

DEPARTMENT: Personnel

BY: Richard J. Benson

PHONE: 966-3222

07-271

07-272

**RECOMMENDED ACTION AND JUSTIFICATION:**

Recommend a 4% cost-of-living adjustment (COLA) for the Staff Services Manager and Victim/Witness Services Supervisor classifications effective November 1, 2006. Further recommend a salary adjustment to the Deputy District Attorney I and Deputy District Attorney II classifications to resolve the compaction issue.

Staff reviewed additional information from the comparable counties that were used in the salary survey pertaining to the Staff Services Manager and Victim/Witness Services Supervisor classifications to determine if a 4% COLA was warranted. Based on that review and analysis, the additional information revealed that these classes should have received the 4% COLA. Because the employees in these classifications have previously received a 2.25% COLA effective November 1, it is recommended that they receive an additional 1.75% increase retroactive to November 1.

Relative to the Deputy District Attorney classifications, the survey results of the comparable counties revealed that the salary for each of these classifications was above the average and, therefore, not eligible to receive a 4% COLA. There is a salary compaction issue, though, between the three classifications of Deputy District I, II, and III (DDA I/I/III). To resolve the compaction issue, it is recommended that the salaries of the DDA I and II be adjusted downward to relieve the compaction and the salary for the DDA III would remain at its current salary. To accomplish this, the salaries for the DDA I and DDA II would be adjusted so that there is a 10% spread between these two classes and a 15% spread between the DDA II and DDA III. Both the DDA I and II classes are unallocated positions and are, therefore, vacant and have been for a number of years so employees are not affected. Because the Child Support Attorney I and II classifications are tied to the DDA I and II classes for salary, this downward adjustment would affect these classes as well. Again, there are no employees in either of the Child Support Attorney I and II classifications.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

At their meeting of April 3, 2007, the Board of Supervisors approved the implementation of the salary survey results for certain classifications represented by the Mariposa County Managerial and Confidential Organization (MCMCO) as well as certain unrepresented Confidential positions to be retroactive to November 1, 2006. The salary survey of comparable counties that was conducted indicated which positions should receive the 4% COLA instead of the 2.25% COLA. Two classifications, the Staff Services Manager and the Victim-Witness Services Supervisor, were not slated to receive the 4% COLA but MCMCO requested that they be re-reviewed. MCMCO further indicated that the Deputy District Attorney compaction needed to be addressed. The Board provided direction to further review these two classes as well as the compaction between the Deputy District Attorney classes.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Financial Impact? ( ) Yes ( ) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively _____
Additional Funding Needed: \$ _____		No attachments. _____
Source:		
Internal Transfer _____		
Unanticipated Revenue _____ 4/5's vote		
Transfer Between Funds _____ 4/5's vote		
Contingency _____ 4/5's vote		
( ) General ( ) Other _____		

**CLERK'S USE ONLY:**

07-272

Res. No.: 07-271 and Ord. \_\_\_\_\_

Vote - Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved

Minute Order Attached  No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_

Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California

By: \_\_\_\_\_  
Deputy

**COUNTY ADMINISTRATIVE OFFICER:**

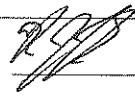
Required Action Recommended

No Opinion

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

CAO: \_\_\_\_\_



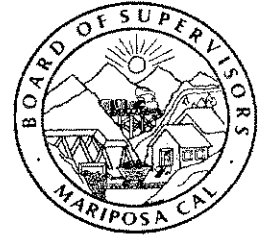


# COUNTY OF MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JANET BIBBY, CHAIR  
LYLE TURPIN, VICE CHAIR  
BRAD ABORN  
DIANNE A. FRITZ  
BOB PICKARD

DISTRICT III  
DISTRICT II  
DISTRICT I  
DISTRICT IV  
DISTRICT V



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### MINUTE ORDER

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TO: RICHARD J. BENSON, CAO

FROM: MARGIE WILLIAMS, Clerk of the Board *MW*

SUBJECT: Approve Recommended 4% Cost-of-Living Adjustment (COLA) for the Staff Services Manager and Victim/Witness Services Supervisor Classifications Effective November 1, 2006. Further Approve Recommended Salary Adjustment to the Deputy District Attorney I and Deputy District Attorney II Classifications to Resolve the Compaction Issue Program

RESOLUTION 271 and 272

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on June 12, 2007

#### ACTION AND VOTE:

Approve Recommended 4% Cost-of-Living Adjustment (COLA) for the Staff Services Manager and Victim/Witness Services Supervisor Classifications Effective November 1, 2006. Further Approve Recommended Salary Adjustment to the Deputy District Attorney I and Deputy District Attorney II Classifications to Resolve the Compaction Issue Program (County Administrative Officer/Personnel/Risk Manager)

**BOARD ACTION:** Rick Benson reviewed the staff report and recommended actions; and he advised that the Deputy District Attorney I and II classification positions are vacant. Supervisor Aborn suggested that a Deputy District Attorney IV level be established.

