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**Human Resource Services**

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December 8, 2020

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

SUBJECT: ADOPT SALARY ORDINANCE AMENDMENTS TO: 1) UPDATE SUBSECTION 1-1.1 TO ESTABLISH THE CLASS OF DENTIST SAN (JC #5519N), AMEND THE FLSA DESIGNATION FOR THE CLASS OF PROBATION SPECIALIST (JC #6118PA), AND ADJUST THE SALARY FOR THE CLASS OF COUNTY HEALTH OFFICER (JC #5046PA); 2) AMEND SUBSECTION 3-11.27 FOR GENERAL SERVICES AGENCY; AND 3) ADD NEW SUBSECTIONS 3-12.90 AND 3-12.91 FOR HEALTH CARE SERVICES AGENCY

Dear Board Members:

**RECOMMENDATIONS:**

Adopt Salary Ordinance amendments to:

- i. Update Article 1, Section 1-1 (Pay Rate Schedules), Subsection 1-1.1 to establish one (1) new classification of Dentist Services-As-Needed ("SAN") (Job Code ("JC") #5519N) located in the Health Care Services Agency ("HCSA"), effective December 27, 2020; amend the Fair Labor Standards Act ("FLSA") designation for one (1) classification of Probation Specialist (JC #6118PA) in the Probation Department ("PD"), retroactive to October 11, 2017; and adjust the salary for one (1) unrepresented classification of County Health Officer ("CHO") (JC #5046PA), effective December 27, 2020;
- ii. Amend Article 3, Section 11 (General Services Agency), Subsection 3-11.27 to extend the footnote provision for three (3) classifications: Janitor (JC #7410NM); Janitor, Floor Specialist (JC #7411NM); and Lead Janitor (JC #7415NM), in the General Service Agency ("GSA") to June 26, 2021; and
- iii. Amend Article 3, Section 3-12 (Health Care Services Agency) to add subsections 3-12.90 and 3-12.91, footnotes for additional compensation of 15% of the base salary for employees in multiple classifications in the HCSA Adult Forensic Behavioral Health Unit, effective December 27, 2020.

**DISCUSSION/SUMMARY:**

Staff recommends that your Board approve establishing one (1) new classification of Dentist SAN (JC #5519N) in HCSA, represented by the Union of American Physicians and Dentists, effective December 27, 2020. The HCSA Public Health Department ("PHD") requested to create a Dentist SAN classification, using the existing classification of Staff Dentist (JC #5519NM) as the basis for the revised and updated new classification. HCSA PHD is expanding the County's dental care program and needs to allocate Dentist SAN positions to assist the permanent full-time staff in the Staff Dentist (JC #5519NM) classification with the general workload. The Dentist SAN (JC #5519N) classification will be responsible for the dental care of Alameda County residents to include performing preventative and restorative dental procedures, oral examinations and evaluations, participating in Public Health emergency response activities and having oversight of dental public health mentorship programs for dental interns and residents. Further, this new classification will assist with the administrative and professional direction of dental services for public health clinic programs. Staff recommends establishing the salary rates for the Dentist SAN classification (JC #5519N) equivalent to the hourly rates of Steps 3, 4 and 5 of the Staff Dentist classification (JC #5519NM).

When the Probation Specialist classification (JC #6118PA) was established in 1985, Human Resource Services Department (“HRS”) Personnel Services Division (“PSD”) determined the appropriate FLSA designation as “non-exempt” based on the assigned scope/level of work and internal structure. In 2017, PD requested to expand the duties of the Probation Specialist classification (JC #6118PA) to include additional functional areas and incorporate duties performed by four (4) countywide FLSA-exempt classifications that were in use by PD. The Civil Service Commission approved the revised classification specification effective October 11, 2017. HRS PSD determined that the consolidation and revision to the classification specification warranted changing the FLSA designation from non-exempt to exempt; however, due to an oversight, staff did not update the County’s human resources management system. As a result, employees in said classification erroneously continued to be treated as FLSA non-exempt, eligible for overtime and receiving three (3) days of paid leave. Staff met with the Alameda County Management Employees Association General Government Unit and reached agreement to correct the FLSA designation to “exempt”. Therefore, staff recommends amending the FLSA designation for the classification of Probation Specialist (JC #6118PA) in PD, retroactive to October 11, 2017.

