



**COUNTY of VENTURA**  
COUNTY EXECUTIVE OFFICE

**Sevet Johnson, PsyD**  
County Executive Officer

**Mike Pettit**  
Assistant County Executive Officer

**Kaye Mand**  
County Chief Financial Officer

**Shawn Atin**  
Assistant County Executive  
Officer/  
Human Resources Director  
Labor Relations

June 6, 2023

Board of Supervisors  
County of Ventura  
800 South Victoria Avenue  
Ventura, California 93009

**Subject: Public Hearing Regarding Adoption of an Amendment to the 2021-2024 Memorandum of Agreement between the County of Ventura and the Specialized Peace Officers' Association of Ventura County, With No Material Impact on Funding Status of the Retirement System; and Waiver of Second Public Hearing.**

**Recommendations:**

It is recommended that your Board:

1. Commence a public hearing on adoption of an amendment to the 2021–2024 Memorandum of Agreement (MOA) between the County of Ventura (County) and the Specialized Peace Officers' Association of Ventura County (SPOAVC); and
2. Waive the second public hearing required by Article 20, Section 2006(B), of the Personnel Rules and Regulations, and adopt the proposed amendment to the MOA at the conclusion of the hearing.

**Fiscal/Mandates Impact:**

Mandatory:	No
Source of Funding:	Various
Funding Match Required:	No
Impact on Other Departments:	Varies

Summary of Fiscal Impact:

	<u>FY 2022-23</u>	<u>FY 2023-24</u>	<u>FY 2024-25</u>
Total Cost*	\$0	\$21,667	\$12,632

\*The fiscal impact assumes that SPOAVC members' health plan enrollments remain the same for plan year 2023.

California Government Code sections 31515.5 and 23026 require that the County give written notice of any salary and benefit changes, including an explanation of the financial

impact of the change on the funding of the County's retirement system. The cost of the three proposed Employee Incentive Programs is anticipated to be approximately \$34,299 and is not included in pensionable compensation. Accordingly, we do not expect the recommended action to have a negative or material impact on the funding status of the retirement system.

**Discussion:**

In July 2021, the MOA between the County and SPOAVC was adopted by your Board. The SPOAVC MOA covers employees in the Welfare Investigator III classification and the Medical Examiner Investigator classification series, who respond to and investigate deaths throughout the County.

The proposed amendment allows an agency/department, with the approval of the County Executive Officer, to grant a pay/salary adjustment within the existing pay/salary range of an identified job classification (e.g., Medical Examiner Investigator II) or classifications (e.g., Medical Examiner Investigator I/II/Sr.) for some or all of the individuals employed in any such job classification(s) within an organizational unit or entire Agency/Department.

As a result of the COVID-19 pandemic and the subsequent economic downturn, the global, national and regional economies are undergoing a period of significant turbulence marked by supply shortages, persistent, steep inflation, and critical labor market tightness. The County competes with other government employers and the private and non-profit sector to recruit and retain employees. Consequently, the County is experiencing a sustained and widespread increase in vacancy and turnover rates in numerous positions. Recent recruitments for mission critical positions have resulted in lower-than-expected interest by qualified applicants, leaving many positions vacant. The employment offers that are being extended to candidates are for a rate of pay that is higher on the pay scale than in years past – usually from the mid-to-upper range of the salary schedule. This practice has resulted in the unintended consequence of a pay disparity between employees who have been with the County for years and those who are newly hired. The proposed amendment will allow County agency/departments to compete for and retain highly sought after and difficult-to-find positions to continue to provide County Services.

In addition, three new incentive payment programs have been designed to enhance the County's competitiveness in the labor market: a New Hire Incentive, an Employee Referral Incentive, and an Employee Retention Incentive. These incentives are recruitment and retention tools commonly used in the private sector that we believe are appropriate to utilize at the County when market conditions warrant, with the approval of the County Executive Officer, or designee.

