



# COUNTY OF DEL NORTE

## COUNTY ADMINISTRATIVE OFFICE

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**AGENDA DATE:** February 26, 2008

**TO:** Del Norte County Board of Supervisors

**FROM:** Jeannine Galatioto, County Administrative Officer

**SUBJECT:** Response to Del Norte Chapter SEIU Local 1021

**RECOMMENDATION FOR BOARD ACTION:**

Approve and authorize the chair to sign and send the attached response to Ms. Williams, President of Del Norte Chapter SEIU Local 1021.

**SUMMARY:**

The Board of Supervisors is in receipt of a letter dated February 7, 2008 from Ms. Williams, President of Del Norte Chapter SEIU Local 1021 requesting a response to the Executive Board Members concerns. The letter expressed the concerns of the Executive Board regarding positions/staffing of other governing boards under the authority of separate legal entities having their own registration under California's Roster of Public Agencies. Another one of their concerns was the proposed increase in salary compensation for a particular classification of employee.

On January 28, 2008 the County Negotiating team proposed a 15% salary compensation increase for Professional Exempt employees as defined in the Fair Labor Standards Act and which require an advanced degree and license. These positions have a history of difficult recruitment and retention. We have been unable in some cases to recruit a single applicant. Positions requiring licensing and advanced degrees are becoming increasingly more difficult to recruit. We are not only competing with other neighboring counties and other local government entities but with the private sector. We hope that with the recent adopted cost of living adjustment provided to all employees of 5% October 5, 2007 and another to be provided on June 27, 2008, that an additional 15% will result in a more competitive edge that will net us positive results. Coupled with the 15% salary compensation for Professional Exempt Employees and required advanced degreed positions was a proposal by the County to offer an Educational Assistance Incentive Program to all miscellaneous employees. The program would provide up to \$2500 per year per person (with a maximum budget of \$37,500 per year) for permanent miscellaneous employees to seek reimbursement for tuition and other related school costs to further their educational goals both benefiting themselves and their employer, Del Norte County government. Hopefully we will be able to assist our employees in their endeavors and

retain a well educated trained workforce.

**DISCUSSION/JUSTIFICATION:**

The Employer/Employee Recognition Resolution No. 76-176 defines the relationship and the positions within County government that are represented by the bargaining unit Del Norte County Employees Association. The County through its appointed negotiating team, bargains with Del Norte Chapter SEIU Local 1021 for salary and benefits for miscellaneous employees. The County negotiating team does not bargain for salary, benefits or changes in working conditions for any other legal governing board. A Memorandum of Understanding between the County and the Del Norte County's Employees Association is exclusive and does not provide for members of the Sheriff's Employees Association, unrepresented classifications, or groups and individuals working for other public entities.

The County provides fiscal, personnel, some maintenance and other internal operating functions by MOU and or contract with numerous governing entities such as Special Districts, Commissions and Joint Powers Authorities. These services are provided at varying degrees dependent on the needs of the public agency and the desires of their governing boards with final approval for contracting services through the County by the Board of Supervisors.

Beginning June 30, 2006 the County provided a 2 ½% Cost of Living Adjustment with an additional longevity step increase for all employees achieving twenty-five years of continuous service with Del Norte County. The agreement also stipulated reporting the value of employer paid employee contributions as compensation pursuant to Government Code Section 20636 c. (4) for purposes of calculating retirement benefits for all members in the miscellaneous classification (an increase of 7% reportable retirement compensation less the standard \$133.33 per month). Effective January 1, 2007 the County provided membership for employees and their families for air ambulance services with both Cal-Ore Life Flight and Del Norte Ambulance Air and Ground Service. Effective January 1, 2007 the County's Self Funded Health Insurance Plan was modified charging all employees 5% of their gross pay with the County providing a 5% Cost of Living Adjustment to assist in offsetting the cost which was accepted by the members of DNCEA unanimously. On July 10, 2007 the Board of Supervisors and DNCEA signed an agreement for a Cost of Living Adjustment of 5% effective October 5, 2007 and another Cost of Living Adjustment of 5% effective June 28, 2008. Over a span of two years, miscellaneous employees will have gained a twelve and a half percent noticeable increase in their salaries and an additional gain of almost twelve percent to their reportable retirement earnings.

County Administration has been working under the assumption that we were in negotiations on the referenced proposals. It is unclear on where these negotiations rest at this time. The request for a response to the concerns expressed by the Executive Board of Del Norte Chapter SEIU Local 1021 was made to the Board of Supervisors, bypassing County Administration and the negotiating team.

