



Agenda \_\_\_\_\_ November 20, 2018  
Lakeside Plaza Building  
1401 Lakeside Drive, Suite 200  
Oakland, CA 94612-4305  
TDD: (510) 272-3703

## Human Resource Services

October 16, 2018

Honorable Board of Supervisors  
Administration Building  
Oakland, CA 94612

### **Subject: Salary Ordinance Amendments and Eight (8) Sideletters of Agreement**

Dear Board Members:

#### **Recommendations:**

- 1) Adopt the following Salary Ordinance amendments (1) to adjust the salary range for Job Code 5149PA, Chief Forensic Pathologist, to address recruitment and internal alignment; and (2) to amend Article 3, Subsection 3-21.96 to accurately reflect the agreed upon language as stated in the Sideletter of Agreement.
- 2) Adopt a total of eight (8) Sideletters of Agreement between the County of Alameda and the International Federation of Professional and Technical Engineers (IFPTE), Local 21, and its various Chapters/Units to implement updates to the applicable provisions of the Memoranda of Understanding related to the implementation of Assembly Bill 119.

#### **Discussion/Findings:**

At the request of the Sheriff's Office, staff has conducted an evaluation of the Chief Forensic Pathologist classification, including data analysis related to the market salary survey results, recruitment history, and internal alignment, and recommends a special salary adjustment for this classification.

Staff also recommends amending Section 3-21.96 of the Salary Ordinance, in order to accurately align with the existing language as stated in the Sideletter of Agreement between the County of Alameda and the Service Employees International Union, Local 1021, as approved by your Board on October 3, 2017.

Further, staff requests that your Board adopt a total of eight (8) sideletters of agreement between the County of Alameda and the International Federation of Professional and Technical Engineers (IFPTE), Local 21, including specific sideletters for the Alameda County Counsel Association Chapter; Unit 077; Civil Engineers Management Unit; Professional Association of County Employees, Unit S-06; Professional Association of County Employees, Unit S-25; Public Defender Chapter, Units R68 & 069; and Units 16 and 60. On June 27, 2017, Assembly Bill 119 (AB 119) was signed into law, and went into effect immediately. AB 119 included new Government Code provisions requiring public employers to provide recognized public employee unions the right of access to new employee orientations with the structure, time and manner of such orientation access to be subject to the collective bargaining process. The bill also required that the public employer provide the exclusive representative with specific employee contact information for newly hired employees and for all employees in the bargaining unit within specific timeframes. As such, the County met and conferred with Local 21, and reached agreements as reflected in the sideletters on the changes to the relevant provisions in each respective Memorandum of Understanding.

#### **Financing:**

Funds are available in the 2018-2019 Approved Budget and will be included in future years' requested budgets to cover the cost resulting from these actions, as applicable.

**Vision 2026 Goal:**

The Salary Ordinance amendments and adoption of the Sideletters of Agreements meet the 10x goal pathways of Employment for All in support of our shared vision of a Prosperous and Vibrant Economy.

Very truly yours,  
  
Joe Angelo, Director  
Human Resource Services

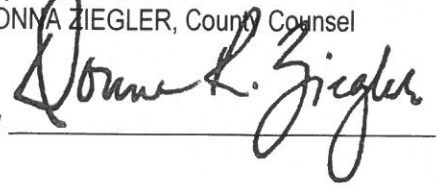
JA:my  
Z:\Board Letters\11 20 18\ Salary Ordinance Amendments & Sideletters of Amgt

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

## SECOND READING - CONTINUED FROM 11/20/2018

Approved as to Form  
DONNA ZIEGLER, County Counsel

By



### 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 1, Section 1-2, Subsection 1-2.2** of the County of Alameda Salary Ordinance is hereby amended to specify the following salary rates, to be effective on December 2, 2018.

Job Code	Title	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05
5149	PA Chief Forensic Pathologist	7816.80				11206.40

#### SECTION II

**Article 3, Subsection 3-21.96** of the County of Alameda Salary Ordinance is hereby amended for alignment and consistency with existing Sideletter of Agreement language as follows:

3-21.96 Effective October 22, 2017, employees in Job Code 4140 (Librarian II) when assigned to be in charge of the Albany, Castro Valley, Centerville, Dublin, Fremont Main, Irvington, Newark, Niles, San Lorenzo, or Union City library branches when there is no ~~supervisor~~ manager on site on a weekday (Monday through Friday) after 5:00 p.m. or on a weekend (Saturday or Sunday) will be designated Librarian in Charge (LIC). For the hours an employee is assigned as LIC, he/she shall receive an additional five percent (5%) compensation.

#### 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.

**SIDELETTER OF AGREEMENT  
BETWEEN  
INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL  
ENGINEERS LOCAL 21  
AND  
THE COUNTY OF ALAMEDA**

**Access to New Employees**

**I. Definitions**

For all purposes of this Sideletter Agreement, the following definitions shall apply:

- A. "Employee" means any employee, whether permanent, temporary, full-time, part-time, or seasonal.
- B. "New Employee Orientation (NEO)" means the on-boarding process of a newly hired employee, including an employee who has promoted or transferred into one of the Union's bargaining units, whether in person, online, or through other means or mediums, in which employees are advised of their employment status, rights, benefits, duties and responsibilities, or any other employment-related matters.

**II. General Provisions**

- A. The Alameda County Human Resource Services (HRS) Employee Benefits Center (EBC) coordinates a county-wide New Employee Orientation for all new employees hired into the County. The NEO is regularly scheduled for the Friday of the first week of each pay period, from 8:30 a.m. – 1:00 p.m.
- B. It is the County's policy that NEOs are mandatory for all newly-hired employees and that such new employees attend an NEO as promptly as possible after the first day of employment. In the event an employee does not attend the NEO that they were initially scheduled to attend, they will be scheduled to attend the next available NEO.
- C. Designated Representative: The Union shall designate a representative who will serve as the single point of contact for NEO-related matters. The Union shall update the County of any changes to the designated representative.
- D. Notice of Schedule: The County shall provide the Union's designated representative with a list of the EBC's scheduled NEO dates for the upcoming calendar year no later than the last full pay period in December of each preceding year. If there are any changes to the scheduled dates, the EBC will notify the Union's designated representative as soon as possible.
- E. List of New Employees: With the exception of the PACE Chapter (Units S-06 and S-25), the EBC shall provide, via email to the Union's designated representative, notice

containing the information, in sortable electronic format, regarding new employees who are represented by the Union and are scheduled to attend the upcoming NEO session no later than close of business on the Monday prior to the scheduled NEO. Such information shall also include any employees who have promoted or transferred into a bargaining unit represented by the Union effective that pay period. A shorter notice may be provided under mitigating circumstances, in which case the EBC will provide the information as soon as possible and prior to the NEO date.

For the PACE Chapter, the Social Services Agency shall provide, via email to the Union's designated representative, notice containing the information, in electronic format, regarding new employees who are represented by the Union and are scheduled to start as a new hire no later than the close of business on the Wednesday preceding the new hire's start date. Such information shall also include any employees who have promoted or transferred into the bargaining units effective that upcoming pay period. A shorter notice may be provided under mitigating circumstances, in which case SSA will provide the information as soon as possible and prior to the Union orientation date.

In the notifications, the EBC and SSA, as appropriate, will provide the name, job title, business unit, work address, work, home and personal cell phone numbers, work and personal email addresses, and home address on file with the County. If the County does not have the home and personal cell phone number or the personal email address on file, this information shall not be provided in the notice. In accordance with the California Public Records Act Government Code Section 6254.3 (a)(3), the County will not disclose the home addresses and phone numbers of employees performing law enforcement functions.

