

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Administrative Office		(2) MEETING DATE March 14, 2006		(3) CONTACT/PHONE Gail Wilcox, Dep. CAO (805) 781-5011	
(4) SUBJECT Request to approve resolutions amending the FY 2004-08 Memorandum of Understanding with the Public Services, Supervisory and Clerical Units of the San Luis Obispo County Employees Association (SLOCEA) to grant severance benefits to unit members subject to layoff as a result of the closure of the County's clinical laboratory.					
(5) SUMMARY OF REQUEST The County's clinical laboratory will close on March 31, 2006. This item will modify the existing MOU with SLOCEA to extend severance benefits for employees subject to layoff as a result of the lab closure.					
(6) RECOMMENDED ACTION It is recommended that the Board approve resolutions amending the 2004-08 Memorandum of Understanding with the Public Services, Supervisory and Clerical Units of the San Luis Obispo County Employees Association (SLOCEA) to grant severance benefits to unit members subject to layoff as a result of the closure of the County's clinical laboratory.					
(7) FUNDING SOURCE(S) General Fund		(8) CURRENT YEAR COST \$94.461		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> YES <input type="checkbox"/> N/A <input checked="" type="checkbox"/> NO					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): Personnel, County Counsel					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) 1st, 2nd, 3rd, 4th, 5th, <u>All</u>			(14) LOCATION MAP <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		
(15) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)			(16) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A		
(17) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(18) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		

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(3-14-06)

(19) ADMINISTRATIVE OFFICE REVIEW This item was prepared by the Administrative Office
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County of San Luis Obispo

COUNTY GOVERNMENT CENTER, RM. 370 • SAN LUIS OBISPO, CALIFORNIA 93408 • (805) 781-5011



To: Board of Supervisors

From: Gail Wilcox, Deputy County Administrative Officer *GW*

DAVID EDGE
COUNTY ADMINISTRATOR

Date: March 14, 2006

Subject: Request to approve resolutions amending the Fiscal Year 2004-08 Memorandum of Understanding with the Public Services, Supervisory, and Clerical Units of the San Luis Obispo County Employees Association (SLOCEA) to grant severance benefits to unit members subject to layoff as a result of the closure of the County's Clinical Laboratory.

Recommendation

It is recommended that your Board approve resolutions amending the 2004-08 Memorandum of Understanding (MOU) with the Public Services, Supervisory, and Clerical Units, San Luis Obispo County Employees' Association (SLOCEA) to grant severance benefits to unit members subject to layoff as a result of the closure of the County's Clinical Laboratory.

Discussion

The Memorandum of Understanding (MOU) with the Public Services, Supervisory, and Clerical Units, SLOCEA, established a severance package for unit members who were laid-off because of the closure of General Hospital (June 2003) and transfer of the County's outpatient primary care clinics to the Community Health Centers of the Central Coast (June 2004). On January 24, 2006, the Board approved the Health Agency's recommendation to close the County's clinical laboratory by March 31, 2006. Staff is recommending that the MOU with SLOCEA be amended to extend the effective date for the severance package to grant the same severance benefits to clinical lab employees as were granted to other Medical Services Department employees who were laid-off in 2003 and 2004. The severance benefit provides a lump sum payment to employees based on their years of service with the County as outlined below:

Years of County Service

1 to 2.5
2.5+ to 5
5+ to 7.5
7.5+ to 10
10+ to 12.5
12.5+ to 15
15+

Severance Pay

One weeks pay
Two weeks pay
Three weeks pay
Four weeks pay
Five weeks pay
Six weeks pay
Eight weeks pay

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Employees subject to layoff as a result of the closure of the clinical laboratory will also be eligible for \$500 in tuition reimbursement. The severance benefits are recommended in an effort to maintain staffing levels until the laboratory closes.

Other Agency Involvement/Impact

County Counsel has reviewed the proposed amendments to the current Public Services, Supervisory, and Clerical Unit Memorandum of Understanding. The Personnel Department has begun counseling clinical laboratory employees regarding their lay-off rights.

