



Board Agenda Item 48

DATE: December 11, 2018

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, Director of Human Resources

SUBJECT: Addenda to Memoranda of Understanding for Representation Units 13, 39 and 43

RECOMMENDED ACTION(S):

Approve the Addenda to the Memoranda of Understanding regarding Dues and Deductions for the following Representation Units, represented by Stationary Engineers - Local 39, effective December 11, 2018, as reflected in the Addenda:

- Unit 13 - Crafts and Trades
- Unit 39 - Operating Engineers
- Unit 43 - Computer Employees

Approval of the recommended action would effectuate the tentatively agreed upon terms and conditions as delineated herein regarding the Supreme Court's decision in *Janus v. AFSCME*, issued June 27, 2018, and Senate Bill (SB) 866. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action.

DISCUSSION:

On June 27, 2018, the Supreme Court issued its decision on *Janus v. AFSCME*, ruling that public sector employees cannot be forced to pay a union as a condition of employment, effectively finding it unconstitutional to compel non-union member employees to pay "agency fees" in lieu of becoming a member and paying membership dues.

Additionally, SB 866 was signed into law requiring the recognized employee organization to notify the public employer of the employee's authorization for dues deductions.

As a result of these legislative actions, your Board's representatives have met and conferred with Local 39 representatives regarding an addenda which will add and/or delete language pursuant to *Janus v. AFSCME* and SB 866.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Addenda to MOU for Units 13, 39 and 43

CAO ANALYST:

Deborah Paolinelli