



WASHOE COUNTY

Integrity Communication Service

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STAFF REPORT

BOARD MEETING DATE: May 24, 2022

DATE: May 12, 2022

TO: Board of County Commissioners

FROM: Patricia Hurley, Director, Human Resources Department
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THROUGH: Eric Brown, County Manager

SUBJECT: Recommendation to approve Collective Bargaining Agreements with the Washoe County Alternative Sentencing Officers Association (WCASOA) for the Non-Supervisory and Supervisory bargaining units for the two (2) year period beginning July 1, 2022 including adjustment to pay grade structure for parity with Washoe County District Attorney's Investigator Association salaries; and cost of living adjustments in base wages of 5.0% effective July 1, 2022 [FY 22/23 estimated fiscal impact \$120,590]; and 3.5% beginning July 1 2023 [FY 23/24 estimated fiscal impact \$135,805]; including updated safety equipment allowance, shift differential, career incentive, instructor differential, POST pay; and approve same cost of living adjustments, and updated safety equipment, career incentive, and POST pay, and for the non-represented Chief Alternative Sentencing Officer [FY 22/23 estimated fiscal impact \$10,434] and [FY 23/24 estimated fiscal impact \$13,289]. [Estimated total fiscal impact \$280,118.]. (All Commission Districts.)

SUMMARY

In November 2021 the Board, pursuant to NRS 288.160, recognized the Washoe County Alternative Sentencing Officers Association (WCASOA) as having the right to represent and be the exclusive bargaining agent of the full-time Alternative Sentencing Officer and full-time Department of Alternative Sentencing Sergeants (excludes intermittent-hourly), and approved WCASOA as the exclusive bargaining unit to commence bargaining for a contract effective July 1, 2022. Human Resources has reached tentative agreements with WCASOA and is requesting the Board approve Collective Bargaining Agreements (CBA) for the Non-Supervisory and Supervisory bargaining units for the two (2) year period beginning July 1, 2022, including adjustment to pay grade structure for parity with Washoe County District Attorney's Investigator Association (WCDAI) salaries, cost of living adjustments (COLA) in base wages of 5% effective July 1, 2022 and 3.5% beginning July 1 2023, and other benefits.

Represented employees' employment provisions are primarily governed by provisions within their negotiated contracts; unrepresented employees are primarily governed by the

AGENDA ITEM # _____

Washoe County Code. The Board of County Commissioners has in the past adopted the same salary and benefits for unrepresented employees as have been negotiated for represented employees. The recommendation for COLA(s), career incentive, POST pay, and safety equipment for the non-represented Chief Alternative Sentencing Officer is the same as the applicable provisions in the proposed CBA(s) with WCASOA Supervisory.

Washoe County Strategic Objective supported by this item: Legal obligation to comply with our statutory mandate to engage in collective bargaining pursuant to NRS Chapter 288.

PREVIOUS ACTION

On September 22, 2015, the Board approved additional pays for Assistant Alternative Sentencing Officers, Assistant Alternative Sentencing Officer Supervisor and Chief Alternative Sentencing Officer effective retroactive to July 1, 2015, including \$250/quarter uniform allowance, \$125/quarter safety equipment allowance, one time only \$525 towards the purchase of a weapon, and a five percent (5%) Field Training Officer differential while assigned duties specifically related to a Field Training and Evaluation Program.

On August 9, 2016, the Board approved additional pays for non-represented confidential employees in the classification of Assistant Alternative Sentencing Officer and Assistant Alternative Sentencing Officer Supervisor at the Washoe County Department of Alternative Sentencing (DAS) including standby pay and callback pay and to allow the Chief Alternative Sentencing Officer or designee to schedule and assign said additional pays to the full-time staff in this classification, as needed.

On June 11, 2019, the Board approved COLA(s) of 3% effective July 1, 2019; 2.5% effective July 1, 2020; and 2.5% effective July 1, 2021; for Unclassified Management and Non-Represented Confidential employees including Alternative Sentencing Officer (classification 15926) and Alternative Sentencing Sergeant (classification 17550).

On November 9, 2021 the Board, pursuant to NRS 288.160, recognized the WCASOA as having the right to represent and be the exclusive bargaining agent of the full-time Alternative Sentencing Officer and full-time Department of Alternative Sentencing Sergeants (excludes intermittent-hourly), and approved WCASOA as the exclusive bargaining unit to commence bargaining for a contract effective July 1, 2022.

BACKGROUND

The DAS was established in December of 2005 and approved by the Board of County Commissioners under the authority of Nevada Revised Statute 211A. DAS provides supervision to people whose sentences have been suspended and during criminal proceedings it was determined supervision and case management are key to the person successfully completing the requirements of the court. On September 27, 2021, Human Resources received on behalf of Washoe County, written request of recognition from WCASOA. The positions identified for the new bargaining unit are currently classified as Non-Represented Confidential and are not subject to collective bargaining. Previously, the Board approved additional pays for DAS positions that are sworn peace officers.

On November 9, 2021, pursuant to NRS 288.160 the Board approved formal acknowledgment by Washoe County that WCASOA has the right to represent DAS full-time commissioned officers and full-time sergeants. Human Resources was directed to commence bargaining with WCASOA for a contract effective July 1, 2022. Employees continue to be classified as Non-Represented Confidential until a CBA is approved by the WCASOA and the Board.