Financial Considerations

The estimated cost of the severance package is \$94,461. This additional cost, which will increase the level of General Fund support for the clinical laboratory, was included in the financial information presented to the Board in January. Employees have the option of deferring receipt of their severance benefits for up to one year if they want to remain on a re-employment list. Therefore, some of these costs may be incurred in FY 2006-07.

Results

These MOU amendments will grant clinical laboratory employees the same severance package which was received by employees subject to layoff as a result of the closure of General Hospital and the County's outpatient clinics.

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IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ day _____, 2006

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION EXTENDING SEVERANCE BENEFITS
FOR MEDICAL SERVICES EMPLOYEES DEFINED AND IDENTIFIED
AS TO CLASSIFICATIONS WITHIN THE UNIT OF REPRESENTATION
ESTABLISHED AS THE PUBLIC SERVICES UNIT

The following resolution is hereby offered and read:

WHEREAS, pursuant to Section 2.48.090 of the San Luis Obispo County Code, the compensation of all officers and employees of the County of San Luis Obispo shall be regulated by resolution of the Board of Supervisors of said County; and

WHEREAS, since on or about January 24, 2006, the Board of Supervisors approved the closure of the County's Clinical Laboratory effective March 31, 2006; and

WHEREAS, in previous labor agreements the County and the San Luis Obispo County Employees' Association (SLOCEA) have agreed on the granting of a severance package for laid-off Medical Services employees; and

WHEREAS, parties to this agreement desire to have similar severance benefits granted to Clinical Laboratory employees; and

WHEREAS, the Management Representative has met and conferred and negotiated in good faith with the Public Services Unit, San Luis Obispo County Employees' Association, concerning the extension of the effective dates of the severance benefit; and

WHEREAS, on February 23, 2006, an agreement was reached by the Management Representative and the Public Services Unit, San Luis Obispo County Employees' Association, concerning all Public Services Unit employees defined and identified as to classification within that unit of representation; and those parties thereafter jointly proposed an amendment to Article 35; and

WHEREAS, it is in the best interest of the County of San Luis Obispo that the Board of Supervisors implement the Amendment to Article 35 as reached between the Management Representative and the Public Services Unit, San Luis Obispo County Employees' Association, attached hereto as Attachment "A"; and

WHEREAS, Article 58, Full Understanding, Modification, Waiver, of the current Memorandum of Understanding allows for modification of said Agreement.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California as follows:

1. That the recitals set forth hereinabove are true, correct, and valid.
2. That the Amendment to Article 35 attached hereto as Attachment "A" is hereby approved.

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Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

The foregoing resolution is hereby adopted:

Chairman of the Board of Supervisors

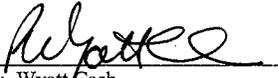
ATTEST:

Clerk, Board of Supervisors

BY: _____ Deputy Clerk

APPROVED TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel


By: Wyatt Cash
Chief Deputy County Counsel

Dated: 2-27-06

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03-07-2006

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ATTACHMENT "A"

AMENDMENT OF 2004-08 PUBLIC SERVICES UNIT
MEMORANDUM OF UNDERSTANDING

1. This agreement is entered into as of March 14, 2006, by and between the County of San Luis Obispo (hereinafter referred to as "the County"), and the San Luis Obispo County Employees' Association (hereinafter referred to as "Association" or "SLOCEA").
2. Parties agree that pursuant to Article 58, Full Understanding, Modification, Waiver, of the 2004-08 Public Services Unit Memorandum of Understanding, an amendment to Article 35, Hospital/Health Agency – Special Allowances, is hereby added to read as follows:

35.4.10 Parties agree that the severance benefits described herein and above will accrue to permanent employees laid off due to reductions in Medical Services staffing levels during the period July 1, 2005, through September 1, 2006. Further, the severance benefits will also accrue to permanent employees laid off in other departments during this same period as a direct result of the staff reductions in Medical Services and/or reduction in staff support positions formerly dedicated to Medical Services. This agreement is intended only for those employees who were in permanent positions as of July 1, 2005, forward and is not intended to apply to employees who have left County employment prior to this date.

