

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
3.17
(ID # 6109)

MEETING DATE:

Tuesday, January 9, 2018

FROM : HUMAN RESOURCES AND COUNTY COUNSEL, DEPARTMENT OF PUBLIC
SOCIAL SERVICES :

SUBJECT: HUMAN RESOURCES, COUNTY COUNSEL, DEPARTMENT OF PUBLIC SOCIAL
SERVICES: Resolution of the Board of Supervisors to Authorize Standby or
Professional Call Duty Pay for Deputies of the County Counsel's Office for After-
Hours Protective Custody Warrant Review, All Districts. [Ongoing Cost -
\$142,740] [Source of Funds - 55.4% Realignment (1991/2011), 40.4% Federal,
3.5% State and 0.7% Other]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution 2018-027 authorizing standby or professional call duty pay for
deputies of the County Counsel's Office in conformance with the RCDDAA
Memorandum of Understanding.

ACTION: Policy


Michael Stock, Assistant CEO/ Director of Human Resources

1/2/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried, IT
WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington and Perez
Nays: None
Absent: Ashley
Date: January 9, 2018
xc: HR, Co.Co., DPSS

Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 71,370	\$ 142,740	\$ 0	\$ 142,740
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: 55.4% Realignment (1991/2011), 40.4% Federal, 3.5% State, 0.7% Other			Budget Adjustment: No	
			For Fiscal Year: 17/18	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On September 23, 2017, the Governor signed AB 1401 adding Section 340 to the Welfare and Institutions Code. The new law which became effective on January 1, 2018, authorizes a court to issue a protective custody warrant without first filing a petition in the juvenile dependency court under specified conditions, including that there is a risk to the child's safety and no reasonable means to protect the child without removal from the home. The law further provides that any child taken into protective custody be immediately delivered to a social worker who shall investigate the facts and circumstances of the case and attempt to maintain the child with the child's family through the provision of services.

Pursuant to Article IV, Section 3 of the current Memorandum of Understanding (MOU) between the County of Riverside and the Riverside County Deputy District Attorney Association, the Board of Supervisors may authorize standby or professional call duty pay for deputies that are placed on standby at the direction of the Department Head. Deputies are to be paid one (1) hour of pay for every eight (8) hours of standby duty beyond the regular work period in addition to their regular salary. The MOU also provides that they shall be entitled to pay (at the regular rate) for work performed while on standby in addition to the standby pay.

In this case, deputies assigned to the Child Welfare Division of the County Counsel's Office will be placed on a one (1) week standby rotation in order for an attorney to be available after-hours to review protective custody warrants for social workers assigned to Child Protective Services for the Department of Public Social Services (DPSS). It is anticipated that deputies may review as many as 2 - 3 such warrants per week but that estimate is likely to ebb and flow throughout the fiscal year.

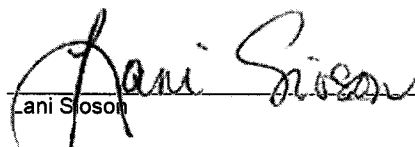
Impact on Residents and Businesses

The work of Child Protective Services and the Child Welfare Division of the County Counsel's Office is critically important to protecting at-risk children throughout the County. After-hours warrants authorized by AB 1401 are a valuable tool in performing this important responsibility.

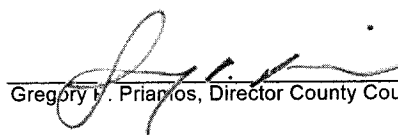
ATTACHMENTS:

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

1. Resolution 2018-027


Lani Sison

1/3/2018


Gregory V. Priamos, Director County Counsel

1/2/2018

2
3 **RESOLUTION NO. 2018-027**

4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE**
5 **AUTHORIZING STANDBY OR PROFESSIONAL CALL DUTY PAY FOR DEPUTIES OF THE**
6 **COUNTY COUNSEL'S OFFICE FOR AFTER-HOURS PROTECTIVE CUSTODY WARRANT**

7 **REVIEW**
8

9 **WHEREAS**, on September 23, 2017, the Governor signed AB 1401 adding Section 340 to the
10 Welfare and Institutions Code. The new law which became effective on January 1, 2018, authorizes a court
11 to issue a protective custody warrant without first filing a petition in the juvenile dependency court under
12 specified conditions, including that there is a risk to the child's safety and no reasonable means to protect
13 the child without removal from the home; and

14 **WHEREAS**, the law further provides that any child taken into protective custody be immediately
15 delivered to a social worker who shall investigate the facts and circumstances of the case and attempt to
16 maintain the child with the child's family through the provision of services; and

17 **WHEREAS**, pursuant to Article IV, Section 3 of the current Memorandum of Understanding
18 (MOU) between the County of Riverside and the Riverside County Deputy District Attorney Association,
19 the Board of Supervisors may authorize standby or professional call duty pay for deputies that that are
20 placed on standby at the direction of the Department Head. Deputies are to be paid one (1) hour of pay for
21 every eight (8) hours of standby duty beyond the regular work period in addition to their regular salary. The
22 MOU also provides that they shall be entitled to pay (at the regular rate) for work performed while on
23 standby in addition to the standby pay; and

24 **WHEREAS**, it is proposed that deputies assigned to the Child Welfare Division of the County
25 Counsel's Office be placed on a one (1) week standby rotation in order for an attorney to be available after-
26 hours to review protective custody warrants for social workers assigned to Child Protective Services for the
27 Department of Public Social Services (DPSS). It is anticipated that deputies may review as many as 2 – 3
28 such warrants per week but that estimate is likely to ebb and flow throughout each fiscal year; and

FORM APPROVED COUNTY COUNSEL
BY: *Sybil H. Gunzel* 1-11-18
DATE: *1-11-18*
SYBIL H. GUNZEL

WHEREAS, the work of Child Protective Services and the Child Welfare Division is critically important to protecting at-risk children throughout the County and further, that after-hours warrants authorized by AB 1401 are a valuable tool in performing this important responsibility; now therefore,

BE IT RESOLVED, by the Board of Supervisors of the County of Riverside, assembled in regular session on Tuesday, January 9, 2018, that standby or professional call duty pay is authorized for deputies of the County Counsel's Office for after-hours protective custody review in conformance with the terms of the current MOU and any successor MOU that may be negotiated by the parties.

ROLL CALL:

Ayes: Jeffries, Tavaglione, Washington and Perez
Nays: None
Absent: Ashley

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

By

Deputy