



Human Resource Services

March 12, 2019

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

SUBJECT: TWO (2) SIDELETTERS OF AGREEMENT FOR ACCA AND PDC AND SALARY ORDINANCE AMENDMENTS FOR SECTIONS 7-5 (PAID LEAVE) AND 3-21.48

Dear Board Members:

RECOMMENDATION:

- A) Adopt the following two (2) Sideletters of Agreement: 1) Between the Alameda County Counsels' Association, IFPTE, Local 21 (ACCA) and the County of Alameda; and 2) Between the Alameda County Public Defender' Chapter, IFPTE, Local 21 for Representation Units R68 and 069 (PDC) and the County of Alameda to amend Section 7-5 (Paid Leave) of the Salary Ordinance.
- B) Adopt Salary Ordinance amendments to: 1) delete obsolete and repetitive language and reformat existing language to ensure language is accessible and understandable in Section 7-5 (Paid Leave); and 2) include management employees in addition to non-management employees who may be authorized to receive a stipend when temporarily assigned as election poll workers during County-sponsored elections in Section 3-21.48.

DISCUSSION/SUMMARY:

We recommend that your Board adopt two (2) sideletters of agreement between the Alameda County Counsels' Association, IFPTE, Local 21 and the County of Alameda; and between the Alameda County Public Defender Chapter IFPTE, Local 21 for Representation Units R68 and 069 and the County of Alameda. The employees represented by these two (2) bargaining units were originally covered under Section 7-5 (Paid Leave) in the Salary Ordinance as Unrepresented management employees. Although employees remained eligible to receive the paid leave under the two (2) bargaining units, the language in Section 7-5 (Paid Leave) in the Salary Ordinance required updating to reflect the specific bargaining units. These sideletters of agreement to amend Section 7-5 (Paid Leave) in the Salary Ordinance authorize for the same updated provisions granting the seven (7) days of Paid Management Leave per calendar year for bargaining units ACCA and PDC that other exempt management employees receive.

As a result of the above, we further recommend that Section 7-5 (Paid Leave) in the Salary Ordinance be amended in its entirety, by deleting obsolete language, consolidating repetitive language, and reformatting the Section for easier understanding. Obsolete language includes reference to management paid leave being awarded by fiscal year rather than calendar year. It also includes deleting language that authorized additional paid leave days during years when labor organizations agreed to no cost of living increases specifically during the timeframe between 2009-2013. All labor organizations have since returned to either seven (7) (exempt) or three (3) (non-exempt) days of paid leave per calendar year.

Lastly, we recommend moving the authority to pay management employees who work as election poll workers from the deleted Section 7-5 (Paid Leave) to the existing Section 3-21.48 that currently authorizes pay for non-management poll workers and expand this Section to apply to all employees. Labor organizations were notified of these non-substantive language changes to the Salary Ordinance. As was previously communicated to your Board, this is part of an ongoing project to remove obsolete and/or sunset provisions from the Salary Ordinance.

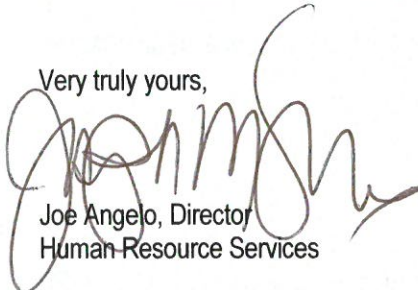
FINANCING:

There is no impact to the 2018 – 2019 budget resulting from these actions.

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,

A handwritten signature in brown ink, appearing to read "Joe Angelo", is written over the typed name and title.

