

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**3.12**  
(MT 9408)

On motion of Supervisor Hewitt, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from Human Resources regarding the Adoption of Resolution 2019-038, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer on Laborer's International Union of North America, Local 777, pursuant to Government Code Sections 3505.4, 3505.5, and 3505.7, All Districts, is deleted.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None

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I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on March 26, 2019 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: March 26, 2019  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By:  Deputy

AGENDA NO.  
3.12

xc: H.R.

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



**ITEM**  
3.12  
(ID # 9408)

**MEETING DATE:**

Tuesday, March 26, 2019

**FROM :** HUMAN RESOURCES:

**SUBJECT:** HUMAN RESOURCES: Adoption of Resolution 2019-038, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer on Laborer's International Union of North America, Local 777, pursuant to Government Code Sections 3505.4, 3505.5, and 3505.7. All Districts. [\$0] (Continued from March 19, 2019, Item #3.10 and deleted as of March 26, 2019)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Resolution 2019-038 in accordance with Government Code 3505.7, a Resolution of the Board of Supervisors of the County of Riverside to impose the County's Last, Best, and Final Offer dated July 12, 2017 on Laborer's International Union of North America, Local 777.

**ACTION:**Policy

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	18/19

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Laborer's International Union of North America, Local 777 (LIUNA), which represents approximately 7,200 employees, asked to open negotiations for a new Memorandum of Understanding (MOU) in approximately September 2016 and 9 bargaining sessions were held between October 2016 and August 2017. On August 31, 2017, the County declared impasse after the parties were unable to reach an agreement for a successor MOU. Subsequently, the parties attended factfinding and the County and LIUNA were unable to reach a tentative agreement and the parties remained at impasse.

Accordingly, pursuant to Government Code 3505.7, after any applicable fact finding procedures have been exhausted, but no earlier than 10 days after the factfinders' written findings of fact and recommended terms of settlement have been submitted to the parties, a public agency that is not required to proceed to interest arbitration may, after holding a public hearing regarding the impasse, implement its last, best and final offer, but shall not implement a memorandum of understanding.

The County values its employees and their contributions, but we are unable to sustain continuing escalating increases in LIUNA members' compensation due to our structural deficit, declining reserves, and projected substantially increasing financial obligations. Riverside County LIUNA members' average total compensation is over \$63,000 annually. LIUNA members have received, on average, a 45% increase in compensation over the past 5 years, with a base wage increase of approximately 41%. Additionally, LIUNA members' compensation at top step is, on average, over 20% above market.

The major substantive items in the Last, Best, and Final Offer includes:

Wages – No Cost of Living, Pay or Salary Adjustments.

Step/Anniversary/Merit Increase – Employees will receive one (1) step (2.71%) anniversary/merit increase on the employee's anniversary date.

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

Release Time – Elimination of the union education release time bank (provided 20 minutes of release time per represented employee per calendar year).

In addition to the above, amendments were made to the following items: POST Certification Pay (tiered system), shift differential, bilingual pay, and non-disciplinary appeal. Elimination of the following items: pre-retirement sick/vacation leave payout, special provision for Fire and Sheriff Department holiday(s); medical subsidies for employees hired after adoption by the Board, and the fairness agreement. Non-economic amendments were made to clarify the intent of existing language (i.e. retirement, promotion, demotion, fitness for duty, uniforms, voluntary time bank, grievances, layoff, and reinstatement). The items listed are not exhaustive and the County's Last, Best, and Final Offer should be referenced for specific terms or conditions.

The matter before the Board today is to adopt the Resolution to impose the County's Last, Best, and Final Offer in accordance with Government Code 3505.7, a copy of which attached hereto.

**Impact on Residents and Businesses**

There is no impact on residents or businesses.

**Additional Fiscal Information**

Imposing the Last, Best, and Final Offer is projected to generate approximately \$3,375,292 in savings for FY18/19 based on the single step merit/anniversary increases. Additionally, there are a number of provisions contained in the Last, Best, and Final Offer that provide managerial discretion to generate additional savings.


	<b><u>Overall Annual Savings</u></b>
Step/Anniversary/Merit Increases (single step)	\$3,375,292

It should be noted that the total costs associated with all provisions in this contract except for those modified by the Last, Best, and Final Offer were previously approved by Board action in prior years.

**ATTACHMENTS:**

- Attachment A.** Resolution No. 2019-038, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer dated July 12, 2017 to Laborer's International Union of North America, Local 777.
- Attachment B.** County's Last, Best, and Final Offer dated July 12, 2017 to Laborer's International Union of North America, Local 777.

