

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



ITEM: 3.30
(ID # 27727)

MEETING DATE:

Tuesday, May 06, 2025

FROM : HUMAN RESOURCES

SUBJECT: HUMAN RESOURCES: Approval of the Side Letter Agreement with the Riverside County Deputy District Attorneys Association (RCDDAA) to extend the Merit Based Compensation rating sunset date. [Total Cost - \$690,730, Ongoing Cost \$524,071 – 100% Department Budget]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Side Letter Agreement with the Riverside County Deputy District Attorneys Association (RCDDAA) to extend the Merit Based Compensation rating sunset date.


ACTION:Policy

Tami Douglas-Schatz
Tami Douglas-Schatz, Director of Human Resources 4/24/2025

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Gutierrez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Medina, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: May 6, 2025
xc: HR

Kimberly A. Rector
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	\$ 166,659	\$ 524,071	\$ 690,730	\$ 524,071
NET COUNTY COST	\$ 166,659	\$ 524,071	\$ 690,730	\$ 524,071
SOURCE OF FUNDS: 100% Department Budget			Budget Adjustment:	No
			For Fiscal Year:	24/25

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The current Memorandum of Understanding (MOU) between the County of Riverside and the Riverside County Deputy District Attorneys Association (RCDDAA) provides for a Merit Based Compensation Program for employees in the unit who are employed with the District Attorney's Office. This is a pilot program for the duration of the MOU, which provides merit-based compensation based on an employee's rating on their performance evaluation. When the MOU was initially drafted, the performance evaluation ratings were whole numbers between one (1) and five (5). However, with the introduction of the District Attorney's performance evaluation software, TrakStar, the ratings needed to be revised from whole numbers to numbers with decimals because the TrakStar system provides an average rating and does not round to the nearest whole number.

In April 2023, a side letter was negotiated revising the ratings as well as adding a sunset date for the ratings. The current ratings expired February 28, 2025. The Department is seeking to extend the ratings from the February 28, 2025, expiration date through February 28, 2026. The extension of the ratings allows the Department to continue to review the performance evaluation program and ensure the ratings continue to be effective.

Impact on Residents and Businesses

There is no immediate impact on residents and businesses due to the approval of this side letter. However, granting the ratings extension will ensure that performance standards remain aligned with the Department's objectives. This alignment contributes to the efficient delivery of services to the public, indirectly benefitting both residents and businesses by maintaining a high level of service.

Additional Fiscal Information

The cost information provided is representative of the annual cost of the District Attorney's Merit Based Compensation program.

ATTACHMENTS:

ATTACHMENT A. Fully Executed Side Letter between the County of Riverside and the Riverside County Deputy District Attorneys Association

**SIDE LETTER OF AGREEMENT
BETWEEN
COUNTY OF RIVERSIDE**

AND

RIVERSIDE COUNTY DEPUTY DISTRICT ATTORNEYS' ASSOCIATION

This Side Letter of Agreement ("Agreement") between the County of Riverside ("County") and the Riverside County Deputy District Attorneys Association ("RCDDAA") (collectively "Parties") is entered into with respect to the following:

The Parties agree to amend Section 11 of Article V, Pay Practices of the 2021-2027 Memorandum of Understanding ("MOU") as follows:

Section 11. District Attorney Department Merit Based Compensation Program

- C. Starting with employee annual performance evaluations which are due on or after March 1, 2023, "Classic members" (employees hired before January 1, 2013, and are not subject to PEPRA) who have been employees in the District Attorney's Office and have at least two (2) years' of employment with Riverside County, and "New Members" (employees hired on or after January 1, 2013 and are subject to PEPRA) effective upon their date of hire are subject to the following:
1. Employees receive an overall rating on their performance evaluation with an evaluation rating of 1 through 5. The overall evaluation rating on the performance evaluation will impact the employee as follows:
 - a. Overall Evaluation Rating of 1 or 2: The District Attorney or his/her designee shall suspend or deny an anniversary increase if the employee is not at the maximum of his/her range.
 - b. Overall Evaluation Rating of 3 – 3.44: The employee shall receive an anniversary increase if the employee is not at the maximum of his/her range.
 - c. Overall Evaluation Rating of 3.45 – 3.74: The employee shall receive an anniversary increase if the employee is not at the maximum of his/her range and one and one half percent (1.5%) of base salary for performance pay. Base salary does not include overtime or any additional pay provided by this MOU. An employee at the maximum of his/her range will only receive the performance pay.
 - d. Overall Evaluation Rating of 3.75 or above: The employee shall receive an anniversary increase if the employee is not at the maximum of his/her range and three percent (3.0%) of base salary for performance pay. Base salary does not include overtime or any additional pay provided by this MOU. An

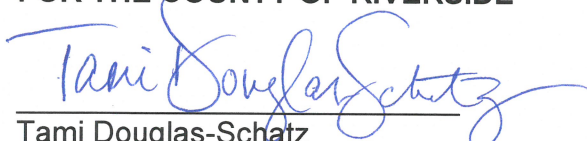
employee at the maximum of his/her range will only receive the performance pay.

The above ratings will sunset February 28, 2026.

2. Payments for performance pay will be issued to an employee not later than four pay periods following the issuance of his/her performance evaluation with an overall evaluation rating of a 3.45 or above. The parties agree that the final decision regarding performance evaluations and overall scores will be solely within the District Attorney or their designee's discretion.
3. The parties agree that the performance pay provided for an overall evaluation rating of 3.45 or above is non-pensionable and will not be reported as compensation earnable or pensionable compensation to CalPERS. The parties have knowingly agreed to a "hybrid pay" which is a combination of longevity and performance to ensure this pay is not pensionable. The parties have added the two-year longevity requirement for "Classic Members" in part to ensure that this pay is not pensionable since the pay is not being offered to the entire group or class of employees in the District Attorney's Office. The parties believe that per the case of DiCarlo v. the County of Monterey, this pay is not pensionable. If CalPERS were to ever disagree, it would immediately trigger a reopener so that the parties can modify the provision to ensure that the pay is not pensionable. The parties further agree that the performance pay for an overall rating of 3.45 or above, without longevity for "New Members," is not pensionable under PEPRA.

This amendment will be effective the date signed by all parties.

FOR THE COUNTY OF RIVERSIDE




Tami Douglas-Schatz
Human Resources Director

4/8/2025

Date

FOR THE DISTRICT ATTORNEY'S OFFICE



Jared A. Haringsma,
Assistant District Attorney
District Attorney Administration

04/04/2025

Date

**FOR THE RIVERSIDE COUNTY DEPUTY DISTRICT ATTORNEYS'
ASSOCIATION**



Matt Murray,
President of the RCDDAA

4/2/25

Date