Joe Angelo, Director
Human Resource Services

c: CAO
Auditor-Controller
County Counsel
Public Defender
Agency/Department Heads

Approved as to Form
DONNA ZIEGLER, County Counsel

By 
Mary Ellyn Gormley, Ass't. County Counsel

AN ORDINANCE AMENDING
CERTAIN PROVISIONS OF THE 2018 – 2019
COUNTY OF ALAMEDA SALARY ORDINANCE

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

SECTION I

Article 7, Section 7-5, of the County of Alameda Salary Ordinance is hereby amended by the following underlined and deleted language to read as follows:

SECTION 7-5. PAID LEAVE

This plan recognizes that the time required by management (M-designated) employees to complete their duties is not limited by the length of the normal County workweek by allowing employees paid leave of absence in each calendar year, as follows:

A. Exempt M-designated employees.

1. Each exempt unrepresented employee, who, as an executive, administrative, or professional employee, is exempt from the overtime provisions of the Fair Labor Standards Act, shall receive seven days of paid leave of absence in each calendar year in recognition of time worked in excess of the normal County workweek, to be scheduled by the employee, subject to the approval of the department head, and to be taken only within that calendar year.
2. Additionally, each exempt employee represented by the Alameda County Public Defenders Association in Representation Units R68 and 069; represented by the Alameda County Counsels' Association Unit R65; represented by ACMEA in Representation Units R15, R44, R45, R48, R49, and R50; represented by ACMEA in Representation Units 029 & 075; represented by the Professional Association of County Employees in Representation Units S06 and S25; and represented by the Civil Engineers Management Unit in Representation Unit 030, who is an executive, administrative, or professional employee exempt from the overtime provisions of the Fair Labor Standards Act, shall receive seven days of paid leave of absence in each calendar year to be scheduled by the employee, subject to the approval of the department head, and to be taken only within that calendar year.
3. An employee appointed after the start of the calendar year shall receive paid leave of absence prorated at the rate of 4.67 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work.

B. Non-exempt M-designated employees.

1. Each non-exempt unrepresented management employee shall receive three days of paid leave of absence in each calendar year to be scheduled by the employee, subject to the approval of the department head, and to be taken only within that calendar year.
2. Additionally, each non-exempt M-designated employee represented by ACMEA in Representation Units R15, R44, R45, R48, R49, and R50; represented by ACMEA in Representation Unit 029 & 075; represented by the Professional Association of County Employees in Representation Units S06 and S25; and employees represented by the Civil Engineers Management Unit in Representation Unit 030 shall receive three days of paid management leave of absence in each calendar year to be selected by the employee, subject to the approval of the department head, and to be taken only within that calendar year.
3. An employee appointed after the start of the calendar year shall receive paid leave of absence prorated at the rate of 2.0 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work.

- C. Paid leave allowed pursuant to subsections A. and B. above shall be scheduled by mutual agreement of the employee and the agency/department head and taken within the calendar year in which it was granted. The Paid Leave allocation will appear in the leave

balances on the first paycheck in the month of January of each year. Days that for any reason are not taken in the calendar year earned shall not thereafter be paid in any form.

This plan recognizes that the time required by employees to complete their duties is not limited by the length of the normal County workweek by allowing each employee up to ten days of paid leave of absence in each fiscal year.

A. — Each employee shall receive three days of paid leave of absence in each fiscal year to be selected by the employee, subject to the approval of the department head, and to be taken only within that fiscal year. Days that for any reason are not taken in the fiscal year earned shall not thereafter be paid in any form. An employee appointed after the start of the fiscal year shall receive paid leave of absence prorated at the rate of .92 hour for each pay period to be worked thereafter during the remainder of the fiscal year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work. For the period July 1, 2002 through December 31, 2002, each employee shall receive 1.5 days of paid leave of absence.

B. — In addition, each employee who, as an executive, administrative, or professional employee, is exempt from the overtime provisions of the Fair Labor Standards Act may be granted up to seven days of paid leave of absence in each fiscal year in recognition of time worked in excess of the normal County workweek, but not on an hour-for-hour or other proportional basis. Such leave will not be unreasonably denied, but department heads shall retain discretion to require that the scheduling of the leave be consistent with operating needs. For the period July 1, 2002 through December 31, 2002, each such employee may be granted 3.5 days of paid leave of absence.

C. — Employees who, with the written approval of their agency/department head, temporarily volunteer to be assigned to the Registrar of Voters Office as election poll workers during County-sponsored elections, shall, in addition to their regular salary, be paid the stipend authorized by the Board of Supervisors for Inspector in recognition of such work.