The HRS PSD and HCSA recently completed a classification specification revision of CHO classification (JC #5046PA). HCSA has not used the CHO classification (JC #5046PA) in over ten years but has been continuously reevaluating the role and responsibilities of this vital position. As such, HCSA determined it would be most effective to include the oversight of a division or multiple divisions in the CHO’s role, as well as include the oversight of any coordinating body for pandemic preparedness and response. Given the expanded duties due to the COVID-19 pandemic, and at the request of HCSA, staff conducted an external salary survey of the surrounding Bay Area counties and determined that the CHO salary is slightly above the median market of three (3) jurisdictions, however, said comparable classification in those jurisdictions do not have full oversight of a division or multiple divisions. Further, the coordination and oversight of the COVID-19 pandemic response efforts have proven much more complex, especially the process of establishing the COVID Futures unit. Therefore, staff recommends adjusting the salary range by ten percent (10%) to factor in the additional responsibilities incorporated into the classification specification and to keep the salary of this critical position competitive with other Bay Area counties.

On May 12, 2020, your Board adopted a Salary Ordinance amendment to extend a footnote for three (3) classifications: Janitor (Job Code #7410NM); Janitor, Floor Specialist (Job Code #7411NM); and Lead Janitor (Job Code #7415NM) in GSA, which provided for an additional five percent (5%) compensation when assigned to work at the Santa Rita Jail detention facility. The footnote was originally created to address recruitment and retention issues with these classifications at this specific facility. The footnote included a sunset date effective December 26, 2020, to allow time for staff in HRS PSD to work with GSA to explore alternative options and reach a more permanent solution that addressed said issues. Staff continues to work closely with GSA and the affected union on this matter, and needs additional time to complete the meet and confer process regarding the reallocation plan for to affected employees in these three (3) classifications to the newly-created classifications of Janitor, Detention Facilities (JC #7416NM), Janitor Floor Specialist, Detention Facilities (JC #7417NM), and Lead Janitor, Detention Facilities (JC #7418NM). Therefore, staff requests to extend the sunset date of this footnote to June 26, 2021 at which time it shall be deleted from the Salary Ordinance upon the sunset date.

In addition, on November 5, 2020, staff concluded meet and confer with the Service Employees International Union (“SEIU”) Local 1021 regarding the expansion of the clinical services and staffing of HCSA’s Adult Forensic Behavioral Health (“AFBH”) Unit at the Alameda County Sheriff’s Office (“ACSO”) Santa Rita Jail (“SRJ”). As a result of the meet and confer discussions, the County and SEIU Local 1021 (collectively known as the “Parties”) agreed that effective December 27, 2020, all employees in clinical and paraprofessional classifications assigned to SRJ will be required to participate in pre-planned use of force (“PPUF”) incidents with ACSO sworn staff. The Parties also agreed to the expansion of operational hours to include 24/7 operations once HCSA AFBH are fully staffed. The changes affect employees assigned to SRJ in the following classifications: Behavioral Health Clinician (“BHC”) I (JC #6505NM); BHC II (JC #6510NM); Marriage Family Therapist (“MFT”) I (JC #6496NM); MFT II (JC #6497NM); Rehabilitation Counselor (“RC”) I (JC #6638NM); RC II (JC #6640NM); Mental Health Specialist (“MHS”) I (JC #6490NM); MHS II (JC #6491NM); and MHS III (JC #6492NM).

Employees in said classifications assigned to SRJ will perform crisis intervention, facilitate de-escalation and accompaniment for PPUF incidents. The County and SEIU recognized that the additional duties the clinicians and paraprofessional staff will perform at SRJ, while are not to the complexity level required of the Behavioral Health Crisis Intervention Specialist (“BHCIS”)

classification series; however, are similar to the duties and responsibilities of that classification series. Specifically, the duties the BHCIS I and BHCIS II (JC #6512NM and #6513NM) includes crisis intervention, accompaniment and de-escalation, however, incumbents at this level are also required to ride-along with law enforcement and respond to crisis calls in the general public, while MHS Is, MHS IIs and MHS IIIs perform these functions in a secured locked facility such as SRJ.

