



Human Resource Services

November 28, 2023

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

SUBJECT: ADOPT 1) SALARY ORDINANCE AMENDMENTS TO UPDATE SUBSECTION 1-1.1 TO ESTABLISH JOB CODE ("JC") #'s 1275N & 1276N, UPDATE REPRESENTATION UNIT FOR JC #6384, AND CORRECT FLSA DESIGNATION FOR MULTIPLE JC #'s AND ADD SUBSECTION 3-16.7; 2) SIDELETTER OF AGREEMENT WITH LOCAL 21 ACCA; AND 3) MEMORANDUM OF UNDERSTANDING ORDINANCE AMENDMENT FOR ACCRETION OF JC #5384

Dear Board Members:

RECOMMENDATIONS:

1. Adopt Salary Ordinance amendments to i) update Article 1, Section 1-1 (Pay Rate Schedules), subsection 1-1.1 to: a) establish two (2) new classifications of Election Worker I – Services-As-Needed (Job Code ("JC") #1275N) and Election Worker II – Services-As-Needed (JC #1276N) located in the Registrar of Voters Department ("ROV") retroactive to November 26, 2023, b) update the representation unit for the classification of Psychiatric Mental Health Nurse Practitioner (JC #5384) from 039 to 018 effective December 10, 2023, and c) correct the administrative error of the Fair Labor Standard Act ("FLSA") designation for JC #'s 3105, 3110, 3125, 3126, 3220, and 3230 from non-exempt to exempt; and ii) add Article 3, Section 16 (Registrar of Voters Department), subsection 3-16.7 to establish salary administration criteria for JC #'s 1275N and 1276N retroactive to November 26, 2023; and
2. Adopt a Sideletter of Agreement ("SLA") between the County of Alameda ("County") and the International Federation of Professional and Technical Engineers ("IFPTE"), Local 21 Alameda County Counsels' Association ("ACCA") to correct the administrative error of the FLSA designation for the classifications as listed in Appendix A (Represented Classifications and Salaries) of the Memorandum of Understanding ("MOU"); and
3. Adopt an Ordinance amending the July 10, 2022 to July 5, 2025 MOU between the Union of American Physicians and Dentists ("UAPD") and the County to add the classification of Psychiatric Mental Health Nurse Practitioner (JC #5384) in Representation Unit 018 effective December 10, 2023.

DISCUSSION/SUMMARY:

The ROV requested the creation of two (2) new classifications of Election Worker I – Services-As-Needed (JC #1275N) and Election Worker II – Services-As-Needed (JC #1276N). Presently, ROV relies on Temporary Assignment Pool ("TAP") employees to support election-related activities. However, continued utilization of TAP employees is no longer a viable option given the required compensation structure and taxation requirement under the Internal Revenue Service ("IRS"). Said employees are hired for either 4-day or 11-day assignments and depending on the length of assignment, the County must comply with specific IRS taxation requirements. In response to these requirements, staff concurs and recommends creating the two (2) new classifications of Election Worker I – Services-As-Needed (JC #1275N) and Election Worker II –

Services-as-Needed (JC #1276N) tailored to address the specific needs of election-related tasks. The job specifications were approved by the Civil Service Commission on November 15, 2023.

In addition, staff recommends establishing the salary ranges for said classifications as flat rates per session as outlined in the amended Salary Ordinance. The proposed flat rate salary ranges are based on the lowest and highest amounts the employee may receive for their assignment, which ranges from four (4) days to eleven (11) days, as well as completion of a pre-election training session. The flat rate salary ranges are in accordance with the California Voter's Choice Act established by Senate Bill 450 (2016) that will allow the County to conduct elections under a model that provides greater flexibility and convenience for voters. Staff recommends setting the salary range as a deep classification salary range to allow the ROV flexibility to compensate the employees at a flat rate amount for the session, prorated if they do not complete the entirety of the respective 4 or 11 day assignment.

Additionally, on September 19, 2023, your Board adopted Ordinances approving the November 13, 2022 through November 22, 2025 MOUs between the County and 1) IFPTE, Local 21 ACCA, and 2) IFPTE, Local 21 Public Defender Chapter ("PDC"), that included a Salary Ordinance amendment to Article 1, Section 1-1 (Pay Rate and Schedules), subsection 1-1.1 for the six (6) classifications (JC #s 3105, 3110, 3125, 3126, 3220, and 3230) represented by ACCA and PDC. Staff discovered an administrative error on said amendment for the FLSA designation of the six (6) classifications. As such, staff recommends correcting the administrative error of the FLSA designation for the six (6) classifications as outlined in the attached Salary Ordinance amendment from non-exempt to exempt.

Furthermore, during the 2022 – 2025 ACCA MOU negotiations there were no active discussions between the County and IFPTE Local 21 ACCA regarding making changes to the FLSA designation for the represented classifications. The prior adoption of the 2022 – 2025 ACCA MOU with the incorrect FLSA designation was solely a typographical, administrative error. As such, staff recommends adopting the attached SLA between the County and IFPTE, Local 21 ACCA and replace the existing page 32 (Appendix A - Represented Classifications and Salaries) of the 2022 - 2025 MOU with the revised Appendix A attached to the SLA.

