

## Web Posting Transmittal Sheet

Meeting Date: August 23, 2019

✓	BU #	NAME OF UNIT
	6	Health and Welfare Supervisors <i>SHAPE</i>
	10	Skilled Craft and Service Maintenance <i>Stationary Engineers, Local 39</i>
	3	Law Enforcement Employees
	4	Law Enforcement Supervisors <i>Deputy Sheriff's Association</i>
	12	Probation Employees
	15	Probation Supervisors <i>Probation Peace Officer Association</i>
	13	Correctional Officers <i>Sheriff's Custody Association</i>
	14	Correctional Supervisors <i>Teamsters, Local 856</i>
	17	Law Enforcement Management
	18	Law Enforcement Management <i>Law Enforcement Management Association</i>
	2	Nurses
	7	Regulatory, Technical and General Services
	9	Clerical Employees
	5	Health and Welfare Service Employees
	8	General Services Supervisors
	82	EH Nurses
	87	EH Regulatory, Technical, & General Services
	89	EH Clerical Employees
	90	EH Probation Employees <i>SEIU</i>
✓	1	Attorneys <i>Teamsters, Local 150</i>
	11	Psychiatrists, Physicians and Dentists <i>Union of American Physicians &amp; Dentists</i>
	16	Mid Management <i>AMMPS</i>
	19	Executive and Senior Management <i>Professional &amp; Technical Engineers, Local 21</i>

- County Proposal(s) to Union  
 Union Proposal(s) to County

Proposal(s) attached.

Date and Time: 08/23/19 1:56pm

Solano County Counterproposal to Teamsters Local 150 – Layoffs

16. LAYOFF

- A. Whenever the Board of Supervisors determines in its sole discretion that it is necessary to abolish any position of employment, the employee holding that position may be laid off without disciplinary action and without the right of appeal.
- B. An employee being laid off shall be given at least fourteen (14) days prior notice of the layoff date.
- C. At least thirty (30) days before the effective date of a layoff, the Director of Human Resources will provide the Union with the performance evaluation scores within the affected department, including the name and job classification of each listed employee. The Union will maintain the confidentiality of these scores except to the minimum extent necessary to carry out its role in representing the employee(s).
- D. In each class (e.g., Attorney I, Attorney II, Attorney III, Attorney IV, Attorney V), employees shall be laid off according to employment status in the following order within affected job classification within the affected department:
  - any non-employee attorneys (e.g., volunteer attorneys, externs or contract attorneys),
  - extra help attorneys,
  - an employee whose most recent performance evaluation had an overall rating of does not meet expectations,
  - an employee who has not completed his/her initial probationary period,
  - by evaluation score of employees' most recent performance evaluations in inverse order (lowest score is laid off first).

In the event that there are more employees within the same employment status category listed above who are tied and the number of these tied employees exceeds the number of positions to be laid off, any layoff shall then be by inverse order of seniority by County date of hire. If after inverse seniority is used as a tie breaker, there are more employees within the same employment status who are tied and the number of these tied employees exceeds the number of positions to be laid off, then the Director of Human Resources or his designated representative shall develop and distribute a list of ties to the Union and notify the Union of the time and place for the tie breaking activity. The Union shall have the right to have a representative present. The Director of Human Resources or his designated representative shall determine the order of layoff by selecting cards at random from a deck of standard playing cards. The person in the tied group of employees receiving the smallest denomination of playing

cards shall be laid off first, the person receiving the next smallest card shall be laid off next, ext.

Each employee shall receive an annual performance evaluation on approximately his/her position anniversary date.

An employee may not retreat to a previously held class.

- E. Recall of employees will be in reverse order of layoff. Employees separated through layoff will be certified to positions in the class in which they were separated on a one-for-one basis if the opening occurs in the department in which the layoff occurred. Certifications in this manner will be made from the layoff eligible list in the reverse order in which the employees were laid off, the last to be laid off will be the first to be certified.

Departments shall first hire from a recall employment lists, which shall take precedence over all other employment lists.