**OTHER AGENCY INVOLVEMENT:** Del Norte Chapter SEIU Local 1021 and members of the County negotiating team.



**COUNTY OF DEL NORTE  
BOARD OF SUPERVISORS**

981 "H" Street, Suite 200  
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Phone  
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*"And How are the Children?"*

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February 26, 2008

**David Finigan**  
Chair  
Supervisor, District 5

**Leslie McNamer**  
Vice-Chair  
Supervisor, District 1

**Martha McClure**  
Supervisor, District 2

**Mike Sullivan**  
Supervisor, District 3

**Gerry Hemmingsen**  
Supervisor, District 4

**Jeannine Galatioto**  
County Administrative  
Officer

Norma Williams  
Executive Board, SEIU  
779 Ninth Street  
Crescent City, CA 95531

Dear President Williams:

Thank you for your letter dated February 7, 2008. On June 1, 2007 the Del Norte County Employees Association entered a Memorandum of Understanding with the county providing for a ten percent raise over two years for all employees in the bargaining unit.

As you know, the county is proposing raising the salaries of designated licensed professional employees in the amount of fifteen percent in addition to the five percent that that was negotiated to be given to all employees on October 5, 2007 and the five percent increase that will become effective on June 27<sup>th</sup>.

We have found that in the area of licensed professionals, we are simply not competitive in drawing this type of employee to our area. The types of employees that need an immediate additional increase are employees like Social Workers, Deputy District Attorneys, Deputy County Counsels, Mental Health Clinicians and Engineers. We believe that it is important that children be protected and criminals be brought to justice.

Although you realize that it is still a year and one-half before the present M.O.U. expires, your letter seems to imply that unless all employees receive the same raise that your organization is opposed to agreeing to an increase for licensed professionals with whom you also owe a fiduciary duty of loyalty. Are we understanding your position correctly?

If that is your position, is your organization attempting to actually prevent these sensitive and important areas of government from operating at optimum benefit? In other words, do you really believe it is appropriate to hold the Board of Supervisor's commitment to good governance hostage to wage negotiations that are not even ripe or timely? If this is your position, please specify exactly what significant impact the county giving a raise to some of its employees has on the wages, hours or other terms and conditions of employment which outweigh the Board of Supervisors need to manage these critical areas? Is the association actually resisting an increase in salary that it did not even ask for? If so, it is difficult for us to understand what has happened to change the attitude of cooperation that has always existed between management and the employees of this county.

If you do contend that somehow this matter falls within the obligation to meet and confer under the Meyers-Milias-Brown Act, we request that you meet and confer with us so that this issue is resolved within the next two weeks.

Lastly, you have stated that you believe that the county is attempting to "divide and conquer" the employee's association because we have advised you that the employees of a Joint Powers Authority are not subject to your representation of county employees under county's MOU with your organization.

A Joint Powers Authority is an entirely separate legal entity having its own registration under California's Roster of Public Agencies (see Govt Code 53051).

The County simply contracts to provide services to those J.P.A.'s to reduce their costs. Thus, if you desire to organize the employees of those agencies we will leave it to you to contact them directly.

Sincerely,

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David Finigan  
Chair, Del Norte Board of Supervisors

**CLASSIFICATIONS AFFECTED BY  
PROFESSIONAL SALARY PROPOSAL**

Deputy District Attorney I/II/III  
Assistant District Attorney  
Deputy County Counsel I/II/III  
Child Support Attorney I/II/III  
Agriculture/Weights & Measures Inspector I/II/III/IV  
Chief of Appraisal Division  
Auditor-Appraiser I/II  
Building Official/Senior Inspector  
County Engineer  
Assistant County Engineer  
Registered Nurse  
Public Health Nurse  
Supervising Mental Health Clinician  
Mental Health Program Manger I/II  
Mental Health Clinician I/II  
Social Worker IV  
Social Worker Program Manager I/II  
Social Services Supervisor I/II



Over 50,000  
Strong and United  
in Northern California

COPY

February 7, 2008

Dear Ms. McNamer,

As the Executive Board of the Del Norte chapter of SEIU Local 1021, we want to make you aware of our concern regarding several attempted actions by the County administration that, in our opinion, would have an adverse affect on us and the community we serve.

Specifically, we are concerned by the County's claim that workers under Joint Power Authorities are not represented by us. This includes both the Solid Waste and Airport maintenance positions. This is exceedingly strange considering that these workers receive a County paycheck, and have been represented by us for years.

The Recognition section of the current MOU states that the union "is the exclusive representative for all County employees other than management (Department Heads) and employees represented by other bargaining units."

It is our position that SEIU Local 1021 represents Solid Waste and Airport maintenance workers and that the County should acknowledge this.

The fact that the County administration attempted to exclude over 120 County workers during our affiliation drive with SEIU last year gives us the impression that they may have an idea to "divide and conquer". This is not acceptable.

On January 28<sup>th</sup>, the County proposed a 15% pay increase for some classifications. While we recognize the importance of filling and retaining those positions, they are not the only places where we are short handed and cannot perform up to the standards we believe Del Norte deserves. And clearly, as the Administration has agreed, Del Norte County workers as a whole are underpaid.

We continue to stand together for the betterment of ourselves and the community we serve and remain hopeful that we will be able to work together with you to reach that goal.

We would appreciate your response to our concerns by the end of the business day, February 26, 2008.

Sincerely

For the Executive Board

Norma Williams  
President, Del Norte Chapter, SEIU Local 1021

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