D. — Paid leave allowed pursuant to subsection B above shall be scheduled by mutual agreement of the employee and the agency/department head and taken within the fiscal year in which it was granted, except that, when granted after the pay period which includes May 1, the paid leave of absence may be taken in the following fiscal year. Effective July 1, 2002 through December 31, 2002, paid leave of absence received or granted in this period shall be scheduled by mutual agreement of the employee and the agency/department head and taken within this time period.

Effective January 1, 2003, the provisions of paragraph one and subsections A, B and D are no longer applicable and are replaced by the following:

This plan recognizes that the time required by employees to complete their duties is not limited by the length of the normal County work week by allowing each employee up to ten days of paid leave of absence in each calendar year.

F. — Each employee shall receive three days of paid leave of absence in each calendar year to be selected by the employee, subject to the approval of the department head, and to be taken only within that calendar year. Days that for any reason are not taken in the calendar year earned shall not thereafter be paid in any form. An employee appointed after the start of the calendar year shall receive paid leave of absence prorated at the rate of .92 hour for each pay period to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work.

G. — In addition, each employee who, as an executive, administrative, or professional employee, is exempt from the overtime provisions of the Fair Labor Standards Act may be granted up to seven days of paid leave of absence in each calendar year in recognition of time worked in excess of the normal County workweek, but not on an hour-for-hour or other proportional basis. Such leave will not be unreasonably denied, but department heads shall retain discretion to require that the scheduling of the leave be consistent with operating needs.

H. — Paid leave allowed pursuant to subsections F and G above shall be scheduled by mutual agreement of the employee and the agency/department head and taken within the calendar year in which it was granted, except that, when granted after the pay period which includes November 1, the paid leave of absence may be taken in the following calendar year.

Effective December 30, 2007, the provisions of paragraph one and sub-sections F, G and H shall no longer apply to employees represented by ACMEA in Representation Units 029 and 075. The following subsections shall apply to employees represented by ACMEA in Representation Units 029 and 075 and **effective December 26, 2010, this section no longer applies to employees represented by ACMEA Sheriff's Unit in Representation Units 026, 027 and 028. (BOS approved 6/29/10)**

This plan recognizes that the time required by employees to complete their duties is not limited by the length of the normal County work week by allowing each employee a paid leave of absence in each calendar year.

I. — Each unrepresented employee, and effective December 31, 2006, each employee represented by ACMEA in Representation Units R15, R44, R45, R48, R49, and R50, and effective December 30, 2007, each employee represented by ACMEA in Representation Unit 029 and 075, and effective December 28, 2008, each employee represented by CEMU in Representation Unit R30, effective January 1, 2009, each employee represented by PACE (Professional Association of County Employees (PACE) in Units S-06 and S-25, who is an executive, administrative, or professional employee exempt from the overtime provisions of the Fair Labor Standards Act, shall receive seven days of paid management leave of absence in each calendar year to be selected by the employee, subject to the approval of the department head, and to be taken only within that calendar year. Days that for any reason are not taken in the calendar year earned shall not thereafter be paid in any form. An employee appointed after the start of the calendar year shall receive paid leave of absence prorated at the rate of 4.67 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid

leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work. (BOS approved 7/22/08 the additional Unit R30) (BOS approved 4/28/09 PACE, Units S-06 and S-25)

J. ——— Each unrepresented employee and effective December 31, 2006, each employee represented by ACMEA in Representation Units R15, R44, R45, R48, R49, and R50, and effective December 30, 2007, each employee represented by ACMEA in Representation Unit 029 and 075, effective December 28, 2008 each employee represented by CEMU in Representation Unit R30 and effective January 1, 2009, each employee represented by Professional Association of County Employees (PACE) in Representation Units S-06 and S-25, who is covered by the overtime provisions of the Fair Labor Standards Act, shall receive three days of paid leave of absence in each calendar year to be selected by the employee, subject to the approval of the department head, and to be taken only within that calendar year. Days that for any reason are not taken in the calendar year earned shall not thereafter be paid in any form. An employee appointed after the start of the calendar year shall receive paid leave of absence prorated at the rate of two hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work. (BOS approved 7/22/08 the additional Unit R30) (BOS approved 4/28/09 PACE, Units S-06 and S-25)

K. ——— Paid Leave Pursuant to subsections I and J above shall be scheduled by mutual agreement of the employee and the agency/department head and taken within the calendar year in which it was approved.

