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Human Resource Services

March 9, 2018

Honorable Board of Supervisors
 Administration Building
 Oakland, CA 94612

Subject: ADOPT ADMINISTRATIVE CODE AND SALARY ORDINANCE AMENDMENTS AND ONE SIDELETTER OF AGREEMENT

Dear Board Members:

Recommendation:

- A. Adopt an Ordinance deleting Sections 2.26.050 and 2.26.060 of the Alameda County Administrative Code, which state that the Family Support Division exists under the District Attorney's Office and provide for its functions and duties; establishing a new Section in the Alameda County Administrative Code documenting the establishment of the Department of Child Support Services effective January 1, 2002; and amending Sections 3.28.010 Definition of Overtime and 3.28.050, Requirement of actual work;
- B. Adopt a Salary Ordinance amendment to amend Section 3-13.16, by redefining the criteria for providing additional compensation to the Labor Relations Manager when responsible for the oversight of the Human Resource Services Department's Human Resources Trainee program; and amend Section 3-13.18, by redefining the criteria for providing additional compensation to the Principal Labor Relations Analyst and Labor Relations Analysts Is & IIs, when responsible for the human resource functions for an Operating Department and supervision of Human Resources Trainees and/or Departmental Human Resources Officers; and
- C. Adopt one Sideletter of Agreement between the County of Alameda and the Teamsters Local Union 356 to implement Memorandum of Understanding (MOU) changes for employees covered by the California Labor Code Section 4850 industrial illness or injury provisions.

Discussion/Findings:

Previously, there was a Family Support Division under the District Attorney's Office that provided, among other things, assistance with child support services in Alameda County. The Family Support Division of the District Attorney's Office no longer exists. Effective January 1, 2002, the County established the Department of Child Support Services pursuant to Section 17304 of the Family Code of the State of California independent of the District Attorney's Office. We are recommending that the language in the Administrative Code be updated to reflect the current state of the Departments.

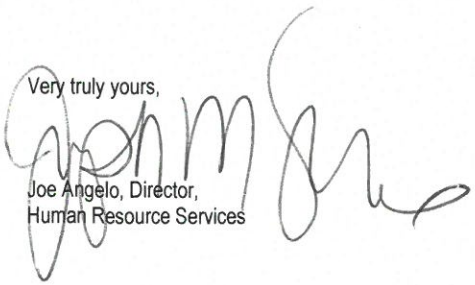
On January 23, 2018, your Board authorized changes to the Overtime section of the Administrative Code as a result of contract negotiations with the Alameda County Management Employees Association (ACMEA) Operating Engineers Local 3 (OE3). Additional changes are needed to this section due to an administrative error as outlined in the attached ordinances.

Additionally, the Human Resource Services (HRS) Department has established a Human Resources (HR) Trainee program in which the Department trains and develops HR trainees to become Departmental Human Resources Officers (DHRO) for small-medium sized County Departments/Agencies. Once the trainee becomes a DHRO, they continue to receive HR technical supervision from the Employee/Labor Relations Division of HRS. We recommend that the criteria of the footnote providing compensation for the Labor Relations Manager be redefined to reflect these additional duties, and be modified to provide for up to 10 percent additional compensation. The footnote providing compensation for the Principal Labor Relations Analyst and Labor Relations Analyst Is & IIs should also be amended due to the development and advancement of the HR Trainee program, distinguishing the added responsibilities and the corresponding additional compensation.

Lastly, on June 6, 2017, your Board authorized staff to meet with identified labor organizations to discuss proposed MOU changes related to the State of California's Labor Code Section 4850 Industrial Illness or Injury and the impact to employees covered by this provision. The sideletter of agreement between the County of Alameda and the Teamsters Local Union 356 reflect the changes to the MOU provision.


Financing:

There are no costs resulting from these actions.

Very truly yours,

 Joe Angelo, Director,
 Human Resource Services

JA:my
 Z:\Board Letters\3 27 18\Admin Code Amendments (DCSS, Overtime) & SLA 4850

- cc: CAO
 Auditor-Controller
 County Counsel
 Director, Department of Child Support Services
 District Attorney
 Probation Chief
 Sheriff


By _____

O-2018-13

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 2.26 District Attorney Department, of the Alameda County Administrative Code is hereby amended by the deletion thereof of the following Sections:

2.26.050 - Family support division.

There is in the department of the District Attorney a family support division, hereafter in this chapter referred to as the division.
(Prior admin. code § 5-8.05)

2.26.060 - Functions and duties.

The division works directly under the supervision of the District Attorney carrying out duties assigned. These duties generally include but are not limited to the following:

A. Investigation and preparation of failure to provide cases for disposition by:

1. Voluntary agreement with District Attorney's Office,
2. Criminal prosecution pursuant to Section 270 of the Penal code,
3. Civil complaint filed pursuant to Section 4702 of the Civil Code,
4. Out of state civil complaint filed pursuant to Uniform Reciprocal Enforcement Act. (Section 241 et seq. of the Civil code);

B. Investigation and preparation for trial of welfare fraud prosecutions as prescribed by law;

C. Assist other county departments, including the department of welfare, the county auditor, and the probation department in carrying out their various responsibilities in the administration of laws relating to child support and Aid to Families of Dependent Children;

D. Perform all other duties required by law, ordinance or regulation.

(Ord. 96-75 § 1 (part); prior admin. code § 5-8.06)

SECTION II

Title 2 – Administration, of the Alameda County Administrative Code is hereby amended by the addition thereto of the following Chapter:

Chapter 2.132 – Department of Child Support Services

2.132.010 – Establishment of Department and its Director.

