



Alameda County

Agenda

May 5, 2009

Human Resource Services

Lakeside Plaza Building 1401 Lakeside Drive, Suite 200, Oakland, CA 94612-4305

April 14, 2009

SECOND READING

CONTINUED FROM

ITEM # 10

WEDNESDAY, 5/5/09

Honorable Board of Supervisors
Administration Building
Oakland, CA 94612

Subject: Two Memoranda of Understanding, a Salary Ordinance Amendment, and Four Sideletters of Agreement

Dear Board Members:

Recommendation:

That your Board (1) adopt an ordinance approving the December 29, 2008 through December 24, 2011 Memorandum of Understanding between the Alameda County Management Employees Association (General Government Unit) and the County of Alameda, and (2) adopt an ordinance approving the December 29, 2008 through December 24, 2011 Memorandum of Understanding between the Alameda County Management Employees Association (Confidential Unit) and Alameda County, and (3) adopt a salary ordinance amending Sections of Article 7, to implement changes agreed to with ACMEA and (4) adopt four sideletters of agreement and (5) amend a footnote in the Social Services Agency.

Discussion/Findings:

Your representatives and representatives of the Alameda County Management Employees Association have reached agreement on two memoranda of understanding, one for the General Government Unit and one for the Confidential Unit. Both Memoranda expire in December 2011. The agreements call for zero wage increases for 2008, 2009 and 2010 with a special adjustment to the Nurse IV and V classifications to address issues of compaction.

Effective Plan Year 2010 ACMEA agreed to pay 10% of the medical premiums for all HMO plans (PPO and Operating Engineers plan excluded). A re-opener in Fall of 2009 will be scheduled to discuss the PPO and Operating Engineers plans.

The Salary Ordinance amendment calls for changes that include: Section 7-10, Allocation of Cafeteria Benefit Plan, which is being increased from \$2300 to \$2600 in Plan Year 2010 and from \$2600 to \$2900 in Plan Year 2011; Section 7-5, Paid Leave, provides for three additional management paid leave days in calendar year 2010 and one additional management paid leave day in calendar year 2011 only; and Section 7-4, Vacation Sellback, is being increased from 15 days to 20 days for Fiscal Years 2009-2010 and 2010-2011 only.

The sideletters increase the Dental Plan benefit from the current \$1200 to \$1450 effective Plan Year 2009; increases vacation sellback from fifteen days to twenty days for Fiscal Years 2009-2010 and 2010-2011; allows for salary review to address compaction, recruitment and retention; allows provisions to re-open the MOU for the purpose of negotiating an across the board wage increase for employees represented by ACMEA based on an SEIU successor MOU.

Fax: (510) 272-6987

TDD: (510) 272-3703



An Equal Opportunity/Affirmative Action Employer

Financing:

Funds are available in the 2008-2009 budget appropriation to pay the costs of these actions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mary Welch", is written over the typed name.

Mary Welch, Interim Director
Human Resource Services

MW:vb

Z:\Board Letters\05.05.09 ACEMA MOU GEN and CONF

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

Approved as to Form
RICHARD E. WINNIE, County Counsel

By 

Ordinance No.

AN ORDINANCE APPROVING THE
DECEMBER 29, 2008 – DECEMBER 24, 2011 MEMORANDUM OF UNDERSTANDING WITH THE
ALAMEDA COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (GENERAL GOVERNMENT UNITS)

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

SECTION I

The provisions of sections 1 through 25, and 27 and Appendix A of the December 29, 2008 through December 24, 2011, Memorandum of Understanding, dated April 24, 2009 between the County negotiators and the Alameda County Management Employees Association (General Government Unit), applicable to employees in Representation Units R15, R44, R45, R48, R49, and R53 is 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.

Approved as to Form
RICHARD E. WINNIE, County Counsel

By 

Ordinance No.

AN ORDINANCE APPROVING THE
DECEMBER 29, 2008 – DECEMBER 24, 2011 MEMORANDUM OF UNDERSTANDING WITH THE
ALAMEDA COUNTY MANAGEMENT EMPLOYEES ASSOCIATION (CONFIDENTIAL UNIT)

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

SECTION I

The provisions of sections 1 through 25, and 27 and Appendix A of the December 29, 2008 through December 24, 2011, Memorandum of Understanding, dated April 24, 2009, between the County negotiators and the Alameda County Management Employees Association (Confidential Unit), applicable to employees in Representation Unit R50, and R61 is 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.

By 

AN ORDINANCE AMENDING
CERTAIN PROVISIONS OF THE 2008 - 2009
ALAMEDA COUNTY SALARY ORDINANCE

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

SECTION I

Article 3 of Ordinance Number 0-2008-48 of the County of Alameda is hereby amended by the amendment thereof of the following note to be effective December 29, 2008.

- 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 2008-2011 Alameda County Management Employee Association, General Government Unit Memorandum of Understanding.

