

**AMENDMENT TO THE MEMORANDUM OF
AGREEMENT BETWEEN THE COUNTY OF VENTURA AND
THE CRIMINAL JUSTICE ATTORNEYS' ASSOCIATION OF VENTURA COUNTY**

There is presently in full force and effect a Memorandum of Agreement ("MOA") between the County of Ventura ("County") and the Criminal Justice Attorneys Association of Ventura County ("CJAAVC") which sets forth the terms and conditions of employment of all County employees represented by CJAAVC for the period between December 14, 2021, and October 20, 2023.

The County and the CJAAVC agree to amend the 2021-2023 MOA as follows:

1. Article 4, add Section 426, "PAY ADJUSTMENTS WITHIN THE EXISTING PAY/SALARY RANGE", as follows:

Sec. 426 **PAY ADJUSTMENTS WITHIN THE EXISTING PAY/SALARY RANGE: Effective the first full pay period after approval by the Board of Supervisors, upon recommendation by the Agency/Department Head and with the approval of the County Executive Officer, a pay/salary adjustment within the existing pay/salary range of an identified job classification (e.g., Attorney III) or classifications (e.g., Attorney II and Attorney III) may be granted for some or all individuals employed in any such job classification(s) within an organizational unit (e.g., Criminal Prosecutions Division) or an entire Agency/Department (e.g., District Attorney's Office), so long as an individual is not already at the top step of the existing pay/salary range. The incumbents must be regular, permanent employees and the request to the County Executive Officer by the Agency/Department Head must be accompanied by a performance evaluation for each employee in the classification who is to receive a pay adjustment under this section (abbreviated will be acceptable) demonstrating that each such employee is meritorious of the pay adjustment. Adjustments granted under this section will not cause the top step of the salary range to be increased nor permit any employee to receive pay above the established pay/salary range.**

Pay adjustments pursuant to this section shall be limited to once per calendar year for any job classification and incumbent employed in any such classification.

If an employee is granted a pay/salary adjustment pursuant to this section, that employee's next merit increase shall not be due until 2,080 hours of service have elapsed from the first day of the period in which the pay adjustment under this section went into effect.

2. Revise Article 6 "HEALTH INSURANCE", as follows:

The provisions of Sec. 602 and Sec. 603 below will be implemented as soon as administratively possible. When implemented, the language of Sec. 602 will supersede and replace Section 601 above.

Sec. 602 COUNTY CONTRIBUTION FOR EMPLOYEES TO PURCHASE A COUNTY-SPONSORED HEALTH PLAN:

Regular employees may elect to be covered by the County of Ventura Flexible Benefits Program. The County shall contribute a bi-weekly contribution amount as approved by the Board of Supervisors to be allocated to the purchase of any benefit option under the County's Flexible Benefits Program and subject to the provisions set forth below for full-time and part-time regular employees.

- A. For regular, full-time employees enrolled in the County of Ventura Flexible Benefits Program, subject to terms and conditions of the plan document, the County shall continue to contribute a bi-weekly contribution amount as follows ("County Contribution"):

Effective October 31, 2021, the County shall contribute an amount not to exceed \$597 per bi-weekly pay period towards the Flexible Benefits Program for each regular full-time employee.

The County Contribution will be allocated as follows: (1) a portion equal to the bi-weekly premium for the lowest cost employee-only group health coverage that offers minimum value ("Health Allowance") shall be used solely for the purchase of group health plan coverage; and (2) the difference between the County Contribution and Health Allowance may be used for the purchase of any other benefits offered under the Flexible Benefits Program, or taken as taxable compensation.

Sec. 603 MEDICAL PLAN OPT-OUT OPTION:

- A. A regular employee may elect the Medical Plan Opt-Out Option declining medical coverage under the County of Ventura Flexible Benefits Program for the employee and the employee's dependents with adequate proof of enrollment in other qualifying group health insurance coverage.
- B. Employees electing not to participate in a County-sponsored health care plan must complete and submit the Opt-Out Certification Form certifying that they are enrolled and covered under another group hospital and

medical health plan. The Opt-Out Certification Form shall be received by the Human Resources Department within thirty (30) days from date of hire, mid-year change and annually during Open Enrollment.

