



County Executive Office

Memorandum

January 17, 2024

To: Clerk of the Board of Supervisors
From: Frank Kim, County Executive Officer
Subject: Exception to Rule 21

Frank Kim
Digitally signed by Frank Kim
DN: cn=Frank Kim, o=County
of Orange, ou=CEO,
email=frank.kim@ocgov.com,
c=US
Date: 2024.01.18 09:27:33
-0800

CLERK OF THE BOARD
COUNTY OF ORANGE
BOARD OF SUPERVISORS

2024 JAN 18 PM 12:20

RECEIVED

S34B

The County Executive Office is requesting a Supplemental Agenda Staff Report for the January 23, 2024, Board Hearing.

Agency: County Executive Office
Subject: Approve 2023-2026 Memorandum of Understanding with the Association of Orange County Deputy Sheriffs for the Public Safety General and Public Safety Supervisory Units
Districts: All Districts

Reason Item is Supplemental: The County Executive Office is requesting this supplemental item because the parties are in the process of finalizing the language of the successor Memorandum of Understanding. A tentative agreement was reached by the parties on January 11, 2024, and the Agenda Staff Report and attachments were finalized after the filing deadline to the Clerk of the Board.

Justification: This item needs to be on the supplemental agenda on January 23, 2024, to avoid an unfair labor practice charge.



Concur:

Donald P. Wagner
Donald P. Wagner, Chairman of the Board of Supervisors

cc: Board of Supervisors
County Executive Office
County Counsel



SUPPLEMENTAL AGENDA ITEM AGENDA STAFF REPORT

MEETING DATE: 01/23/2024
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): All Districts
SUBMITTING AGENCY/DEPARTMENT: C  Office
DEPARTMENT HEAD REVIEW: 
DEPARTMENT CONTACT PERSON(S): Colette Farnes (714) 834-2836
Jamie Newton (714) 834-2247

Digitally signed by Frank Kim
DN: cn=Frank Kim, o=County of
Orange, ou=CEO,
email=frank.kim@ocgov.com, c=US
Date: 2024.01.18 09:27:12 -0800

RECEIVED
COUNTY CLERK
JAN 19 11 18 AM '24

SUBJECT: Approve 2023-2026 Memorandum of Understanding with the Association of Orange County Deputy Sheriffs for the Public Safety General and Public Safety Supervisory Units


CEO CONCUR

CEO Signature

Digitally signed by Frank Kim
DN: cn=Frank Kim, o=County of
Orange, ou=CEO,
email=frank.kim@ocgov.com,
c=US
Date: 2024.01.18 09:26:58
-0800

COUNTY COUNSEL REVIEW
Approve as to Form

Action

DocuSigned by:

570C52AF08B44C

County Counsel Signature

CLERK OF THE BOARD
Discussion

3 Votes Board Majority

Budgeted: N/A

Current Year Cost: See Financial
Impact Section

Annual Cost: See Financial
Impact Section

Staffing Impact: No

of Positions: N/A

Sole Source: N/A

Current Fiscal Year Revenue: N/A

Funding Source: See Financial Impact Section

County Audit in last 3 years No

Levine Act Review Completed: N/A

Prior Board Action: N/A

RECOMMENDED ACTION(S)

1. Approve and adopt the attached 2023-2026 Memorandum of Understanding between the County of Orange and the Association of Orange County Deputy Sheriffs for the Public Safety General and Public Safety Supervisory Units for the period of June 30, 2023, through June 25, 2026.
2. Authorize the County Executive Officer or designee to execute the attached 2023-2026 Memorandum of Understanding between the County of Orange and the Association of Orange County Deputy Sheriffs for the period of June 30, 2023, through June 25, 2026.

SUMMARY:

Approval and adoption of the 2023-2026 Memorandum of Understanding between the County of Orange and the Association of Orange County Deputy Sheriffs for the Public Safety General and Public Safety Supervisory Units will ratify the terms and conditions of employment.

BACKGROUND INFORMATION:

The Association of Orange County Deputy Sheriffs (AOCDS) currently represents approximately 815 positions in the following Departments: Probation, Sheriff, District Attorney, and OC Community Resources/OC Parks. The classifications that comprise the Public Safety General Unit and Public Safety Supervisory Unit are:

Public Safety General Unit:

3034GS	Park Ranger I
3035GS	Park Ranger II
6005GS	Deputy Coroner
6007GS	Senior Deputy Coroner
6548GS	Public Assistance Investigator Trainee
6550GS	Public Assistance Investigator
7400PS	Deputy Juvenile Correctional Officer I
7401PS	Deputy Juvenile Correctional Officer II
7402PS	Senior Juvenile Correctional Officer
7405PS	Deputy Probation Officer I
7408PS	Deputy Probation Officer II
7409PS	Senior Deputy Probation Officer

Public Safety Supervisory Unit:

3036GM	Supervising Park Ranger I
3037GM	Supervising Park Ranger II
6011GM	Supervising Deputy Coroner
6551GM	Supervising Public Assistance Investigator
7403PM	Supervising Juvenile Correctional Officer
7413PM	Supervising Probation Officer

The previous Memorandum of Understanding (MOU) for the terms and conditions of employment for the Public Safety General and Public Safety Supervising Units was June 18, 2021, through June 29, 2023. On April 25, 2023, representatives from the County and AOCDS commenced the meet and confer process to negotiate a successor MOU.