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



Inez Delos Santos

3/20/2019



Gregory L. Priapio, Director County Counsel

3/19/2019

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**3.10**  
(MT 9232)

On motion of Supervisor Perez, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from Human Resources regarding Adoption of Resolution 2019-038, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer on Laborer's International Union of North America, Local 777, pursuant to Government Code Sections 3505.4, 3505.5, and 3505.7, All Districts, is continued to Tuesday, March 26, 2019 at 9:00 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on March 19, 2019 of Supervisors Minutes.

(seal)

WITNESS my hand and the seal of the Board of Supervisors  
Dated: March 19, 2019  
Kecia Harper, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

By: [Signature] Deputy

AGENDA NO.  
3.10

xc: H.R., COB

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



ITEM  
3.10  
(ID # 9232)

**MEETING DATE:**

Tuesday, March 19, 2019

**FROM :** HUMAN RESOURCES:

**SUBJECT:** HUMAN RESOURCES: Adoption of Resolution 2019-038, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer on Laborer's International Union of North America, Local 777, pursuant to Government Code Sections 3505.4, 3505.5, and 3505.7. All Districts. [\$0](Continued from February 26, 2019, Item #3.19, MT #9055) (Vote on after MT #9231) (Continued to March 26, 2019).

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Resolution 2019-038 in accordance with Government Code 3505.7, a Resolution of the Board of Supervisors of the County of Riverside to impose the County's Last, Best, and Final Offer dated July 12, 2017 on Laborer's International Union of North America, Local 777.

**ACTION:**Policy

  
Brenda Diederichs, Assistant CEO / Human Resources Director 3/13/2019

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment:</b>	<b>No</b>
			<b>For Fiscal Year:</b>	<b>18/19</b>

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Laborer's International Union of North America, Local 777 (LIUNA), which represents approximately 7,200 employees, asked to open negotiations for a new Memorandum of Understanding (MOU) in approximately September 2016 and 9 bargaining sessions were held between October 2016 and August 2017. On August 31, 2017, the County declared impasse after the parties were unable to reach an agreement for a successor MOU. Subsequently, the parties attended factfinding and the County and LIUNA were unable to reach a tentative agreement and the parties remained at impasse.

Accordingly, pursuant to Government Code 3505.7, after any applicable fact finding procedures have been exhausted, but no earlier than 10 days after the factfinders' written findings of fact and recommended terms of settlement have been submitted to the parties, a public agency that is not required to proceed to interest arbitration may, after holding a public hearing regarding the impasse, implement its last, best and final offer, but shall not implement a memorandum of understanding.

The County values its employees and their contributions, but we are unable to sustain continuing escalating increases in LIUNA members' compensation due to our structural deficit, declining reserves, and projected substantially increasing financial obligations. Riverside County LIUNA members' average total compensation is over \$63,000 annually. LIUNA members have received, on average, a 45% increase in compensation over the past 5 years, with a base wage increase of approximately 41%. Additionally, LIUNA members' compensation at top step is, on average, over 20% above market.

The major substantive items in the Last, Best, and Final Offer includes:

Wages – No Cost of Living, Pay or Salary Adjustments.

Step/Anniversary/Merit Increase – Employees will receive one (1) step (2.71%) anniversary/merit increase on the employee's anniversary date.



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

Release Time – Elimination of the union education release time bank (provided 20 minutes of release time per represented employee per calendar year).

In addition to the above, amendments were made to the following items: POST Certification Pay (tiered system), shift differential, bilingual pay, and non-disciplinary appeal. Elimination of the following items: pre-retirement sick/vacation leave payout, special provision for Fire and Sheriff Department holiday(s); medical subsidies for employees hired after adoption by the Board, and the fairness agreement. Non-economic amendments were made to clarify the intent of existing language (i.e. retirement, promotion, demotion, fitness for duty, uniforms, voluntary time bank, grievances, layoff, and reinstatement). The items listed are not exhaustive and the County's Last, Best, and Final Offer should be referenced for specific terms or conditions.

The matter before the Board today is to adopt the Resolution to impose the County's Last, Best, and Final Offer in accordance with Government Code 3505.7, a copy of which attached hereto.

**Impact on Residents and Businesses**

There is no impact on residents or businesses.

