September 24, 2019

Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94903

SUBJECT: Tentative Agreement between the County of Marin and the Marin County Deputy Sheriffs’ Association

Dear Board Members:

RECOMMENDATION: The Human Resources Department recommends that your Board approve the tentative agreement reached between the County of Marin and the Marin County Deputy Sheriffs’ Association (DSA) for a successor 3-year collective bargaining agreement and authorize the Board President to execute the Collective Bargaining Agreement.

SUMMARY: This 3-year agreement reflects many of the County’s long-term priorities and is consistent with agreements reached with other miscellaneous units in 2018, including providing market-based equity adjustments to employee salaries, eliminating “hold harmless” monies, and amending health benefits to ensure affordability for represented employees. The current Collective Bargaining Agreement with this bargaining unit expired on June 30, 2019.

Although not required by law, the Marin County Employees’ Retirement Association (MCERA) Board has provided an actuarial impact on future retirement costs of the pensionable increases proposed in the tentative agreement. This estimate of the long-term pension liabilities is attached for review prior to the adoption of the labor agreement.

The agreed upon terms include:

Term: September 8, 2019 – June 30, 2022

Salaries (Cost of Living Adjustment):

Year 1: Effective September 8, 2019, the rate of pay for all job classes and employees shall be increased by three percent (3%).

Year 2: Effective the first full pay period of July 2020, the rate of pay for all classes and employees shall be increased by two and one-half percent (2.5%).
Year 3: Effective the first full pay period of July 2020, the rate of pay for all classes and employees shall be increased by three percent (3.0%).

Equity:

Year 1: Effective September 8, 2019, the rate of pay for the Deputy Sheriff Trainee, Deputy Sheriff, Sheriff’s Sergeant, Coroner’s Investigator, District Attorney Investigator and Supervising District Attorney Investigator classifications shall be increased by two-and-one-half percent (2.5%). Effective September 8, 2019, the rate of pay for the Welfare Fraud Investigator classification shall be increased by one percent (1.0%).

Year 2: Effective the first full pay period of July 2020, the rate of pay for the Deputy Sheriff Trainee, Deputy Sheriff, Sheriff’s Sergeant, Coroner’s Investigator, District Attorney Investigator and Supervising District Attorney Investigator classifications shall be increased by one-and-one-half percent (1.5%).

Year 3: Effective the first full pay period of July 2021, the rate of pay for the Deputy Sheriff Trainee, Deputy Sheriff, Sheriff’s Sergeant, Coroner’s Investigator, District Attorney Investigator and Supervising District Attorney Investigator classifications shall be increased by one percent (1.0%).

Health Benefits: The County will freeze the employee-only biweekly fringe adjustment.

Effective December 2019, December 2020, and December 2021, in the pay period in which there will be an increase in health insurance premiums, the County will increase the bi-weekly fringe benefit package in an amount equivalent to zero to five percent (0% to 5.0%) based on the Kaiser Silver premium increase (or the premium increase to the County’s lowest cost HMO at that time) to benefited employees at the employee plus one (1) and employee plus family benefit levels.

The County will increase the salary threshold for fringe differentiation from $70,000 to $74,000 for plan year beginning January 2020.
Cash Back: Effective September 8, 2019, eligible represented employees who enroll in County health benefits may receive up to $100 of any unused fringe monies (“cash back”). Employees who are hired on or after September 8, 2019 and/or employees who do not receive cash back as of September 8, 2019 are ineligible to receive cash back.

Hold Harmless: Effective the last full pay period before the expiration of the 2019-2022 agreement, the County will eliminate Hold Harmless monies for all represented employees. Represented employees who receive Hold Harmless monies greater than or equal to $100.00 per pay period as of the last full pay period in fiscal year 2021-2022, will receive a one-time non-pensionable payment equivalent to 52 pay periods of each employee’s respective Hold Harmless monies.

Peace Officer Standards and Training (P.O.S.T.) Certificate: Effective September 8, 2019, all employees in the represented classifications will be eligible to receive P.O.S.T. Intermediate and Advanced-level certificate incentive.

Peace Officer Standards and Training (P.O.S.T.) Certificate: Effective September 8, 2019, the County will increase the P.O.S.T. Advanced-level certificate incentive to $555.00/month.

Uniforms: Effective September 8, 2019, the County will increase the uniform allowance to $975.00 annually for the Deputy Sheriff Trainee, Deputy Sheriff, and Sheriff’s Sergeant classifications.

Uniforms: Effective September 8, 2019, the County will pay $350.00 annually as a uniform allowance to each represented employee in the Coroner’s Investigator classification, in lieu of the uniforms previously provided by the Sheriff’s Department.

Peace Officers Research Association of California (PORAC) Retiree Medical Trust: The parties agreed that all eligible Regular Hire employees covered by this Agreement shall participate in a retiree medical expense reimbursement plan administered by PORAC Retiree Medical Trust, which will be separate and apart from the County’s health insurance plans.
The eligible Regular Hire employees will contribute the following amounts, which will be deducted through a payroll deduction:

Effective as soon as administratively feasible, but no later than the pay period beginning April 5, 2020, eligible Regular Hire employees shall contribute $50.00/month.

Effective the first full pay period of July 2020, eligible Regular Hire employees shall contribute $100.00/month.

Effective the first full pay period of July 2021, eligible Regular Hire employees shall contribute $150.00/month.

Upon retirement of a Regular Hire employee covered by this Agreement, the employee has the right to transfer into the PORAC Retiree Medical Trust, any vacation leave cash out subject to the applicable rules of the Trust and/or the County.

