

August 10, 2021

Board of Supervisors
Kern County Administrative Center
1115 Truxtun Avenue
Bakersfield, CA 93301

PROPOSED MEMORANDUM OF UNDERSTANDING WITH THE KERN COUNTY PROBATION OFFICERS' ASSOCIATION FOR BARGAINING UNITS Q AND Y FROM AUGUST 10, 2021, THROUGH JUNE 30, 2024, WITH CHANGES TO WAGES, HOURS, AND TERMS AND CONDITIONS OF EMPLOYMENT

Fiscal Impact: \$4.25M annually in Budget Unit 2340 and \$1.5M from ARPA

The County's most recent Memorandum of Understanding (MOU) with the Kern County Probation Officers' Association (KCPOA) expired on July 24, 2015. This proposed MOU (attached) with KCPOA would cover the period from August 10, 2021, through June 30, 2024.

Since 2015, KCPOA and its membership has worked cohesively with the County to ensure the financial stability necessary to bring about this proposed MOU. The parties began bargaining in 2019, reaching agreement on several issues; however, bargaining was interrupted by the COVID-19 global pandemic. Despite the pandemic, the parties entered into a Side Letter Agreement in November 2020 to implement the key changes where agreement was reached. The parties agreed to restart negotiations when the County's financial picture post-pandemic was clearer.

On July 20, 2021, KCPOA and the County reached a full tentative agreement on a successor MOU. The KCPOA membership voted to ratify the tentative agreement on July 30, 2021, and we are jointly proposing this successor MOU for your Board's approval.

The key substantive changes provided in this proposed MOU are:

- Contract term through June 30, 2024
- A \$3,000 one-time, non-pensionable Premium Pay Bonus for each employee hired prior to July 1, 2021
- A new 10-Base Cost of Living Adjustment (COLA) step salary schedule with 2% incremental growth between each COLA step to be effective January 1, 2022
- A 2.5% additional COLA effective July 2, 2022
- A contract reopener in 2023 to discuss a July 2023 additional COLA
- The exclusion of paid leave time from definition of hours worked for overtime calculation
- Limitation of the Fitness Pay Incentive to existing employees
- Limitation of the Retiree Health Premium Supplement Program (RHPSP) to existing employees
- Ability to opt out of RHPSP for existing employees
- An annual clothing allowance of \$200 for uniforms and boots
- Addition of Veterans Day as a paid holiday
- Addition of Winter Recess for 2021, 2022, and 2023
- A 5% Camp Erwin Owen Special Assignment Pay
- The elimination of the service awards program.

The jointly proposed MOU exemplifies a necessary restructure of our compensation structure affording all employees more regular wage growth throughout the tenure of their employment with the County. The restructured salary schedule increases the entry-level salary for all represented positions to better position our Probation Department with recruiting new staff to fill vacant and vital positions. It also provides regular and sustainable base wage growth of 2% each year for a total of nine years. This structure also affords the County the ability to offer additional COLAs at a more regular intervals to ensure that we are keeping pace with the labor market and the rising cost of living.

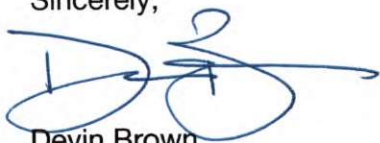
The proposed MOU also continues your Board's approach to ensuring that overtime is paid according to Fair Labor Standards Act requirements. The MOU ensures future liabilities in fitness incentive pay and post-employment benefits are limited to the existing workforce. These changes will continue to provide the Probation Department and the County with savings that can be used to continue future wage growth necessary to compete for top talent in the Probation ranks.

The total fiscal impact of the contract is approximately \$4.25 million annually, with approximately \$1.5 million in annual impact to the County's general fund. The MOU also includes \$1.5 million in a one-time Premium Pay Bonus that will be paid from the money received under the American Rescue Plan Act.

County Counsel has approved the proposed MOU as to form.

Therefore, **IT IS RECOMMENDED** that your Board approve and authorize the Chairman to sign the MOU with KCPOA for bargaining units Q and Y and direct the Human Resources Division to implement the changes.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Devin Brown', with a stylized flourish extending to the right.

Devin Brown
Chief Human Resources Officer

Attachment

cc: T.R. Merickel, Chief Probation Officer
Mary Bedard, Auditor-Controller-County Clerk
Dominic Brown, Executive Director of KCERA
Diana Nam, Kern County Probation Officers' Association