

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

In the matter of:

Resolution No. 2016-063

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

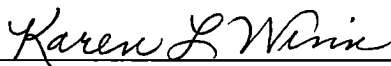
I, KATHLEEN KRAUSE, Clerk of the Board of Supervisors of the County of Kern, State of California, hereby certify that the following resolution, on motion of Supervisor Couch, seconded by Supervisor Scrivner, was duly and regularly adopted by the Board of Supervisors of the County of Kern at an official meeting thereof on the 15th day of March, 2016, by the following vote and that a copy of the resolution has been delivered to the Chairman of the Board of Supervisors.

AYES: Gleason, Scrivner, Maggard, Couch, Perez

NOES: None

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

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(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. Effective upon adoption of this Resolution, employees hired into the M, D, and X bargaining units will no longer be eligible to participate in the Retiree Health Premium Supplement Program (RHPSP) or the Retiree Stipend Program (Stipend) and shall not receive either benefit upon retirement from the County.

2. The Human Resources Division will conduct a 60-day opt out period for all employees, hired into the M, D, and X bargaining units prior to the date of the adoption of this Resolution, to voluntarily opt out of participation in the RHPSP.

3. Any employee in the M, D, and X bargaining units who opts out of RHPSP will be eligible, solely upon retirement from the County, to receive an employer contribution to a Health Reimbursement Arrangement managed by the County equivalent to the amount the employee has contributed since payroll period 12-16 (August 11-24, 2012) unless they retire at or after age 70.

4. Any employee in the M, D, and X bargaining units who opts out of RHPSP shall no longer have a bi-weekly payroll deduction for the RHPSP and will no longer be eligible for the RHPSP and Stipend benefits upon retirement from the County.

5. Any employee in the M, D, and X bargaining units who continues to participate in the RHPSP will have the benefit structure and contribution rate in effect on the date of the adoption of this Resolution frozen.

6. Any employee in bargaining units M, D, and X shall be eligible for up to three days of paid bereavement leave in the case of the death or funeral of an immediate family member. This leave may not be accrued, and shall have no cash value if unused by the employee.

7. Employees in bargaining units M, D, and X will have their eligibility to receive overtime compensation determined based upon the Fair Labor Standards Act.

8. The terms and conditions adopted by this Resolution shall apply to all elected officials upon the commencement of their new term of office as permissible by law.

9. The Auditor-Controller-County Clerk, Employee Relations Officer and the County Administrative Officer are directed to implement the provisions of this Resolution.

10. 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
- (e) District Attorney
- (f) Sheriff-Coroner
- (g) Employee Relations Officer
- (h) County Counsel
- (i) All Department Heads

COPIES FURNISHED:
<i>See above</i>
<i>3/17/2016</i> <i>flu</i>