

ARTICLE 20 – CLASSIFICATION

Section 20.1 – Classification Study

With the exception of calendar year 2020, workers may request a classification study during the month of March, or such time as designated by the Director of Personnel, but in any event no less than one (1) month per calendar year. Requests shall be submitted to ESA-Human Resources (ESA-HR) on the authorized online request form.

A Committee, made up of representatives from ESA-HR and the Union, will meet annually one (1) month after the close of the window, to determine which submitted requests will be accepted for study, which requests will be placed in a deferred status, and which requests will be denied. The Committee will base their consideration on a number of factors, which may include classification levels, recruitment or retention difficulties, fiscal impact, and new responsibilities assigned but not covered on existing job specifications. The Committee will finalize the list and the scope of each study (i.e. full classification study, job specification revision, salary review, etc.) within three (3) months after the first meeting. The maximum number of requests accepted by the committee for study shall be capped at twelve (12) per year, but upon completion of the accepted studies, ESA-HR may continue to work studies in the deferred status. Requests in the deferred status not initiated for study by ESA-HR before the next window may be considered by the committee without requiring a new request, however, an updated PCQ and job application may be requested.

If the request is incomplete, ESA-HR will notify the worker to complete the request, along with a due date for completing the request.

ESA-HR will notify workers of the status of their request (i.e. accepted, deferred, or denied) and the scope where appropriate.

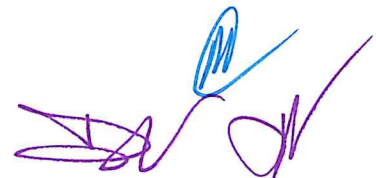
Workers who are under study shall not be permitted to submit a request. Workers whose classification study was denied shall not be permitted to request another classification study until one additional window has passed.

If the study is denied, the worker may appeal to the Director of Personnel. The appeal shall be submitted in writing within ten (10) working days of the receipt of the denial. The Director of Personnel shall determine the procedure of the appeal. The Director shall provide the Union with the list of the appeal decisions.

The Director will provide a list of accepted studies, including those accepted on appeal, and the expected completion date.

If ESA-HR determines some assigned duties fall outside of the worker's classification, ESA-HR will notify the appointing authority to remove such duties within ten (10) working days of that determination.

Any duties performed at a higher-level while receiving work-out-of-class pay will not be considered.



If a study is accepted or approved on appeal, the completed study shall be posted to the Union no later than 12 months after the date of acceptance or favorable appeal determination, unless otherwise agreed to by both parties.

If it is recommended that the worker be reclassified, all Merit System Rules that apply to regular classification studies, such as test requirements, meeting the employment standards, serving a new probation period, etc. shall apply.

Section 20.2 – Lead Worker

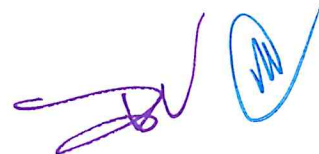
Lead duties whether included in the job description or paid for through a differential shall include but not be limited to the following:

- a) Assigns, distributes and adjusts short-term workloads;
- b) Resolves work-related problems within guidelines set by the supervisors, including written counseling. Leads shall not issue verbal or written counselings without supervisory approval for each occurrence. Supervisor approval shall be reflected on the documented counseling;
- c) Keeps appraised of the progress of the work;
- d) Answers procedural and work-related questions;
- e) Assists the supervisor in reviewing the work;
- f) May train new workers by providing general orientation to office, instruction on specific tasks, and review of task performance;
- g) May assist the supervisor in the interview process for new workers--such input shall be advisory;
- h) Peer to peer leads within the same classification shall not issue verbal or written counselings to each other;
- i) All leads shall be trained on the principles of counseling;
- j) The Lead will not issue personnel actions as outlined in Section 6.1, 6.4b, 6.5, 6.6 or 6.7;
- k) Leads will not conduct investigations that may lead to disciplinary action.

Section 20.3 – Reallocations

a) Allocation to a Supervisory Position

When the Department of Human Resources reclassifies or reallocates a position that is represented by SEIU Local 521 to a supervisory unit, such action may be appealed. The County will notify the Union in writing of its intent to take the action and the reasons. The Union will have five (5) working days following receipt of the notice to file an appeal in writing and the reasons to the Deputy County Executive. Prior to conducting a hearing, the County shall arrange a meeting within five (5) working days to include the worker whose job is in question, a Union representative(s) and a County representative to review the contents of the worker's job and the relevant organization structure. The Deputy County Executive will conduct a hearing on the appeal within ten (10) working days after the meeting. A decision will be rendered by the Deputy County Executive within five (5) working days following the hearing.

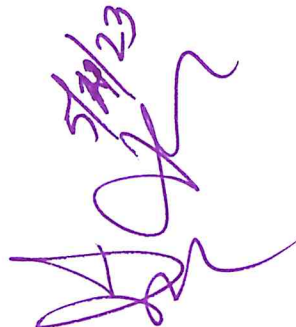


b) **Vacant Positions**

At least ten (10) working days prior to the Board of Supervisors hearing a request to change a vacant Local 521 position to a position outside a Local 521 unit, the County will notify the Union. The notification will include positions/codes to be supervised and an updated proposed organizational chart.