**Additional Fiscal Information**

Imposing the Last, Best, and Final Offer is projected to generate approximately \$3,375,292 in savings for FY18/19 based on the single step merit/anniversary increases. Additionally, there are a number of provisions contained in the Last, Best, and Final Offer that provide managerial discretion to generate additional savings.

	<b><u>Overall Annual Savings</u></b>
Step/Anniversary/Merit Increases (single step)	\$3,375,292

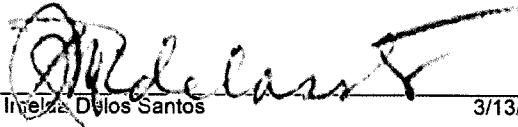
It should be noted that the total costs associated with all provisions in this contract except for those modified by the Last, Best, and Final Offer were previously approved by Board action in prior years.

**ATTACHMENTS:**

**Attachment A.** Resolution No. 2019-038, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer dated July 12, 2017 to Laborer's International Union of North America, Local 777.

**Attachment B.** County's Last, Best, and Final Offer dated July 12, 2017 to Laborer's International Union of North America, Local 777.

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



Inez Delos Santos

3/13/2019



Gregory L. Priamos, Director County Counsel

3/13/2019

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**3.19**  
(MT 9055)

On motion of Supervisor Spiegel, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from Human Resources regarding Adoption of Resolution 2019-038, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer on Laborer's International Union of North America, Local 777, pursuant to Government Code Sections 3505.4, 3505.5, and 3505.7. All Districts, is continued to Tuesday, March 19, 2019 at 9:00 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on February 26, 2019 of Supervisors Minutes.

(seal)

WITNESS my hand and the seal of the Board of Supervisors  
Dated: February 26, 2019  
Kecia Harper, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

By: [Signature] Deputy

AGENDA NO.  
**3.19**

xc: HR, CØB

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



ITEM  
3.19  
(ID # 9055)

MEETING DATE:

Tuesday, February 26, 2019

FROM : HUMAN RESOURCES:

SUBJECT: HUMAN RESOURCES: Adoption of Resolution 2019-038, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer on Laborer's International Union of North America, Local 777, pursuant to Government Code Sections 3505.4, 3505.5, and 3505.7. All Districts. [\$0](Continued from January 29, 2019, Item #3.14, MT #8928) (Vote on after MT #9054) (Continue to March 19, 2019)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution 2019-038 in accordance with Government Code 3505.7, a Resolution of the Board of Supervisors of the County of Riverside to impose the County's Last, Best, and Final Offer dated July 12, 2017 on Laborer's International Union of North America, Local 777.

ACTION: Policy

  
Brenda Diederichs, Assistant CEO / Human Resources Director 2/5/2019

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MINUTES OF THE BOARD OF SUPERVISORS

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> N/A			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	18/19

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Laborer's International Union of North America, Local 777 (LIUNA), which represents approximately 7,200 employees, asked to open negotiations for a new Memorandum of Understanding (MOU) in approximately September 2016 and 9 bargaining sessions were held between October 2016 and August 2017. On August 31, 2017, the County declared impasse after the parties were unable to reach an agreement for a successor MOU. Subsequently, the parties attended factfinding and the County and LIUNA were unable to reach a tentative agreement and the parties remained at impasse.

Accordingly, pursuant to Government Code 3505.7, after any applicable fact finding procedures have been exhausted, but no earlier than 10 days after the factfinders' written findings of fact and recommended terms of settlement have been submitted to the parties, a public agency that is not required to proceed to interest arbitration may, after holding a public hearing regarding the impasse, implement its last, best and final offer, but shall not implement a memorandum of understanding.

The County values its employees and their contributions, but we are unable to sustain continuing escalating increases in LIUNA members' compensation due to our structural deficit, declining reserves, and projected substantially increasing financial obligations. Riverside County LIUNA members' average total compensation is over \$63,000 annually. LIUNA members have received, on average, a 45% increase in compensation over the past 5 years, with a base wage increase of approximately 41%. Additionally, LIUNA members' compensation at top step is, on average, over 20% above market.

The major substantive items in the Last, Best, and Final Offer includes:

Wages – No Cost of Living, Pay or Salary Adjustments.

Step/Anniversary/Merit Increase – Employees will receive one (1) step (2.71%) anniversary/merit increase on the employee's anniversary date.

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

Release Time – Elimination of the union education release time bank (provided 20 minutes of release time per represented employee per calendar year).

