



# Board Agenda Item 35

DATE: September 12, 2017

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff-Coroner

SUBJECT: Retroactive Waiver of Extra-Help Maximum Hours Limitation

RECOMMENDED ACTION(S):

**Retroactively authorize a waiver of the 28 hours per week and/or 960 hours per calendar year maximum hours limitation for the Extra-Help position listed on Attachment A in the Sheriff-Coroner's Office, pursuant to the provisions set forth in the Salary Resolution, section 1100 and Personnel Rules 2040 and 4240.**

There is no additional Net County Cost associated with this action. Approval of the recommended action allows the Sheriff-Coroner to address operational needs seven days a week.

Attachment A includes a position that exceeded the Extra-Help maximum hour per week limitation during Calendar Year 2017.

ALTERNATIVE ACTION(S):

There is no viable alternative action to approval of the waiver due to the need to operate and maintain the best efficiency possible in the Jail facilities.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Sufficient appropriations and estimated revenues for the appointment and for any additional cost, which could be assessed under the Affordable Care Act (ACA), are included in the FY 2017-18 Sheriff-Coroner's Org 3111 Recommended Budget.

DISCUSSION:

On January 13, 2015 and June 7, 2016 your Board reiterated County policy that the use of Extra-Help employees should:

- be of limited duration;
- not be used as a first response to staffing requirements;
- not supplant work regularly performed by permanent employees; and
- only be used to meet the critical, seasonal, or temporary work needs of departments on a limited basis.

On June 7, 2016, your Board approved Salary Resolution Amendments that provided departments with the requested flexibility, while limiting the use of most Extra-Help employees. The Department of Human Resources and the County Administrative Office developed a waiver template, which was released mid-August 2016.

On June 20, 2017, your Board approved a waiver of the 180 day separation period for Extra-Help retiree Elias

Mendez to fill a critically-needed Correctional Lieutenant position before the 180 day separation period.

As provided in the Salary Resolution Amendments, the Sheriff-Coroner's Office is recommending a waiver of the 28 hours a week per calendar year limitation for the Extra-Help Correctional Lieutenant listed on Attachment A as Sheriff-Coroner's Correctional Lieutenants are critical to the supervision of Jail staff. In addition, a Correctional Lieutenant who is a peace officer is legally required to be on duty in the Jail seven days per week, 24 hours a day to supervise Correctional Officers and Correctional Sergeants.

Mr. Mendez retired effective July 6, 2017. The Correctional Sergeant that was promoted to fill the Correctional Lieutenant position Mr. Mendez vacated, is required to attend a seven month Peace Officers Standards and Training (POST) academy. To avoid additional overtime shifts, it is important that Mr. Mendez work as an Extra-Help retiree until the promoted Correctional Sergeant completes training. In this part time, extra-help capacity, Mr. Mendez will not work more than 960 hours during the year as set forth in California Public Employees' Pension Reform Act (PEPRA). The Sheriff-Coroner will still be subject to and will comply with all other Extra-Help rules and requirements.

Your Board's approval of the recommended action will allow the position on Attachment A in the Sheriff-Coroner's Office to exceed the Extra-Help per week maximum hour limitation for Calendar Year 2017.

REFERENCE MATERIAL:

BAI#9, June 20, 2017  
BAI#37, June 7, 2016  
BAI#19, January 13, 2015

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A

CAO ANALYST:

Jeannie Z. Figueroa