**Miscellaneous:**

**Overtime**
The parties have agreed to establish a standard work period of fourteen (14) days.

**New Employee Orientation/Union Dues/Agency Fees:**
The County shall provide the Union written notice of county-wide new employee orientations, remit union dues and remove reference to agency shop fees in accordance with applicable state and federal laws.

**Grievance Procedure:**
The parties agreed to increase the amount of time a represented employee may initiate an informal and/or formal grievance from seven (7) to fourteen (14) calendar days.

**CBA Clean-Up:**
The parties also agreed to several clean up items, including deleting outdated language; clarifying that employees need to be in paid status the work day before and after a legal holiday in order to be paid for the legal holiday; increasing the County’s notification period from five working days to no less than 14 calendar days and the opportunity to meet and confer in good faith; and incorporating
issues previously agreed to during the reopener to address impacts of the modifications that are required for the County to implement its new Enterprise Resource Planning system (i.e., the ATOM project), including changing how seniority will be calculated and changing from hours to months of service associated with each level of vacation accrual.

**FISCAL IMPACT:** These salary and benefit adjustments will result in incremental cost increases of $1,610,023 in FY 2019-20, $1,451,739 in FY 2020-21, and $1,557,266 in FY 2021-22. The ongoing increase to the baseline budget would be 13.7 percent of pay over the three-year term with a cumulative ongoing baseline increase of $4,970,664. One-time savings of approximately $351,000 result from the delayed effective date of September 8, 2019. The elimination of hold harmless payments is expected to have a one-time cost of approximately $82,000, which will be offset by ongoing annual savings of approximately $63,000. Please see the attached costing summary which identifies a more detailed fiscal impact of the proposal. Funds have been allocated by the County Administrator’s Office in departmental budgets for the proposed adjustments.

**REVIEWED BY:**

[X] County Administrator   [X] County Counsel
[ ] Department of Finance   [X] Human Resources

Please let me know if you have any questions or concerns.

Respectfully submitted,

Mary Hao
Director of Human Resources

cc: Matthew Hymel, County Administrator
    Angela Nicholson, Assistant County Administrator, CAO
    Roy Given, Director of Finance
    Jeff Wickman, Retirement Administrator, MCERA

Attachments: Costing Summary
            MCERA Analysis of pension liability impacts
# Deputy Sheriff’s Association

## Baseline Information

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Salary Base</td>
<td>$22,795,273</td>
</tr>
<tr>
<td>Current Variable Benefit Base</td>
<td>$9,336,659</td>
</tr>
<tr>
<td>Current Non-Pensionable Salary Base</td>
<td>$3,023,695</td>
</tr>
<tr>
<td>FTE</td>
<td>195</td>
</tr>
<tr>
<td>1% Salary with Variable Fringe</td>
<td>$351,556</td>
</tr>
<tr>
<td>Average Base Salary</td>
<td>$116,899</td>
</tr>
</tbody>
</table>

## Incremental Cost of MOU

<table>
<thead>
<tr>
<th></th>
<th>FY 2019-20</th>
<th>FY 2020-21</th>
<th>FY 2021-22</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Base Salary</strong></td>
<td>$517,475</td>
<td>$549,920</td>
<td>$692,333</td>
</tr>
<tr>
<td></td>
<td>3.0%</td>
<td>2.5%</td>
<td>3.0%</td>
</tr>
<tr>
<td><strong>Equity</strong></td>
<td>$428,922</td>
<td>$325,423</td>
<td>$220,203</td>
</tr>
<tr>
<td></td>
<td>2.5%</td>
<td>1.5%</td>
<td>1.0%</td>
</tr>
<tr>
<td>Wage-related fringes (includes pension costs)</td>
<td>$371,560</td>
<td>$358,377</td>
<td>$380,671</td>
</tr>
<tr>
<td>Non Pensionable Wages</td>
<td>$73,266</td>
<td>$77,860</td>
<td>$95,768</td>
</tr>
<tr>
<td>Projected additional pension costs**</td>
<td>$33,100</td>
<td>$35,100</td>
<td>$37,100</td>
</tr>
<tr>
<td>Uniform Allowance</td>
<td>$8,978</td>
<td>$-</td>
<td>$-</td>
</tr>
<tr>
<td>POST</td>
<td>$76,666</td>
<td>$-</td>
<td>$20,880</td>
</tr>
</tbody>
</table>

## Health Benefits

<table>
<thead>
<tr>
<th>Allowance increase (percent of salary)</th>
<th>FY 2019-20</th>
<th>FY 2020-21</th>
<th>FY 2021-22</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowance increase</td>
<td>$100,056</td>
<td>$105,059</td>
<td>$110,312</td>
</tr>
<tr>
<td>(percent of salary)</td>
<td>0.5%</td>
<td>0.5%</td>
<td>0.5%</td>
</tr>
</tbody>
</table>

## Total Incremental

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Incremental</strong></td>
<td>$1,610,023</td>
</tr>
</tbody>
</table>

Incremental Increase as % of Salary & Benefits: 4.8% 4.1% 4.2%

Total Cumulative above FY 2018-19: 4.8% 9.1% 13.7%

---

*FY 2019-20 reflects prorated cost estimates based on the effective date of 9/8/19

**The projected additional pension costs account for annual payments required to fund approximately $1.9 million in increased retiree liabilities that result from the proposal exceeding the actuarial assumption of 3% annual wage inflation. Ongoing payments for unfunded liabilities will be phased in over 5 years and are expected to be $186,200 annually by 2024.