In addition to the above, amendments were made to the following items: POST Certification Pay (tiered system), shift differential, bilingual pay, and non-disciplinary appeal. Elimination of the following items: pre-retirement sick/vacation leave payout, special provision for Fire and Sheriff Department holiday(s); medical subsidies for employees hired after adoption by the Board, and the fairness agreement. Non-economic amendments were made to clarify the intent of existing language (i.e. retirement, promotion, demotion, fitness for duty, uniforms, voluntary time bank, grievances, layoff, and reinstatement). The items listed are not exhaustive and the County's Last, Best, and Final Offer should be referenced for specific terms or conditions.

The matter before the Board today is to adopt the Resolution to impose the County's Last, Best, and Final Offer in accordance with Government Code 3505.7, a copy of which attached hereto.

**Impact on Residents and Businesses**

There is no impact on residents or businesses.

**Additional Fiscal Information**

Imposing the Last, Best, and Final Offer is projected to generate approximately \$3,375,292 in savings for FY18/19 based on the single step merit/anniversary increases. Additionally, there are a number of provisions contained in the Last, Best, and Final Offer that provide managerial discretion to generate additional savings.

	<b><u>Overall Annual Savings</u></b>
Step/Anniversary/Merit Increases (single step)	\$3,375,292

It should be noted that the total costs associated with all provisions in this contract except for those modified by the Last, Best, and Final Offer were previously approved by Board action in prior years.

**ATTACHMENTS:**

**Attachment A.** Resolution No. 2019-038, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer dated July 12, 2017 to Laborer's International Union of North America, Local 777.

**Attachment B.** County's Last, Best, and Final Offer dated July 12, 2017 to Laborer's International Union of North America, Local 777.

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



Irvelza Delos Santos

2/20/2019



Gregory V. Priamos, Director County Counsel

2/5/2019

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**3.14**  
(MT 8928)

On motion of Supervisor Hewitt, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from Human Resources regarding Adoption of Resolution 2019-038, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer on Laborer's International Union of North America, Local 777, pursuant to Government Code Sections 3505.4, 3505.5, and 3505.7, All Districts, is continued to Tuesday, February 26, 2019 at 9:00 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on January 29, 2019 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors

Dated: January 29, 2019

(seal)

Kecia Harper, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

By: \_\_\_\_\_

Deputy

AGENDA NO.  
3.14

xc: H.R., COB



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



ITEM  
3.14  
(ID # 8928)

**MEETING DATE:**

Tuesday, January 29, 2019

**FROM :** HUMAN RESOURCES:

**SUBJECT:** HUMAN RESOURCES: Adoption of Resolution 2019-038, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer on Laborer's International Union of North America, Local 777, pursuant to Government Code Sections 3505.4, 3505.5, and 3505.7. All Districts. [\$0] (Vote on after MT 9006)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Resolution 2019-038 in accordance with Government Code 3505.7, a Resolution of the Board of Supervisors of the County of Riverside to impose the County's Last, Best, and Final Offer dated July 12, 2017 on Laborer's International Union of North America, Local 777.

**ACTION:** Policy

  
Brenda Diederichs, Assistant CEO / Human Resources Director 1/17/2019

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MINUTES OF THE BOARD OF SUPERVISORS

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	18/19

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Laborer's International Union of North America, Local 777 (LIUNA), which represents approximately 7,200 employees, asked to open negotiations for a new Memorandum of Understanding (MOU) in approximately September 2016 and 9 bargaining sessions were held between October 2016 and August 2017. On August 31, 2017, the County declared impasse after the parties were unable to reach an agreement for a successor MOU. Subsequently, the parties attended factfinding and the County and LIUNA were unable to reach a tentative agreement and the parties remained at impasse.

Accordingly, pursuant to Government Code 3505.7, after any applicable fact finding procedures have been exhausted, but no earlier than 10 days after the factfinders' written findings of fact and recommended terms of settlement have been submitted to the parties, a public agency that is not required to proceed to interest arbitration may, after holding a public hearing regarding the impasse, implement its last, best and final offer, but shall not implement a memorandum of understanding.

The County values its employees and their contributions, but we are unable to sustain continuing escalating increases in LIUNA members' compensation due to our structural deficit, declining reserves, and projected substantially increasing financial obligations. Riverside County LIUNA members' average total compensation is over \$63,000 annually. LIUNA members have received, on average, a 45% increase in compensation over the past 5 years, with a base wage increase of approximately 41%. Additionally, LIUNA members' compensation at top step is, on average, over 20% above market.

The major substantive items in the Last, Best, and Final Offer includes:

Wages – No Cost of Living, Pay or Salary Adjustments.

