

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF KERN, STATE OF CALIFORNIA**

In the matter of:

Resolution No. 2012-124

**CHANGES IN TERMS AND CONDITIONS OF
EMPLOYMENT FOR ELECTED OFFICIALS AND
UNREPRESENTED MANAGEMENT, MID-MANAGEMENT
AND CONFIDENTIAL EMPLOYEES**

I, KATHLEEN KRAUSE, Clerk of the Board of Supervisors of the County of Kern, State of California, hereby certify that the following resolution, on motion of Supervisor Watson, seconded by Supervisor McQuiston, was duly and regularly adopted by the Board of Supervisors of the County of Kern at an official meeting thereof on the 29th day of May, 2012, by the following vote and that a copy of the resolution has been delivered to the Chairman of the Board of Supervisors.


AYES: McQuiston, Scrivner, Watson

NOES: Maggard, Goh

ABSENT: None



Kathleen Krause
Clerk of the Board of Supervisors
County of Kern, State of California



Deputy Clerk

RESOLUTION

Section 1. WHEREAS:

(a) Pursuant to article XI, section 1(b) of the California Constitution and Government Code section 25300, the Board of Supervisors is authorized to prescribe the compensation and other terms and conditions of employment for all employees and elected officials of the County; and

(b) All employees classified as management, mid-management and confidential are not represented by a recognized employee organization with the exception of Sheriff's Commanders and Lieutenants represented by the Kern County Sheriff's Command Association, Sheriff's Detention Lieutenants represented by the Kern County Sheriff's Command Association II, and Deputy Chief Probation Officers, Assistant Division Directors, and Probation Division Directors represented by the Kern County Probation Managers' Association; and

(c) The Board of Supervisors desires to implement changes to the conditions of employment for all unrepresented employees classified as management, mid-management, and confidential and those elected officials set forth in Kern County Ordinance Code section 3.08.540, subdivision (A).

Section 2. NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Kern, State of California, as follows:

1. All unrepresented employees classified as management, mid-management, and confidential shall receive a salary increase of 4% (0.8 salary ranges) effective on the first day of the first pay period following adoption of this resolution.

2. All unrepresented employees classified as management, mid-management, and confidential shall receive a salary increase of 2% (0.4 salary ranges) effective on the first day of the first pay period following July 10, 2013.

3. All elected officials shall receive salary increases to be calculated in accordance with Kern County Ordinance Code section 3.08.540, subdivision (C).

4. Effective with the pay received on July 10, 2012 (pay period 12-12), all unrepresented employees classified as management, mid-management, and confidential hired prior to April 22, 1997, shall be required to pay, by payroll deduction, ten percent (10%) of the insurance premium for the employee's/dependent's medical, dental, and vision insurance (hereafter collectively referred to as "health insurance"), except for those employees who decline the County's health insurance coverage in accordance with the provision provided in the Employee Health Benefits Eligibility Policy.

5. Effective with the first day of the first pay period following July 10, 2013, all unrepresented employees classified as management, mid-management, and confidential hired prior to April 22, 1997, shall be required to pay, by payroll deduction, twenty percent (20%) of the insurance premium for the employee's/dependent's health insurance, except for those employees who decline the County's health insurance coverage in accordance with the provision provided in the Employee Health Benefits Eligibility Policy.

6. Effective with the first day of the first pay period of each elected official's respective new term, each elected official shall be required to pay, by payroll deduction, twenty percent (20%) of the insurance premium for the elected official's/dependent's health insurance except for those elected officials' who decline the County's health insurance.

7. A limited open enrollment will be offered through June 28, 2012 for affected employees. The open enrollment shall be limited to the affected employees noted above in item 4, and shall also be limited to the following changes:

i. Employees may drop or decline Kern County health insurance for themselves and all of their dependents; or

ii. Employees may drop or remove a dependent(s) from their Kern County health insurance if it lowers the cost to the employee; or

iii. Employees may change their medical or dental plan(s) to a lower cost medical or dental plan(s); or

iv. A combination of items (ii) and (iii) above.

8. The limited open enrollment shall not allow employees to add dependents, enroll in coverage not already in effect, change their medical or dental plan(s) to a higher cost medical or dental plan(s), or change their pre-tax or post-tax designation.

9. Affected employees must complete limited open enrollment forms provided by the County if they wish to make changes during the limited open enrollment. Forms must be received by the CAO-Health Benefits Division on or before June 28, 2012 in order for the limited open enrollment request to be valid.

10. Effective with the first day of the first pay period following July 10, 2013, all unrepresented employees classified as management, mid-management, and confidential hired prior to September 4, 2004, shall pay one-sixth of the individual employee's normal contribution to retirement.

11. Effective with the first day of the first pay period following July 10, 2014, all unrepresented employees classified as management, mid-management, and confidential hired prior to September 4, 2004, shall pay an additional one-sixth, for a total of one-third, of the individual employee's normal contribution to retirement.

12. Effective with the first day of the first pay period of each elected official's respective new term, each general retirement elected official elected or hired prior to September 4, 2004, shall pay one-third of the individual employee's normal contribution to retirement.

13. For all safety members of the Kern County Employees' Retirement Association who are classified as management, mid-management, and confidential employees, and are hired on or after the date following the adoption of this resolution, this Board hereby adopts the retirement formula contained in the Government Code section 31664 ("2% at age 50").

14. Employees who are safety members of the Kern County Employees' Retirement Association and are hired or rehired on or after the date following the adoption of this resolution, shall pay one hundred percent (100%) of the employee's normal contribution to retirement, which shall be calculated at the "basic contribution rate." The basic contribution rate is calculated to provide an average annuity at age 50 equal to one-one hundredth of the final compensation of the member in accordance with Government Code section 31639.25.

15. Elected officials who are safety members of the Kern County Employees' Retirement Association and are elected on or after the date following the adoption of this resolution, shall pay one hundred percent (100%) of the elected official's normal contribution to retirement, which shall be calculated at the basic contribution rate as described in item 14 above.

16. If for any reason, including but not limited to a redeposit under current law, a new employee hired or rehired on or after the first day following the adoption of this resolution, or an elected official elected on or after the first day following the adoption of this resolution becomes eligible to receive service credit at the retirement formula contained in the

Government Code section 31664.1 ("3% at age 50"), the employee or elected official shall pay their normal contribution to retirement calculated to include two components; the basic contribution rate and the "supplemental contribution rate."

i. The basic contribution rate is calculated to provide an average annuity at age 50 equal to one-one hundredth of the final compensation of the member in accordance with Government Code section 31639.25.

ii. The supplemental contribution rate is calculated to include an additional one percent (1%) of the employee's/elected official's compensation earnable, such that the aggregate amount of the supplemental and basic contribution rates will provide an average annuity at age 50 equal to three two-hundredths of the final compensation of the member (the employee's normal contribution for the 3% at age 50 enhanced retirement benefit).

17. The Auditor-Controller-County Clerk, Director of Personnel and the County Administrative Officer are directed to implement the provisions of this Resolution.

18. The Clerk of the Board shall forward copies of this Resolution to the following County officers and named entities:

- (a) County Administrative Officer
- (b) Auditor-Controller-County Clerk
- (c) Assessor-Recorder
- (d) Treasurer-Tax Collector
- (3) District Attorney
- (4) Sheriff-Coroner
- (c) Director of Personnel
- (d) County Counsel
- (e) All Department Heads

COPIES FURNISHED:
See ABOVE
CT 5-30-12