L. ——— **Effective June 14, 2009**, each employee represented by ACMEA in Representation Units R15, R44, R45, R48, R49, R50, and each Unrepresented management employee and Representation Units R53 and R61, **effective July 25, 2010**, each employee represented by IFPTE, Local 21, Public Defender, in Representation Units R68 and 069, and **effective upon adoption of the June 27, 2009 – June 23, 2012**, each employee represented by IFPTE, Local 21, Civil Engineers Management Unit, in Representation Unit R30, who is an executive, administrative, or professional employee exempt from the overtime provisions of the Fair Labor Standards Act, shall receive an additional three days of paid management leave of absence for a total of ten in calendar year 2010 and an additional one day of paid management leave of absence for a total of eight in calendar year 2011. The three additional days in 2010 and the one additional day in 2011 may not be used until after July 1, of the year it is granted. The County reserves the right to designate when such additional days shall be taken. An employee appointed after the start of the calendar year 2010 shall receive paid leave of absence prorated at the rate of 6.67 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. An employee appointed after the start of the calendar year 2011 shall receive paid leave of absence prorated at the rate of 5.33 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work. Following the expiration of this footnote Paid Leave provisions revert back to Section I of this note. (BOS approved 5/12/09) (BOS approved 7/14/09 unrepresented mgmt. and Rep. Units R53 and R61) (BOS approved 6/29/10 R68 and 069) (BOS approved 7/13/10 Unit R30)

M. ——— **Effective June 14, 2009**, each employee represented by ACMEA in Representation Units R15, R44, R45, R48, R49, and R50, and each Unrepresented management employee and Representation Units R53 and R61, **effective July 25, 2010**, each employee represented by IFPTE, Local 21, Public Defender, in Representation Units R68 and 069, and **effective upon adoption of the June 27, 2009 – June 23, 2012**, each employee represented by IFPTE, Local 21, Civil Engineers Management Unit, in Representation Unit R30, who is covered by the overtime provisions of the Fair Labor Standards Act, shall receive an additional three days of paid management leave of absence for a total of six in calendar year 2010 and an additional one day of paid management leave of absence for a total of four in calendar year 2011. The three additional days in 2010 and the one additional day in 2011 may not be used until after July 1, of the year it is granted. The County reserves the right to designate when such additional days shall be taken. An employee appointed after the start of the calendar year 2010 shall receive paid leave of absence prorated at the rate of 4.0 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. An employee appointed after the start of the calendar year 2011 shall receive paid leave of absence prorated at the rate of 2.67 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work. Following the expiration of this footnote Paid Leave provisions revert back to Section J of this note. (BOS approved 5/12/09) (BOS approved 7/21/09 unrepresented mgmt. and Rep. Units R53 and R61) (BOS approved 6/29/10 R68 and 069) (BOS approved 7/13/10 Unit R30)

N. ——— **Effective January 1, 2011**, an employee represented by ACMEA Sheriff's Unit in Representation Units 026, 027 and 028 who are exempt from the overtime provisions of the FLSA shall receive seven paid leave days each calendar year. **Effective January 1, 2011**, an exempt employee represented by ACMEA (Sheriff's Unit) in Representation Units 026, 027, 028 and 029 shall receive three additional paid leave days for a total of ten days for calendar year 2011 only, and one additional paid leave day for calendar year 2012 only, for a total of eight days, to be used after July 1 of the year it is granted. The County reserves the right to designate when such additional days shall be taken. **Effective January 1, 2013**, the paid leave days for FLSA exempt employees represented by ACMEA (Sheriff's Unit) in Representation Units 026, 027, 028 and 029 shall return to seven days per calendar year. Employees covered by the overtime provisions of the FLSA in ACMEA (Sheriff's Unit) in Representation Units 026, 027, 028 and 029 shall receive three paid leave days for each calendar year. **Effective January 1, 2011**, an employee covered by the overtime provisions of the FLSA, shall receive three additional paid leave days for a total of six days per calendar year 2011 only, and one additional paid leave day for calendar year 2012 only, for a total of four days, to be used after July 1 of the year it is granted. The County reserves the right to designate when such additional days shall be taken. **Effective January 1, 2013**, the paid leave days for employees covered by the overtime provision of the FLSA, represented by ACMEA (Sheriff's Unit) MOU, shall return to three days per calendar year. (BOS approved 6/29/10)