Step/Anniversary/Merit Increase – Employees will receive one (1) step (2.71%) anniversary/merit increase on the employee's anniversary date.

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

Release Time – Elimination of the union education release time bank (provided 20 minutes of release time per represented employee per calendar year).

In addition to the above, amendments were made to the following items: POST Certification Pay (tiered system), shift differential, bilingual pay, and non-disciplinary appeal. Elimination of the following items: pre-retirement sick/vacation leave payout, special provision for Fire and Sheriff Department holiday(s); medical subsidies for employees hired after adoption by the Board, and the fairness agreement. Non-economic amendments were made to clarify the intent of existing language (i.e. retirement, promotion, demotion, fitness for duty, uniforms, voluntary time bank, grievances, layoff, and reinstatement). The items listed are not exhaustive and the County's Last, Best, and Final Offer should be referenced for specific terms or conditions.

The matter before the Board today is to adopt the Resolution to impose the County's Last, Best, and Final Offer in accordance with Government Code 3505.7, a copy of which attached hereto.

**Impact on Residents and Businesses**

There is no impact on residents or businesses.

**Additional Fiscal Information**

Imposing the Last, Best, and Final Offer is projected to generate approximately \$3,375,292 in savings for FY18/19 based on the single step merit/anniversary increases. Additionally, there are a number of provisions contained in the Last, Best, and Final Offer that provide managerial discretion to generate additional savings.

	<b><u>Overall Annual Savings</u></b>
Step/Anniversary/Merit Increases (single step)	\$3,375,292

It should be noted that the total costs associated with all provisions in this contract except for those modified by the Last, Best, and Final Offer were previously approved by Board action in prior years.


**ATTACHMENTS:**

**Attachment A.** Resolution No. 2019-038, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer dated July 12, 2017 to Laborer's International Union of North America, Local 777.

**Attachment B.** County's Last, Best, and Final Offer dated July 12, 2017 to Laborer's International Union of North America, Local 777.

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

  
Alex Gann 1/23/2019

  
Gregory V. Priamos, Director County Counsel 1/17/2019

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**3.24**  
(MT 8456)

On motion of Supervisor Washington, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from Human Resources regarding the Adoption of Resolution 2018-222, a Resolution of the Board of Supervisors of the County of Riverside to Impose the County's Last, Best, and Final Offer on Laborer's International Union of North America, Local 777, All Districts, is continued to Tuesday, January 29, 2019 at 9:00 a.m. or as soon as possible thereafter.

Roll Call:

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

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on December 11, 2018 of Supervisors Minutes.

(seal)

WITNESS my hand and the seal of the Board of Supervisors  
Dated: December 11, 2018  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

By:  Deputy

AGENDA NO.  
**3.24**

xc: HR, COB

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



ITEM  
3.24  
(ID # 8456)

**MEETING DATE:**

Tuesday, December 11, 2018

**FROM :** HUMAN RESOURCES:

**SUBJECT:** HUMAN RESOURCES: Adoption of Resolution 2018-222, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer on Laborer's International Union of North America, Local 777, pursuant to Government Code Sections 3505.4, 3505.5, and 3505.7. All Districts. [\$0] (Vote on after MT 8452)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Resolution 2018-222 in accordance with Government Code 3505.7, a Resolution of the Board of Supervisors of the County of Riverside to impose the County's Last, Best, and Final Offer dated July 12, 2017 on Laborer's International Union of North America, Local 777.

**ACTION:** Policy

  
Brenda Diederichs, Assistant CEO / Human Resources Director 11/8/2018

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	18/19

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Laborer's International Union of North America, Local 777 (LIUNA), which represents approximately 7,200 employees, asked to open negotiations for a new Memorandum of Understanding (MOU) in approximately September 2016 and 9 bargaining sessions were held between October 2016 and August 2017. On August 31, 2017, the County declared impasse after the parties were unable to reach an agreement for a successor MOU. Subsequently, the parties attended factfinding and the County and LIUNA were unable to reach a tentative agreement and the parties remained at impasse.

Accordingly, pursuant to Government Code 3505.7, after any applicable fact finding procedures have been exhausted, but no earlier than 10 days after the factfinders' written findings of fact and recommended terms of settlement have been submitted to the parties, a public agency that is not required to proceed to interest arbitration may, after holding a public hearing regarding the impasse, implement its last, best and final offer, but shall not implement a memorandum of understanding.

