



## County Executive Office

### Memorandum

December 11, 2023

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

Digitally signed by Frank Kim  
DN: cn=Frank Kim, o=County  
of Orange, ou=CEO,  
email=frank.kim@ocgov.com,  
c=US  
Date: 2023.12.12 08:48:29  
+0800

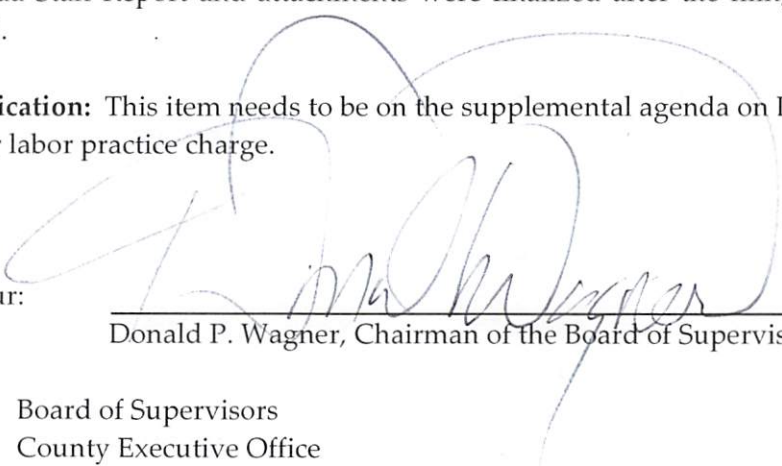
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2023 DEC 12 PM 3:45  
CLERK OF THE BOARD  
COUNTY OF ORANGE  
BOARD OF SUPERVISORS  
S35B

The County Executive Office is requesting a Supplemental Agenda Staff Report for the December 19, 2023, Board Hearing.

**Agency:** County Executive Office  
**Subject:** Approve 2023-2026 Memorandum of Understanding with the Association of County Law Enforcement Managers for the Law Enforcement Management Unit  
**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 December 1, 2023, 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 December 19, 2023, to avoid an unfair labor practice charge.

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

cc: Board of Supervisors  
County Executive Office  
County Counsel



### SUPPLEMENTAL AGENDA ITEM AGENDA STAFF REPORT

2023 DEC 12 PM 3:45  
CLERK OF THE BOARD  
COUNTY OF ORANGE  
BOARD OF SUPERVISORS  
RECEIVED

MEETING DATE: 12/19/23

LEGAL ENTITY TAKING ACTION: Board of Supervisors

BOARD OF SUPERVISORS DISTRICT(S): All Districts

SUBMITTING AGENCY/DEPARTMENT: County Executive Office by Frank Kim  
DN: cn=Frank Kim, o=County of Orange, ou=CEO,  
email=frank.kim@ocgov.com,  
c=US  
Date: 2023.12.12 08:48:12

DEPARTMENT HEAD REVIEW: *Frank Kim*

DEPARTMENT CONTACT PERSON(S): Colette Farles (714) 834-2836  
Jamie Newton (714) 834-2247

**SUBJECT:** Approve 2023-2026 Memorandum of Understanding with the Association of County Law Enforcement Managers for the Law Enforcement Management Unit

**CEO CONCUR**

*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: 2023.12.12 08:47:54  
+08'00'

CEO Signature

**COUNTY COUNSEL REVIEW**

Approve as to Form

Action

DocuSigned by  
*Michelle Lefkowitz*

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 2023-2026 Memorandum of Understanding between the County of Orange and the Association of County Law Enforcement Managers for the Law Enforcement Management Unit 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 County Law Enforcement Managers 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 County Law Enforcement Managers for the Law Enforcement Unit will ratify the terms and conditions of employment.

## **BACKGROUND INFORMATION:**

The Association of County Law Enforcement Managers (ACLEM) represents approximately 80 employees in four different classifications: Lieutenant; Commander; Investigative Commander, District Attorney; and Assistant Chief Investigator, District Attorney.

On May 9, 2023, representatives from the County and ACLEM commenced the meet and confer process to negotiate a successor agreement to the 2019-2023 Memorandum of Understanding (MOU). Over the next seven months, the parties met on multiple occasions and collaboratively arrived at a tentative agreement on December 4, 2023, 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 more 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 4.00 percent.

### **Premium Pay**

Effective the first day of the first full pay period following Board adoption of the MOU, eligible employees performing management duties shall be paid nine and a half (9.5) percent of individual base pay for a Management Peace Officer Standards and Training (P.O.S.T.) Certificate.

### **Sick Leave**

- Effective the first day of the first full pay period following Board adoption, allow up to 40 hours per fiscal year for Personal Business Leave.
- Effective the first day of the first full pay period following Board adoption, allow up to 10 hours of Sick Leave per fiscal year 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. When a holiday falls on a Sunday, the next day shall be observed as the holiday.

**Compaction Analysis**

The County shall perform an internal salary compaction analysis with the goal of completion by January 23, 2024.

**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;
- Share all costs of arbitration where lawfully permitted; 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 \$14.7M, \$12.2M of which is Net County Cost (NCC). The estimated cost of \$1.9M (\$1.5M NCC) will occur in FY 2023-24; \$5.6M (\$4.7M NCC) will occur in FY 2024-25; \$7.2M (\$6.0M NCC) will occur in FY 2025-26.

**STAFFING IMPACT:**

N/A

**ATTACHMENT(S):**

- Attachment A – 2023-2026 Association of County Law Enforcement Managers MOU
- Attachment B – 2023-2026 Association of County Law Enforcement Managers MOU (redlined version)
- Attachment C – Signed Deal Points