Employees laid off from County employment as referenced in 35.4.8, 35.4.9, and 34.4.10 shall be eligible to receive up to \$500 in tuition reimbursement allowance.

Employees who take advantage of the severance package will retain their reinstatement rights. Reinstatement will be made pursuant to Civil Service Rule 10.03(e) and will be at the sole discretion of the appointing authority.

All other provisions of Article 35 as detailed in provisions 35.4.1 through 35.4.9 shall remain unchanged.

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SIGNED FOR COUNTY

G. Wilcox

Date: 3-6-06

SIGNED FOR ASSOCIATION

K. G. Green

V. L. Dalton

Tom Silva

Kristina

Date: 3-3-06

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.

County Counsel

BY: R. Wyatt Cash
R. Wyatt Cash
Chief Deputy County Counsel

Dated: 2-27-06

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IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

____ day _____, 2006

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION EXTENDING SEVERANCE BENEFITS
FOR MEDICAL SERVICES EMPLOYEES DEFINED AND IDENTIFIED
AS TO CLASSIFICATIONS WITHIN THE UNIT OF REPRESENTATION
ESTABLISHED AS THE CLERICAL UNIT

The following resolution is hereby offered and read:

WHEREAS, pursuant to Section 2.48.090 of the San Luis Obispo County Code, the compensation of all officers and employees of the County of San Luis Obispo shall be regulated by resolution of the Board of Supervisors of said County; and

WHEREAS, since on or about January 24, 2006, the Board of Supervisors approved the closure of the County's Clinical Laboratory effective March 31, 2006; and

WHEREAS, in previous labor agreements the County and the San Luis Obispo County Employees' Association (SLOCEA) have agreed on the granting of a severance package for laid-off Medical Services employees; and

WHEREAS, parties to this agreement desire to have similar severance benefits granted to Clinical Laboratory employees; and

WHEREAS, the Management Representative has met and conferred and negotiated in good faith with the Clerical Unit, San Luis Obispo County Employees' Association, concerning the extension of the effective dates of the severance benefit; and

WHEREAS, on February 23, 2006, an agreement was reached by the Management Representative and the Clerical Unit, San Luis Obispo County Employees' Association, concerning all Clerical Unit employees defined and identified as to classification within that unit of representation; and those parties thereafter jointly proposed an amendment to Article 35; and

WHEREAS, it is in the best interest of the County of San Luis Obispo that the Board of Supervisors implement the Amendment to Article 35 as reached between the Management Representative and the Clerical Unit, San Luis Obispo County Employees' Association, attached hereto as Attachment "A"; and

WHEREAS, Article 58, Full Understanding, Modification, Waiver, of the current Memorandum of Understanding allows for modification of said Agreement.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California as follows:

1. That the recitals set forth hereinabove are true, correct, and valid.
2. That the Amendment to Article 35 attached hereto as Attachment "A" is hereby approved.

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Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

The foregoing resolution is hereby adopted:

Chairman of the Board of Supervisors

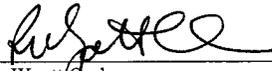
ATTEST:

Clerk, Board of Supervisors

BY: _____ Deputy Clerk

APPROVED TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel



By: Wyatt Cash
Chief Deputy County Counsel

Dated: 2-27-06

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03-07-2006

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ATTACHMENT "A"

AMENDMENT OF 2004-08 CLERICAL UNIT
MEMORANDUM OF UNDERSTANDING

1. This agreement is entered into as of March 14, 2006, by and between the County of San Luis Obispo (hereinafter referred to as "the County"), and the San Luis Obispo County Employees' Association (hereinafter referred to as "Association" or "SLOCEA").
2. Parties agree that pursuant to Article 58, Full Understanding, Modification, Waiver, of the 2004-08 Clerical Unit Memorandum of Understanding, an amendment to Article 35, Hospital/Health Agency – Special Allowances, is hereby added to read as follows:

35.4.10 Parties agree that the severance benefits described herein and above will accrue to permanent employees laid off due to reductions in Medical Services staffing levels during the period July 1, 2005, through September 1, 2006. Further, the severance benefits will also accrue to permanent employees laid off in other departments during this same period as a direct result of the staff reductions in Medical Services and/or reduction in staff support positions formerly dedicated to Medical Services. This agreement is intended only for those employees who were in permanent positions as of July 1, 2005, forward and is not intended to apply to employees who have left County employment prior to this date.

