

# civil service commission

## BOARD OF REVIEW AND APPEALS



### Commissioners

Don Becker  
Alyse M. Lazar  
J. William Little  
Haywood Merricks III  
James Vandenberg

**MINUTES OF  
SPECIAL MEETING  
TUESDAY, April 12, 2011  
10:30 a.m.  
LOWER PLAZA ASSEMBLY ROOM  
HALL OF ADMINISTRATION**

The meeting was called to order by Chair Vandenberg at 10:30 a.m. Commissioners present: Chair Vandenberg, Vice-Chair Merricks and Commissioners Becker, Little and Lazar. Staff present: Cheryl Shaw, Commission Assistant, Robert Orellana, Law Advisor and Jim Dembowski, (IR). John Nicoll, Director of Human Resources, also was in attendance.

1. **SECTION 103 REVIEW OF PROPOSED MOA AND LETTER TO THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA RE:** Approval of Adoption of 2010-2012 Memorandum of Agreement between the County of Ventura and the Ventura County Sheriff's Correctional Officers' Association (VCSCOA).

Jim Dembowski represented that the negotiated MOA had no adverse impact on the County's Personnel Rules and Regulations. On unanimous vote by motion made by Commissioner Becker, seconded by Vice-Chair Merricks, the Commission agreed to advise to the Board of Supervisors that the subject MOA does not adversely impact the Ventura County Personnel Rules and Regulations. Chair Vandenberg was directed to sign a letter regarding same, which will be submitted to the Board of Supervisors for their next agenda.

2. **SECTION 103 REVIEW OF PROPOSED MOA AND LETTER TO THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA RE:** Approval of Adoption of 2010-2012 Memorandum of Agreement between the County of Ventura and the Service Employees International Union (Local 721) (SEIU).

SPECIAL MEETING MINUTES  
Civil Service Commission  
April 12, 2011

In response to Commissioner Lazar's inquiry about changes to Article 32 of the MOA with regard to workload standards, Mr. Dembowski indicated that the original wording of the section had been in place since 1987, and the language has remained unchanged. The proposed MOA was negotiated by the parties after recognizing the language with regard to case load standards should be updated as different standards have now been developed with regard to handling cases. This section will be an ongoing negotiated item between the County and SEIU. Mr. Nicoll additionally indicated that the proposed language changes followed 18 months of negotiations.

Commissioner Little requested clarification about Section 404 and the retirement incentive change from a 4% to 1% change. Mr. Nicoll indicated that the change occurred after recognizing that Tier 1 employees, after 30 years of service potentially made less in total pensionable compensation than other employees who worked less than 30 years due to the negotiated employee pick up percentage of their retirement. Therefore, the employee 30 year incentives needed to be adjusted in order to level out the contributions and the final pension compensable for persons who work at least 30 years. Rather than change the VCERA rule, these terms try to equalize the benefits for those employees who retire both prior to and after 30 years of service.

On unanimous vote by motion made by Commissioner Becker, seconded by Commissioner Little, the Commission agreed to advise to the Board of Supervisors that the subject MOA does not adversely impact the Ventura County Personnel Rules and Regulations. Chair Vandenberg was directed to sign a letter regarding same, which will be submitted to the Board of Supervisors for their next agenda.

As an item of information, Mr. Nicoll addressed the Commissioner regarding the Commission's duties in performing Section 103 reviews generally. He expressed appreciation to the Commission for calling special meetings to do said reviews which have included 12 contracts over the past 16 months. Although it is expected that the next negotiated agreements will not come before the Commission until December 2012, Mr. Nicoll asked the Commission to consider designating the initial authority for section 103 reviews to the Commission Assistant who would then complete the review and notify the Commission of whether or not the subject agreement would have any adverse impact on the Personnel Rules and Regulations.

Mr. Orellana indicated that this issue could be agendized for the Commission's next regular business meeting for discussion and consideration of any potential language changes to the Commission's by-laws if required. Since the Personal Rules do not specify the process of how section 103 reviews are to be done, there are options the Commission could consider in conducting such reviews. Mr. Nicoll indicated that he would put this request in writing to be forwarded to the Commission's office for considered at the Commission's next meeting.

SPECIAL MEETING MINUTES

Civil Service Commission

April 12, 2011

Commissioner Little agreed that a general discussion was warranted, however, as there is adequate time to consider the idea and any proposed language changes to by-laws if needed, the issue would not necessarily have to be resolved immediately. Commissioner Becker expressed that it would be appropriate to have some proposed language changes to by-laws if required in order for the Commission to begin its analysis.

Chair Vandenberg directed staff to agendaize for the April 28, 2011 meeting a discussion regarding the process of conducting section 103 reviews.

The meeting was adjourned at 10:50 a.m.