- F. A laid off employee shall remain on the recall list until that employee refuses an offer of reemployment to the class from which he/she last held or until twenty-four (24) full calendar months have elapsed from the date of the employee's original layoff, whichever occurs first. Laid off employees shall inform the County's Human Resources Department in writing of any change in their mailing address or phone number.

Failure to promptly respond to and accept a reemployment offer within seven (7) calendar days of the date of the offer shall be considered to have relinquished reemployment rights and result in removal from the recall list.

- G. Employees who are laid off and subsequently rehired within a ninety (90) calendar day period following the effective date of their layoff will be considered as having served continuously in County service for purposes of seniority and annual leave accrual. During this 90-calendar day period, such laid off employees do not accrue additional leaves, will not be entitled to cash out accumulated vacation, sick leave, or any other accumulated leave. In the event such laid off employee is not rehired within this 90-day period or if a laid off employee relinquishes all reemployment rights with the County within this 90-day period, such employee shall be entitled to payoff of earned benefits as provided in this Memorandum of Understanding.

For the County:

For the Union:

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Mark Love, Chief Spokesperson

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John Provost, Chief Spokesperson

Date and Time: 08/23/19 1:59pm

Solano County Proposal

**14. HOLIDAYS**

14.1 Eligibility

- A. Only regular, probationary, and limited-term employees shall be eligible for paid holidays.
- B. A new employee, whose first working day is the day after a paid holiday, shall not be paid for that holiday.
- C. An employee who is terminating his/her employment for reasons other than paid County retirement and whose last day as a paid employee is the day before a holiday shall not be paid for that holiday.
- D. An employee who is terminating his/her employment for reasons other than paid County retirement may not use annual leave, sick leave or comp time on the day after a holiday if the employee's last actual working day falls before the holiday. A holiday or floating holiday shall not be used as the date of termination (e.g., January 1st) in order to be paid for that day.
- E. An employee who is on leave of absence without pay in such a way that he or she is not authorized any pay for both the regularly scheduled working day before the holiday and the regularly scheduled working day after the holiday shall not be paid for that holiday.
- F. A part-time employee shall receive those paid holidays on the same basis as this or her hours worked related to forty (40) hours, regardless of work schedule.
- G. When a paid holiday falls on a Saturday, the preceding Friday is a paid holiday. When a paid holiday falls on a Sunday, the Monday following is a paid holiday.
- H. A full-time employee whose regularly scheduled day off falls on a fixed paid holiday shall be entitled to eight (8) hours of additional Attorney Time Off, with the use and restrictions as provided by **Section 20.2, Attorney Time Off.**

14.2 Holidays

- A. Fixed Paid Holidays Include:

January 1 <sup>st</sup>	New Year's Day
The third Monday in January	Martin Luther King's Birthday
February 12 <sup>th</sup>	Lincoln's Birthday
The third Monday in February	Washington's Birthday
The last Monday in May	Memorial Day
July 4 <sup>th</sup>	Independence Day

The first Monday in September	Labor Day
The second Monday in October	Columbus Day
November 11 <sup>th</sup>	Veterans' Day
4 <sup>th</sup> Thursday in November	Thanksgiving Day
The day after Thanksgiving Day	
December 25 <sup>th</sup>	Christmas Day

Effective January 1, 2020 the fixed paid holidays in 14.2A shall be amended by adding:

December 24th Christmas Eve (beginning at 1:00 p.m.)

December 31st New Years Eve Day (beginning at 1:00 p.m.)

In accordance with County Code Section 2-01, the County's normal business hours are 8:00 a.m. to 5:00 p.m. As the normal workday is eight (8) hours and a normal meal period is one (1) hour, the County's anticipated meal period is from 12:00 p.m. to 1p.m. which is unpaid. On these dates, employees who are scheduled to work, shall receive and shall use four (4) hours of holiday pay, and shall work the balance of their regularly schedule work shift.

Any employee who is required to work on the four (4) hours of holiday on Christmas Eve or New Year's Eve, which is part of his/her regular work week, shall be entitled to Attorney Time Off for the time actually worked, up to a maximum of four (4) hours.

