

File No. 120503

Committee Item No. 10

Board Item No. 6

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date June 14, 2012

Board of Supervisors Meeting Date 6/14/12

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Alisa Miller Date June 8, 2012

Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

GOVERNMENT AUDIT AND OVERSIGHT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Mark Farrell, Chair
Government Audit and Oversight Committee

FROM: Rana Calonsag, Committee Clerk

DATE: June 15, 2012

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, June 19, 2012

The following file should be presented as a **COMMITTEE REPORT** at the Board meeting, Tuesday, June 19, 2012. This item was acted upon at the Committee Meeting on June 14, 2012 at 1:00 p.m., by the votes indicated.

Item No. 10 **File No. 120503**

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association, to be effective July 1, 2012, through June 30, 2014.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Mark Farrell - Aye
Supervisor Sean Elsbernd - Aye
Supervisor David Chiu - Aye

cc: Board of Supervisors
Angela Calvillo, Clerk of the Board
Rick Caldeira, Legislative Deputy Director
Cheryl Adams, Deputy City Attorney
Binder Copy



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Monique Zmuda
Deputy Controller

June 14, 2012

Ms. Angela Calvillo
Clerk of the Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 120503: Memorandum of Understanding (MOU) with the San Francisco Deputy Probation Officers' Association

Dear Ms. Calvillo,

In accordance with Ordinance 92-94, I am submitting a cost analysis of the MOU between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association (DPOA). The amendment applies to the period commencing July 1, 2012 through June 30, 2014, affecting 158 authorized positions with a salary base of approximately \$13.5 million and an overall pay and benefits base of approximately \$17.4 million.

As seen in Attachment A, our analysis projects that this agreement will result in approximately \$24,000 of increased costs to the City during FY 2012-2013 and \$310,000 of increased costs in FY 2013-14. Our analysis assumes a scenario where premiums, overtime, step, and attrition grow consistent with wage changes.

If you have additional questions or concerns please contact me at 554-7500 or Drew Murrell of my staff at 554-7647.

Sincerely,

Ben Rosenfield
Controller

cc: Martin Gran, ERD
Harvey Rose, Budget Analyst

Attachment A

Memorandum of Understanding from July 1, 2012 - June 30, 2014

San Francisco Deputy Probation Officers' Association

Controller's Office Estimate of Costs/(Savings) FY 2012-2014

<u>Annual Costs/(Savings)</u>	<u>FY 2012-2013</u>	<u>FY 2013-2014</u>
Wages		
Effective July 1, 2012, class 8444 Deputy Probation Officers shall receive a base wage increase of 7.15% in exchange for their agreement to pay their own retirement contribution amount to CalPERS.	\$ 873,000	\$ 876,000
1% Wage increases effective July 1, 2013, January 4, 2014, and March 29, 2014 for all employees	\$ -	\$ 229,000
Effective July 1, full-time employees enetering at the first step may advance to the second step and to each successive step upon completion of the one year required service.	\$ -	\$ -
Wage-Related Fringe Increases/(Decreases)	\$ 250,000	\$ 329,000
Benefits		
For the duration of this agreement, 8444 and 8530 Deputy Probation Officers shall pay the employee share of mandatory retirement contributions (9%).	\$ (1,099,000)	\$ (1,102,000)
For "Medically Single" employees, the City will pay 90% of the cost of the medical premium capped at 90% of the cost of the second highest cost plan, effective January 1, 2014.	\$ -	\$ (22,000)
Annual Amount Increase/(Decrease)	<u>\$ 24,000</u>	<u>\$ 310,000</u>

1 [Memorandum of Understanding - San Francisco Deputy Probation Officers' Association]

2
3 Ordinance adopting and implementing the Memorandum of Understanding between the
4 City and County of San Francisco and the San Francisco Deputy Probation Officers'
5 Association, to be effective July 1, 2012, through June 30, 2014.

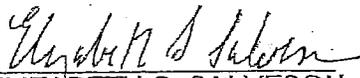
6 NOTE: Additions are single-underline italics Times New Roman;
7 deletions are ~~strike through italics Times New Roman~~.
8 Board amendment additions are double-underlined;
9 Board amendment deletions are ~~strikethrough normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. The Board of Supervisors hereby adopts and implements the Memorandum
12 of Understanding between the City and County of San Francisco Deputy Probation Officers'
13 Association, to be effective July 1, 2012, through June 30, 2014.

14 The Memorandum of Understanding so implemented is on file in the office of the Board
15 of Supervisors in Board File No. 120503.

16 APPROVED AS TO FORM:
17 DENNIS J. HERRERA, City Attorney

18 By: 
19 ELIZABETH S. SALVESON
20 Chief Labor Attorney



**Deputy Probation
Officers**

DEPUTY PROBATION OFFICERS' ASSOCIATION BARGAINING HIGHLIGHTS

Term – Two year term (July 1, 2012 to June 30, 2014).

