



Human Resource Services

Lakeside Plaza Building  
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Oakland, CA 94612-4305  
TDD: (510) 272-3703

REVISED

January 17, 2018

Honorable Board of Supervisors  
Administration Building  
Oakland, CA 94612

**Subject: Adopt two Memoranda of Understanding, Salary Ordinance Amendments, Administrative Code Amendment and Twenty Sideletters of Agreement**

Dear Board Members:

**Recommendation:**

- A. Adopt an Ordinance approving the April 9, 2017 through June 25, 2022, Memorandum of Understanding, including Appendices A through D, between the Alameda County Management Employees Association (ACMEA) General Government Unit and the County of Alameda and the April 9, 2017 through June 25, 2022, Memorandum of Understanding, including Appendices A through D, between the Alameda County Management Employees Association (ACMEA) Confidential Unit and the County of Alameda;
- B. Amend Salary Ordinance Sections 3-12.87, 3-15.15, 3-18.26, 3-21.12, 3-21.8, 6-12, 7-4 and 7-10 to implement changes agreed to with ACMEA;
- C. Adopt an Ordinance amending Administrative Code Section 3.28.010, Definition of Overtime and 3.28.050, Requirement of actual work; and
- D. Adopt a total of twenty sideletters of agreement contained in the ACMEA General Government and Confidential Units' MOUs.

**Discussion/Findings:**

Your representatives and representatives of the Alameda County Management Employees Association have reached agreement on two Memoranda of Understanding (MOU), for the General Government and Confidential Units, which expire in June 2022. The agreements include the following wage increase for all classifications in the bargaining units: 4% effective December 31, 2017, 3.5% effective December 30, 2018; 3.25% effective December 29, 2019; 3.25% effective December 27, 2020; and 3% effective December 26, 2021, with special adjustments ranging from 1% to approximately 13.68% for selected classifications, commencing two pay-periods following adoption of the MOU through fifty-four pay periods following adoption.

Effective Plan Year 2019, through the terms of the MOUs, the County and ACMEA General Government and Confidential Units have agreed to increase the share of the cost of medical premiums for the employee. Effective April 8, 2017 through January 31, 2019 the County will continue to pay 90% of the total premium of the Health Maintenance Organization (HMO) plans or 90% of the lowest cost HMO plan toward the total premium for a Preferred Provider Organization (PPO)/Indemnity or Operating Engineers Plan at the corresponding level of coverage and employees in ACMEA General Government and Confidential Units will pay the remaining 10% of the premium costs; for coverage effective February 1, 2019 through January 31, 2022, the County will pay eighty-seven and one-half 87.5% and employees in ACMEA General Government and Confidential Units will pay the remaining 12.5% of the premium costs; for coverage effective February 1, 2022 through the term of the MOU, the County will pay eighty-five 85% and employees in ACMEA General Government and Confidential Units will pay the remaining 15% of the premium costs. Effective Plan Year 2019, the County Allowance is being increased from the current amount of \$3100 to \$3300 and in Plan Year 2022, the County Allowance will be increased from \$3300 to \$3500, corresponding with the increases in the medical premium cost sharing.

Additionally, the following provisions were agreed upon: the "No Discrimination" section was updated to ensure compliance with federal and state laws; effective December 29, 2019 through the terms of the MOUs, there will be a hard cap on the vacation accrual for all employees; effective December 30, 2018, Bilingual Pay is being increased from \$40 to \$55 for a person occupying a position designated as requiring fluency in a language other than English and from \$45 to \$60 for a person occupying a position requiring fluency in 2 or more languages other than English; and for the Grievance Process additional language was added to increase the Informal Review by the Human Resources Director time limit to 20 working days.