- F. Public Defender Chapter (Units R68 and 069): Newly-hired attorneys in bargaining units R68 and 069 attend a week-long departmental training. The Union representative shall work with an identified management representative in the Public Defender's Office to schedule a thirty (30) minute Union orientation for all newly-hired attorneys during each week-long training. The Union orientation shall not be scheduled during a rest break or meal break. The Union orientation shall not exceed the allotted thirty (30) minutes. One (1) Union member designated by the Union shall be released in accordance with the amended Section 4 of the MOU to conduct the orientation. A Union staff representative may also attend the orientation.
- G. PACE Chapter (Units S-06 and S-25): On the first Tuesday following the employee's date of hire or date of entry into the bargaining unit, new employees in this chapter shall be released from 8:30-8:50, with reasonable travel time and without loss of compensation, to meet with one (1) Union-designated member and/or staff representative at their worksite for a twenty (20) minute Union orientation. The Union-designated member shall also be released without loss of compensation to conduct the Union orientation in accordance with the amended section 4 of the MOUs. The Union orientation shall not occur during a rest or meal break. The Union orientation shall not exceed the allotted twenty (20) minutes, except that in the event there are three (3) or more new employees in the chapter at a single work address in the same pay period, the Union shall be allotted thirty (30) minutes for the Union orientation. If a thirty (30) minute orientation is warranted under the provision herein, the Union shall request additional release time through the Agency's Human Resources Representative. The

Union shall be permitted to reserve a separate room, designated by the Agency, for the orientation, provided one is available. In the event the Union orientation cannot take place due to scheduling or other unavoidable conflicts on the first Tuesday as provided above, the parties will work together to schedule the orientation period, which shall take place within ten (10) calendar days of the original meeting date.

- H. Engineers Chapter (Unit 077); Management Engineers Chapter (Unit R030); Units 16 and Unit 60 Chapter; ACCA Chapter (R65): Within ten (10) calendar days of Local 21's receipt of the new employee list provided for in Section E., above, newly-hired employees in these chapters shall be released during their regular work schedule and without loss of compensation to meet with one (1) Union-designated member and/or staff representative at their worksite for a twenty (20) minute Union orientation. The Union-designated member shall also be released without loss of compensation to conduct the Union orientation in accordance with the amended Section 4/5 of the respective MOUs. The Union orientation shall not occur during a rest or meal break. The Union orientation shall not exceed the allotted twenty (20) minutes. The Union shall be permitted to reserve a separate room, designated by the Department, for the orientation, provided one is available.
- I. Release Time: The parties agree to amend, as appropriate, Section 4 and Section 5 of the respective MOUs to allow one (1) member designated by the Union for each Union orientation to be granted release time to meet with new employees entering into the bargaining unit as provided for in Sections F., G., and H., above. The release time shall be included in the current hours allowed under any MOU containing such a provision.

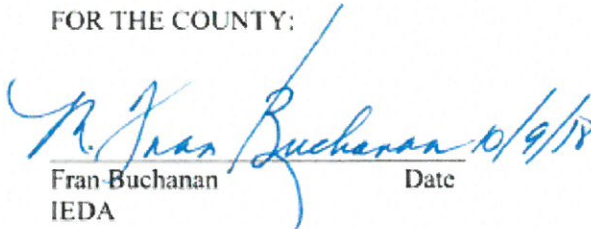
### **III. Provision of Information**

- A. On a quarterly basis, the County shall provide to the Union, in sortable electronic format, information regarding all employees in the bargaining unit on record as of the pay period containing March 1, June 1, September 1 and December 1 of each year, respectively, as indicated below. The information shall be provided to the Union by the last Friday of the month in March, June, September and December of each year, respectively. The information shall include the following data to the extent it is in the County's possession:
1. Name
  2. Employee Identification Number
  3. Classification
  4. Job Code
  5. Department
  6. Union Code Description
  7. Work Address
  8. Work, Home, and Personal Cellular Telephone Numbers
  9. Work and Personal Email Addresses
  10. Home Address
- B. In accordance with the California Public Records Act, Government Code Section 6254.3 (a)(3), the County will not disclose the home addresses and phone numbers of employees performing law enforcement functions.

#### IV. Re-Opener

In the event there are any proposed changes regarding the Union's access to new employees under this Sideletter of Agreement, either party may request to meet and confer to establish new terms in accordance with Government Code Section 3557. No changes to the terms of this Sideletter that may impact the Union's access to new employees may be implemented prior to the conclusion of the meet and confer process.


FOR THE COUNTY:


 10/9/18  
Fran Buchanan  
IEDA

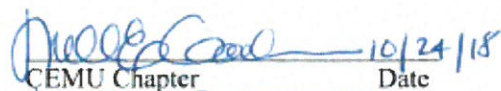
 10/9/18  
Michi Yoshii  
Labor Relations Analyst

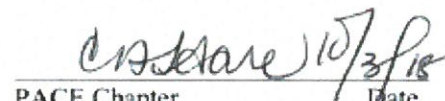
FOR IFPTE, LOCAL 21:

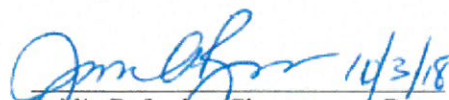
 10/5/18  
Jeff Duritz  
Representative/Organizer

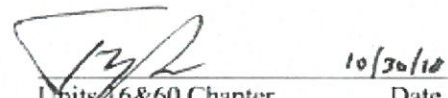
 10/9/18  
ACCA Chapter  
Heather Littlejohn

 10/3/2018  
ACEA Chapter  
RAUNES MANALO

 10/24/18  
CEMU Chapter  
MICHAEL E. CADRECHA

 10/3/18  
PACE Chapter  
Cheryl A. Hare

 10/3/18  
Public Defenders Chapter  
Jane A. Brown

 10/30/18  
Units 16&60 Chapter  
Jon Rovee

SIDELETTER OF AGREEMENT  
BETWEEN  
INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL  
ENGINEERS LOCAL 21  
ALAMEDA COUNTY COUNSEL ASSOCIATION (ACCA) CHAPTER  
AND  
THE COUNTY OF ALAMEDA

October 3, 2018

The parties agree that effective the first full pay period following adoption by the Board of Supervisors the current Section 4. and Section 5. of the parties' MOU shall be updated as follows:

**SECTION 4. RELEASE TIME**

- A. Officers and authorized representatives of the Union who are County employees may utilize time during normal working hours without loss of pay or benefits, for meeting and conferring with County management on matters within the scope of representation. The use of release time for this purpose shall be reasonable in amount and shall not interfere with the performance of County services.
- B. Release time shall also be allowed for one (1) member designated by the Union to meet with new employees within ten (10) calendar days of the employee's hire date. In the event there is more than one new employee on-boarded in the same pay-period, only one meeting shall occur with all new employees. A meeting scheduled with new employees shall not exceed twenty (20) minutes in duration.

To obtain permission to meet with a new employee under this subsection 4.B., the Union member or Union staff representative shall submit a request for release time to conduct the meeting at a specific date and time to the Department Head (or the Department Head's designee), at least two working days prior to the Union's requested date and time for the meeting. The Department shall coordinate with the appropriate supervisors of the Union member and the new employee(s) to schedule the meeting as requested subject to non-interference with business needs. The Union's requested time shall not be unreasonably denied. In the event the Union's staff representative also attends the meeting, the Union's staff representative shall notify the Department Head (or the Department Head's designee), at least two working days prior to the meeting, so that the Department can designate a separate space where the meeting shall be held.

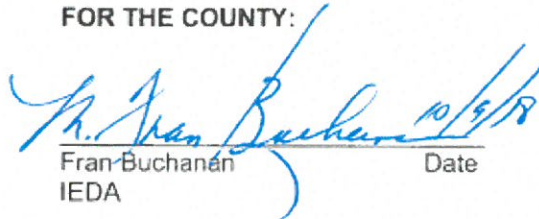
The authorized representatives stewards of the Union shall be made known to the Director of Human Resource Services on a yearly basis and updated as changes occur.