B. Other Paid Holidays Include:

1. One (1) paid floating holiday in each calendar year. The timing of the employee's use of the floating holiday shall be subject to advance approval of the Department Head or his/her designee. The holiday maybe taken at any time during the calendar year, but must be taken within the calendar year.
2. Such other days in lieu of holidays as the Board of Supervisors may determine.
3. Special or limited holidays appointed by the President or the Governor.

For the County:

For the Union:

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Mark Love, Chief Spokesperson

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John Provost, Chief Spokesperson

Date and Time: 08/23/19 2:03pm

Solano County Vacation Counterproposal to Local 150 Proposal on Vacation

9. VACATION

- A. Every employee in a full-time regular or limited-term position shall receive vacation benefits for each pay period of continuous service according to the following schedule:

**Vacation Credit**

Pay Periods of Continuous Service	Per Pay Period of Continuous Service	Maximum Earnable Vacation Accrual
0 through 78 pay periods	3.08 hours	160 hours
79 through 260 pay periods	4.62 hours	240 hours
Over 260 pay periods	6.16 hours	320 hours

Vacation accrual shall date from the first of the pay period following the pay period in which the employee commenced such continuous service. If such commencement date was the first working day of the pay period, vacation accrual shall start from such commencement date.

- B. Every employee in a part-time regular or limited-term position shall receive vacation benefits and maximum earnable vacation accrual in the same ratio to the vacation benefits received by an employee in a full-time regular or limited-term position with like pay periods of consecutive service, as the number of hours in the part-time work schedule is to the number of hours in the full-time work schedule.
- C. Absence without pay for more than sixteen (16) working hours in a pay period shall cause the pay period's service not to be counted toward earning vacation credit.
- D. Employees who are terminating their employment for reasons other than paid County retirement shall not use vacation leave as their termination date (e.g., requesting vacation leave to begin 3-7 and the actual termination date to be 3-13, etc.).
- E. Employees do not become eligible to take their earned vacation until they have completed thirteen (13) pay periods of continuous service. After completion of thirteen (13) pay periods of continuous service, employees then become eligible to take vacation as it is earned. Once an employee becomes eligible to take earned vacation, he/she may use this vacation as an extension of sick leave.
- F. Each department head shall be responsible for scheduling the vacations of his/her employees in such a manner as to achieve the most efficient functioning of the department and of the County service. No person shall be permitted to work for compensation for the County in any capacity during the time of his/her paid vacation from County Service.

- G. Any person separating from County service who has not taken his/her earned vacation, if any, shall receive the hourly equivalent of his/her salary for each hour of earned vacation, up to the end of the last full pay period worked, based on the pay rate in effect for each person on the last day actually worked. Such payment shall be to the nearest one tenth of an hour. Employees terminating from County service prior to becoming eligible to take earned vacation shall be paid for earned (accrued) vacation. For purposes of this section, sick leave and compensatory time off with pay shall be counted as days worked. When separation is caused by death of an employee, payment shall be made to the beneficiary, if designated, or to the estate of such employee, or in applicable cases, as provided by Section 630 of the Probate Code.
- H. A person receiving pay in lieu of unused vacation may not be re-employed by the County of Solano in any capacity until a number of working days equal to the number of days paid vacation has elapsed following the effective date of the separation. Nothing in this Section shall be interpreted as preventing a department head from filling a position vacated by separation immediately following the effective date of separation.
- I. Prior to the beginning of each calendar year, an employee wishing to cash out up to forty (40) hours of vacation accruals, may make such a request between November 1 and by no later than December 20th of the preceding year. This election shall be irrevocable. Payment will be made upon the employee's request, before December 31 of the next calendar year, but no sooner than at the time the employee has accrued the number of vacation hours requested to be cashed out. Approval of such a request will be conditional upon the projection that the employee will reach the maximum vacation accrual based on his/her years of service during the following calendar year and requires the employee to have taken at an equivalent amount during the prior twelve (12) calendar month period.

For the County:

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Mark Love, Chief Spokesperson-

For the Union:

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John Provost, Chief Spokesperson