The County values its employees and their contributions, but we are unable to sustain continuing escalating increases in LIUNA members' compensation due to our structural deficit, declining reserves, and projected substantially increasing financial obligations. Riverside County LIUNA members' average total compensation is over \$63,000 annually. LIUNA members have received, on average, a 45% increase in compensation over the past 5 years, with a base wage increase of approximately 41%. Additionally, LIUNA members' compensation at top step is, on average, over 20% above market.

The major substantive items in the Last, Best, and Final Offer includes:

Wages – No Cost of Living, Pay or Salary Adjustments.

Step/Anniversary/Merit Increase – Employees will receive one (1) step (2.71%) anniversary/merit increase on the employee's anniversary date.

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

Release Time – Elimination of the union education release time bank (provided 20 minutes of release time per represented employee per calendar year).

State Disability Insurance – Elimination of the County's obligation to pay for Short Term and Long Term Disability and apply for and transition to the State Disability Insurance Plan.

In addition to the above, amendments were made to the following items: POST Certification Pay (tiered system), shift differential, bilingual pay, and non-disciplinary appeal. Elimination of the following items: pre-retirement sick/vacation leave payout, special provision for Fire and Sheriff Department holiday(s); medical subsidies for employees hired after adoption by the Board, and the fairness agreement. Non-economic amendments were made to clarify the intent of existing language (i.e. retirement, promotion, demotion, fitness for duty, uniforms, voluntary time bank, grievances, layoff, and reinstatement). The items listed are not exhaustive and the County's Last, Best, and Final Offer should be referenced for specific terms or conditions.

The matter before the Board today is to adopt the Resolution to impose the County's Last, Best, and Final Offer in accordance with Government Code 3505.7, a copy of which attached hereto.

**Impact on Residents and Businesses**

There is no impact on residents or businesses.

**Additional Fiscal Information**

Imposing the Last, Best, and Final Offer is projected to generate approximately \$3,375,292 in savings for FY18/19 based on the single step merit/anniversary increases. Additionally, there are a number of provisions contained in the Last, Best, and Final Offer that provide managerial discretion to generate additional savings.

	<b><u>Overall Annual Savings</u></b>
Step/Anniversary/Merit Increases (single step)	\$3,375,292

It should be noted that the total costs associated with all provisions in this contract except for those modified by the Last, Best, and Final Offer were previously approved by Board action in prior years.

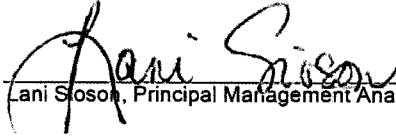
**ATTACHMENTS:**

**Attachment A.** Resolution No. 2018-222, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer dated July 12, 2017 to Laborer's International Union of North America, Local 777.

**Attachment B.** County's Last, Best, and Final Offer dated July 12, 2017 to Laborer's International Union of North America, Local 777.



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



Lani Sison, Principal Management Analyst

12/3/2018



Gregory L. Priamos, Director County Counsel

11/8/2018

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



ITEM

(ID # 8456)

**MEETING DATE:**

Tuesday, December 11, 2018

**FROM :** HUMAN RESOURCES:

**SUBJECT:** HUMAN RESOURCES: Adoption of Resolution 2018-222, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer on Laborer's International Union of North America, Local 777, pursuant to Government Code Sections 3505.4, 3505.5, and 3505.7. All Districts. [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt Resolution 2018-222 in accordance with Government Code 3505.7, a Resolution of the Board of Supervisors of the County of Riverside to impose the County's Last, Best, and Final Offer dated July 12, 2017 on Laborer's International Union of North America, Local 777.

**ACTION:** Policy

*Brenda Diederichs*  
Brenda Diederichs, Assistant CEO / Human Resources Director

11/8/2018

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
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<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> N/A			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	18/19

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Laborer's International Union of North America, Local 777 (LIUNA), which represents approximately 7,200 employees, asked to open negotiations for a new Memorandum of Understanding (MOU) in approximately September 2016 and 9 bargaining sessions were held between October 2016 and August 2017. On August 31, 2017, the County declared impasse after the parties were unable to reach an agreement for a successor MOU. Subsequently, the parties attended factfinding and the County and LIUNA were unable to reach a tentative agreement and the parties remained at impasse.

Accordingly, pursuant to Government Code 3505.7, after any applicable fact finding procedures have been exhausted, but no earlier than 10 days after the factfinders' written findings of fact and recommended terms of settlement have been submitted to the parties, a public agency that is not required to proceed to interest arbitration may, after holding a public hearing regarding the impasse, implement its last, best and final offer, but shall not implement a memorandum of understanding.