## **SECTION 5. UNION RIGHTS**

- A. ACCESS TO EMPLOYEES.** Any ~~full-time business agent of the Union~~ Union staff representative may have reasonable access to contact individual employees in County facilities during business hours on matters within the scope of representation. The ~~Union staff representative full-time business agent~~ must obtain permission for such contact from the Department Head. Such permission will not be unreasonably denied. When contact at the work location is precluded by confidentiality of records, work situation, health and safety of employees or the public, or by disturbance to others, the Department Head shall have the right to make other arrangements for a contact location removed from the work area. Unscheduled arrivals during business hours at County facilities of the ~~Union staff representative full-time business agent~~ for the purpose of contacting individual employees without prior approval of the Department Head will not be allowed. No contacts by the ~~full-time business agent~~ Union staff representative shall be permitted during working hours with employees regarding membership, collection of monies, election of officers, or other similar internal Union business except as provided in subsection 4.B., above.
- B. MEETINGS.** Meetings of a ~~full-time business agent of the Union~~ staff representative and a group of employees shall not be permitted during working hours except as provided in subsection 4.B. above; 5.A. above; or Section 12 (Grievance Procedure).
- C. ACCESS TO RECORDS.** An employee shall be permitted to review his/her own personnel record. Union representatives shall be permitted to review employee records when accompanied by the employee or upon presentation of a written authorization signed by the employee. The employee or the Union representative when accompanied by the employee or upon presentation of a written authorization signed by the employee may request a copy of the employee's personnel record. The County shall provide one copy of the record without charge. The County may verify any written authorization. Third party reference material shall not be made available.
- D. USE OF BULLETIN BOARDS.** Reasonable space shall be allowed on bulletin boards as specified by the Department Head for use by employees and the Union to communicate with departmental employees. Material shall be posted upon the bulletin board space designated and not upon walls, doors, file cabinets, or any other place. Posted material shall not be obscene, defamatory, or of a partisan political nature, nor shall it pertain to public issues which do not involve the County or its relations with County employees. All posted material shall bear the identity of the sponsor, shall be neatly displayed, and shall be removed by the sponsor when no longer timely.

**E. USE OF COUNTY FACILITIES.** County facilities may be made available for use by employees and the Union. Such use shall not occur during regular working hours. Application for such use shall be made to the management person under whose control the facility is placed. Employees attending meetings under this Section during duty hours may do so only on duly requested and authorized leave time. The Union will reimburse the County for costs associated with use of County facilities, if any.

**FOR THE COUNTY:**

  
Fran Buchanan  
IEDA

Date

  
Michi Yoshii  
Labor Relations Analyst

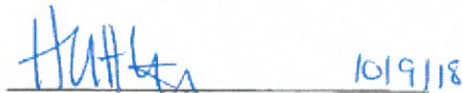
10/9/18

Date

**FOR IFPTE, LOCAL 21:**


  
Jeff Duritz  
Representative/Organizer

Date

  
ACCA Chapter

10/9/18

Date

  
ACCA Chapter

10/9/18

Date

**SIDELETTER OF AGREEMENT  
BETWEEN  
INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL  
ENGINEERS LOCAL 21 – UNIT 077  
AND  
THE COUNTY OF ALAMEDA**

**October 3, 2018**

The parties agree that effective the first full pay period following adoption by the Board of Supervisors the current Section 4. and Section 5. of the parties' MOU shall be updated as follows:

**SECTION 4. ACCESS TO EMPLOYEES; USE OF BULLETIN BOARDS; USE  
COUNTY FACILITIES; MEETINGS**

- A. **ACCESS TO EMPLOYEES.** Authorized staff representatives of the Union shall have the right to contact individual employees working within the representation unit represented by the Union in County facilities during business hours on matters within the scope of representation, provideding arrangements are made on each such contact with the Agency/Department Head. The Agency/Department Head shall grant permission for such contact, if, in his or her judgment, it will not unduly disrupt the business of the work unit involved. When contact ~~on~~-at the work location is precluded by confidentiality of records or of work situation, health and safety of employees or the public, or by disturbance to others, the Agency/Department Head shall have the right to make other arrangements for a contact location removed from the work area.
- B. **USE OF BULLETIN BOARDS.** Reasonable space shall be allowed on bulletin boards as specified by Agency/Department Heads for use by employees and the Union to communicate with departmental employees. Material shall be posted upon the bulletin board space designated and not upon walls, doors, file cabinets or any other place. Posted material shall not be obscene, defamatory, or of a partisan political nature, nor shall it pertain to public issues which do not involve the County or its relations with County employees. All posted material shall bear the identity of the sponsors, shall be neatly displayed, and shall be removed by the sponsor when no longer timely.
- C. **USE OF COUNTY FACILITIES.** County facilities may be made available for use by employees and the Union. Such use shall not occur during regular working hours other than the lunch period. Application for such use shall be made to the management person under whose control the facility is placed.

- D. **MEETINGS.** Meetings of an ~~authorized representative of the Union staff representative~~ and a group of employees shall not be permitted during working hours except as provided in subsection C. above. ~~If conducting group orientation sessions for new employees, Agency/Department Head shall permit a Union representative or a steward to meet with said new employees for a period not to exceed ten (10) minutes. A steward who attends an orientation session shall be permitted release time for this purpose.~~ No contacts shall be permitted during working hours with employees regarding membership, collection of monies, election of officers, or other similar internal employee organization business, except as provided in Section 5.D.3., below.

## **SECTION 5. STEWARDS EMPLOYEE REPRESENTATIVES**

- A. **PURPOSE.** The County recognizes the need and affirms the right of the Union to designate stewards ~~employee representatives~~ from the employees in Representation Unit 077. It is agreed that the Union in appointing such ~~employee representatives~~ stewards does so for the purpose of promoting an effective relationship between the County administration and employees by helping to settle problems at the lowest level of supervision.

- B. **ROLE OF ~~EMPLOYEE REPRESENTATIVE~~ THE STEWARDS AND SUPERVISOR.** The ~~employee representative~~ steward recognizes the fact that the supervisor is the key person in the department and, as such, is responsible to higher management for the quality and quantity of the work. As the supervisor is the key person for management, the ~~employee representative~~ steward is the key person for the Union. They must promote and maintain good morale and friendly relations and must be willing to meet in good faith to settle grievances as they arise, exercising a positive approach.

There must be mutual respect on both sides in these relations. The ~~employee representative~~ steward understands that the ~~employee representative~~ steward function does not relieve them ~~representative~~ from conforming to all rules of conduct and standards of performance established by law, regulation, County or department policy or the Memorandum of Understanding.

- C. **SELECTION OF STEWARD ~~EMPLOYEE REPRESENTATIVE~~** The location and number of ~~representatives~~ stewards shall be mutually agreed upon by the department and the Union. The Union shall ~~reserve the right to~~ designate the method of selection of ~~steward~~ employee representatives.

The Union shall notify the Agency/Department Head in writing of the names of the ~~employee representatives~~ stewards and the area they represent. The Agency/Department Head will be notified in writing by the Union of any subsequent changes regarding stewards ~~employee representatives~~ and who they are replacing.

**D. DUTIES AND RESPONSIBILITIES OF EMPLOYEE REPRESENTATIVES STEWARDS.**

1. After obtaining supervisory permission, ~~employee representatives~~ stewards will be permitted to leave their normal work area during on-duty time not to exceed four (4) hours per week in order to assist in investigation of the facts and assist in the presentation of a grievance. ~~The employee representative shall report such time to his/her supervisor as shop steward leave (payroll code UNI) for timekeeping purposes.~~ The representative steward's workload may be adjusted to the extent the Agency/Department Head feels it is appropriate. To obtain permission to investigate a grievance during on-duty time, the representative steward shall advise the supervisor of the grievant of his or her investigation of the facts and the general nature of the grievance. The employee representative steward is permitted to discuss the problem with all employees immediately concerned and, if appropriate, to attempt to achieve settlement with the supervisory personnel involved. Agencies, wards, clients, detainees and outside interested parties will not be contacted by stewards ~~employee representatives~~ as part of the grievance process. The employee may be represented by an ~~employee representative~~ steward at such time as a grievance is reduced to writing.
2. If, in the judgment of the supervisor, because of the necessity of maintaining adequate level of services, permission cannot be granted immediately to the ~~employee representative~~ steward in order to present or investigate a grievance during on-duty time, such permission shall be granted by the supervisor no later than the next working day from the date the ~~employee representative~~ steward was denied permission.