Over the next 9 months, the parties met on multiple occasions and collaboratively arrived at a tentative agreement on January 11, 2024, on the proposal under consideration by your Honorable Board of Supervisors (Board). Human Resource Services requests your Honorable Board's approval and adoption of the 2023-2026 Memorandum of Understanding.

This agreement reflects the Board's desire to maintain a competitive standing among comparable law enforcement agencies for recruitment and retention purposes.

A summary of the significant deal points in the 2023-2026 MOU include:

Term

Three-year term from June 30, 2023, through June 25, 2026.

Wages

- Effective the first day of the first full pay period following Board adoption, the salary schedules will be increased by 8.00 percent.
- Effective June 28, 2024, the salary schedules will be increased by 5.00 percent.
- Effective June 27, 2025, the salary schedules will be increased by 3.00 percent.

Premium Pays

- Effective the first day of the first full pay period following Board of Supervisors adoption of MOU, increase Night Shift Differential premium pay to 5.00% of the employee's basic hourly rate with a minimum of \$1.00 per hour and a maximum of \$2.50 per hour.
- Effective the first day of the first full pay period following Board of Supervisors adoption of MOU, increase Training Officer Assignment Pay to \$5.00 per hour for all hours performing such training.
- Effective the first day of the first full pay period following Board of Supervisors adoption of MOU, add the Juvenile Placement Unit to the Specialty Assignment Premium Pay
- Deputy Juvenile Correctional Officers and Supervising Juvenile Correctional Officers who are assigned by management to a primary living unit to perform youth-supervising duties in a unit that houses youth(s) who meet eligibility requirements set forth in the MOU shall receive \$5.00 an hour for each full hour worked (or \$1.25 for time increments up to the nearest quarter hour worked) in that primary living unit supervising such youth(s).

The County shall implement this within 30 days of the first full pay period following the Board of Supervisors' adoption of the MOU.

Sick Leave

- Effective the first day of the first full pay period following Board adoption, expand Personal Emergency Leave to also include Personal Business Leave and allow up to 40 hours per fiscal year.
- Effective the first day of the first full pay period following Board adoption, allow up to 10 hours of Sick Leave for Parent Child School Leave.

Holidays

- Observe Native American Day holiday in lieu of Columbus Day.
- When a holiday falls on a Saturday, the Friday immediately preceding shall be observed as the holiday.

Miscellaneous

The proposed MOU includes all negotiated financial and language changes indicated as red-line changes. Other changes include an agreement to:

- Allow use of bereavement leave to be extended beyond six months from the date of the loss to 12 months, provided an employee obtained written approval from a supervisor within six months of the loss;

- Allow donations of up to 24 hours of sick leave per fiscal year to employees using the Catastrophic Leave program;
- Establish a Leave Language working group to clarify language regarding leaves of absences and streamline language for understandability;
- A performance rating of “meets performance objectives” shall earn a 2 step increase;
- Remove Discretionary Merit Increases beyond Step 10;
- Update all grievance processing timelines to 14 days;
- Share all costs of arbitration where lawfully permitted;
- Clarify employee representation rights;
- Continue Uniforms working group;
- Limiting the length of an Arbitration for New Hire Probation releases alleging discrimination; and
- Additional administrative clean-up that occurred during the term of the contract.

FINANCIAL IMPACT:

The estimated total cost incurred over the term of the MOU is \$31.9M, \$29.9M of which is Net County Cost (NCC). The estimated cost of \$3.4M (\$3.2M NCC) will occur in FY 2023-24; \$12.8M (\$12.0M NCC) will occur in FY 2024-25; \$15.8M (\$14.8M NCC) will occur in FY 2025-26.

In addition to NCC funding, other funding sources include primarily charges for services to contract partners, as well as Prop 172, AB109, and state/federal grants.

STAFFING IMPACT:

N/A

ATTACHMENT(S):

Attachment A – 2023-2026 Association of Orange County Deputy Sheriffs MOU Public Safety Units

Attachment B – 2023-2026 Association of Orange County Deputy Sheriffs MOU Public Safety Units (redlined version)

Attachment C – January 11, 2023, Signed Deal Points (Tentative Agreement)