

File No. 120503

Committee Item No. 10

Board Item No. 30

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date June 14, 2012

Board of Supervisors Meeting Date 6/19/12

#### Cmte Board

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| <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                        |

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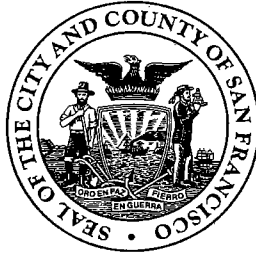
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Completed by: Alisa Miller Date June 8, 2012

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,

A handwritten signature in black ink, appearing to be "B. Rosenfield", written over a horizontal line.

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>
<b>Wages</b>		
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.	\$ -	\$ -
<b>Wage-Related Fringe Increases/(Decreases)</b>	\$ 250,000	\$ 329,000
<b>Benefits</b>		
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)
<b>Annual Amount Increase/(Decrease)</b>	<u>\$ 24,000</u>	<u>\$ 310,000</u>

Controller's Office Summary of 2012 - 2014 Labor Agreements Costing  
6/14/2012

Citywide Patterns

1) Wage Increases: Three 1 % wage increases in FY 2013-14, projected to result in a 1.75% wage and variable fringe cost increase during FY 2013-14

2) Step Savings: Effective July 1, 2012 postpone advancement from Step 1 to Step 2 until the completion of 12 months of service rather than 6 months

3) Health Contributions: Effective January 2014, 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.

Table Name	FY 2012-13 Total				FY 2013-14 Total			
	Wages & Premium	Variable Fringe	Health & Dental	Costs/(Savings)	Wages & Premium	Variable Fringe	Health & Dental	Costs/(Savings)
000 Consolidated Crafts	\$ 30,000	\$ -	\$ -	\$ -	\$ 844,000	\$ 229,000	\$ (94,000)	\$ -
001 Unrepresented Employees	\$ 14,000	\$ 3,000	\$ -	\$ (15,000)	\$ -	\$ -	\$ -	\$ -
003 Operating Engineers, Local 3	\$ -	\$ -	\$ -	\$ -	\$ 76,000	\$ 21,000	\$ (5,000)	\$ -
006 Electrical Workers, Local 6	\$ 492,000	\$ 108,000	\$ (17,000)	\$ -	\$ 981,000	\$ 255,000	\$ (81,000)	\$ -
021 Local 21	\$ 62,000	\$ (16,000)	\$ -	\$ -	\$ 5,878,000	\$ 1,643,000	\$ (797,000)	\$ -
038 Plumbing and Pipefitting Industry	\$ 16,000	\$ -	\$ -	\$ -	\$ 518,000	\$ 136,000	\$ (40,000)	\$ -
039 Stationary Engineers	\$ -	\$ -	\$ -	\$ (35,000)	\$ 1,000,000	\$ 265,000	\$ (168,000)	\$ -
121 Service Employees International Union	\$ 6,048,000	\$ (39,000)	\$ (6,051,000)	\$ -	\$ 12,390,000	\$ 1,981,000	\$ (33,000)	\$ -
130 Machinists Union	\$ 12,000	\$ -	\$ (9,000)	\$ -	\$ 209,000	\$ 55,000	\$ (1,000)	\$ -
163* Physicians and Dentists	\$ 2,514,000	\$ 486,000	\$ -	\$ -	\$ 2,663,000	\$ 589,000	\$ (151,000)	\$ -
200 TWU Local 200	\$ -	\$ -	\$ -	\$ -	\$ 28,000	\$ 8,000	\$ (1,000)	\$ -
251 TWU Local 250-A, TWU - Miscellaneous	\$ 7,000	\$ -	\$ -	\$ -	\$ 137,000	\$ 38,000	\$ (23,000)	\$ -
252 TWU Local 250-A, TWU - Auto Service Worker	\$ (9,000)	\$ -	\$ -	\$ -	\$ 33,000	\$ 12,000	\$ (6,000)	\$ -
261 Laborers	\$ (69,000)	\$ 144,000	\$ (47,000)	\$ -	\$ 953,000	\$ 444,000	\$ (299,000)	\$ -
311 Municipal Attorneys	\$ (2,000)	\$ (1,000)	\$ -	\$ -	\$ 1,065,000	\$ 286,000	\$ (102,000)	\$ -
351 Municipal Executives Association	\$ -	\$ -	\$ (79,000)	\$ -	\$ 2,019,000	\$ 541,000	\$ (323,000)	\$ -
419 DA Investigators	\$ -	\$ -	\$ (2,000)	\$ -	\$ 61,000	\$ 13,000	\$ (12,000)	\$ -
498 SF Deputy Sheriff's Association	\$ 5,000	\$ -	\$ (47,000)	\$ (6,000)	\$ 1,352,000	\$ 268,000	\$ (231,000)	\$ -
499 SF Sheriff's Managers and Supervisors	\$ -	\$ -	\$ -	\$ -	\$ 325,000	\$ 45,000	\$ (23,000)	\$ -
651 SF Probation Officers	\$ 873,000	\$ (849,000)	\$ -	\$ -	\$ 1,105,000	\$ (773,000)	\$ (22,000)	\$ -
791 Staff / Per Diem Nurses	\$ (54,000)	\$ -	\$ -	\$ -	\$ 1,481,000	\$ 412,000	\$ (12,000)	\$ -
856 Teamsters - Multi - Unit	\$ 113,000	\$ (108,000)	\$ -	\$ -	\$ 259,000	\$ (78,000)	\$ -	\$ -
858** Supervising Nurses	\$ 25,000	\$ -	\$ (5,000)	\$ (3,000)	\$ 361,000	\$ 85,000	\$ (265,000)	\$ -
965 Supervising Probation Officers	\$ -	\$ -	\$ -	\$ -	\$ 36,000	\$ 7,000	\$ (6,000)	\$ -
969 Institutional Police Officers	\$ -	\$ -	\$ -	\$ -	\$ 7,000	\$ 2,000	\$ -	\$ -
	\$ 3,489,000	\$ 37,571,000						

\* The MOUs with the Physicians and Dentists are split into two groups, one for bargaining unit 17 and one for bargaining unit 18 and run for three years from July 1, 2012 through June 30, 2015  
\*\* The MOU with Supervising Nurses is for three years from July 1, 2012 through June 30, 2015

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~~.

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

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

13  
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  
17 APPROVED AS TO FORM:  
18 DENNIS J. HERRERA, City Attorney

19 By:   
20 ELIZABETH S. SALVESON  
21 Chief Labor Attorney  
22  
23  
24  
25



**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.

*italics* = moved existing language

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

**bold, double underline** = new language

~~struck out~~ = removed language



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

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