~~Employee representatives/employees who participate in the meet and confer process and/or participate on a labor management committee, must report such time to their supervisor as payroll code MCL for meet and confer and payroll code LMC for participation on a labor management committee.~~

3. Stewards shall be permitted to meet with a new employee within ten (10) calendar days of the new employee's first day of employment. In the event there is more than one new employee on boarded in the same pay-period, only one meeting shall occur with all new employees. A meeting scheduled with new employees shall not exceed twenty (20) minutes and shall be counted towards the total four (4) hours allowed per week under subsection 5.D.1.

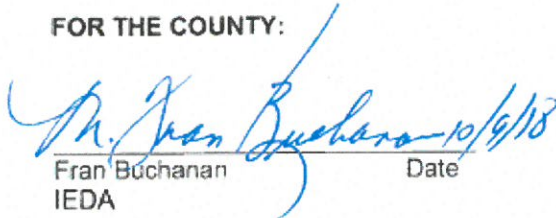
To obtain permission to meet with a new employee under this subsection, the steward or Union staff representative shall submit a request for release time to conduct the meeting at a specific date and time to the Departmental Human Resources Representative, at least two working days prior to the Union's requested date and time for the meeting. The Department shall coordinate with the appropriate supervisors of the steward and the new employee(s) to schedule the meeting as requested subject to non-interference with business needs. The


Union's requested time shall not be unreasonably denied. In the event the Union's staff representative also attends the meeting, the Union's staff representative shall notify the Departmental Human Resources Representative at least two working days prior to the meeting so that the Department can designate a separate space where the meeting shall be held.

4. The steward shall report such time taken under subsections 5.D.1. and 5.D.3. to his/her supervisor as shop steward leave (payroll code UNI) for timekeeping purposes.

Stewards/employees who participate in the meet and confer process and/or participate on a labor-management committee, must report such time to their supervisor as payroll code MCL for meet and confer and payroll code LMC for participation on a labor management committee.

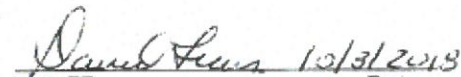
FOR THE COUNTY:

  
Fran Buchanan  
IEDA  
Date 10/9/18

  
Michi Yoshii  
Labor Relations Analyst  
Date 10/9/18

FOR IFPTE, LOCAL 21:

  
Jeff Durlitz  
Representative/Organizer  
Date 10/3/18

  
Unit 77  
Date 10/31/2018

  
Unit 77  
Date 10/3/2018

**SIDELETTER OF AGREEMENT  
BETWEEN  
INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL  
ENGINEERS LOCAL 21  
CIVIL ENGINEERS MANAGEMENT UNIT (CEMU)  
AND  
THE COUNTY OF ALAMEDA**

**October 3, 2018**

The parties agree that effective the first full pay period following adoption by the Board of Supervisors the current Section 4. and Section 5. of the parties' MOU shall be updated as follows:

**SECTION 5. AUTHORIZED REPRESENTATIVES (STEWARDS) OF THE UNION**

- A. RELEASE TIME FOR NEGOTIATIONS.** Employee representatives of the Union's bargaining committee shall be allowed time to absent themselves from duties for a reasonable period without loss of pay, for the purpose of participating in contract negotiations.
- B. PURPOSE.** The County recognizes the need and affirms the right of the Union to designate stewards ~~authorized representatives~~ of the Union from among employees in the unit. It is agreed that the Union in appointing such stewards ~~authorized representatives~~ does so for the purpose of promoting effective working relationships.
- C. ROLE OF THE UNION STEWARD ~~AUTHORIZED REPRESENTATIVE OF THE UNION~~.** The County recognizes the right of the Union to represent employees in connection with grievances which arise under Article 2-13 of the County Administrative Code.

The Union steward ~~authorized representative of the Union~~ recognizes the fact that the supervisor is the key person in the Agency/Department and, understands that his/her Union representation function does not relieve him/her from conforming to all rules of conduct and standards of performance established by law, regulation, County or Agency/Department policy, or the Memorandum of Understanding.

- D. SELECTION OF STEWARDS.** The Union shall ~~reserve the right to~~ designate the method of selection of stewards ~~authorized representatives~~. The Union shall notify the Agency/Department Head in writing of the names of the Union stewards ~~representatives~~ and the units they represent. If a change in Union stewards ~~representatives~~ is made, the Agency/Department Head shall be advised in writing of the Union steward ~~representative~~ being replaced and the Union steward ~~representative~~ named to take his/her place. The

number of Union stewards ~~representatives~~ shall be mutually agreed upon and a list of Union stewards ~~representatives~~ shall be submitted to the Agency/Department Head.

**E. DUTIES AND RESPONSIBILITIES OF UNION REPRESENTATIVE.** The following functions are understood to constitute the complete duties and responsibilities of the Union steward~~representative~~.

1. **Duties and Time Limits:** After obtaining supervisory permission, Union ~~representatives~~ stewards will be permitted to leave their normal work area during on-duty time not to exceed four (4) hours per week in order to assist in the investigation of facts, ~~and~~ assist in the presentation of a grievance or meet with a new employee to the bargaining unit within ten (10) calendar days of the new employee's first day of employment. In the event there is more than one new employee on boarded in the same pay-period, only one meeting shall occur with all new employees. A meeting scheduled with new employees shall not exceed twenty (20) minutes and shall be counted towards the total four (4) hours allowed per week under this subsection.
2. **Obtain Permission:** To obtain permission to investigate a grievance during on-duty time, the steward ~~Union representative~~ shall advise the supervisor of the grievant of his/her investigation of the facts and the general nature of the grievance. The steward ~~Union representative~~ is permitted to discuss the problem with all employees immediately concerned, and if appropriate, to attempt to achieve settlement with the supervisory personnel involved. Agencies, wards, clients, detainees, and outside interested parties will not be contacted by ~~Union representatives~~ stewards as a part of the grievance process. The employee may be represented by a steward ~~Union representative~~ at such time as a grievance is reduced to writing. If, in the judgment of the supervisor, because of the necessity of maintaining adequate levels of service, permission cannot be granted immediately to the steward ~~Union representative~~ in order to present or investigate a grievance during on-duty time, such permission shall be granted by the supervisor no later than the next working day from the date the ~~Union representative~~ steward was denied permission.

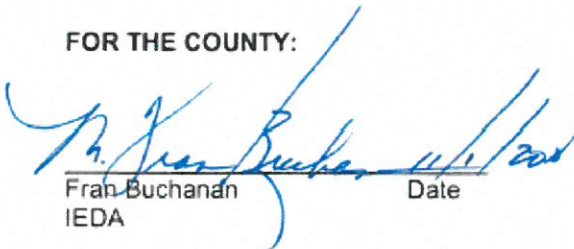
To obtain permission to meet with a new employee under the provision in subsection 5.E.1., the Union steward or Union staff representative shall submit a request for release time to conduct the meeting at a specific date and time to the Departmental Human Resources Representative, at least two working days prior to the Union's requested date and time for the meeting. The Department shall coordinate with the appropriate supervisors of the Union steward and the new employee(s) to schedule the meeting as requested subject to non-interference with business needs. The Union's requested time shall not be unreasonably denied. In the event the Union's staff representative also attends the meeting, the Union's staff representative shall notify the Departmental Human Resources Officer at least two working days prior to the meeting so that the Department can designate a separate space where the meeting shall be held.


3. The steward shall report such time to his/her supervisor as shop steward leave (payroll code UNI) for timekeeping purposes.

~~Employee representatives~~ Stewards/employees who participate in the meet and confer process and/or participate on a labor management committee, must report such time to their supervisor as payroll code MCL for meet and confer and payroll code LMC for participation on a labor management committee.