Pursuant to Section 17304 of the Family Code of the State of California, effective January 1, 2002, there is hereby established in the County a Department of Child Support Services (DCSS), hereafter in this chapter referred to as the department.

2.132.020 – Executive Officer.

The executive officer of the department is the Director of Child Support Services, a County employee selected by the Board of Supervisors pursuant to the qualifications established by the State Department of Child Support Services. The Director shall report directly to and serve at the pleasure of the Board of Supervisors.

2.132.030 – Duties of the Director.

The duties and responsibilities of the Director of Child Support Services shall be established by the Board of Supervisors, which may include the authority to hire staff, including attorneys, in conformity with any staffing requirements adopted by the State Department of Child Support Services.

2.132.040 – Responsibilities of the Department.

DCSS utilizes administrative and legal processes to deliver the following services:

- A. Receive and provide child support applications and referrals;
- B. Establish paternity, child support, and medical coverage orders;
- C. Locate the non-custodial parent and his/her assets to enforce the court order;
- D. Collect and distribute child, medical, and spousal support payments;
- E. Maintain accounts of payments owed and received;
- F. Modify court orders when appropriate;
- G. Enforce Alameda County Court orders for child, spousal, and medical support;
- H. Out of state services through the Uniform Interstate Child Support Services Act;
- I. Other services as required by law, ordinance or regulation.

SECTION III

Chapter 3.28 Overtime, of the Alameda County Administrative Code is hereby amended by the deletion of the following stricken through language and the addition of the following underlined language in Sections 3.28.010 and 3.28.050 to read as follows:

Section 3.28.010 – Definitions

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, R53 and R61~~ 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.

Section 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 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, R53 and R61~~ there shall be no overtime payment unless the employee has actually worked over 37.5 or 40.0 hours during said workweek. For the purposes of this overtime payment, holiday leave and compensatory time off ~~will~~ be considered time "actually worked."

Effective March 25, 2018, for unrepresented management employees, there shall be no overtime payment unless the employee has actually worked over that employee's regular full time weekly hours of 37.5 or 40.0 hours during said workweek, ~~including holiday compensation.~~ For the purposes of this overtime payment, holiday leave and compensatory time off ~~will~~ be considered time "actually worked."

SECTION IV

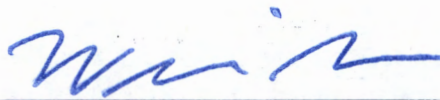
This ordinance shall take effect immediately, and before the expiration of fifteen days after its passage, shall be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the County of Alameda.

THE FOREGOING was **PASSED** and **ADOPTED** by a majority vote of the Alameda County Board of Supervisors this 17th day of April, 2018, to wit:

AYES: Supervisors Carson, Haggerty, Miley, Valle & President Chan – 5

NOES: None

EXCUSED: None



PRESIDENT, BOARD OF SUPERVISORS

File: 30114
Agenda No: 13
Document No: O-2018-13



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



By _____

O-2018-14

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, Subsection 3-13.16 of the County of Alameda Salary Ordinance is hereby amended by the underlined language to be effective on the date shown:

3-13.16 ~~Effective September 10, 2010~~ Effective April 22, 2018, not to exceed one person occupying the position under Job Code 0292SM, who is assigned overall responsibility for the Human Resource Services Human Resources (HR) Trainee program and provides technical HR oversight for one or more County Departments/Agencies, to act as the Human Resource Services Director greater than 50% of the normal work week, shall be compensated up to an additional 10% of their base salary. (BOS approved 12/7/10)

3-13.18 ~~Effective January 19, 2014, Effective January 3, 2016, Effective October 9, 2016, Effective November 6, 2016, Effective April 22, 2018, not to exceed three employees in Job Code 0283PA and effective December 7, 2014, one employee in Job Code 0284PA, when performing the full-time responsibility of a Labor Relations Analyst and Effective September 10, 2017 one employee in 0281PA when performing the full-time responsibility of a Principal Labor Relations Analyst, and two of the following additional responsibilities: shall be compensated an additional 5 percent of the base pay (a) when assigned overall responsibilities for Human Resource Services the human resources functions for an Operating Department. (b)~~

In addition to the compensation provided in this note above, effective April 22, 2018, employees in Job Codes 0283PA, 0284PA and 0281PA, shall be compensated an additional 5 percent of the base pay when assigned supervision of Human Resource Services Trainees and/or Departmental Human Resources Officers. (c) when assigned technical responsibility over a Labor Relations Analyst I, shall be compensated an additional ten percent of the base pay. (BOS approved 4/22/14) (BOS approved 2/3/15) (BOS approved 1/12/16) (BOS approved 10/4/16) (BOS approved 12/6/16) (BOS approved 9/26/17)

SECTION II

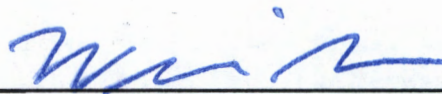
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