The County values its employees and their contributions, but we are unable to sustain continuing escalating increases in LIUNA members' compensation due to our structural deficit, declining reserves, and projected substantially increasing financial obligations. Riverside County LIUNA members' average total compensation is over \$63,000 annually, which is triple the Riverside County per capita income and roughly equivalent to the median family income. LIUNA members have received, on average, a 45% increase in compensation over the past 5 years, with a base wage increase of approximately 41%. Additionally, LIUNA members' compensation at top step is, on average, over 20% above market.

The major substantive items in the Last, Best, and Final Offer includes:

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Step/Anniversary/Merit Increase – Employees will receive one (1) step (2.71%) anniversary/merit increase on the employee's anniversary date.

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

Release Time – Elimination of the union education release time bank (provided 20 minutes of release time per represented employee per calendar year).

State Disability Insurance – Elimination of the County's obligation to pay for Short Term and Long Term Disability and apply for and transition to the State Disability Insurance Plan.

In addition to the above, amendments were made to the following items: POST Certification Pay (tiered system), shift differential, bilingual pay, and non-disciplinary appeal. Elimination of the following items: pre-retirement sick/vacation leave payout, special provision for Fire and Sheriff Department holiday(s); medical subsidies for employees hired after adoption by the Board, and the fairness agreement. Non-economic amendments were made to clarify the intent of existing language (i.e. retirement, promotion, demotion, fitness for duty, uniforms, voluntary time bank, grievances, layoff, and reinstatement). The items listed are not exhaustive and the County's Last, Best, and Final Offer should be referenced for specific terms or conditions.

The matter before the Board today is to adopt the Resolution to impose the County's Last, Best, and Final Offer in accordance with Government Code 3505.7, a copy of which attached hereto.

**Impact on Residents and Businesses**

There is no impact on residents or businesses.

**Additional Fiscal Information**

Imposing the Last, Best, and Final Offer is projected to generate approximately \$3,375,292 in savings for FY18/19 based on the single step merit/anniversary increases. Additionally, there are a number of provisions contained in the Last, Best, and Final Offer that provide managerial discretion to generate additional savings.

	<b><u>Overall Annual Savings</u></b>
Step/Anniversary/Merit Increases (single step)	\$3,375,292

It should be noted that the total costs associated with all provisions in this contract except for those modified by the Last, Best, and Final Offer were previously approved by Board action in prior years.

**ATTACHMENTS:**

**Attachment A.** Resolution No. 2018-222, a Resolution of the Board of Supervisors of the County of Riverside imposing the County's Last, Best, and Final Offer dated July 12, 2017 to Laborer's International Union of North America, Local 777.

**Attachment B.** County's Last, Best, and Final Offer dated July 12, 2017 to Laborer's International Union of North America, Local 777.

2 **RESOLUTION NO. 2018-222**

3 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE IMPOSING THE**  
4 **COUNTY'S LAST, BEST, AND FINAL OFFER TO THE LABORERS INTERNATIONAL UNION OF NORTH**  
5 **AMERICA, LOCAL 777 PURSUANT TO GOVERNMENT CODE SECTIONS 3505.4, 3505.5, AND 3505.7**

6  
7 **WHEREAS**, the County of Riverside (hereinafter "County") and the Laborers International Union of  
8 North America, Local 777 (hereinafter "LIUNA") were signatories to a Memorandum of Understanding  
9 (hereinafter "MOU") that expired on June 30, 2016 setting certain terms and conditions of employment for  
10 employees in the LIUNA;

11 **WHEREAS**, on October 6, 2016 the County and LIUNA negotiation teams began to meet and engage in  
12 extensive negotiations over the terms of a successor to said MOU;

13 **WHEREAS**, notwithstanding that the County and LIUNA negotiation teams participated in nine  
14 negotiation sessions since October 6, 2016 in an effort to conclude the terms of a successor MOU, the  
15 County and the LIUNA have not reached agreement on such terms;

16 **WHEREAS**, on July 12, 2017, the County's negotiation team submitted the County's last, best, and final  
17 offer to the LIUNA and provided an explanation of the terms to the LIUNA;

18 **WHEREAS**, the County's last, best, and final offer was not ultimately accepted and the parties did not  
19 reach an agreement on the terms of a successor MOU;