The Salary Ordinance shall be amended as follows, and as indicated in the referenced Sideletters of Agreement below: Section 3-15.15 shall be amended to increase the flat rate amount paid to managers in the Public Works Agency when assigned to respond to emergencies from the Alameda County Sheriff's Office, Fire Department and/or the California Highway Patrol, from \$175 to \$250 per week;

The twenty sideletters have the following provisions, including amendments to the Salary Ordinance and Administrative Code, as appropriate:

- (1) Amend Section 3.28.010 and 3.28.050 of the Administrative Code to reflect, effective two pay periods following adoption of the MOU, paid vacation, vacation buy, sick leave, floating holiday pay, and management paid leave shall not be counted towards the accumulation of the workweek when calculating overtime compensation;
- (2) Amend Salary Ordinance Section 3-18.26 providing weekly compensation for Adult Protective Services Supervisors when assigned to provide coverage to respond to emergency calls to continue for the new term of the agreement;
- (3) Section 7-4 shall be amended to continue the fifteen days allowable for vacation sellback through the new terms of the agreements;
- (4) Section 3-21.12, which allows for additional compensation for possession of a Master's Degree, is being amended to eliminate the Social Work Supervisor 6730 SM;
- (5) Establish two footnote provisions for Physician IV 5141 and Physician V 5143; one footnote to receive additional compensation upon proof of certification from the appropriate American Specialty Board and continuously maintaining such compensation to continue to receive the additional compensation; the other footnote to receive additional compensation when Board-certified in child psychiatry and supervising Physician IIs and IIIs who are Board-certified and required to perform the full range of psychiatric-care related duties;
- (6) Section 3-21.8 is being amended to include within 60 days after adoption of the MOU, ACMEA General Government and Confidential employees receiving the word processing differential shall receive a one-time lump sum payment of \$1000.00, additionally, upon payment of the buy-out, any and all provisions of the Word Processing differential shall no longer apply to ACMEA General Government and Confidential employees;
- (7) Section 6-12 shall be amended to eliminate the classifications of Supervising Clerk 1138 SM, Supervising Clerk II 1139SM, Supervising Clerk III 1140SM, Assessment Supervisor I 2850SM and Assessment Supervisor II 2851SM from receiving the additional 5% compensation and the 5% compensation shall be rolled into the base pay for the aforementioned classifications;
- (8) Renew the sideletter of agreement to conduct a salary review in September of each year of the current MOU, with the exception of the last year of the MOU, to address issues of compaction, recruitment, and retention that may have occurred in the interim one-year period;
- (9) Within 120 days after adoption of the MOU, representatives from Human Resource Services, an ACMEA Business Representative and one ACMEA represented County employee will meet to discuss the County's salary requirements for transfer requests between ACMEA classifications;
- (10) All represented employees in the bargaining unit as of July 2, 2018, will receive a one-time gross payment of \$2500;
- (11) The County may modify the Registered Nurse IV job specification to include the requirement of mandatory First Call Duty Officer (FCDO) on-call duties after the MOU is adopted; additionally, within 60 days following adoption of the MOU, the Parties shall meet and confer in good faith regarding how mandatory performance of FCDP duties for all RN IV's will be implemented; upon implementation of the mandatory FCDO duties for all RN IV's the base pay rate for the RN IV classification shall be increased by 5%;
- (12) Within 30 days of adoption of the MOU, a task force will be established in the Social Services Agency (SSA) to discuss possible solutions to the on-call responsibilities for SSA Program Managers within the Emergency Response Unit;
- (13) Within 90 days of the Position Description Questionnaires submitted, HRS will commence classification studies of two positions in the Health Care Services Agency;
- (14) Within 90 days of adoption of the MOU, HRS will commence an analysis of various job classifications for possible revisions and recommendations for salary adjustments, as appropriate;
- (15) Within 90 days of adoption of the MOU, SSA and ACMEA will form a joint Labor-Management Committee to discuss on-call issues and workload responsibilities for SSA Division Directors;
- (16) Within 60 days following the adoption of the MOU, the HRS Director will issue a memorandum memorializing the current expectations and process of recommending deep class salary increases;
- (17) Establish Sunday-Saturday as the workweek for Library management employees and within 60 days of adoption of the MOU, the parties will commence a meet and confer to discuss the details of scheduling and staffing as it relates to the Sunday-Saturday workweek;
- (18) Increase the monthly Share the Savings stipend in Plan Year 2019 to provide monthly totals of: \$250 for employees declining all medical coverage, \$200 for employees declining Family coverage and electing Single coverage, \$150 for employees declining Family coverage and electing 2-party coverage, and \$150 for employees declining 2-party coverage and electing Single coverage;