- C. For regular full-time employees electing the Medical Plan Opt-Out Option, the employee will receive a taxable biweekly cash payment as follows:

1. Effective as soon as administratively possible, \$245

Future adjustments will be made using the percent ratio between the Medical Opt-Out Option cash value (numerator) and the Flexible Credit Allowance (denominator) for Plan Year 2023.

- D. For regular part-time employees electing the Medical Plan Opt-Out Option, the employee will not be eligible to receive a taxable bi-weekly cash payment.

- E. Sec. ~~602~~604 CONTINUATION OF HEALTH PLAN: It is the County's intent to fully comply with the provisions of both the Federal Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA). Notwithstanding the requirements of either act, should an employee exhaust sick leave and annual leave and go on leave of absence without pay, the County agrees to continue to make its contribution to the health insurance plans for up to ninety (90) days provided, however, that any such biweekly period covered pursuant to this provision shall be credited toward, and not considered to be in addition to, any requirement of the FMLA or CFRA. County contributions toward reimbursement accounts or cash options in the Flexible Benefit Program will not continue during such leave of absence. The number of hours of compensation upon which payment of this premium is based shall be the number of hours compensated in the biweekly pay period immediately preceding the placement of the employee on leave of absence without pay.

Sec. ~~603~~605 RETIREE HEALTH INSURANCE: Employees retired from County service, subsequent to January 1, 1995, shall be eligible to purchase County provided health insurance at the same rates as active employees until the retiree is eligible for Medicare.

Sec. ~~604~~606 AFFORDABLE CARE ACT (ACA) IMPLEMENTATION: During the term of this 2017-20 MOA, either party shall have the option to compel the other to meet with it to discuss the impact of the ACA on the provisions of Article 6; provided, however, that no change to the provisions of Article 6 shall occur without mutual agreement.

3. Revise Section 1404, "BEREAVEMENT LEAVE," as follows:

Sec. 1404 BEREAVEMENT LEAVE: Any regular employee may be allowed to be absent from duty for up to three (3) working days without loss of pay because of the death of a member of his immediate family. Additionally, in connection with the same death of a member of their immediate family, a regular employee shall be entitled to be absent from duty for two (2) additional working days for which the employee may use accrued annual leave, accrued sick leave, or leave without pay. When travel to distant locations or other circumstances requires absence in excess of the aforementioned ~~three (3)~~ five (5) consecutive working days, the appointing authority may allow the use of accrued annual leave, or up to ~~two (2)~~ one (1) days of accrued sick leave to supplement the ~~three (3)~~ five (5) working days provided in this Section...

4. Add Article 29, "EMPLOYEE INCENTIVE PROGRAMS", as follows:

Article 29 EMPLOYEE INCENTIVE PROGRAMS

Sec. 2901 NEW HIRE INCENTIVE: Effective the first full pay period after approval by the Board of Supervisors, upon agency/department head recommendation and with the approval of the CEO or his/her designee, an employee who is newly hired may receive a one-time New Hire Incentive of up to ten percent (10%) of the newly hired employee's current annual base wage. For purposes of this provision, "newly hired" means the employee was appointed from an open competitive recruitment and may not be a current employee or may not have been previously employed by the County of Ventura within the preceding 12 months. Further, the employee shall not be qualified for the benefits of this section if said employee received any other new hire incentive. Subsequent to the aforementioned recommendation and approval, to be eligible to receive the New Hire Incentive, the employee must sign a written agreement, acknowledging and agreeing to the repayment stipulations including paycheck deductions for repayment the New Hire Incentive. The incentive will be paid in one lump sum within two (2) pay periods of the recommendation and approval and submission of the required documentation and is subject to state and federal taxes, as well as any applicable payroll deductions.