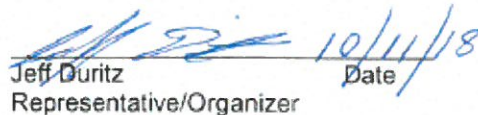
- F. **CHANGES IN ~~UNION REPRESENTATIVES~~ STEWARDS OR NUMBER OF STEWARDS**~~UNION REPRESENTATIVES~~. If a Union representative steward is reassigned which will leave his/her shift or work location without a steward, ~~Union representative~~, then the Union shall have the right to appoint a replacement. Should the Union wish to change stewards ~~Union representatives~~ during the grievance procedure, it may do so, provided that only one (1) Union representative steward will be allowed time off from work upon one occasion to investigate the grievance.
- G. **LIMITATION OF TIME OFF.** ~~Union representatives~~ Stewards shall not be permitted time off from their work assignments for the purpose of conducting general Union business.

FOR THE COUNTY:

  
Fran Buchanan  
IEDA  
Date

  
Michi Yoshii  
Labor Relations Analyst  
Date 11-1-18

FOR IFPTE, LOCAL 21:

  
Jeff Duritz  
Representative/Organizer  
Date 10/11/18

  
CEMU Chapter  
Date 10-11-18

  
CEMU Chapter  
Date 10/24/18

**SIDELETTER OF AGREEMENT  
BETWEEN  
INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL  
ENGINEERS LOCAL 21 – UNIT S-06  
AND  
THE COUNTY OF ALAMEDA**

**October 3, 2018**

The parties agree that effective the first full pay period following adoption by the Board of Supervisors the current Section 4. and Section 5. of the parties' MOU shall be updated as follows:

**SECTION 4. AUTHORIZED REPRESENTATIVES (STEWARDS) OF THE UNION**

- A. PURPOSE.** The County recognizes the need and affirms the right of the Union to designate ~~authorized representatives~~ stewards of the Union from among employees in the unit. It is agreed that the Union in appointing such ~~authorized representatives~~ stewards does so for the purpose of promoting effective working relationships.
- B. ~~ROLE OF THE AUTHORIZED REPRESENTATIVE OF THE UNION STEWARD.~~** The County recognizes the right of the Union to represent employees in connection with grievances which arise under Section 15. ~~of the Grievance Procedure.~~

The ~~authorized representative of the Union~~ steward recognizes the fact that the supervisor is the key person in the Agency/Department and, understands that his/her Union representation function does not relieve him/her from conforming to all rules of conduct and standards of performance established by law, regulation, County or Agency/Department policy, or the Memorandum of Understanding.

- C. SELECTION OF STEWARDS.** The Union shall reserve ~~the right to~~ designate the method of selection of ~~stewards~~ authorized representatives. The Union shall notify the Labor Relations Department in writing of the names of the stewards ~~Union representatives~~ and the units they represent. If a change in stewards ~~Union representatives~~ is made, the Labor Relations Department shall be advised in writing of the ~~Union representative~~ steward being replaced and the ~~Union representative~~ steward named to take his/her place. The number of ~~Union representatives~~ stewards shall be mutually agreed upon and a list of ~~Union representatives~~ stewards shall be submitted to the Labor Relations Department.
- D. DUTIES AND RESPONSIBILITIES OF UNION REPRESENTATIVE.** The following functions are understood to constitute the complete duties and responsibilities of the Union representative steward.

1. Duties and Time Limits: After obtaining supervisory permission, stewards will be permitted to leave their normal work area during on-duty time not to exceed four (4) hours per week in order to assist in investigation of facts, ~~and assist in the presentation of a grievance, or meet with an employee new to the bargaining unit on the Tuesday following the new employee's first day of employment.~~ In the event there is more than one new employee on-boarded in the same pay-period, only one meeting shall occur with all new employees. The meeting shall take place at the employee's worksite location at the designated time per the Sideletter of Agreement titled "Union Access to New Employees." The meeting scheduled with new hired employees shall not exceed twenty (20) minutes, except that if the number of new employees at a single work address is three (3) or more, the allotted Union orientation time shall not exceed thirty (30) minutes. Time used for Union orientations shall be counted towards the total four (4) hours allowed per week under this subsection. In the event the Union orientation cannot take place as provided above due to scheduling or other unavoidable conflicts, the parties will work together to schedule the orientation meeting which shall take place within ten (10) calendar days of the original meeting date.

2. Obtain Permission: To obtain permission to investigate a grievance on on-duty time, the Union representative steward shall advise the supervisor of the grievant of his/her investigation of the facts and the general nature of the grievance or a disciplinary action. ~~The Union representative shall report such time to his/her supervisor as shop steward leave payroll code UNI for timekeeping purposes. The Union representative steward is permitted to discuss the problem with all employees immediately concerned, and, if appropriate, to attempt to achieve settlement with the supervisory personnel involved. Agencies, wards, clients, detainees, and outside interested parties will not be contacted by Union representatives-stewards as a part of the grievance process. The employee may be represented by a Union representative steward at such times as a grievance is reduced to writing. If, in the judgment of the supervisor, because of the necessity of maintaining adequate levels of service, permission cannot be granted immediately to the Union representative steward in order to present or investigate a grievance during on-duty time, such permission shall be granted by the supervisor no later than the next working day from the date the Union representative steward was denied permission.~~

To obtain permission to meet with a new employee under the provision in subsection 4.D.1., above, the Union steward or Union staff representative shall advise the Agency's Human Resources Representative at least two working days prior to the Tuesday meeting date. The Agency shall coordinate with the appropriate supervisors of the Union steward and the new employee(s) to schedule the meeting as requested subject to non-interference with business needs. The Union's requested time shall not be unreasonably denied. In the event the Union's staff representative also attends the meeting, the Union's staff representative shall notify the Departmental Human Resources Representative at least two working days prior to the meeting so that the Department can designate a separate space where the meeting shall be held.

3. The steward shall report such time taken under subsection 4.D.1. to his/her supervisor as shop steward leave (payroll code UNI) for timekeeping purposes.

~~The Union representatives~~ Stewards who participate in the meet and confer process and/or participate on a labor-management committee, must report such time to their supervisor as payroll code MCL for meet and confer and payroll code LMC for participation on a labor management committee.

- E. **CHANGES IN UNION REPRESENTATIVES STEWARDS OR NUMBER OF UNION REPRESENTATIVES STEWARDS.** If a ~~Union representative steward~~ steward is reassigned which will leave his/her shift or work location without a ~~steward~~ Union representative, then the Union shall have the right to appoint a replacement. Should the Union wish to change ~~the steward~~ Union representative during the grievance procedure, it may do so, provided that only one ~~Union representative~~ steward will be allowed time off from work upon one occasion to investigate the grievance.
- F. **LIMITATION OF TIME OFF.** ~~Union representatives~~ Stewards shall not be permitted time off from their work assignments for the purpose of conducting general Union business.

## SECTION 5. USE OF BULLETIN BOARDS; MEETINGS; ACCESS TO RECORDS

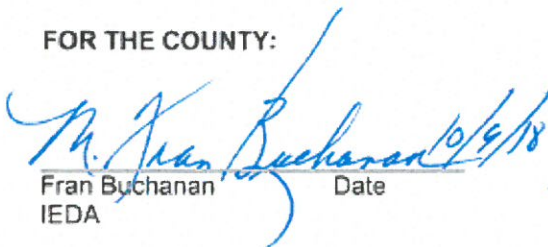
- A. **USE OF BULLETIN BOARDS.** Reasonable space shall be allowed on bulletin boards as specified by Agency/Department Heads for use by employees and the Union to communicate with departmental employees. Material shall be posted upon the bulletin board space designated and not upon walls, doors, file cabinets, or any other place. Posted material shall not be obscene, defamatory, or of a partisan political nature, nor shall it pertain to public issues which do not involve the County or its relations with County employees. All posted material shall bear the identity of the sponsor, shall be neatly displayed, and shall be removed by the sponsor when no longer timely.
- B. **USE OF COUNTY FACILITIES.** County facilities may be made available for use by employees and the Union. Such use shall not occur during regular working hours other than the lunch period. Application for such use shall be made to the management person under whose control the facility is placed. Employees attending meetings under this Section during duty hours may do so only when such request has been authorized.
- C. **MEETINGS.** Meetings of ~~a Union staff representative~~ an authorized representative of the Union and a group of employees shall not be permitted during working hours except as provided in subsection B., above.
- D. **ACCESS TO RECORDS.** An employee shall be permitted to review his/her own personnel record. ~~Union representatives~~ stewards and Union staff representatives shall be permitted to review employee records when accompanied by the employee or upon presentation of a written authorization signed by the employee. The employee,

or the Union staff representative or Union steward when accompanied by the employee or upon presentation of a written authorization signed by the employee, may request a copy of the employee's personnel record. The custodian of the file shall grant such a request within three (3) working days. The County shall provide one copy of the record without charge. The County may verify any written authorization. The Union's access to employee records shall be for good cause only. Third party reference material shall not be made available.