(19) Effective Fiscal Year 2018/2019, establish a professional incentive pool for job-related educational courses which shall maintain or upgrade the employee's skills on the job; the County shall pay up to \$700 per employee, per FY, on a first-come, first-served basis, not to exceed \$75,000 in any fiscal year; the remaining pool shall not roll over year to year; and  
(20) Effective Plan Year 2019, the maximum annual dental coverage limit will be increased by \$100 for a total of \$1650 per Plan Year; effective Plan Year 2021 and through the term of the agreement, the maximum annual dental coverage limit will be increased an additional \$100 for a total of \$1750 per Plan Year.

**Financing:**

Approval of the recommendations will result in a long-term financial commitment increasing costs in the current and subsequent budget years. Funds are available within existing appropriations in the Approved 2017 – 2018 budget to cover the cost increases in the current year.

Very truly yours,



Joseph Angelo, Director  
Human Resource Services

JA:my

Z:\Board Letters\01.23.18 ACMEA General Government & Confidential MOU

Cc: CAO  
Auditor-Controller  
County Counsel  
Agency/Department Heads

*Andrea S. Carlise*  
By \_\_\_\_\_

Ordinance No. O-2018-3

AN ORDINANCE APPROVING THE  
APRIL 9, 2017 – JUNE 25, 2022 MEMORANDUM OF UNDERSTANDING WITH THE ALAMEDA COUNTY MANAGEMENT  
EMPLOYEES ASSOCIATION  
GENERAL GOVERNMENT AND CONFIDENTIAL UNITS

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

SECTION I

The provisions of sections 1 through 27, and Appendix A through D of the April 9, 2017 through June 25, 2022, Memorandum of Understanding, dated January 17, 2018, between the County negotiators and the Alameda County Management Employees Association General Government and Confidential Units, applicable to employees in Representation Units R15, R44, R45, R48, R49, R50, R53 and R61, are hereby approved and incorporated herein by reference.

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 the same in the Inter-City Express, a newspaper published in the said County of Alameda.

**THE FOREGOING** was **PASSED** and **ADOPTED** by a majority vote of the Alameda County Board of Supervisors this 6<sup>th</sup> day of February, 2018, to wit:

**AYES:** Supervisors Carson, Haggerty, Valle & President Chan – 4

**NOES:** None

**EXCUSED:** Supervisor Miley – 1



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**PRESIDENT, BOARD OF SUPERVISORS**

File: 30090  
Agenda No: 19  
Document No: O-2018-3



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: RBailey  
Deputy

By Andrea S. Caruso

O-2018-4

AN ORDINANCE AMENDING  
CERTAIN PROVISIONS OF THE 2017 – 2018  
ALAMEDA COUNTY SALARY ORDINANCE

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

**SECTION I**

**Article 3, Section 3-12** of the County of Alameda Salary Ordinance is hereby amended by the addition thereto of the following note, effective as stated below:

- 3-12.87 Effective two pay periods following adoption of the 2017-2022 ACMEA General Government and Confidential MOU, by the Board of Supervisors, employees occupying positions under Job Codes 5141 and 5143 shall receive an additional five percent compensation above the employee's base salary upon establishing proof of certification from the appropriate American Specialty Board. Continuously maintaining such certification is required to remain eligible for this additional five percent compensation.

