

Human Resource Services

Lakeside Plaza Building
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February 14, 2012
CONTINUED FROM (Item # 34)
Tuesday, 2/28/12

Honorable Board of Supervisors
Administration Building
Oakland, CA 94612

**Subject: Adoption of Memorandum of Understanding, Salary Ordinance Amendments
and Three Sideletters of Agreement**

SECOND READING

Dear Board Members:

Recommendation:

That your Board (1) adopt an Ordinance approving the 2011-2014 Memorandum of Understanding, including Appendices A through D, between the Union of American Physicians and Dentists (UAPD) and the County of Alameda, (2) adopt three Salary Ordinance amendments, and (3) adopt three sideletters of agreement.

Discussion/Findings:

Your representatives and representatives of the Union of American Physicians and Dentists have reached agreement on a new Memorandum of Understanding with a term from December 11, 2011 through December 6, 2014. The agreement provides for zero wage increases for all three years of the agreement. Additionally, effective Plan Year 2012, the UAPD has agreed to pay 10% of the medical premiums for all HMO plans and 10% of the lowest cost HMO plan premium constituting the County contribution to the PPO plans. Further, the agreement provides for a hard vacation cap for represented employees hired on or after January 8, 2012 as well as for a vacation purchase plan.

The three Salary Ordinance amendments provide for changes including modification to Section 3-12.8 that limits, for employees hired on or after January 1, 2012, the 5% Board eligibility/certification footnote compensation to only those with Board certification, thus eliminating this compensation for employees with Board eligibility only. Additionally, Section 3-12.69 that provides psychiatrists with a 25% footnote for criminal justice mental health assignments will be extended for the term of the MOU. Lastly, Section 7 will be amended in order to include UAPD represented employees in the Cafeteria Benefit Plan with annual County contributions of \$300 in 2012 and an additional \$300 in 2013 and 2014 for a total of \$600 annually for the remainder of the agreement and is consistent with other agreements of this type.

In addition to two sideletters modifying the Salary Ordinance by formalizing the 25% footnote extension and Cafeteria Benefit Plan Salary Ordinance changes, the third sideletter provides for reopening the MOU upon request for the purpose of meeting and conferring with regards to changes in the non-safety retirement formula should 50% or more of the County's non-safety employees agree to such changes.

Financing:

Funds are available in the 2011-2012 budget appropriation to pay the costs of these actions.

Very truly yours,




Mary Welch, Interim Director
Human Resource Services

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- C: County Administrator
- Auditor-Controller
- County Counsel
- Director, Health Care Services Agency

Approved as to Form
Donna Ziegler, County Counsel

By 

Ordinance No.

AN ORDINANCE APPROVING THE
DECEMBER 11, 2011 – DECEMBER 6, 2014 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


The provisions of sections 1 through 36 and Appendix A through D of the December 11, 2011 through December 6, 2014, Memorandum of Understanding, dated February 14, 2012, between the County negotiators and the Union of American Physicians and Dentists, applicable to employees in Representation Units 018 and 024 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.

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Approved as to Form
Donna Ziegler, County Counsel

By 

AN ORDINANCE AMENDING
CERTAIN PROVISIONS OF THE 2011 – 2012
ALAMEDA COUNTY SALARY ORDINANCE

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

SECTION I

Section 3-12.8 of Ordinance Number 0-2011-4 of the County of Alameda is hereby amended by the addition thereto of the following paragraph.

Effective January 1, 2012, employees occupying positions under Job Codes 5137 and 5139 or under Job Code 5137N and 5139N, who are hired on or after January 1, 2012 shall receive an additional 5 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 5 percent compensation.

SECTION II

Section 3-12.69, of Ordinance Number 0-2011-4 of the County of Alameda is hereby amended to read as follows.

3-12.69 - Effective December 11, 2011, not to exceed ten employees occupying positions under Job Codes 5139 and/or 5139N who perform the full range of psychiatric care duties in the Criminal Justice Mental Health Services in Behavioral Health Care Services shall receive an additional twenty-five percent compensation. The compensation authorized by this footnote will terminate December 6, 2014.

SECTION III

The Introduction to Article 7, is hereby amended to read as follows.

Article 7 – Provisions Applicable to Persons in Classifications Designated SE, EM, SM, PA, CA, MA, or M and only as specifically mentioned in certain provisions to employees represented by the Probation Peace Officers' Association in Representation Units 001 and 076 and by the Union of American Physicians and Dentists in Representation Units 018 and 024.

SECTION IV

Article 7, Section 7-1 Application, is hereby amended thereof of the Second Paragraph to read as follows.

This Article shall also apply, only as specifically mentioned in certain provisions to employees represented by the Probation Peace Officers' Association in Representation Unit 001 and 076 and by the Union of American Physicians and Dentists in Representation Units 018 and 024.

SECTION V

Article 7, Section 7-9, Cafeteria Benefit Plan: Purpose, is hereby amended by the addition thereto of the following paragraphs to read as follows.

Effective January 1, 2012, Cafeteria Benefit Plan: Allocation of Benefits, for employees represented by the Union of American Physicians and Dentists (UAPD) in Representation Units 018 and 024 to read as follows:

Prior to January 1 of each year, and within the first 30 days of employment in the case of a new employee, the employee may allocate the plan amount among the following benefit accounts. Failure of the employee to allocate benefits within the stated time frame will result in all funds being allocated to the Health Care expense account. Except in the case of a termination and reinstatement or a change in dependent status, no change may be made in this allocation during the calendar year and any sums remaining unspent at the end of the year, including salary contributions made pursuant to Section 7-11, are County funds.

SECTION VI

Article 7, Section 7-10, Cafeteria Benefit Plan: Amount of Allocable Money, is hereby amended by the addition thereto of the following paragraph.

Effective January 1, 2012, each Union of American Physicians and Dentists represented full time employee in Representation Units 018 and 024 is eligible for a cafeteria benefit plan in the amount of \$300 for the 2012 plan calendar year and an additional \$300 for a total annual amount of \$600 in calendar year 2013. For year 2014 the annual total amount shall be \$600. 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 mid-year shall be entitled to a prorated amount based upon the number of pay periods to be worked 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. The maximum sum available to employees who reinstates shall not exceed \$300 minus the sum of cafeteria plan benefits received by the employee during the portion of the calendar year.

SECTION VII

Article 7, Section 7-11, Cafeteria Benefit Plan: Contribution of Salary, is hereby amended by the addition thereto of the following paragraphs.

Effective January 1, 2012, an employee represented by the Union of American Physicians and Dentists (UAPD) in Representation Units 018 and 024, may through payroll deduction, contribute to his/her cafeteria benefit plan in order to pay for plan benefits with pre-tax salary. The maximum employee contribution for the 2012 plan calendar year shall be \$5,000 and the maximum for the 2013 and 2014 plan calendar years shall be \$2,500 as established by Federal Law.

In addition, subject to the applicable provisions of the Internal Revenue Code, employees covered by this Memorandum of Understanding are eligible to contribute from their salary on a pre-tax basis an amount up to \$5,000 each calendar year for approved dependent care. Eligible employees may only contribute salary for such expenses: there is no County contribution for dependent care. Reimbursements are made solely on a monthly basis subject to submission of itemized statements, proof of payment, adequate accumulation of salary contributions and all applicable County Administrative procedures.

SECTION VIII

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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