An employee who received the New Hire Incentive must maintain employment within the County of Ventura agency that originally hired said employee and remain in a CJAAVC-represented classification for a minimum of 4,160 compensable hours from the date of hire. If the employee is unable to satisfy the 4,160-hour requirement due to voluntary or involuntary separation, the

employee is responsible for re-payment of the New Hire Incentive that was paid as follows:

Compensable Hours Completed	Pro-rata Repayment
Within the probationary period	100%
After probation period but before 4,159	50%

Sec. 2902 EMPLOYEE REFERRAL INCENTIVE: Effective the first full pay period after approval by the Board of Supervisors, upon agency/department head recommendation, and with the approval of the Director-Human Resources, employees shall be eligible to receive the Employee Referral Incentive. Employees who meet the below specified requirements will be eligible to receive a gross amount of five hundred dollars (\$500) per employee referral for classifications designated as eligible for the Employee Referral Incentive. There is no limit to the number of Employee Referral Incentive payments any one employee may receive. The Director-Human Resources or his/her designee shall determine which positions are eligible to receive the Employee Referral Incentive.

The Employee Referral Incentive will be paid in one lump sum within two (2) pay periods of the referred employee completing the required probationary period. The Employee Referral Incentive is subject to state and federal taxes and any applicable payroll deductions.

The following criteria will be used in determining eligibility for payment of the Employee Referral Incentive:

- A. Referring employee must be an active regular full-time or part-time employee;
- B. The external candidate shall not be a current or former employee, consultant, intern, temporary or student placement who has worked at the County within the last 12 months from the date of posting of the vacancy;
- C. The Employee Referral Incentive will be paid upon the completion by the referred external candidate of the required probationary period;
- D. The referred employee must identify one referring employee on their online application and the referring employee must notify the assigned recruiter of the referral. Award payments will not be split among multiple current employees.

CJAAVC-represented employees who serve as oral raters, on an interview panel, and any employee involved in the assessment or decision-making process of the

referred vacancy will not be eligible to receive the Employee Referral Incentive payment.

Sec. 2903 EMPLOYEE RETENTION INCENTIVE: Effective the first full pay period after approval by the Board of Supervisors, upon agency/department head recommendation and with the approval of the CEO or his/her designee, an employee may be eligible for an Employee Retention Incentive. To be eligible to receive an Employee Retention Incentive, an employee must be a high performing employee, an employee with a specialty skill, and/or an employee in a position designated by the County to be difficult-to-retain, and who has been offered, and is considering employment outside of the County.

Employees who wish to be considered for an Employee Retention Incentive must submit verifiable proof of their employment offer from an employer other than the County, with a base wage that is higher than their current rate of pay. A verifiable copy of an offer letter, an email from a representative of the prospective employer, or similar items containing the required wage information will be accepted as proof. The amount of the Employee Retention Incentive will be based upon the verified job offer and shall match the difference between the employee's current annual base wage and the amount of the offer, not to exceed ten percent (10%) of the employee's current annual base wage.

If approved, the incentive will be paid in one lump sum within two full pay periods of the approval of the incentive, and will be subject to state and federal taxes, as well as any applicable payroll deductions.

An employee that accepts an Employee Retention Incentive must maintain employment with the County for a minimum of 4,160 compensable hours. If the employee is unable to satisfy the 4,160-hour requirement due to voluntary or involuntary separation, the employee will be responsible for re-payment of the paid Employee Retention Incentive as follows:

Compensable Hours Completed	Pro-rata Repayment
0 – 2,079	100%
2,080 – 4,159	50%

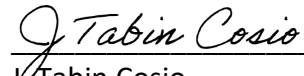
To be eligible for the Employee Retention Incentive, an employee must be in good standing, have passed probation, and must sign a written agreement acknowledging and agreeing to the above repayment stipulations including paycheck deductions for repayment of the Retention Incentive.

Employees shall only be eligible for one Employee Retention Incentive within a 24-month period.

CJAAVC MOA 2021-2023
Amendment

Agreed to this 23 day of May, 2023, by:

FOR THE COUNTY:



J. Tabin Cosio
Chief Deputy Executive Officer

FOR CJAAVC:



Mickye Coyle
President