We are recommending the addition of new Article 32 Employee Incentive Programs to the MOA as follows:

- A. **Sec. 3201 – New Hire Incentive** in an amount up to ten percent (10%) of the newly hired employee's current annual base wage, upon agency head recommendation and the approval of the CEO (or designee). This program aims to incentivize applicants to apply for open recruitments that have been challenged with low candidate interest. The incentive would be paid to the newly hired employee in a single lump sum that would be repayable should the new employee fail to remain in a County classification covered by the SPOAVC MOA for a minimum of 4,160 compensable hours.

Our office estimates approximately one (1) New Hire Incentive to be paid in the 2023-2024 fiscal year at an approximate cost of \$9,533.

- B. **Sec. 3202 – Employee Referral Incentive** in the gross amount of five hundred dollars (\$500) per referral to incumbent County employees who assist the County's recruitment efforts by referring external candidates to positions for which there is a competitive market. The Director of Human Resources, or designee, shall determine the positions eligible to receive the Employee Referral Incentive. The referred candidate must be hired and must successfully complete the required probationary period before the incentive payment will be made.

Our office estimates approximately one (1) Employee Referral Incentive to be paid in the 2023-2024 fiscal year at an approximate cost of \$500.

- C. **Section 3203 - Employee Retention Incentive** of up to ten percent (10%) of the base annual salary of County employees in high performing, difficult to retain positions, upon agency recommendation and the approval of the CEO (or designee). Additionally, the employee must submit verifiable proof that they have received an employment offer from an outside employer. The incentive would be paid in a single lump sum not to exceed the difference between the employee's current base annual wage and the amount of the verified competitive job offer but not to exceed ten percent (10%) of base. The incentive would be repayable should the employee fail to remain employed by the County for a minimum of 4,160 compensable hours.

Our office estimates approximately one (1) Employee Retention Incentive to be paid in the 2023-2024 fiscal year at an approximate cost of \$11,632.

To be in compliance with the new law (AB 1949) that took effect on January 1, 2023, the parties have agreed to amend Section 1605 Bereavement Leave to allow employees to be absent up to five (5) working days for the death of an immediate family member. The additional two (2) working days may be compensated by the employee using accrued annual leave or vacation, accrued sick leave, or leave without pay.

Additionally, the County of Ventura and SPOAVC agreed to add language that establishes a Medical Opt-Out Option for SPOAVC members who do not wish to

participate in County Sponsored health plans. This language was added to, among other things, ensure the program is in compliance with regulatory requirements.

**Summary:**

If approved by your Board, this amendment will address the increases in vacancy and turnover rates that the County has been experiencing while allowing the County to be competitive in a difficult labor market. The revision of the Bereavement Leave section will ensure we are in compliance with a new law that went into effect on January 1, 2023. Furthermore, the adoption of the new language that establishes a Medical Opt-Out Option for SPOAVC members who do not wish to participate in County Sponsored health plans, will ensure that we are in compliance with regulatory requirements.

A copy of the proposed amendment to the MOA is attached as Exhibit 1. We recommend that your Board commence a public hearing on the adoption of the MOA between the County and SPOAVC, waive a second hearing, and adopt the proposed amendment at the end of the hearing.

This letter has been reviewed by the County Executive Office, the Auditor-Controller's Office, the Ventura County Civil Service Commission, and County Counsel. If you have any questions regarding this item, please call me at (805) 654-2561.

Respectfully submitted,

S. Atin

Shawn Atin  
Assistant County Executive Officer/Human Resources Director



Sevet Johnson, PsyD  
County Executive Officer

c: Jeffery S. Burgh, Auditor-Controller  
Tiffany N. North, County Counsel  
Mike Pettit, Assistant County Executive Officer  
Kaye Mand, Assistant County Executive Officer/Chief Financial Officer  
J. Tabin Cosio, Chief Deputy Executive Officer  
Specialized Peace Officers' Association of Ventura County

**Attachments:**

- Exhibit 1 – SPOAVC 2021 – 2024 MOA Amendment
- Exhibit 2 – Civil Service Commission Letter