

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

June 28, 2022

FROM

SHANNON D. DICUS, Sheriff/Coroner/Public Administrator

SUBJECT

Employment Contracts for Forensic Pathologists

RECOMMENDATION(S)

1. Terminate Employment Contract No. 17-406-01 for forensic pathology services and approve **Employment Contract No. 22-448** with Dr. Brian Hutchins to provide services as Chief Forensic Pathologist effective July 2, 2022 through July 1, 2025, for an estimated annual cost of \$432,932 (Salary - \$310,814; Benefits - \$122,118).
2. Terminate Employment Contract No. 17-406-02 and approve **Employment Contract No. 22-449** with Dr. Diana Geli to provide services as Forensic Pathologist effective July 2, 2022 through July 1, 2025, for an estimated annual cost of \$346,998 (Salary - \$289,640; Benefits - \$57,358).
3. Terminate Employment Contract No. 20-682 and approve **Employment Contract No. 22-450** with Dr. Timothy Daniel Jong to provide services as Forensic Pathologist effective July 2, 2022 through July 1, 2025, for an estimated annual cost of \$306,359 (Salary - \$243,672; Benefits - \$62,687).
4. Approve Master Employment Contract template (**County Contract No. 22-451**) for the classification of Forensic Pathologist, effective July 2, 2022 through July 1, 2025.
5. Authorize the Sheriff/Coroner/Public Administrator, Undersheriff, or Assistant Sheriff to execute individual employment contracts for the classification of Forensic Pathologist on behalf of the County.
6. Authorize the Sheriff/Coroner/Public Administrator, Undersheriff, or Assistant Sheriff to execute amendments to the Chief Forensic Pathologist and Forensic Pathologist contracts to extend the contract term for a maximum of two consecutive one-year periods on behalf of the County, subject to County Counsel review.
7. Direct the Sheriff/Coroner/Public Administrator, Undersheriff, or Assistant Sheriff to transmit amendments in relation to the contracts for Chief Forensic Pathologist and the Forensic Pathologist classification listed in Recommendations No. 1, No. 2, and No. 3 above, to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: John Ades, Deputy Chief, 387-3760)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The estimated annual cost for the proposed employment contracts is \$1,086,289

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(Salaries - \$844,126; Benefits - \$242,163). These positions are assigned to the Sheriff/Coroner/Public Administrator (Department) Coroner's Division. Sufficient appropriation is included in the Department's 2022-23 budget and will be included in future recommended budgets.

BACKGROUND INFORMATION

In accordance with the provisions in Title 3, Division 2, Part 3, Chapter 10 of the California Government Code (§27491 et seq.), the Coroner of San Bernardino County may, at his discretion, cause a postmortem pathological examination or autopsy to be made on the bodies of persons who die in the County, when an inquiry is necessary under the provisions of law to determine the cause of death.

The County's previous contract Chief Forensic Pathologist resigned from her position on March 25, 2022. This item recommends approval of a new employment contract with Dr. Brian Hutchins, to serve as Chief Forensic Pathologist. Dr. Hutchins has provided services to the County as a contract Forensic Pathologist for almost nine years. The proposed new contract provides for compensating step increases up to \$160.93 per hour plus 4% annual across-the-board wage increases through 2025. In addition, the contract provides on call pay for \$300 per week, straight-time compensation for hours worked beyond normal business hours, medical plan subsidy, leave provisions, participation in the County's retirement system, participation in the Retirement Medical Trust, take-home county vehicle, and reimbursement for conferences, publications, and memberships.

The Department is also recommending approval of new contracts with Dr. Diana Geli and Dr. Timothy Daniel Jong, to continue to provide services to the County as Forensic Pathologists. Both have provided services to the County as contract Forensic Pathologists for six years and one and one-half years, respectively. The proposed new contracts provide for compensating step increases up to \$146.30 per hour plus 4% annual across-the-board wage increases through 2025. In addition, the contracts provide on call pay for \$300 per week, straight-time compensation for hours worked beyond normal business hours, medical plan subsidy, leave provisions, participation in the County's retirement system, participation in the Retirement Medical Trust, take-home county vehicle, and reimbursement for conferences, publications, and memberships.

The Department is also recommending approval of a new employment contract template for the Forensic Pathologist positions. The employment contract template includes the same terms, hourly rates and wage increases as those of Dr. Geli and Dr. Jong. Given there are only an estimated 500 forensic pathologist nationwide, it is imperative that salaries and benefits remain competitive to recruit and retain these highly sought-after individuals. For that reason, the template also includes relocation assistance for new contract employees relocating from farther than 500 miles to work for the County. To ensure these critical contract positions are filled expeditiously when a qualified candidate is found, authorization for the Sheriff/Coroner/Public Administrator, Undersheriff, or Assistant Sheriff to execute contracts with new Forensic Pathologist candidates is requested.

Further, the Department requests authorization for the Sheriff/Coroner/Public Administrator, Undersheriff, or Assistant Sheriff to execute amendments to the Chief Forensic Pathologist and Forensic Pathologist contracts to extend the individual terms for a maximum of two consecutive one-year periods on behalf of the County for up to five years. The individual employment contracts may be terminated upon 14 days advance written notice.

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PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Cynthia O'Neill, Principal Assistant County Counsel, 387-5455) on June 6, 2022; Human Resources (Gina King, Deputy Director, 387-5571) on May 26, 2022; Finance (Tom Forster, Administrative Analyst, 387-4635) on June 10, 2022; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on June 13, 2022.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Janice Rutherford Seconded: Col. Paul Cook (Ret.)
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Joe Baca, Jr.
Absent: Curt Hagman

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: June 28, 2022



cc: Sheriff - Welty w/agrees
Contractor - C/O Sheriff w/agree
File - w/agree
CCM 06/29/2022