Further, the MHS Is, MHS IIs and MHS IIIs, while accompanying the clinicians during PPUF incidents at SRJ, will not perform duties similar to the comparable paraprofessional level of Behavioral Health Crisis Intervention Associate (“BHCIA”). At SRJ, the MHS Is, MHS IIs and MHS IIIs will assist in de-escalation but only in a support role to the licensed or licensed-eligible clinician. In contrast, the BHCIAs perform field work on Mobile Crisis Teams, conduct outreach at homeless encampments and other potentially unsecured areas. Given that the clinicians and paraprofessional staff will perform more complex duties than outlined in the existing classification specifications, staff recommends establishing additional compensation of 15% of the base pay. The recommended additional compensation is determined based on the current variance between the BHCIS and BHC II salaries and the BHCIA and the MHS III salaries. Staff does not recommend sunset dates for these footnotes as the added clinical duties will be ongoing as part of a four (4) year expanded staffing plan.

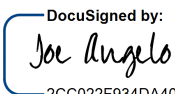
**FINANCING:**

Funds are available in the 2020-2021 Approved Budget and will be included in future years’ requested budgets to cover the costs resulting from these actions.

**VISION 2026 GOAL:**

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

Very truly yours,

DocuSigned by:  
  
20C022F934DA404...  
Joe Angelo, Director  
Human Resource Services

- c: CAO
- Auditor-Controller
- County Counsel
- Director, Health Care Services
- Director, General Services Agency

Approved as to Form  
DONNA ZIEGLER, County Counsel

By   
Kristy van Herick, Asst. County Counsel

O-2020-65

AN ORDINANCE AMENDING  
CERTAIN PROVISIONS OF THE 2020 – 2021  
COUNTY OF ALAMEDA SALARY ORDINANCE

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

**SECTION I**

**Article 1, Section 1-1, Subsection 1-1.1** of the County of Alameda Salary Ordinance is hereby amended for the following job codes, titles, salaries, and FLSA status as follows:

Job Code		Title	Unit Code	Effective Date	Step 01	Step 02	Step 03	Step 04	Step 05	FLSA Status
<u>5519</u>	<u>N</u>	<u>Dentist SAN</u>	<u>018</u>	<u>12/27/2020</u>			<u>98.00</u>	<u>102.90</u>	<u>108.18</u>	<u>N</u>
5046	PA	County Health Officer	U45	<u>12/27/2020</u>	<u>10688.00</u>				<u>12985.60</u>	X
6118	PA	Probation Specialist	R15	<u>10/11/2017</u>						<u>NX</u>

**SECTION II**

**Article 3, Section 3-11, Subsection 3-11.27** of the County of Alameda Salary Ordinance is hereby amended to read as follows:

3-11.27 - Effective July 1, 2018, ~~persons occupying positions underemployees in~~ Job Codes 7410NM-Janitor, 7411NM Janitor, Floor Specialist, and 7415NM-Lead-Janitor, when assigned on a regular basis to the Alameda County Santa Rita Jail facility which requires dealing with ongoing challenging working conditions, shall receive an additional five percent (5%) compensation. This footnote shall sunset effective ~~December 26, 2020~~ June 26, 2021 and shall be deleted from the Salary Ordinance upon the sunset date.

**SECTION III**

**Article 3, Section 3-12, Subsections 3-12.90 and 3-12.91** of the County of Alameda Salary Ordinance is hereby added, to be effective December 27, 2020.

3-12.90 – Effective December 27, 2020, employees in Job Codes 6505NM, 6510NM, 6496NM, 6497NM, 6638NM, and 6640NM, assigned to work at Santa Rita Jail and are required to participate in pre-planned use of force incidents with Alameda County Sheriff's Office sworn staff, to include the facilitation of crisis intervention, de-escalation and therapeutic needs of a client, and shall be compensated an additional 15% of the base pay.

3-12.91 – Effective December 27, 2020, employees in Job Codes #6490NM, #6491NM and #6492NM, assigned to work at Santa Rita Jail, are required to accompany licensed or licensed-eligible clinicians to participate in pre-planned use of force incidents with Alameda County Sheriff's Office sworn staff to include crisis intervention, de-escalation and therapeutic needs of a client, and shall be compensated an additional 15% of the base pay.

#### **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 it 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 15<sup>th</sup> day of **December, 2020**, to wit:

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

**NOES:** None

**EXCUSED:** None



**PRESIDENT, BOARD OF SUPERVISORS**

File No: 30502  
Agenda No: 30  
Document No: O-2020-65



I certify that the foregoing is a correct copy of an Ordinance adopted by the Board of Supervisors, Alameda County, State of California

**ATTEST:**  
Clerk, Board of Supervisors

By: *St. Anna Baidig*  
Deputy