy van Herick, Asst. County Counsel

O-2022-31
AN ORDINANCE AMENDING
CERTAIN PROVISIONS OF THE 2021 – 2022
COUNTY OF ALAMEDA SALARY ORDINANCE

The Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

Article 1, Section 1-1, Subsection 1-1.1 of the County of Alameda Salary Ordinance is hereby amended as follows effective on August 7, 2022:

Job Code		Title	Unit Code	Step 01	Step 02	Step 03	Step 04	Step 05	FLSA Status
8604	NM	Deputy Sheriff II	013	4064.80	4288.80	4480.80	4713.60	4935.20	MN
8617	NM	Sergeant	S13			5346.40	5616.00	5891.20	XN

SECTION II

Article 3, Section 3-19, Subsection 3-19.18 of the County of Alameda Salary Ordinance is hereby amended to read as follows:

3-19.18 - Effective July ~~25, 2021~~24, 2022, not to exceed one (1) employee in Job Code 0161NM, when assigned to perform lead duties in the Business License Tax Unit of the Treasurer-Tax Collector Department on an on-going basis, and serve as the Office Manager in the Hayward Office in the absence of the supervisor, shall receive an additional five percent (5%) compensation of the base pay. This footnote shall sunset on July ~~23, 2022~~22, 2023 and shall be deleted from the Salary Ordinance upon the sunset date.

SECTION III

Article 3, Section 3-21, Subsection 3-21.12 of the County of Alameda Salary Ordinance is hereby amended to read as follows:

3-21.12 - Persons occupying positions under the following Job Codes, and who are in possession of an MSW Degree or an MA from an accredited college or university in counseling or clinical psychology based on a two-year program (56 semester units or 72 quarter units) which included a supervised field placement providing counseling and case work services to individuals and families as part of the course curriculum or an M.F.C.C. license, shall receive additional compensation as follows: 6715, 14.4 percent; 6720, 11.7 percent; ~~6730SM, 17.2 percent;~~ and 6792 shall be compensated at the salary schedule for 6750MA.

Effective ~~December 22, 2002~~March 28, 2018, persons occupying positions under the following Job Codes and who are in possession of an MSW Degree or an MA from an accredited college or university in counseling or clinical psychology

based on a two-year program (56 semester units or 72 quarter units) which included a supervised field placement providing counseling and case work services to individuals and families as part of the course curriculum or an M.F.C.C. license shall receive additional compensation as follows: 6715, 14.4 percent; 6720, 11.7 percent; ~~6730SM and 6792~~ shall be compensated at the salary schedule for 6750SM.

~~Effective two pay periods following adoption of the 2017-2022 ACMEA General Government and Confidential MOU by the Board of Supervisors, the provisions of this note shall no longer apply to employees occupying positions in Job Code 6730SM.~~

SECTION IV

This ordinance shall take effect immediately, and before the expiration of fifteen days after its passage, shall be published once with the names of the members voting for and against it in the Inter-City Express, a newspaper published in the County of Alameda.

THE FOREGOING was **PASSED** and **ADOPTED** by a majority vote of the Alameda County Board of Supervisors this **26th** day of **July, 2022**, to with:

AYES: Supervisors Brown, Miley, Valle & President Carson – 4

NOES: None

EXCUSED: Supervisor Haubert – 1



PRESIDENT, BOARD OF SUPERVISORS

File No: 30836
Agenda No: 13
Document No: O-2022-31



I certify that the foregoing is a correct copy of a Ordinance adopted by the Board of Supervisors, Alameda County, State of California

ATTEST:
Clerk, Board of Supervisors

By: R. Bailey
Deputy