Bob Brown, District Attorney, provided input on the suggestion to create a level IV position and he asked that this be addressed soon; and he provided input on the compaction issue and salary structure of the Department. He advised of his concerns with recruitment and retention. He reviewed the history of his request on the compaction issue, and he provided input on his research of comparable data from other counties. Supervisor Pickard clarified that he is not asking for additional staff, and Bob Brown advised that he was not and that he could maintain the same staffing level as long as the deputies were at the higher level.

Supervisor Bibby asked Bill Flaherty, Victim/Witness Services Supervisor, about his review of the salary survey for his position; and he provided input.

Input from the public was provided by the following:

Kristy Waskiewicz, MCMCO Union representative, provided input relative to the review of the Victim-Witness Supervisor position. She advised that she feels there were two separate issues in the negotiations: 1) proposal for an across the board wage increase; and 2) Deputy District Attorney III's, and she noted that the Assistant Assessor received an eight percent salary increase. She advised that they are in support of the recommendation for the four percent adjustment for the Staff Services Manager and the Victim/Witness Services Supervisor. They are concerned with the compaction issue with the Deputy

District Attorneys, and she feels that that was always a separate issue. She provided input on her understanding of the negotiation process and her concerns. She agrees that Supervisor Aborn's suggestion to establish a IV level will help to resolve this issue. She asked that this issue be continued to try and resolve the compaction issue; and Supervisor Pickard clarified that she does not want the Board to take action on the Deputy District Attorney I and II classifications today.

Rick Benson referred to the language in the MOU relative to the compaction and salary survey issues.

Brian Muller, Undersheriff, representing the Sheriff's Management Association, stated he concurs with the District Attorney relative to the compaction issue and he feels that this exists in other County departments. He feels that the Board's willingness to acknowledge and address this is positive and he hopes that it will be addressed for other departments. He advised that he and two other members of the Management Association met with the County Administrative Officer last week concerning what they see as an inequity for their Jail Manager; and their Association is asking that when the County Administrative Officer comes to the Board members with their concerns, that the same consideration will be given to them as is being given today to these positions.

Rick Benson stated he feels the proposal to look at the Deputy District Attorney IV level is separate from what is being recommended today; and he noted that direction could be given to him to look at this request. He advised that he is not unsympathetic to the District Attorney relative to the issues of recruitment and retention and being competitive; however, he feels that these same issues exist in other departments. He advised that he based his recommendation on the information received from the negotiator and the people that were involved in the process. He presented information on the salary survey and comparisons for the Deputy District Attorney classifications.

(M)Pickard, (S)Turpin, Res. 07-271 was adopted approving the recommended four percent COLA for the Staff Services Manager and the Victim/Witness Services Supervisor classifications effective November 1, 2006/Ayes: Unanimous.

Further discussion was held with Bob Brown relative to his request to move funds from the Deputy District Attorney I and II classifications to the III classification to alleviate the compaction issue; and that this is a separate issue from the agenda item today. Bob Brown stated he agrees that the County Administrative Officer's proposal solves a compaction issue, but he also has a goal to increase the salary for the top deputies. He noted that there is a level IV position in the Human Services Department for the social workers.

Kristy Waskiewicz referred to the information that Rick Benson presented on the salary survey and comparisons, and she stated she formally objects to being given information from the County Administrative Officer in a public meeting versus at the bargaining table. She stated she feels that the chart has limited value as it does not show other positions that received equity adjustments. She feels the compaction issue was set out in the MOU to be addressed and that is appropriate.

