

August 31, 2021

Board of Supervisors
Kern County Administrative Center
1115 Truxtun Avenue
Bakersfield, CA 93301

PROPOSED SIDE LETTER AGREEMENTS WITH THE KERN COUNTY DETENTION OFFICERS' ASSOCIATION, KERN COUNTY FIRE FIGHTERS UNION IAFF LOCAL 1301, KERN COUNTY PROBATION MANAGERS' ASSOCIATION, KERN COUNTY PROSECUTORS' ASSOCIATION, KERN COUNTY SHERIFF'S COMMAND ASSOCIATION, KERN COUNTY SHERIFF'S COMMAND ASSOCIATION II, KERN COUNTY SHERIFF'S COMMAND ASSOCIATION III, KERN LAW ENFORCEMENT ASSOCIATION, AND SERVICE EMPLOYEES' INTERNATIONAL UNION LOCAL 521 PROVIDING \$3,000 PREMIUM PAY BONUSES TO EMPLOYEES HIRED PRIOR TO JULY 1, 2021

Fiscal Impact: approximately \$21 M from ARPA

The American Rescue Plan Act of 2021 was enacted into law establishing the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund ("CLFRF") to help local governments recover from the financial impact of the pandemic, fund unmet ongoing public health needs related to the pandemic, address its economic impacts on employees, and lay the foundation for a strong and equitable recovery through the investment in certain necessary infrastructure projects.

The County received \$174,835,685 from the CLFRF and your Board approved a preliminary plan to utilize these funds for the approved purposes within the statute, including to provide premium pay to eligible workers that performed and continue to perform essential work during the COVID-19 public health emergency. Your Board has set aside roughly \$25.8 million of the funds to be used for premium pay.

The County has negotiated the way to disburse the premium pay with all its bargaining units. The recent contract with our Kern County Probation Officers' Association included a \$3,000 premium pay bonus for all employees in their represented bargaining units who were hired prior to July 1, 2021. We have now completed negotiations on the same proposed premium pay bonus with all other bargaining units, and presents proposed side letter agreements with:

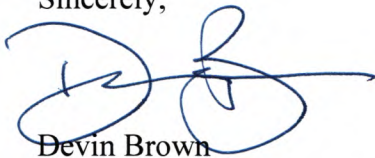
- Kern County Detention Officers' Association
- Kern County Fire Fighters Union, IAFF Local 1301
- Kern County Probation Managers' Association
- Kern County Prosecutors' Association
- Kern County Sheriff's Command Association I, II, and III
- Kern Law Enforcement Association
- Service Employees' International Union, Local 521.

As stated above, the proposal premium pay bonuses are for \$3,000 to each employee covered by the agreements who was hired prior to July 1, 2021. This represents the core group of employees who provided essential work during the COVID-19 public health emergency. The bonuses are non-pensionable compensation and will be disbursed to the affected employees upon the final rule being established by the United States Department of Treasury. The total cost of these bonuses is approximately \$21 million paid from the CLFRF money received on May 10, 2021.

County Counsel has approved the proposed Side Letter Agreements as to form.

Therefore, **IT IS RECOMMENDED** that your Board approve and authorize the Chairman to sign the Side Letter Agreements with the Kern County Detention Officers' Association, Kern County Fire Fighters Union IAFF Local 1301, Kern County Probation Managers' Association, Kern County Prosecutors' Association, Kern County Sheriff's Command Association, Kern County Sheriff's Command Association II, Kern County Sheriff's Command Association III, Kern Law Enforcement, and Service Employees' International Union Local 521, and direct the Human Resources Division to implement the changes.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Devin Brown', with a large, stylized flourish extending to the right.

Devin Brown
Chief Human Resources Officer

Attachments