Section 20.4 – County Initiated Job Specification Revision

In response to County proposed job specification revisions that make changes to the duties and employment standards the Union shall have the right to meet and confer, upon request, including making proposals on additional compensation related to significant new duties and employment standards.

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ARTICLE 15 – PERS

The County will continue the present benefit contract with PERS for Classic Miscellaneous employees, which is the 2.5% at 55 Retirement Plan, as amended December 17, 2007 except those workers covered by safety retirement as listed in Appendix H.

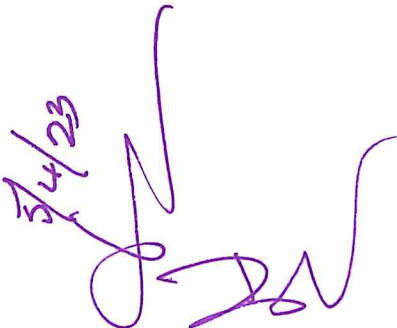
In consideration for continuing the 2.5% at 55 Retirement Plan, the Union agrees for each Classic Miscellaneous worker covered under this benefit to contribute to PERS, through payroll deduction, effective September 2, 2013 an amount equal to 3.931% of PERS reportable gross pay.

In accordance with § 20636, sub section (c) (4) of the California Public Employee Retirement Law, the County and SEIU Local 521 agree that the County shall report Employer Paid Member Contribution (EPMC) as special compensation concurrent with the effective date of PERS "Single Highest Year."

The County shall pay on behalf of all Classic Miscellaneous workers covered under PERS Miscellaneous 7% member (worker) contribution to the Public Employee's Retirement System as well as an additional 0.49% which is attributable to reporting EPMC as special compensation. Taking into consideration the agreement between the parties as a result of the prior implementation of 2% at 55 Plan, the County is entitled to add 7.49% to the base wage for effective wage.

Effective Pay Period 20/13 and then each year thereafter on pay period XX/13, the percentage of Classic Miscellaneous workers covered under PERS Miscellaneous will be rounded to the nearest tenth of one percent (0.1%) then multiplied by 7.49%. The percentage will be rounded to two (2) decimal places and the resulting percentage will be used for the following twenty-six (26) pay periods for purposes of effective wage. (Ex: 47.5% Classic Miscellaneous workers multiplied by 7.49% is expressed as $0.475 * 0.0749 = 0.035575$ with a resulting effective wage of 3.56%.) A courtesy notice will be provided to SEIU.

Classic miscellaneous employees shall refer to those employees who are eligible for and are placed in the 2.5% at age 55 retirement tier. Classic safety employees shall refer to those employees who are eligible for and are placed in the 3% at age 50 retirement tier. Public Employee Pension Reform Act (PEPRA) miscellaneous employees shall refer to those employees who are eligible for and placed in the 2% at age 62 retirement plan. PEPRA safety employees shall refer to those employees who are eligible for and are placed in the 2.7% at age 57 retirement tier.

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ARTICLE 24 – DELIVERY OF QUALITY PUBLIC SERVICES FOR COUNTY RESIDENTS

Section 24.1 – Quality Public Service Unit Based Teams (UBTs)

The County recognizes engaging workers in designing and implementing their work can create a healthy work environment that can improve and sustain delivery of quality and efficiency of public services.

The County shall work with the Union to implement, support, and expand Unit Based Teams in the Health and Hospital System. The parties agree to implement, support and expand additional UBTs in Social Services Agency, ~~the Finance Agency~~ Department of Revenue, Library, Department of Environmental Health, Vector Control, 911 Dispatchers, Planning Department, Parks and Recreation, County Clerk-Recorder's Office, Registrar of Voters, Tax Collector, Facilities and Fleet and Procurement. Other Unit Based Teams may be established by mutual agreement of the Administration of an Agency or Department and the Union.

A Unit Based Team's scope of work may include any or all of the following:

- Day to day operations
- Performance improvement
- Implementing key initiatives

A Unit Based Team shall be defined as a natural work group of frontline workers and managers who work collaboratively to solve problems, improve performance, and enhance quality for measurable results. The Unit Based Team shall use the rapid improvement model or any other mutually agreed upon improvement model to execute the work of the team.

The County and Union recognize that including other County Labor Organizations, where applicable and necessary, is the desire of both parties.

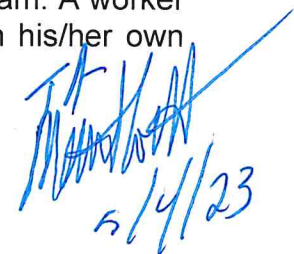
Each Union participating in the Unit Based Team shall have the right to choose one (1) co-chair, one (1) co-sponsor, and participants in the Unit Based Team to represent the Union. Each Union shall have the right to replace its co-chairs and co-sponsors.

A Unit Based Team's scope of work does not include: Labor Relations, Contractual Issues (i.e. SEIU Local 521 Contract, Departmental Agreements, or any other agreements) or Meet and Confers.