Employees laid off from County employment as referenced in 35.4.8, 35.4.9, and 34.4.10 shall be eligible to receive up to \$500 in tuition reimbursement allowance.

Employees who take advantage of the severance package will retain their reinstatement rights. Reinstatement will be made pursuant to Civil Service Rule 10.03(e) and will be at the sole discretion of the appointing authority.

All other provisions of Article 35 as detailed in provisions 35.4.1 through 35.4.9 shall remain unchanged.

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10

SIGNED FOR COUNTY

G. Wilcox

SIGNED FOR ASSOCIATION

[Signature]
[Signature]
[Signature]
[Signature]

Date: 3-6-06

Date: 3-3-06

APPROVED AS TO FORM AND LEGAL EFFECT:
JAMES B. LINDHOLM, JR.
County Counsel

BY: [Signature]
R. Wyatt Cash
Chief Deputy County Counsel

Dated: 2-27-06

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IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

____ day _____, 2006

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION EXTENDING SEVERANCE BENEFITS
FOR MEDICAL SERVICES EMPLOYEES DEFINED AND IDENTIFIED
AS TO CLASSIFICATIONS WITHIN THE UNIT OF REPRESENTATION
ESTABLISHED AS THE SUPERVISORY UNIT

The following resolution is hereby offered and read:

WHEREAS, pursuant to Section 2.48.090 of the San Luis Obispo County Code, the compensation of all officers and employees of the County of San Luis Obispo shall be regulated by resolution of the Board of Supervisors of said County; and

WHEREAS, since on or about January 24, 2006, the Board of Supervisors approved the closure of the County's Clinical Laboratory effective March 31, 2006; and

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WHEREAS, parties to this agreement desire to have similar severance benefits granted to Clinical Laboratory employees; and

WHEREAS, the Management Representative has met and conferred and negotiated in good faith with the Supervisory Unit, San Luis Obispo County Employees' Association, concerning the extension of the effective dates of the severance benefit; and

WHEREAS, on February 23, 2006, an agreement was reached by the Management Representative and the Supervisory Unit, San Luis Obispo County Employees' Association, concerning all Supervisory Unit employees defined and identified as to classification within that unit of representation; and those parties thereafter jointly proposed an amendment to Article 35; and

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1. That the recitals set forth hereinabove are true, correct, and valid.
2. That the Amendment to Article 35 attached hereto as Attachment "A" is hereby approved.

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12

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

The foregoing resolution is hereby adopted:

Chairman of the Board of Supervisors

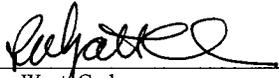
ATTEST:

Clerk, Board of Supervisors

BY: _____ Deputy Clerk

APPROVED TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel


By: Wyatt Cash
Chief Deputy County Counsel

Dated: 2-27-06

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03-07-2006

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ATTACHMENT "A"

AMENDMENT OF 2004-08 SUPERVISORY UNIT
MEMORANDUM OF UNDERSTANDING

1. This agreement is entered into as of March 14, 2006, by and between the County of San Luis Obispo (hereinafter referred to as "the County"), and the San Luis Obispo County Employees' Association (hereinafter referred to as "Association" or "SLOCEA").
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All other provisions of Article 35 as detailed in provisions 35.4.1 through 35.4.9 shall remain unchanged.

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SIGNED FOR COUNTY

A. Wilcox

Date: 3-6-06

SIGNED FOR ASSOCIATION

K. Glenn
V. Z. Kault
Pa. Shlia
Kenneth

Date: 3-3-06

APPROVED AS TO FORM AND LEGAL EFFECT:
JAMES B. LINDHOLM, JR.
County Counsel

BY: R. Wyatt Cash
R. Wyatt Cash
Chief Deputy County Counsel

Dated: 2-27-06

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