Wages –

Fiscal Year 2012-2013 – No wage increases

Fiscal Year 2013-2014 –

- 1% on July 1, 2013
- 1% on January 4, 2014
- 1% on March 29, 2014

Structural Reform of the City's Healthcare Benefit and Cost-Sharing Structures –

- Health care cost sharing effective January 1, 2014:
 - For “medically single employees” (Employee Only) enrolled in any plan other than the highest cost plan, the City shall only contribute ninety percent (90%) of the “medically single employee” (Employee Only) premium for the plan in which the employee is enrolled.
 - For “medically single employees” (Employee Only) enrolled in the highest cost plan, the City shall only contribute ninety percent (90%) of the “medically single employee” (Employee Only) premium for the second highest cost plan. However, in calendar year 2014 only, the City will subsidize half of the amount of this increased premium cost for “medically single employees” who elect to enroll in the highest cost plan.
- The parties will form a Joint Labor-Management Healthcare Committee to discuss healthcare issues, including a possible wellness program, with a re-opener in the second year of the contract by mutual agreement

Floating Holidays – Employees will receive a one-time award of two additional floating holidays in Fiscal Year 2012-2013.

Grievance Procedure – The parties established a uniform grievance definition, and procedure for withdrawing the grievance in the absence of a timely, written demand for arbitration, in order to expedite the resolution of disputed terminations and suspensions.

italics = moved existing language

~~struck out, italics~~ = existing language prior section

hold, double underline = new language

~~struck out~~ = removed language



**Deputy Probation
Officers**

Elimination of the Travel Pay Provision – Effective July 1, 2012, the City will no longer pay a travel allowance to employees who are San Francisco residents assigned to work outside of San Francisco. Employees will continue to receive mileage reimbursement when using their own vehicle for City business per IRS guidelines.

Increase in Time to Advance from Step 1 to Step 2 – Employees appointed on or after July 1, 2012 must now complete one year (increased from 6 months) of required service before advancing to the second step of the salary range.

Probationary period for Inter-Departmental Transfers – Non-probationary permanent employees who transfer to another department shall serve a 6-month probationary period, which may be extended by the employee and the Appointing Officer for a period not to exceed an additional 6 months.

Substance Abuse Prevention Program – The parties will establish a mutually agreed-upon substance abuse prevention program, to be implemented by January 1, 2014. If there is no agreement on a new program by May 1, 2013, the arbitrator will resolve any disputes through mandatory arbitration.

Night Duty – Employees shall only qualify for the night duty premium if they are required, as a part of their regularly scheduled shift, to work at least 3 hours (increased from 1) of their shift between the hours of 5:00 PM and 7:00 AM.

Proposition C Employee Cost-Sharing – Effective July 1, 2012, covered employees who are members of CalPERS agree to make pre-tax contributions similar to those being made by members of SFERS, as required under Charter section A8.409-9.

Payment of Employee Contribution to CalPERS – Employees will “pick up” their own 9% retirement contribution to CalPERS. In return, the bargaining unit will receive a cost-neutral 7.15% increase to base wages.

Overtime Compensation – Additional clarification that: (1) employees on alternate shift schedules cannot begin earning overtime until they work beyond their schedule; (2) only legal holidays shall be taken into account for computing overtime; (3) employees on sick leave restriction are ineligible for voluntary overtime.

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY AND COUNTY OF SAN FRANCISCO
AND
SAN FRANCISCO DEPUTY PROBATION OFFICERS' ASSOCIATION

FISCAL YEAR

JULY 1, 2012- JUNE 30, 2014

** Complete copy of document is
located in

File No. 120503

TABLE OF CONTENTS

ARTICLE I - REPRESENTATION	1
I.A. RECOGNITION	1
I.B. INTENT	1
I.C. NO STRIKE PROVISION	1
I.D. MANAGEMENT RIGHTS	2
I.E. NOTICE AND MEET AND CONFER	2
I.F. LABOR/MANAGEMENT COMMITTEE	3
I.G. GRIEVANCE PROCEDURES	4
I.H. OFFICIAL REPRESENTATIVES AND STEWARDS	10
I.I. AGENCY SHOP	11
I.J. PERSONNEL FILES	14
ARTICLE II - EMPLOYMENT CONDITIONS	15
II.A. PROBATIONARY PERIOD	15
II.B. BULLETIN BOARDS	15
II.C. SUBCONTRACTING	15
II.D. NONDISCRIMINATION PROVISION	17
II.E. AMERICANS WITH DISABILITIES ACT	18
II.F. MAINTENANCE AND CHARGES	18
II.G. TRAVEL EXPENSES AND WORK-RELATED EXPENSES AND REIMBURSEMENTS	18
II.H. SUBSTANCE ABUSE TESTING	18
ARTICLE III - PAY, HOURS AND BENEFITS	20
III.A. WAGES	20
III.B. WORK SCHEDULES	20
III.C. COMPENSATIONS FOR VARIOUS WORK SCHEDULES	24
III.D. ADDITIONAL COMPENSATION	24
1. NIGHT DUTY	24
2. INTERPRETER - TRANSLATOR PAY	24
3. SUPERVISORY DIFFERENTIAL ADJUSTMENT	25
4. STANDBY PAY	27
5. CALL BACK	27
6. ACTING ASSIGNMENT PAY	27
III.E. OVERTIME COMPENSATION	28
III.F. RECORDATION OF OVERTIME	29
III.G. HOLIDAYS AND HOLIDAY PAY	30
III.H. FLOATING HOLIDAYS	30
III.I. HOLIDAY PAY FOR EMPLOYEES WHO SEPARATE	31
III.J. HOLIDAYS THAT FALL ON A SATURDAY	31