A Department or Agency and the Union who agree to start a new Unit Based Team shall meet to establish an oversight process for resolving issues that may arise in the course of the Unit Based Team.

A worker who is a participant in a Unit Based Team in his/her own department shall be given release time for the time he/she is participating in the Unit Based Team. A worker may participate in a Unit Based Team that is in a department other than his/her own department on release time with prior approval of his/her supervisor.

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ARTICLE 2 – NO DISCRIMINATION

Section 2.1 – Employment

Neither the County nor the Union shall unlawfully discriminate (except as allowed by law) against workers because of race, age, sex, color, disability, creed, national origin, religion, Union activity, affiliations, political opinions, or sexual orientation, gender identity, or gender expression.

Section 2.2 – Union Affiliation


Neither the County, nor the Union, shall interfere with, intimidate, restrain, coerce or discriminate against any worker in his/her free choice to participate or join or refuse to participate or join the Union.

Section 2.3 – ~~Affirmative Action~~ Diversity, Equity, and Inclusion

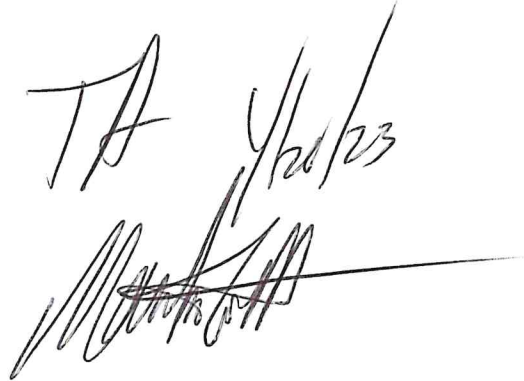
The County and the Union agree to cooperate to achieve equitable representation of women, minorities, and disabled at all occupational levels designated by Federal, State and County Affirmative Action goals and timetables as adopted by the Board of Supervisors.

Section 2.4 – Americans with Disabilities Act

The parties agree to meet as needed to review compliance with the Americans with Disabilities Act.

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ARTICLE 16 – USE OF PRIVATE VEHICLES AND MILEAGE PAYMENT

Section 16.1 – Use of Private Vehicles

i. No Requirement

No worker shall be required as a condition of obtaining or continuing County employment, to possess or provide a private vehicle for use in connection with his/her County employment. Use of County vehicles shall be in accordance with County policies and regulations.

ii. Authorization of Use

Departments may authorize the use of private vehicles by their department workers, with each department maintaining a continuous listing of those workers authorized to use their private vehicles. Each worker so authorized shall have completed applicable County authorization requirements governing County driver permits and insurance. Workers not having completed such requirements and thereby not on the listing shall be neither required nor authorized to use their private vehicles.

iii. Damage


Workers whose vehicle is damaged in a collision with another vehicle while driving a personal vehicle on County business shall, following the approval of the ESACounty Executive's Office Claims Division or if denied by ESACounty Executive's Office and subsequently approved on appeal to the Accident Review Board, be reimbursed for such damage not to exceed five hundred dollars (\$500.00) provided:


1. The driver of the other vehicle is responsible for the accident as verified by a police report, and the damages shall be unrecoverable from the other party by reason of lack of liability insurance, or
2. The damage is caused by a hit-run or unidentified driver as verified by a police report, and/or
3. The amount of damage to be reimbursed by the County is not recoverable under any policy of insurance available to the worker. The County shall be subrogated to the worker's rights of recovery from the responsible party.


Section 16.2 – Reimbursement for Use of Private Vehicles

a) Mileage Reimbursement

Any worker required to travel on business for the County and who has been duly authorized to use and does use a privately owned automobile shall be allowed and paid as traveling expense for the actual miles traveled during any calendar month. The mileage reimbursement rate for all miles shall be the standard federal mileage rate reimbursement. Actual miles traveled shall be defined as all miles driven on County business. However, no mileage reimbursement shall be paid for miles traveled to the first field or work location of the day from the worker's place of residence or from the last field or work location of the day to the worker's place of residence, unless the miles traveled exceeds the distance normally traveled by the

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worker during his/her normal home-to-work commute. In that case, the worker may claim reimbursement for only the added mileage which exceeds the normal home-to-work mileage.

Effective September 1, 2000, the rate of reimbursement shall be equal to the "standard mileage rate" for auto expenses established by the Federal Government as the maximum tax exempt mileage rate. Subsequent to September 2000, the County rate of reimbursement shall be adjusted on the first day of the month that any change by the Federal Government "standard mileage rate" is effective.

Section 16.3 – County Business Travel

Claims for reimbursement for County travel expenses shall be made in accordance with the Statement of Travel, Non-Travel Business Meal, and Procurement Card (P-Card) Policy. The Union has the right to meet and confer over proposed changes to this policy.

Section 16.4 – Parking Stickers for Workers with Disabilities

All workers determined by the County to be disabled in accordance with standards of the State of California Department of Motor Vehicles will be issued a disabled workers parking sticker for their private vehicle.

