



Board Agenda Item 47

DATE: December 11, 2018

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, Director of Human Resources

SUBJECT: Addendum to Memorandum of Understanding for Representation Unit 31

RECOMMENDED ACTION(S):

Approve the Addendum to the Memorandum of Understanding regarding Dues and Deductions for Representation Unit 31 - Public Defenders, represented by the Professional Association County Employees, effective December 11, 2018, as reflected in the Addendum.

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 Unit 31 representatives regarding an addendum, which will add and/or delete language pursuant to *Janus v. AFSCME* and SB 866.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Addendum to MOU for Unit 31

CAO ANALYST:

Debbie Paolinelli