Lastly, on September 12, 2023, the Human Resource Services Department received accretion authorization petitions (petition for union representation) from the three (3) incumbents in the classification of Psychiatric Mental Health Nurse Practitioner (JC #5384) for representation by UAPD. Staff evaluated said petitions, and on October 11, 2023, notified the three (3) incumbents and UAPD that said classification is appropriate for representation by UAPD (Representation Unit 018), and that if they wished to be placed into a different representation unit, to contact staff within 10 days of the date of the notice. Staff did not receive a response, and on October 27, 2023, notified UAPD confirming a recommendation will be made to your Board. As such, staff recommends amending the July 10, 2022 to July 5, 2025 MOU between UAPD and the County to include the classification of Psychiatric Mental Health Nurse Practitioner (JC #5384) in Representation Unit 018 effective December 10, 2023, and the Salary Ordinance subsection 1-1.1 by updating the Representation Unit from 039 to 018 effective the same date.

FINANCING:

Funds are available in the 2023-2024 Approved Budget and will be included in future years' requested budgets to cover the costs resulting from the recommendations, as applicable.

VISION 2026 GOAL:

The recommendations 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:

Margarita Zamora

24C63D8E074A48D...

Margarita Zamora, Interim Director
Human Resource Services

c: CAO
County Counsel
Auditor-Controller
Public Defender
ROV
Director, Health Care Services Agency

SECOND READING - CONTINUED FROM 11/28/2023

Approved as to Form
DONNA ZIEGLER, County Counsel

By 
Kristy van Herick, Asst. County Counsel

AN ORDINANCE AMENDING
CERTAIN PROVISIONS OF THE 2023-2024
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 thereto of the following job codes, titles, and salaries effective on the dates shown below:

Job Code		Title	Unit Code	Effective Date	Step 01	Step 02	Step 03	Step 04	Step 05	FLSA Status
1275N	NM	Election Worker I – Services-As-Needed	039	11/26/23	\$20.00 (Flat per session)				\$775.00 (Flat per session)	N
1276N	NM	Election Worker II – Services-As-Needed	039	11/26/23	\$20.00 (Flat per session)				\$1,910.00 (Flat per session)	N
3105	PA	Dependency Attorney	069	2/6/2022	\$5,746.40				\$6,977.60	XN
				6/25/2023	\$6,396.00				\$7,765.60	
				2/4/2024	\$6,716.00				\$8,153.60	
				2/2/2025	\$6,984.80				\$8,480.00	
3110	PA	Associate Deputy Public Defender	069	2/6/2022	\$4,161.60				\$6,284.00	XN
				6/25/2023	\$4,632.00				\$6,993.60	
				2/4/2024	\$4,864.00				\$7,343.20	
				2/2/2025	\$5,058.40				\$7,636.80	
3125	PA	Deputy Public Defender	069	2/6/2022	\$6,485.60				\$8,975.20	XN
				6/25/2023	\$7,218.40				\$9,989.60	
				2/4/2024	\$7,579.20				\$10,488.80	
				2/2/2025	\$7,882.40				\$10,908.00	
3126	PA	Assistant Public Defender	R68	2/6/2022	\$8,364.00				\$11,018.40	XN
				6/25/2023	\$9,308.80				\$12,263.20	
				2/4/2024	\$9,774.40				\$12,876.00	
				2/2/2025	\$10,165.60				\$13,391.20	
3220	PA	Associate County Counsel	R65	2/6/2022	\$4,161.60				\$6,284.00	XN
				6/25/2023	\$4,632.00				\$6,993.60	
				2/4/2024	\$4,864.00				\$7,343.20	
				2/2/2025	\$5,058.40				\$7,636.80	
3230	PA	Deputy County Counsel	R65	2/6/2022	\$6,485.60				\$8,975.20	XN
				6/25/2023	\$7,218.40				\$9,989.60	
				2/4/2024	\$7,579.20				\$10,488.80	
				2/2/2025	\$7,882.40				\$10,908.00	
5384	NM	Psychiatric Mental Health Nurse Practitioner	039 018	7/9/12/10/2023	\$6,960.00	\$7,306.40	\$7,672.80	\$8,055.20	\$8,457.60	X

SECTION II

Article 3, Section 16 of the County of Alameda Salary Ordinance is hereby amended thereto by the addition of the following subsection shown below:

3-16.7 – Effective November 26, 2023, employees in Job Codes 1275N and 1276N shall be compensated at a flat rate amount per session. For purposes of this subsection, per session means per election cycle. The flat rate is calculated based on the employee's completion of the initial training session, completion of a four (4) day assignment for JC 1275N or eleven (11) day assignment for JC 1276N within the election cycle, and, if applicable, bilingual pay and a completion bonus. If an employee does not complete the entirety of the assignment, the flat rate will be prorated.

SECTION III

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.

By 
Kristy van Herick, Asst. County Counsel

AN ORDINANCE AMENDING
THE JULY 10, 2022 THROUGH JULY 5, 2025
MEMORANDUM OF UNDERSTANDING
BETWEEN THE
UNION OF AMERICAN PHYSICIANS AND DENTISTS
AND THE
COUNTY OF ALAMEDA

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

SECTION I

Appendix A – Salaries in the July 10, 2022 through July 5, 2025 Memorandum of Understanding between the Union of American Physicians and Dentists and the County of Alameda, applicable to employees in Representation Unit 018, is hereby amended by the addition thereto of the following job code, title, and salary, to be effective December 10, 2023.

Job Code	MC	Title	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	FLSA
5384	NM	Psychiatric Mental Health Nurse Practitioner	6,960.00	7,306.40	7,672.80	8,055.20	8,457.60	X

SECTION II

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.