O. ——— **Effective July 25, 2010**, each employee represented by IFPTE, Local 21, in Representation Unit R65, who is an executive, administrative, or professional employee exempt from the overtime provisions of the Fair Labor Standards Act, shall receive three days of management paid leave of absence in calendar year 2010 and one day of management paid leave of absence in calendar year 2011. The three days in 2010 and the one day in 2011 may not be used until after July 1 of the year it is granted. The County reserves the right to designate when such days shall be taken. ——— An employee appointed after the start of the calendar year 2010 shall receive the three

management paid leave of absence days prorated for each month or any part of a month to be worked thereafter during the remainder of the calendar year. An employee appointed after the start of the calendar year 2011 shall receive the one day of paid leave of absence prorated for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hours workweek for which the employee is regularly scheduled to work. The three management paid leave days for calendar year 2010 and the one management paid leave day for calendar year 2011 are not subject to the Office of County Counsel billable hours requirement. **Effective January 1, 2012**, Section 7-5, Subsection "O" shall no longer apply. (BOS approved 6/29/10)

P. **Effective January 1, 2010**, each employee represented by ACMEA, Probation Managers Unit 075, who is an executive, administrative, or professional employee exempt from the overtime provisions of the Fair Labor Standards Act, shall receive 7 paid leave days each calendar year. Effective January 1, 2011, an employee represented by ACMEA Probation Manager Unit 075 shall receive 3 additional paid leave days for a total of 10 days in calendar year 2011 only, and 1 additional paid leave day for a total of 8 days in calendar year 2012 only, to be used after July 1 of the year it is granted. The County reserves the right to designate when such additional days shall be taken. An employee appointed after the start of the calendar year 2011 shall receive paid leave of absence prorated at the rate of 6.67 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. An employee appointed after the start of the calendar year 2012 shall receive paid leave of absence prorated at the rate of 5.33 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work. (BOS approved 11/30/10)

Effective January 1, 2013, the paid leave days for FLSA exempt employees represented by ACMEA Probation Managers Unit 075 shall return to 7 days per calendar year. (BOS approved 11/30/10)

Effective January 1, 2010, each employee represented by ACMEA in Representation Unit 075, who is covered by the overtime provisions of the Fair Labor Standards Act, shall receive 3 paid leave days for each calendar year. Effective January 1, 2011, an employee shall receive an additional 3 days of paid management leave of absence for a total of 6 in calendar year 2011 only and an additional 1 day of paid management leave of absence for a total of 4 in calendar year 2012 only. The 3 additional days in 2011 and the 1 additional day in 2012 may not be used until after July 1, of the year it is granted. The County reserves the right to designate when such additional days shall be taken. An employee appointed after the start of the calendar year 2011 shall receive paid leave of absence prorated at the rate of 4.0 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. An employee appointed after the start of the calendar year 2012 shall receive paid leave of absence prorated at the rate of 2.67 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work. (BOS approved 11/30/10)

Effective January 1, 2013, the paid leave days for employees covered by the overtime provision of the FLSA, represented by ACMEA Probation Managers Unit 075 shall return to 3 days per calendar year. (BOS approved 11/30/10)

Q. **Effective January 1, 2012**, each employee represented by Professional Association of County Employees (PACE) in Representation Units S-06 and S-25, who is an executive, administrative, or professional employee exempt from the overtime provisions of the Fair Labor Standards Act, shall receive an additional 3 days of paid management leave of absence for a total of 10 days in calendar year 2012 only, and an additional 1 day of paid management leave of absence for a total of 8 days in calendar year 2013 only, to be used after July 1 of the year it is granted. The County reserves the right to designate when such additional days shall be taken. An employee appointed after the start of the calendar year 2012 shall receive paid leave of absence prorated at the rate of 6.67 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. An employee appointed after the start of the calendar year 2013 shall receive paid leave of absence prorated at the rate of 5.33 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work. (BOS approved 1/11/12)