Letters of reprimand or warning will be removed from an employee's official personnel file upon request of the employee after five (5) years from the date of the letter, provided the County has not initiated any subsequent corrective action of the employee. All requests must be presented in writing to the Agency/Department Head.

The employee shall be provided an opportunity to respond in writing, or personal interview, to any information in the file about which he/she disagrees. Such response shall become a permanent part of the personnel record. The employee shall be responsible for providing the written responses to be included as a part of the permanent record.

FOR THE COUNTY:

  
Fran Buchanan  
IEDA

Date

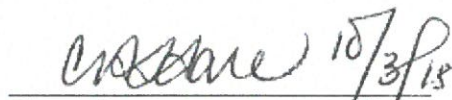
  
Michi Yoshii  
Labor Relations Analyst

Date

FOR IFPTE, LOCAL 21:

  
Jeff Duritz  
Representative/Organizer

Date

  
Cheryl Hare  
PACE Chapter S-06

Date

**SIDELETTER OF AGREEMENT  
BETWEEN  
INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL  
ENGINEERS LOCAL 21 – UNIT S-25  
AND  
THE COUNTY OF ALAMEDA**

**October 3, 2018**

The parties agree that effective the first full pay period following adoption by the Board of Supervisors the current Section 4. and Section 5. of the parties' MOU shall be updated as follows:

**SECTION 4. AUTHORIZED REPRESENTATIVES (STEWARDS) OF THE UNION**

**A. PURPOSE.** The County recognizes the need and affirms the right of the Union to designate ~~authorized representatives~~ stewards of the Union from among employees in the unit. It is agreed that the Union in appointing such ~~authorized representatives~~ stewards does so for the purpose of promoting effective working relationships.

**B. ~~ROLE OF THE AUTHORIZED REPRESENTATIVE OF THE UNION STEWARD.~~** The County recognizes the right of the Union to represent employees in connection with grievances which arise under Section 15. ~~of the Grievance Procedure.~~

The ~~authorized representative of the Union~~ steward recognizes the fact that the supervisor is the key person in the Agency/Department and, understands that his/her Union representation function does not relieve him/her from conforming to all rules of conduct and standards of performance established by law, regulation, County or Agency/Department policy, or the Memorandum of Understanding.

**C. SELECTION OF STEWARDS.** The Union shall ~~reserve the right to designate the method of selection of authorized representatives~~ stewards. The Union shall notify the Labor Relations Department in writing of the names of the ~~Union representatives~~ stewards and the units they represent. If a change in ~~Union representatives~~ stewards is made, the Labor Relations Department shall be advised in writing of the ~~Union representative~~ steward being replaced and the ~~Union representative~~ steward named to take his/her place. The number of ~~Union representatives~~ stewards shall be mutually agreed upon and a list of ~~Union representatives~~ stewards shall be submitted to the Labor Relations Department.

**D. DUTIES AND RESPONSIBILITIES OF THE UNION REPRESENTATIVE STEWARD.** The following functions are understood to constitute the complete duties and responsibilities of the ~~Union representative~~ steward.

1. Duties and Time Limits: After obtaining supervisory permission, Union representatives stewards will be permitted to leave their normal work area during on-duty time not to exceed 4 hours per week in order to assist in investigation of facts, assist in the presentation of a grievance, or meet with an employee new to the bargaining unit on the Tuesday following the new employee's first day of employment. In the event there is more than one new employee on-boarded in the same pay-period, only one meeting shall occur with all new employees. The meeting shall take place at the employee's worksite location at the designated time per the Sideletter of Agreement titled "Union Access to New Employees." The meeting scheduled with new employees shall not exceed twenty (20) minutes, except that if the number of new employees at a single work address is three (3) or more, the allotted Union orientation time shall not exceed thirty (30) minutes. Time used for Union orientations shall be counted towards the total four (4) hours allowed per week under this subsection. In the event the Union orientation cannot take place as provided above, due to scheduling or other unavoidable conflicts, the parties will work together to schedule the orientation meeting which shall take place within ten (10) calendar days of the original meeting date.
2. Obtain Permission: To obtain permission to investigate a grievance on on-duty time, the Union representative steward shall advise the supervisor of the grievant of his/her investigation of the facts and the general nature of the grievance or a disciplinary action. ~~The Union representative shall report such time to his/her supervisor as shop steward leave payroll code UNI for timekeeping purposes.~~ The Union representative steward is permitted to discuss the problem with all employees immediately concerned, and, if appropriate, to attempt to achieve settlement with the supervisory personnel involved. Agencies, wards, clients, detainees, and outside interested parties will not be contacted by ~~Union representatives stewards~~ as a part of the grievance process. The employee may be represented by a Union representative steward at such times as a grievance is reduced to writing. If, in the judgment of the supervisor, because of the necessity of maintaining adequate levels of service, permission cannot be granted immediately to the Union representative steward ~~in order to~~ present or investigate a grievance during on-duty time, such permission shall be granted by the supervisor no later than the next working day from the date the Union representative steward was denied permission.

To obtain permission to meet with a new employee under the provision in subsection 4.D.1., above, the Union steward or Union staff representative shall advise the Agency's Human Resources Representative at least two working days prior to the Tuesday meeting date. The Agency shall coordinate with the appropriate supervisors of the Union steward and the new employee(s) to schedule the meeting as requested subject to non-interference with business needs. The Union's requested time shall not be unreasonably denied. In the event the Union's staff representative also attends the meeting, the Union's staff representative shall notify the Departmental Human Resources Representative at least two working days prior to the meeting so that the Department can designate a separate space where the

meeting shall be held.

3. The steward shall report such time taken under subsection 4.D.1. to his/her supervisor as shop steward leave payroll code UNI for timekeeping purposes.

~~The union representatives~~ Union stewards and authorized employee representatives who participate in the meet and confer process and/or participate on a labor-management committee, must report such time to their supervisor as payroll code MCL for meet and confer and payroll code LMC for participation on a labor management committee.

- E. **CHANGES IN UNION REPRESENTATIVES STEWARDS OR NUMBER OF UNION REPRESENTATIVES STEWARDS.** If a ~~Union representative steward~~ is reassigned which will leave his/her shift or work location without a ~~Union representative steward~~, then the Union shall have the right to appoint a replacement. Should the Union wish to change ~~Union representative stewards~~ during the grievance procedure, it may do so, provided that only one ~~Union representative steward~~ will be allowed time off from work upon one occasion to investigate the grievance.
- F. **LIMITATION OF TIME OFF.** ~~Union representatives~~ Stewards shall not be permitted time off from their work assignments for the purpose of conducting general Union business.