20 **WHEREAS**, notwithstanding the efforts described above, the parties arrived at an impasse and the  
21 County provided the LIUNA with a written declaration of impasse on August 30, 2017;

22 **WHEREAS**, per the County's Employee Relations Resolution, No 2014-156, the County and the LIUNA  
23 were not in agreement to go to mediation in efforts to resolve the impasse;  
24

1       **WHEREAS**, the County negotiation team and the LIUNA participated in three days of fact finding  
2 between February 21, 2018 and March 20, 2018 with a three-member fact finding panel, consisting of  
3 Sandra Lindoerfer (neutral panel chair), Victor Gordo (LIUNA representative) and Edward Zappia (County  
4 representative) in efforts to resolve the impasse;

5       **WHEREAS**, following the fact finding hearing, while the parties were trying to resolve their impasse, the  
6 County and the LIUNA were unable to reach a tentative agreement and the parties remained at impasse;

7       **WHEREAS**, in accordance with Government Code section 3505.5, the fact finding committee submitted  
8 findings of fact and recommended terms of settlement (the fact finding report) to the parties on May 29,  
9 2018;

10       **WHEREAS**, on June 11, 2018, in accordance with Government Code section 3505.5, the County of  
11 Riverside made the findings and recommended terms of settlement from the fact finding panel publicly  
12 available by posting for public inspection as the County regularly posts Board agendas, including on the  
13 County's website;

14       **WHEREAS**, in accordance with Government Code section 3505.7, no earlier than ten (10) days following  
15 receipt of the findings of fact and recommended terms of settlement from the fact finding panel, the Board  
16 of Supervisors of the County of Riverside held a public hearing on December 11, 2018 and has considered  
17 the impasse between the County and the LIUNA and the report and all recommendations from the fact  
18 finding panel. The Board has concluded that it is appropriate to implement the County's Last, Best, and  
19 Final offer;

20       **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED BY THE BOARD OF SUPERVISORS OF THE**  
21 **COUNTY OF RIVERSIDE, CALIFORNIA** that this Resolution is approved, thereby adopting and implementing  
22 the County's Last, Best and Final Offer effective December 20, 2018, as set forth in the terms and conditions  
23 of employment for County employees in the Laborers International Union of North America, Local 777,  
24 attached and incorporated herein as Exhibit "A".

1        **BE IT FURTHER RESOLVED** that the County Executive Officer and Human Resources Director are hereby  
2 authorized and directed to take any necessary administrative actions to implement the provisions of this  
3 Resolution;

4        **BE IT FURTHER RESOLVED** that if any provision or any part of a provisions of this Resolution shall be  
5 finally determined to be invalid, illegal or otherwise unenforceable, such determination shall not impair or  
6 otherwise affect the validity, legality or enforceability of the remaining provision or parts of the provision of  
7 this Resolution, which shall remain in full force and effect.

**Riverside County Board of Supervisors  
Request to Speak**

Submit request to speak at 2:00 p.m. or earlier.  
Speakers are limited to 3 minutes of speaking time.  
to Board rules listed on the reverse side of this  
form.

**SPEAKER'S NAME:** \_\_\_\_\_

*Sonya Almond*

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_

*Woodcrest*

**Zip:** \_\_\_\_\_

*92508*

**Phone #:** \_\_\_\_\_

**Date:** \_\_\_\_\_

*1/29/2019*

**Agenda #** \_\_\_\_\_

*3.14*

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**

\_\_\_\_\_ **Support**

\_\_\_\_\_ **Oppose**

\_\_\_\_\_ **Neutral**

*Please if you are late to the meeting, you will be fined  
for "no-show" please sign your name and position on  
the signed below.*

\_\_\_\_\_ **Support** \_\_\_\_\_ **Oppose** \_\_\_\_\_ **Neutral**

**I give my 3 minutes to:** \_\_\_\_\_

*Did not speak*



## **BOARD RULES**

### **Requests to Address Board on "Agenda" Items:**

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

### **Requests to Address Board on items that are "NOT" on the Agenda/Public Comment:**

Notwithstanding any other provisions of these rules, a member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES. Donated time is not permitted during Public Comment.

### **Power Point Presentations/Printed Material:**

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please ensure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

### **Individual Speaker Limits:**

**Individual speakers are limited to a maximum of three (3) minutes.**

Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin to flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. ***Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.***

### **Group/Organized Presentations:**

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the bottom of the form.

### **Addressing the Board & Acknowledgement by Chairman:**

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman, may result in removal from the Board Chambers by Sheriff Deputies.