In addition to the compensation provided in this note above, effective two pay periods following adoption of the 2017-2022 ACMEA General Government and Confidential MOU by the Board of Supervisors, employees occupying positions under Job Codes 5141 and 5143, who are Board-certified in child psychiatry, and who are regularly assigned to supervise Physician IIs and IIIs performing a full range of psychiatric-care related duties in a Children's Services Unit in the Behavioral Health Care Services Department, shall receive an additional 5 percent compensation, upon established proof of eligibility for certification from the appropriate American Specialty Board.

**SECTION II**

**Article 3, Subsection 3-15.15** of the County of Alameda Salary Ordinance is hereby amended by the addition thereto of the following note, effective as stated below:

- 3-15.15 Add the following paragraph:

Effective two pay periods following adoption of the 2017-2022 ACMEA General Government and Confidential MOU by the Board of Supervisors, the flat rate amount shall be increased from \$175 per week to \$250 per week.

**SECTION III**

**Article 3, Subsection 3-18.26** of the County of Alameda Salary Ordinance is hereby amended by the addition thereto of the following underlined language:

- 3-18.26 Effective April 14, 2002, not to exceed two persons in the Social Services Agency, Department of Adult and Aging, under Job Code 6770SM when assigned to provide coverage to respond to emergency calls from 5:30 p.m. to 7:30 a.m., Monday through Friday, and from 5:30 p.m. Friday to 7:30 a.m. Monday, shall receive an additional \$175 per week. This note shall be in full force and effect for the term of the ~~2012-2017~~ 2017-2022 Alameda County Management Employees Association, General Government Unit Memorandum of Understanding.



## SECTION IV

**Article 3, Section 3-21** of the County of Alameda Salary Ordinance is hereby amended by the addition thereto of the following note, effective as stated below:

3-21.8 Add the following paragraph:

Effective within sixty days following adoption of the 2017-2022 ACMEA General Government and Confidential MOU, the provisions of this note will no longer apply to an ACMEA represented employee who is continuing to receive the word processing differential authorized in the text and shall instead receive a one-time lump sum payment of \$1,000.00. Upon payment, any and all provisions of this section shall no longer apply to ACMEA represented employees.

3-21.12 Add the following paragraph:

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 V

**Article 6, Section 6-12** of the County of Alameda Salary Ordinance is hereby amended by the addition thereto of the following note, effective as stated below:

6-12: Add the following paragraph:

Effective two pay periods following adoption of the 2017-2022 ACMEA General Government and Confidential MOU by the Board of Supervisors, the provision herein shall no longer apply to persons occupying positions under Job Codes 1138SM, 1139SM, 1140SM, 2850SM and 2851SM.

## SECTION VI

**Article 7, Sections 7-4 and 7-10** of the County of Alameda Salary Ordinance are hereby amended by the addition thereto of the following underlined language and the addition thereto of the following note, effective on the dates shown, respectively:

7-4: T. Effective July 1, 2013, the yearly maximum vacation sellback for employees represented by the Alameda County Management Employees Association (ACMEA) - General Government and Confidential Units R15, R44, R48, R49, R50, R50, R53, and R61 shall be fifteen (15) days in Fiscal Year 2012-2013 and will continue through Fiscal Year ~~2016-2017~~ 2021-2022.

7-10: Add the following paragraphs:

Effective January 1, 2019, each ACMEA represented full-time employee in Representation Units R15, R44, R45, R48, R49, R50, R53 and R61, is eligible for a cafeteria benefit plan in the amount of \$3,300 for the calendar year 2019, 2020 and 2021; and effective January 1, 2022, the amount shall be increased to \$3,500 per calendar year. This amount shall be prorated in advance of the calendar year for employees regularly scheduled to work less than full-time based upon the hours which the employee has been regularly scheduled to work.