Thomas P. Guarino, County Counsel, speaking as the County's negotiator for these issues with the MOU, advised that he was at the table when these issues were negotiated. He advised that there was a whole process and a methodology was adopted for the salary survey and it was applied in negotiations with all of the agreements. He feels these last two issues are separate; and that the department is trying to address recruitment and retention needs and there is a process for Personnel to evaluate the job duties. The Board could instruct the County Administrative Officer to proceed with that process. He further advised that the County Administrative Officer has only taken the public numbers that have already been shared with the Union and put them in a bar graph form. He referred to the language in the MOU and advised that he had a part in writing the language. He advised that as negotiator for this, he agrees with the County Administrative Officer, and he provided input on the process and intent. Supervisor Pickard stated he agrees with the County Administrative Officer's recommendation and with the history of this process as presented by County Counsel. He also agrees with trying to accomplish the retention and recruitment goals for the District Attorney's office.

(M)Pickard, (S)Aborn, Res. 07-272 was adopted approving the County Administrative Officer's recommendation to adjust the Deputy District Attorney I and II classifications downward to relieve the compaction issue; and direction was given for the County Administrative Officer/Personnel Officer to work with the District Attorney in finding out what would be the best way to solve the retention and recruitment goal for his office and to bring back a recommendation. Further discussion was held. Supervisor Bibby stated she feels that this should include a countywide review. Ayes: Aborn, Turpin, Fritz, Pickard; Noes: Bibby.

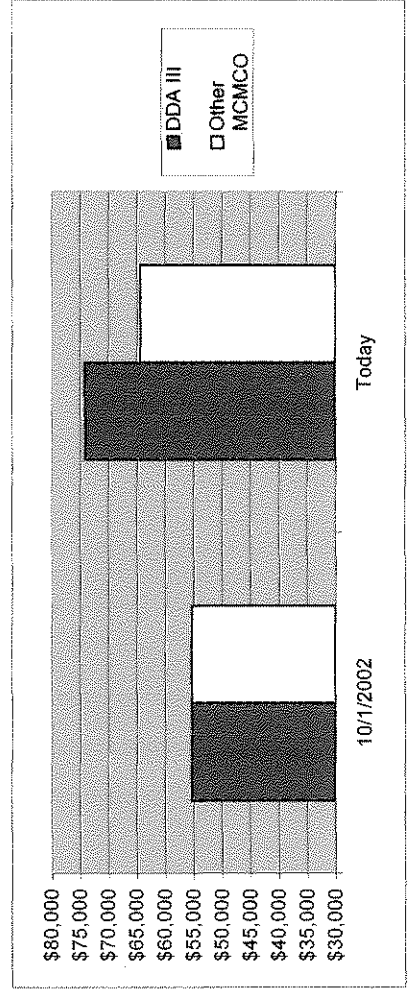
Cc: Chris Ebie, Auditor  
Debbie Walton, Child Support Services Director  
Bob Brown, District Attorney  
Cheryle Rutherford-Kelly, Human Services Director  
Sandi Laird, Personnel  
Mary Hodson, Deputy CAO  
File

	Average (1)	% of Survey (2)	Current Salary (3)	Appropriate Salary (4)	\$ Diff. (5)	% Change (6)
Deputy District Attorney I	4952	59%	5758	4701	-1057	-18%
Deputy District Attorney II	5444	65%	5845	5179	-666	-11%
Deputy District Attorney III	6192	74%	6038	5896	-142	-2%
Child Support Attorney III	5839	90%	6038	5043	-995	-16%

- 1) Average salary of surveyed counties removing the high and low
- 2) Percentage difference between the average DH salary and classification average
- 3) Current Mariposa Co. salary
- 4) Appropriate Mariposa Co. salary based on survey
- 5) Dollar difference between existing Co. salary and appropriate Co. salary
- 6) Percentage difference between existing Co. salary and appropriate Co. salary

	Previous equity	COLA	DDA III salary 10/1/2002	DDA III salary today	Other MCMCO salary 10/1/2002	Other MCMCO salary today	Difference
10/1/2002			\$4,607	\$55,284	\$4,607	\$55,284	
11/1/2002	7%	3%	\$6,174	\$74,083	\$5,366	\$64,396	\$9,687
11/1/2003	7%	3%					
11/1/2004		3.25%					
11/1/2005		4%					
11/1/2006		2.25%					

	10/1/2002 Today
DDA III	\$55,284 \$74,083
Other MCMCO	\$55,284 \$64,396



*COLA file w/ 6/12 for DDA item*