

COUNTY OF VENTURA

civil service commission

BOARD OF REVIEW AND APPEALS



Commissioners

Don Becker
Alyse M. Lazar
Haywood Merricks III
Patricia S. Parham
James Vandenberg

**MINUTES
SPECIAL MEETING
WEDNESDAY, JANUARY 4, 2017
9:30 a.m.
VENTURA COUNTY GOVERNMENT CENTER
LOWER PLAZA ASSEMBLY ROOM**

Vice-Chair Vandenberg called the meeting to order at 9:39 a.m.

Commissioners present: Vice-Chair Vandenberg, Commissioners Becker, Merricks and Parham.
Staff present: Cheryl Shaw, Commission Assistant, Jim Dembowski (HR), Craig Leedham and Mike Curnow (IR).

- A.** Section 103 Review of a Memorandum of Agreement (MOA) and Letter to the Board of Supervisors of the County of Ventura Re: Adoption of the 2016-2019 MOA between the County of Ventura and the Service Employees International Union (SEIU), Local 721.

Jim Dembowski, Deputy Director of Human Resources, gave a brief overview of the negotiated MOA changes, which include market based adjustments to salaries. He presented the Commission with an updated letter to the Board of Supervisors and a second draft MOA, revised to include Section 645, which was inadvertently omitted from the original draft, along with a grid that outlines the proposed market based adjustments for all employee classifications. Mr. Dembowski further represented that the new terms of the MOA will have no adverse impact on the Personnel Rules and Regulations.

In response to Commissioner Becker's question concerning provisions within the MOA which apply to the Fire District, Mr. Dembowski stated that neither the County, SEIU Local 721 or its predecessor has never felt the need to negotiate a separate agreement as the Board of Supervisors is the governing board of the County and also the governing Board of the Fire District.

Mr. Dembowski also stated that with respect to the Tier 2 and Tier 3 retirement cost of living adjustments, the specific language proposed for the MOA resulted from the aftermath of a strike that occurred in 2001, as the striking employees tied the issue of retirement adjustments to a cost of living increase rather than "enhanced retirement benefits." SEIU chose a self-funded cost of living adjustment as the retirement benefit for its employees.

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Additionally, with respect the question of whether elimination of current Section 2814 (which provides for arbitration of unfair practices) from the MOA directly impacts Article 20 of the Personnel Rules and Regulations, Mr. Dembowski explained that, in 2001, the State legislature expanded the jurisdiction of the Public Employment Relations Board (PERB) to deal with unfair practices; the only County employees who are exempted from taking such matters to PERB are managers, peace officers, and fire fighters. The deletion of Section 2814 in the SEIU MOA, therefore, merely acknowledges that PERB has exclusive jurisdiction and such matters cannot be taken to independent arbitration.

Upon motion by Commissioner Becker, seconded by Commissioner Parham, the Commissioners present unanimously voted to direct the Vice-Chair to sign a letter to the Board of Supervisors stating that the Commission finds the proposed MOA between the County of Ventura and the Service Employees International Union, Local 721, will have no adverse impact on the County's Personnel Rules and Regulations. Staff was instructed to submit the letter to the Clerk of the Board of Supervisors.

- B. Section 103 Review of Memorandum of Agreement (MOA) and Letter to the Board of Supervisors of the County of Ventura Re: Adoption of the 2017-2020 MOA between the County of Ventura and the International Union of Operating Engineers (IUOE), Local 501.**

Mr. Curnow represented that the proposed IUOE MOA is similar to SEIU's, containing provisions for salary increases and market based salary adjustments for classifications at or below 95% of market rates. He stated that the IUOE MOA provides three \$50 pay period increases in employees' flex credit allowances, starting in January 2017, and thereafter in December of 2017 and 2018. Mr. Curnow represented that the MOA has not yet been formally adopted by IUOE, but opined that none of the terms of the proposed MOA would adversely impact the Personnel Rules and Regulations.

Vice-Chair Vandenberg stated that he did not feel comfortable signing a letter to the Board of Supervisors with respect to an MOA that had not been accepted by the membership. While Commissioner Becker agreed that none of the provisions, as drafted, would adversely impact the Personnel Rules and Regulations, he suggested the Commission amend its proposed letter to the Board of Supervisors and insert the clause that the Commission review concluding that the terms of the MOA having no adverse impact on the Personnel Rules and Regulations is dependent on the MOA being ratified by IUOE.

Upon motion by Commissioner Becker, seconded by Commissioner Parham, staff was instructed to amend the letter to the Board of Supervisors adding the provision that the Commission's conclusion was "subject to ratification by IUOE," and the Vice-Chair was directed to sign the letter to be submitted to the Clerk of the Board of Supervisors.

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In response to a question from Vice-Chair Vandenberg, Industrial Relations Manager Craig Leedham indicated that although the County had reached amendment agreements with several unions including CAN, SEIU, IUOE and VCPFA, the county was still in negotiations with the remaining unions with respect to leave redemption provisions.

The meeting was adjourned at 10:07 a.m.