SECTION II

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

Effective January 1, 2010, each ACMEA represented full time employee in Representation Units R15, R44, R45, R48, R49, R50, is eligible for a cafeteria benefit plan in the amount of \$2,600 for the calendar year and effective January 1, 2011 the amount shall be increased to \$2,900 for the 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.

SECTION III

Section 7-5, Paid Leave, is hereby amended by the addition thereto of the following paragraphs.

- L. Effective June 14, 2009 Each employee represented by ACMEA in Representation Units R15, R44, R45, R48, R49, R50, 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.

- M. Effective June 14, 2009 each employee represented by ACMEA in Representation Units R15, R44, R45, R48, R49, and R50, 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.

SECTION IV

Section 7-4, Vacation Sellback, is hereby amended by the addition thereto of the following paragraph.

Effective July 1, 2009, in Fiscal Years 2009-2010 and 2010-2011, an employee represented by the Alameda County Management Employees Association (ACMEA) Confidential and General Government Units may sellback an additional five days of vacation.

SECTION V

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.

**SIDELETTER OF AGREEMENT
BETWEEN THE
ALAMEDA COUNTY MANAGEMENT EMPLOYEES ASSOCIATION
(GENERAL GOVERNMENT AND CONFIDENTIAL)
AND
THE COUNTY OF ALAMEDA**

**TENTATIVE AGREEMENT TO
UNION PROPOSAL #30 EFFECTIVE 2009 PLAN YEAR**

March 11, 2009

Intent: To enter into a sideletter agreement to increase the annual maximum dental benefit.

The maximum annual benefit for each covered individual is \$1200 for PPO/Indemnity dental plan. The maximum annual benefit for each covered individual shall increase to \$1,450 in 2009.

FOR THE COUNTY:

Diana Dougherty
Alanau
Mary Jo DeCoulade
Tanessa Bradley

FOR ACMEA:

Daniel M. King
John W. King
James W. King
Peggy E. King
John E. King
Cathy Nire PRESIDENT ACMEA

DATE: 3/11/09

**SIDELETTER OF AGREEMENT
BETWEEN THE
ALAMEDA COUNTY MANAGEMENT EMPLOYEES ASSOCIATION
(GENERAL GOVERNMENT AND CONFIDENTIAL)
AND
THE COUNTY OF ALAMEDA**

VACATION SELLBACK

March 11, 2009

The parties agree to increase the yearly maximum allowable vacation sellback from fifteen (15) days to twenty (20) days for fiscal years 2009-2010 and 2010-2011. The yearly maximum allowable vacation sellback for ACMEA (General Government and Confidential) shall return to fifteen (15) days in fiscal year 2011-2012.

FOR THE COUNTY:

Diana Daugherty
Dee
Mary Jo Delouche
Vanessa Bradley

FOR ACMEA:

Demetrius P. [Signature]
W. H. [Signature]
[Signature]
Peggy E. Rogers
[Signature]
Cathy Nee President ACMEA

DATE: 3/11/09

**SIDELETTER OF AGREEMENT
BETWEEN
ALAMEDA COUNTY MANAGEMENT EMPLOYEES ASSOCIATION
GENERAL GOVERNMENT AND CONFIDENTIAL
AND THE
COUNTY OF ALAMEDA**

SALARY REVIEW

March 11, 2009

It is the intent of Alameda County to conduct a management initiated annual review of ACMEA represented employees' salaries in September of each year of the current Memorandum of Understanding, except in the last year of the Memorandum of Understanding, to address issues of compaction, recruitment and retention that may have occurred in the interim one-year period. The purpose of the annual review of salaries will be limited to making specific determinations as to what, if any, special adjustments may be merited at the time of the review.

Implementation of any recommendations arising from the review is subject to the approval of, and is to be made at the sole discretion of the Board of Supervisors. The Board of Supervisor's decision will be final, non-grievable and not subject to meet and confer requirements.

This provision shall remain in effect during the term of the December 29, 2008 through December 24, 2011 term of the Memorandum of Understanding.

FOR THE COUNTY:

Ricardo Doughter
Deputy
Mary Jo DelCoulade
Vanessa Bradley

FOR ACMEA:

Mr. Elhi
President
Casey Nice
Casey Nice PRESIDENT ACMEA

DATE: 3/11/09

**SIDELETTER OF AGREEMENT
BETWEEN THE
ALAMEDA COUNTY MANAGEMENT EMPLOYEES ASSOCIATION
(GENERAL GOVERNMENT AND CONFIDENTIAL)
AND
THE COUNTY OF ALAMEDA**

SALARY REOPENER

March 11, 2009

The parties agree that if, during the negotiations for a successor MOU for SEIU in 2010 - 2011, SEIU receives an across the board wage increase, ACMEA (General Government and Confidential) may request to reopen the ACMEA MOU for the sole purpose of negotiating an across the board wage increase for employees represented by ACMEA.

FOR THE COUNTY:

Diana Douglas
Don
Mary Jo DelCoulade
Vanessa Bradley

DATE:

3-11-09

FOR ACMEA:

Mike El
Angelita
Roger
John
Donald
Corey Niece PRESIDENT ACMEA