Effective January 1, 2014, the paid leave days for FLSA exempt employees represented by Professional Association of County Employees (PACE) in Representation Units S-06 and S-25, shall return to 7 days of paid management leave per calendar year. (BOS approved 1/11/12)

Effective January 1, 2012, each employee represented by Professional Association of County Employees (PACE) in Representation Units S-06 and S-25, who is covered by the overtime provisions of the Fair Labor Standards Act, shall receive an additional 3 days of paid management leave of absence for a total of 6 in calendar year 2012 only and an additional 1 day of paid management leave of absence for a total of 4 in calendar year 2013 only. The 3 additional days in 2012 and the 1 additional day in 2013 may not be used until after July 1, of the year it is granted. The County reserves the right to designate when such additional days shall be taken. An employee appointed after the start of the calendar year 2012 shall receive paid leave of absence prorated at the rate of 4.0 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. An employee appointed after the start of the calendar year 2013 shall receive paid leave of absence prorated at the rate of 2.67 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work. (BOS approved 1/11/12)

Effective January 1, 2014, the paid leave days for employees covered by the overtime provision of the FLSA, represented by Professional Association of County Employees (PACE) in Representation Units S-06 and S-25, shall return to 3 days of paid management leave per calendar year. (BOS approved 1/11/12)

R. Effective January 1, 2012, each employee represented by ACMEA in Representation Units R15, R44, R45, R48, R49, R50, and R53 and R61, who is an executive, administrative, or professional employee exempt from the overtime provisions of the Fair Labor Standards Act, shall receive one additional day of paid management leave of absence for a total of eight (8) in calendar year 2012 only. The one additional day in 2012 may not be used until after July 1, of the year it is granted. The County reserves the right to designate when such additional day shall be taken. An employee appointed after the start of the calendar year 2012 shall receive paid leave of absence prorated at the rate of 5.33 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work. (BOS approved 5/22/12)

Effective January 1, 2013, the paid leave days for FLSA exempt employees represented by ACMEA in Representation Units R15, R44, R45, R48, R49, R50, and R53 and R61, shall return to seven (7) days of paid management leave per calendar year. (BOS approved 5/22/12)

S. Effective January 1, 2012, each employee represented by ACMEA in Representation Units R15, R44, R45, R48, R49, R50, and R53 and R61, who is covered by the overtime provisions of the Fair Labor Standards, shall receive one additional day of paid management leave of absence for a total of four (4) in calendar year 2012 only. The one additional day in 2012 may not be used until after July 1, of the year it is granted. The County reserves the right to designate when such additional day shall be taken. An employee appointed after the start of the calendar year 2012 shall receive paid leave of absence prorated at the rate of 2.67 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work. (BOS approved 5/22/12)

Effective January 1, 2013, the paid leave days for employees covered by the overtime provisions of the FLSA, represented by ACMEA in Representation Units R15, R44, R45, R48, R49, R50, and R53 and R61, shall return to three (3) days of paid management leave days per calendar year. (BOS approved 5/22/12)

T. Effective January 1, 2012, each unrepresented management employee, who is an executive, administrative, or professional employee exempt from the overtime provisions of the Fair Labor Standards Act, shall receive one additional day of paid management leave of absence for a total of eight (8) in calendar year 2012 only. The one additional day in 2012 may not be used until after July 1, of the year it is granted. The County reserves the right to designate when such additional day shall be taken. An employee appointed after the start of the calendar year 2012 shall receive paid leave of absence prorated at the rate of 5.33 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work.

