



# San Bernardino County

## Legislation Text

**File #: 2888, Agenda Item #: 64**

### **REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS OF THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT AND RECORD OF ACTION**

**September 15, 2020**

#### **FROM**

**GARY McBRIDE, Chief Executive Officer, County Administrative Office**

**DAN MUNSEY, Fire Chief/Fire Warden, San Bernardino County Fire Protection District**

#### **SUBJECT**

Side Letter Agreement with the San Bernardino County Professional Firefighters IAFF, Local 935, representing employees in the Ambulance Operators Unit

#### **RECOMMENDATION(S)**

Acting as the governing body of the San Bernardino County Fire Protection District (SBCFPD), approve proposed Side Letter Agreement between the San Bernardino County Professional Firefighters IAFF, Local 935 and SBCFPD in regards to the Ambulance Operators Unit.

(Presenter: Bob Windle, County Labor Relations Chief, 387-3101)

#### **COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Create, Maintain and Grow Jobs and Economic Value in the County.**

**Improve County Government Operations.**

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

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.**

#### **FINANCIAL IMPACT**

SBCFPD will fund the costs of this proposed Side Letter Agreement without the need for additional Discretionary General Funding (Net County Cost). As a result of this agreement, SBCFPD's annual ongoing costs are estimated to increase by a total of \$36,153, as reflected in the following table:

<b>Fiscal Year</b>	<b>Incremental Ongoing Cost Increases</b>
2020-21	\$17,281
2021-22	\$18,804
2022-23	\$68
<b>Total</b>	<b>\$36,153</b>

The \$36,153 is primarily for costs associated with transitioning employees in the Ambulance Operators Unit (Unit) from State Disability Insurance to a Union-sponsored Long-Term Disability Plan.

Additionally, there is a one-time cost to SBCFPD of approximately \$67,900 in 2020-21 for a lump sum payment equivalent to 3% of each employee's salary covering the period from July 18, 2020 through January 15, 2021.

The following table summarizes the additional costs to SBCFPD from this agreement by fiscal year:

<b>Fiscal Year</b>	<b>Ongoing</b>	<b>One-time</b>	<b>Total</b>
2020-21	\$17,281	\$67,900	\$85,181
2021-22	\$36,085	\$0	\$36,085
2022-23	\$36,153	\$0	\$36,153
<b>Total</b>	<b>\$89,519</b>	<b>\$67,900</b>	<b>\$157,419</b>

Sufficient appropriation is available in SBCFPD's 2020-21 budget for the current year cost increases from this Side Letter Agreement.

### **BACKGROUND INFORMATION**

Beginning in July 2020, representatives of SBCFPD, under direction of the Board of Directors (Board), and representatives of the San Bernardino County Professional Firefighters IAFF, Local 935 (Union) began the meet and confer process in an attempt to negotiate a successor Memorandum of Understanding (MOU) that would cover wages, hours, and other terms and conditions of employment for employees in the Unit. However, these negotiations were impacted by the continued unsettling financial forecast resulting from COVID-19. In addition, the upcoming November 2020 General Election includes a vote for repeal of the FP-5 Special Tax. Should this repeal be successful, SBCFPD would lose nearly \$42 million in annual revenue.

The County Administrative Office (CAO) - Labor Relations Unit has had discussions with the Union regarding SBCFPD's aforementioned budgetary concerns. As a result of those discussions, the parties reached the proposed Side Letter Agreement for the Unit. The proposed agreement includes the following:

- Provides a one-time lump sum payment of 3% of each employee's salary covering the period from July 18, 2020 - January 15, 2021.
- Provides a MOU reopener in November 2020.
- Establishes a \$10 per pay period Flexible Spending Account match for employees who select the Blue Shield or Kaiser Gold Plan, consistent with other MOUs, effective September 26, 2020.
- Establishes that all employees shall be automatically enrolled in the County's deferred compensation plan with a 1% employee contribution unless the employee declines participation within 30 days.
- Establishes Time Trades, consistent with existing SBCFPD policy and the Fair Labor Standards Act.
- Transitions Unit employees from State Disability Insurance to a Union-sponsored Long-Term Disability Plan and provides a \$29.50/month SBCFPD contribution to the plan on behalf of each Unit employee.
- Clarifies that employees are permitted to code leave time for all regularly scheduled work hours.
- Establishes a Modified Benefit Option for Unit employees, consistent with other MOUs.

Approval of the Side Letter Agreement gives SBCFPD additional time to:

- Acquire data on the depth and anticipated duration of the COVID-19 economic impacts.
- Provide clarity on any budgetary impacts resulting from the November 2020 General Election vote for repeal of the FP-5 Special Tax.

The CAO-Labor Relations Unit will return to the Board at a future date for approval of a successor MOU between SBCFPD and the Union regarding the Unit.

**PROCUREMENT**

N/A

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Richard Luczak, Deputy County Counsel, 387-5455) on September 2, 2020; Labor Relations (Bob Windle, County Labor Relations Chief, 387-3101) on August 28, 2020; Finance (Tom Forster, Administrative Analyst, 387-4635) on August 31, 2020; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on September 2, 2020.