An employee appointed to a position in a classification with a Job Code suffix EM, SM, CA, PA, MA, SE or M shall be entitled to a prorated amount based upon the number of pay periods to be worked full-time during the remainder of the calendar year, except that employees appointed during the two last full pay periods, and any following partial pay period, prior to December 31 shall not be eligible for plan benefits until the following calendar year. Effective January 1, 2014, the Plan was amended to include Dependent Care Assistance and Adoption Assistance.

## SECTION VII

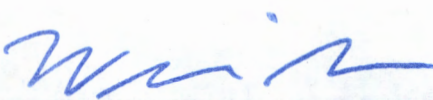
This ordinance shall take effect immediately, and before the expiration of fifteen days after its passage, shall be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the said County of Alameda.

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**AYES:** Supervisors Carson, Haggerty, Valle & President Chan – 4

**NOES:** None

**EXCUSED:** Supervisor Miley – 1



**PRESIDENT, BOARD OF SUPERVISORS**

File: 30090

Agenda No: 19

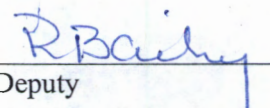
Document No: O-2018-4



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:   
Deputy



By Andrea L. Carlson

O-2018-5

AN ORDINANCE AMENDING  
CERTAIN PROVISIONS OF THE  
ALAMEDA COUNTY ADMINISTRATIVE CODE

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

**SECTION I**

**Chapter 3.28 Overtime**, of the Alameda County Administrative Code is hereby amended by the addition of the following underlined language to Subsections 3.28.010 and 3.28.050 to read as follows:

**3.28.010 - Definitions.**

"Overtime" or "overtime work" as used herein is defined as all work in excess of the workweek as defined in Section 2.110.050 of this code. "Premium pay" or "premium rate" as used herein is defined as compensation, whether in cash or time off, at the rate of time and one-half. "Week" as used herein is defined as any consecutive seven-day period commencing at 12:01 a.m. of any Saturday or such other as may be designated by the board of supervisors.

Effective June 5, 2016, for unrepresented non-management related to SEIU employees, vacation, vacation buy, personal leave, sick leave (all types), holiday, and floating holiday leave shall not count towards the accumulation of the workweek when calculating overtime compensation.

Effective two pay periods following adoption of the 2017-2022 ACMEA General Government and Confidential MOU by the Board of Supervisors, for employees represented by ACMEA General Government and Confidential Units R15, R44, R45, R48, R49, and R50 vacation, vacation buy, personal leave, sick leave (all types), floating holiday leave and paid management leave shall not count towards the accumulation of the workweek when calculating overtime compensation.

**3.28.050 - Requirement of actual work.**

There shall be no overtime payment unless the employee has actually worked at least some portion of time during said workweek. For example, an employee on paid leave only during an entire workweek is not entitled to any overtime compensation.

Effective June 5, 2016, for unrepresented non-management related to SEIU employees, there shall be no overtime payment unless the employee has actually worked over 37.5 or 40.0 hours during said workweek.

Effective two pay periods following adoption of the 2017-2022 ACMEA General Government and Confidential MOU by the Board of Supervisors, for employees represented by ACMEA General Government and Confidential Units R15, R44, R45, R48, R49, and R50 there shall be no overtime payment unless the employee has actually worked over 37.5 or 40.0 hours during said workweek.

**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 the same in the Inter-City Express, a newspaper published in the said County of Alameda.

**THE FOREGOING** was **PASSED** and **ADOPTED** by a majority vote of the Alameda County Board of Supervisors this 6<sup>th</sup> day of February, 2018, to wit:

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**NOES:** None

**EXCUSED:** Supervisor Miley – 1



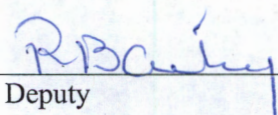
**PRESIDENT, BOARD OF SUPERVISORS**

File: 30090  
Agenda No: 19  
Document No: O-2018-5



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:   
Deputy