Effective January 1, 2013, the paid leave days for FLSA exempt unrepresented management employees shall return to seven (7) days of paid management leave per calendar year. (BOS approved 6/5/12)

U. Effective January 1, 2012, each unrepresented management employee, who is covered by the overtime provisions of the Fair Labor Standards Act, shall receive one additional day of paid management leave of absence for a total of four (4) in calendar year 2012 only. The one additional day in 2012 may not be used until after July 1, of the year it is granted. The County reserves the right to designate when such additional day shall be taken. An employee appointed after the start of the calendar year 2012 shall receive paid leave of absence prorated at the rate of 2.67 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work. (BOS approved 6/5/12)

Effective January 1, 2013, the paid leave days for each unrepresented management employees shall return to three (3) days of paid management leave days per calendar year. (BOS approved 6/5/12)

SECTION II

Article 3, Section 3-21.48 of the County of Alameda Salary Ordinance is hereby amended to read as follows:

3-21.48 - Non-management e-Employees who, with the written consent of their agency/department head, are temporarily assigned to the Registrar of Voters Office as election poll workers during County-sponsored elections, shall, in addition to their regular salary, be paid the stipend authorized by the Board of Supervisors for Inspector.

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.

THE ALAMEDA COUNTY COUNSELS' UNION,
IFPTE, LOCAL 21 (AFL-CIO)
AND
THE COUNTY OF ALAMEDA

SIDELETTER OF AGREEMENT

The parties agree to amend Salary Ordinance Section 7-5, Paid Leave, as follows:

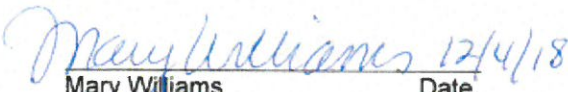
Effective January 1, 2019, each employee represented by IFPTE, Local 21, Alameda County Counsels' Association in Representation Unit R65 who is an executive, administrative or professional employee exempt from the overtime provisions of the Fair Labor Standards Act, shall receive seven days of paid management leave of absence in each calendar year, to be selected by the employee, subject to the approval of the department head, and to be taken only within that calendar year. Days that for any reason are not taken in the calendar year shall not thereafter be paid in any form.

An employee appointed after the start of the calendar year shall receive paid management leave of absence prorated at the rate of 4.67 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid management leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work.

Effective January 1, 2019, Sections 7-5 F, G and H shall no longer apply.


FOR THE COUNTY:


FOR IFPTE, LOCAL 21:


Mary Williams 12/4/18
Date


Jeff Duritz 11/28/18
Representative/Organizer Date


Mecole Tate 12/4/18
Date


Heather Littlejohn 11/28/18
Date


Scott Feudale 11/28/18
Date

THE ALAMEDA COUNTY PUBLIC DEFENDERS' CHAPTER
IFPTE, LOCAL 21 (AFL-CIO)
AND
THE COUNTY OF ALAMEDA

SIDELETTER OF AGREEMENT

The parties agree to amend Salary Ordinance Section 7-5, Paid Leave, as follows:

Effective January 1, 2009, each employee represented by IFPTE, Local 21, Alameda County Public Defenders' Chapter in Representation Units R68 and 069 who is an executive, administrative or professional employee exempt from the overtime provisions of the Fair Labor Standards Act, shall receive seven days of paid management leave of absence in each calendar year, to be selected by the employee, subject to the approval of the department head, and to be taken only within that calendar year. Days that for any reason are not taken in the calendar year shall not thereafter be paid in any form.

An employee appointed after the start of the calendar year shall receive paid management leave of absence prorated at the rate of 4.67 hours for each month or any part of a month to be worked thereafter during the remainder of the calendar year. Paid management leave shall be prorated for part time employees based upon the proportion of the normal 40 hour workweek for which the employee is regularly scheduled to work.

Effective January 1, 2009, Sections 7-5 F, G and H shall no longer apply.

FOR THE COUNTY:

Mary Williams 12/10/18
Mary Williams Date

Mecole Tate 12/10/18
Mecole Tate Date

FOR IFPTE, LOCAL 21:

Jeff Duritz 12/5/18
Jeff Duritz Representative/Organizer Date

Jane Brown 12/5/18
Jane Brown Date

Romany McNamara Date

Elizabeth Rogers Date

Stefan Schweitzer 12/5/18
Stefan Schweitzer Date