## **SECTION 5. USE OF BULLETIN BOARDS; MEETINGS; ACCESS TO RECORDS**

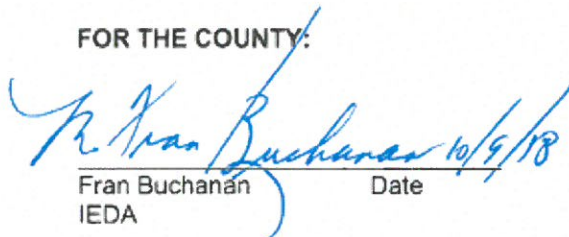
- A. **USE OF BULLETIN BOARDS.** Reasonable space shall be allowed on bulletin boards as specified by Agency/Department Heads for use by employees and the Union to communicate with departmental employees. Material shall be posted upon the bulletin board space designated and not upon walls, doors, file cabinets, or any other place. Posted material shall not be obscene, defamatory, or of a partisan political nature, nor shall it pertain to public issues which do not involve the County or its relations with County employees. All posted material shall bear the identity of the sponsor, shall be neatly displayed, and shall be removed by the sponsor when no longer timely.
- B. **USE OF COUNTY FACILITIES.** County facilities may be made available for use by employees and the Union. Such use shall not occur during regular working hours other than the lunch period. Application for such use shall be made to the management person under whose control the facility is placed. Employees attending meetings under this Section during duty hours may do so only when such request has been authorized.
- C. **MEETINGS.** Meetings of an ~~authorized representative of the Union~~ a Union staff representative and a group of employees shall not be permitted during working hours except as provided in subsection B. or subsection 4.D.1., above.

**E. ACCESS TO RECORDS.** An employee shall be permitted to review his/her own personnel record. Stewards or Union staff representatives shall be permitted to review employee records when accompanied by the employee or upon presentation of a written authorization signed by the employee. The employee, or the Union steward or the Union staff representative when accompanied by the employee or upon presentation of a written authorization signed by the employee may request a copy of the employee's personnel record. The custodian of the file shall grant such a request within three (3) working days. The County shall provide one copy of the record without charge. The County may verify any written authorization. The Union's access to employee records shall be for good cause only. Third party reference material shall not be made available.

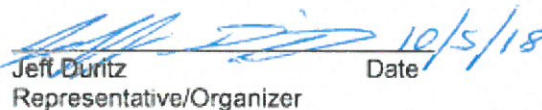
Letters of reprimand or warning will be removed from an employee's official personnel file upon request of the employee after five (5) years from the date of the letter, provided the County has not initiated any subsequent corrective action of the employee. All requests must be presented in writing to the Agency/Department Head.

The employee shall be provided an opportunity to respond in writing, or personal interview, to any information in the file about which he/she disagrees. Such response shall become a permanent part of the personnel record. The employee shall be responsible for providing the written responses to be included as a part of the permanent record.

FOR THE COUNTY:

  
Fran Buchanan  
IEDA  
Date 10/9/18

FOR IFPTE, LOCAL 21:

  
Jeff Dunitz  
Representative/Organizer  
Date 10/5/18

  
Michi Yoshii  
Labor Relations Analyst  
Date 10/9/18

  
Elisabeth Morris  
PACE Chapter S-25  
Date 10/5/18

SIDELETTER OF AGREEMENT  
BETWEEN  
INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL  
ENGINEERS LOCAL 21  
PUBLIC DEFENDER CHAPTER (PDC)  
AND  
THE COUNTY OF ALAMEDA

October 3, 2018

The parties agree that effective the first full pay period following adoption by the Board of Supervisors the current Section 4. and Section 5. of the parties' MOU shall be updated as follows:

**SECTION 4. RELEASE TIME**

- A.** Officers and authorized representatives of the Union who are County employees may utilize time during normal working hours without loss of pay or benefits, for meeting and conferring with County management on matters within the scope of representation. The use of release time for this purpose shall be reasonable in amount and shall not interfere with the performance of County services.
- B.** Release time shall also be allowed for one (1) member designated by the Union to meet with new employees at the Department's week-long new-hire training. Release time shall not exceed thirty (30) minutes. The Union member or Union staff representative shall request release time to the Department's Human Resources Representative at least two working days prior to the date of the Union orientation.
- C.** The authorized representatives stewards of the Union shall be made known to the Director of Human Resource Services on a yearly basis and updated as changes occur.

**SECTION 5. UNION RIGHTS**

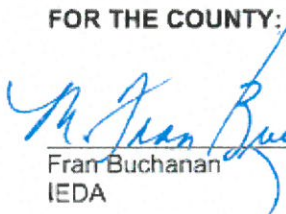
- A. ACCESS TO EMPLOYEES.** Any ~~full-time business agent of the Union~~ Union staff representative may have reasonable access to contact individual employees in County facilities during business hours on matters within the scope of representation. The Union staff representative ~~full-time business agent~~ must obtain permission for such contact from the Department Head. Such permission will not be unreasonably denied. When contact at the work location is precluded by confidentiality of records, work situation, health and safety of employees or the public, or by disturbance to others, the Department Head shall have the right to make other arrangements for a contact location removed from the work area. ~~Unscheduled arrivals during business hours at County facilities of the Union staff representative full-time business agent for the purpose of contacting individual employees without prior approval of the Department Head will not be allowed.~~ No contacts by the ~~full-time business agent~~ Union staff representative shall


be permitted during working hours with employees regarding membership, collection of monies, election of officers, or other similar internal Union business, except as provided for in subsection 4.B. above.

- B. MEETINGS.** Meetings of a ~~full time business agent of the Union~~ staff representative and a group of employees shall not be permitted during working hours except as provided for in subsection 4.B., above; 5.A., above; or Section 17 (Grievance Procedure).
- C. ACCESS TO RECORDS.** An employee shall be permitted to review his/her own personnel record. Union representatives shall be permitted to review employee records when accompanied by the employee or upon presentation of a written authorization signed by the employee. The employee or the Union representative when accompanied by the employee or upon presentation of a written authorization signed by the employee may request a copy of the employee's personnel record. The County shall provide one copy of the record without charge. The County may verify any written authorization. Third party reference material shall not be made available.
- D. USE OF BULLETIN BOARDS.** Reasonable space shall be allowed on bulletin boards as specified by the Department Head for use by employees and the Union to communicate with Departmental employees. Material shall be posted upon the bulletin board space designated and not upon walls, doors, file cabinets, or any other place. Posted material shall not be obscene, defamatory, or of a partisan political nature, nor shall it pertain to public issues which do not involve the County or its relations with County employees. All posted material shall bear the identity of the sponsor, shall be neatly displayed, and shall be removed by the sponsor when no longer timely.

FOR THE COUNTY:

FOR IFPTE, LOCAL 21:

  
Fran Buchanan  
IEDA  
Date 10/9/18

  
Jeff Duritz  
Representative/Organizer  
Date 10/9/18

  
Michi Yoshii  
Labor Relations Analyst  
Date 10/9/18

  
Public Defender Chapter  
Date 10/3/18

  
Public Defender Chapter  
Date 10/3/18

**SIDELETTER OF AGREEMENT  
BETWEEN  
INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL  
ENGINEERS LOCAL 21 – UNITS 16 & 60  
AND  
THE COUNTY OF ALAMEDA**

**October 3, 2018**

The parties agree that effective the first full pay period following adoption by the Board of Supervisors the current Section 4. and Section 5. of the parties' MOU shall be updated as follows:

**SECTION 4. ACCESS TO EMPLOYEES; USE OF BULLETIN BOARDS; USE OF COUNTY FACILITIES; MEETINGS**

- A. ACCESS TO EMPLOYEES.** ~~Authorized representatives of the Union staff~~ representatives shall have the right to contact individual employees working within the representation unit represented by the Union in County facilities during business hours on matters within the scope of representation, ~~provided~~ provided arrangements are made on each such contact with the Agency/Department Head. The Agency/Department Head shall grant permission for such contact, if, in his or her judgment, it will not unduly disrupt the business of the work unit involved. When contact ~~on~~ at the work location is precluded by confidentiality of records or of work situation, health and safety of employees or the public, or by disturbance to others, the Agency/Department Head shall have the right to make other arrangements for a contact location removed from the work area.
- B. USE OF BULLETIN BOARDS.** Reasonable space shall be allowed on bulletin boards as specified by Agency/Department Heads for use by employees and the Union to communicate with departmental employees. Material shall be posted upon the bulletin board space designated and not upon walls, doors, file cabinets or any other place. Posted material shall not be obscene, defamatory, or of a partisan political nature, nor shall it pertain to public issues which do not involve the County or its relations with County employees. All posted material shall bear the identity of the sponsors, shall be neatly displayed, and shall be removed by the sponsor when no longer timely.
- C. USE OF COUNTY FACILITIES.** County facilities may be made available for use by employees and the Union. Such use shall not occur during regular working hours other than the lunch period. Application for such use shall be made to the management person under whose control the facility is placed.

- D. **MEETINGS**. Meetings of an ~~authorized representative of the union~~ a Union staff representative and a group of employees shall not be permitted during working hours except as provided in subsection C., above. ~~If conducting group orientation sessions for new employees, Agency/Department Head shall permit a Union representative or a steward to meet with said new employees for a period not to exceed 10 minutes. A steward who attends an orientation session shall be permitted release time for this purpose.~~ No contacts shall be permitted during working hours with employees regarding membership, collection of monies, election of officers, or other similar internal employee organization business except as provided for in subsection 5.D.3., below.

## **SECTION 5. EMPLOYEE REPRESENTATIVES STEWARDS**

- A. **PURPOSE**. The County recognizes the need and affirms the right of the Union to designate ~~employee representatives~~ stewards from the employees in Representation Units 16 and 60. It is agreed that the Union in appointing such ~~employee representatives~~ stewards does so for the purpose of promoting an effective relationship between the County administration and employees by helping to settle problems at the lowest level of supervision.

- B. **ROLE OF EMPLOYEE REPRESENTATIVE STEWARD AND SUPERVISOR**. The ~~employee representative~~ steward recognizes the fact that the supervisor is the key person in the department and, as such, is responsible to higher management for the quality and quantity of the work. As the supervisor is the key person for management, the ~~employee representative~~ steward is the key person for the Union. They must promote and maintain good morale and friendly relations and must be willing to meet in good faith to settle grievances as they arise, exercising a positive approach.

There must be mutual respect on both sides in these relations. The ~~employee representative~~ steward understands that the ~~employee representative~~ steward function does not relieve them ~~representative~~ from conforming to all rules of conduct and standards of performance established by law, regulation, County or department policy or the Memorandum of Understanding.

- C. **SELECTION OF STEWARD EMPLOYEE REPRESENTATIVE**. The location and number of stewards ~~representatives~~ shall be mutually agreed upon by the department and the Union. The Union shall ~~reserve the right to~~ designate the method of selection of steward~~employee representative~~s.

The Union shall notify the Agency/Department Head in writing of the names of the ~~employee representatives~~ stewards and the area they represent. The Agency/Department Head will be notified in writing by the Union of any subsequent changes regarding ~~employee representatives~~ stewards and who they are replacing.

D. DUTIES AND RESPONSIBILITIES OF EMPLOYEE REPRESENTATIVES STEWARDS

1. After obtaining supervisory permission, ~~employee representatives~~ stewards will be permitted to leave their normal work area during on-duty time not to exceed four hours per week in order to assist in investigation of the facts and assist in the presentation of a grievance. The ~~employee representative~~ steward shall report such time to his/her supervisor as shop steward leave (payroll code UNI) for timekeeping purposes. The ~~representative steward's~~ workload may be adjusted to the extent the Agency/Department Head feels it is appropriate. To obtain permission to investigate a grievance during on-duty time, the ~~representative steward~~ shall advise the supervisor of the grievant of his or her investigation of the facts and the general nature of the grievance. The ~~employee representative steward~~ is permitted to discuss the problem with all employees immediately concerned and, if appropriate, to attempt to achieve settlement with the supervisory personnel involved. Agencies, wards, clients, detainees and outside interested parties will not be contacted by the steward as part of the grievance process. The employee may be represented by a steward ~~an employee representative~~ at such time as a grievance is reduced to writing.
2. If, in the judgment of the supervisor, because of the necessity of maintaining adequate level of services, permission cannot be granted immediately to the ~~employee representative steward~~ in order to present or investigate a grievance during on-duty time, such permission shall be granted by the supervisor no later than the next working day from the date the ~~employee representative steward~~ was denied permission.

~~Employee representatives~~ Stewards/employees who participate in the meet and confer process and/or participate on a labor-management committee, must report such time to their supervisor as payroll code MCL for meet and confer and payroll code LMC for participation on a labor management committee.

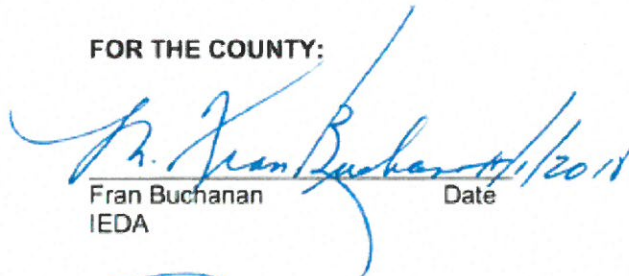
3. Stewards shall be permitted to meet with a new employee to the bargaining unit within ten (10) calendar days of the new employee's first day of employment. In the event there is more than one new employee on-boarded in the same pay-period, only one meeting shall occur with all new employees. A meeting scheduled with new employees shall not exceed twenty (20) minutes and shall be counted towards the total four (4) hours allowed per week under subsection 5.D.1., above.

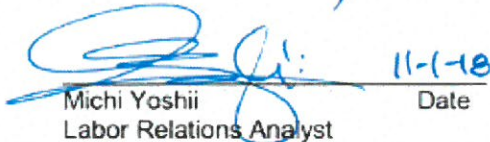
To obtain permission to meet with a new employee under this subsection, the steward or Union staff representative shall submit a request for release time to conduct the meeting at a specific date and time to the Departmental Human Resources Representative at least two working days prior to the Union's requested date and time for the meeting. The Department shall coordinate with the appropriate supervisors of the steward and the new employee(s) to schedule the meeting as requested subject to non-interference with business needs. The

Union's requested time shall not be unreasonably denied. In the event the Union's staff representative also attends the meeting, the Union's staff representative shall notify the Departmental Human Resources Officer at least two working days prior to the meeting so that the Department can designate a separate space where the meeting shall be held.


- E. **NUMBER AND CHANGES OF STEWARDS EMPLOYEE REPRESENTATIVES.** It is agreed that the Union and the department will maintain positions known as ~~employee representatives~~ stewards within Representation Units 16 and 60. The ~~employee representatives~~ stewards shall be selected from locations throughout the County by the Union. It is agreed that the County shall not attempt to transfer any ~~employee representative~~ steward of the Union for reasons associated with his/her duties as a steward representative. If ~~a~~ an employee representative steward is assigned to another position by the County, the Union shall have the right to immediately replace the individual with another ~~employee representative~~ steward. Should the Union wish to change ~~employee representatives~~ stewards during a grievance procedure, it may do so provided that only one representative steward shall be allowed time off from work at any one time to investigate or settle the grievance.
- F. **LIMITATIONS ON TIME OFF.** ~~Employee representatives~~ Stewards shall not be permitted time off from their work assignments for the purpose of conducting general Union business.
- G. **ACCESS TO RECORDS.** Union staff representatives and stewards ~~employee representatives~~ shall be permitted to review employee records when accompanied by the employee or upon presentation of a written authorization signed by the employee. The County may verify any written authorization. The Union's access to employee records shall be for good cause only. Third party reference material shall not be made available.

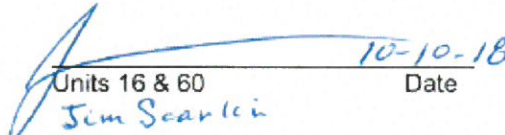
FOR THE COUNTY:

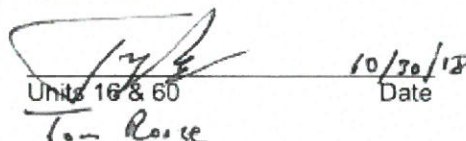
  
Fran Buchanan  
IEDA  
Date 10/1/2018

  
Michi Yoshii  
Labor Relations Analyst  
Date 11-1-18

FOR IFPTE, LOCAL 21:

  
Jeff Dunitz  
Representative/Organizer  
Date 10/10/18

  
Units 16 & 60  
Jim Scanlon  
Date 10-10-18

  
Units 16 & 60  
Tom Rose  
Date 10/30/18