The parties reached Tentative Agreements on all issues. The Association has voted and ratified the Agreements.

The Agreements include special pays previously approved by the Board as Non-Represented Confidential and unchanged including Uniform Allowance (\$250/quarter), One-Time Weapon Allowance (\$525); Field Training Officer (FTO) Pay (5%); Standby Pay (.25% per hour); and Callback Pay 1.5 per hour/2-hour minimum. Most provisions regarding vacation, sick, personal leave are consistent with most CBA(s) and what has been approved for non-represented employees.

Following is a summary explanation of the Agreements (unless specifically noted, the information applies to both the Supervisory and Non-Supervisory Agreements):

Term

The term of the Agreement is for two (2) years: July 1, 2022, through June 30, 2024.

Article 12 – Salaries and Retirement

Salaries reflect adjustments to pay grade structure for parity with WCDAIA.

Article 1.2 reflects COLA(s) in base wage of 5% effective July 1, 2022, and 3.5% beginning July 1, 2023. These COLA(s) are also applicable for the Chief Alternative Sentencing Officer.

Article 17 – Career Incentive

Longevity pay is in parity with WCDAI in the amount equal to ½ % per year of service up to a maximum of 12 ½ % not to exceed annual amount of \$10,210. Also applicable for the Chief Alternative Sentencing Officer.

Article 19 – Shift Differential

Shift differential paid at the rate of 7% of base salary for hours worked between 6:00 p.m. and 6:00 a.m. except if an employee works at least 50% of hours between 6:00 p.m. and 6:00 a.m. then shift differential is paid for entire shift. This has been the practice of DAS.

Article 20– Training

Instructor differential of 10% of base hourly rate in half-day increments.

P.O.S.T Pay as follows: Officers who attain a Nevada Intermediate POST certificate 1.25% of base pay; Officers who attain a Nevada Advanced POST certificate will receive 1.25% of base pay. Officers that attain both certificates are eligible for both incentive pays. P.O.S.T pay is also applicable for the Chief Alternative Sentencing Officer.

Article 23 – Safety Equipment Allowance

\$250/quarter Safety Equipment Allowance increased from \$150 approved on September 22, 2015, as Non-Represented Confidential. Also applicable for the Chief Alternative Sentencing Officer.

Article 40 – Deferred Compensation Plan

New employees hired on or after July 1, 2022, will be automatically enrolled at the time of hire with auto-escalation unless the employee opts out of the plan.

Chief Alternative Sentencing Officer:

The recommendations for salary and benefits for the Chief Alternative Sentencing Officer are the same COLA(s) and updated safety equipment, career incentive, and POST pay. Human Resources recommends the Board adopted the same salary and benefits for the Chief Alternative Sentencing Officer as those contained in the Collective Bargaining Agreement with the WCASOA Supervisory bargaining unit.

FISCAL IMPACT

The annual FY 22/23 fiscal impact associated with these recommendations is estimated at \$131,023 (\$88,431 for Non-Supervisory; \$32,159 for Supervisory) for WCASOA, and \$10,434 for the Chief Alternative Sentencing Officer and a portion is included in the FY 22/23 approved budget. These cost increases may necessitate a budget adjustment during the fiscal year. The Budget Division will monitor the budget status related to these contracts and propose necessary budget adjustments as needed.

The FY 22/23 fiscal impact is broken out as follows:

FY 22/23				
Description	WCASOA (NS)	WCASOA (S)	Chief Alternative Sentencing Officer	Total
Salary Adjustment	\$23,672	\$12,401	\$-0-	\$36,072
COLA	\$24,855	\$13,021	\$8,011	\$45,887
Career Incentive	\$26,970	\$-0-	\$-0-	\$26,970
Instructor Differential	\$-0-	\$-0-	\$-0-	\$-0-
P.O.S.T. pay	\$8,536	\$4,471	\$2,023	\$15,030
Shift Differential	\$2,798	\$1,466	\$-0-	\$4,264
Safety Equipment	\$1,600	\$800	\$400	\$2,800
TOTAL FY22/23	\$88,431	\$32,159	\$10,434	\$131,023

The annual FY 23/24 fiscal impacts associated with these recommendations are estimated at \$149,094 (\$99,756 for Non-Supervisory; \$36,049 for Supervisory) for WCASOA, and \$13,289 for the Chief Alternative Sentencing Officer) and are broken out as follows:

FY 23/24

Description	WCASOA (NS)	WCASOA (S)	Chief Alternative Sentencing Officer	Total
Salary Adjustment	\$27,011	\$14,151	\$-0-	\$41,162
COLA	\$27,957	\$14,646	\$8,291	\$50,894
Career Incentive	\$30,871	\$-0-	\$2,504	\$33,375
Instructor Differential	\$-0-	\$-0-	\$-0-	\$-0-
P.O.S.T. pay	\$9,276	\$4,859	\$2,094	\$16,229
Shift Differential	\$3,041	\$1,593	\$-0-	\$4,634
Safety Equipment	\$1,600	\$800	\$400	\$2,800
TOTAL FY23/24	\$99,756	\$36,049	\$13,289	\$149,094

***Notes:**

Totals in tables may be off by a dollar or two due to rounding

No baseline data to estimate Instructor Differential impact

Assumes each employee is eligible for at least one POST pay

Uses pro-rated historical shift differential as basis for estimate

Estimated FY23 impact of 1.0% COLA per FY22 salaries (incl. PERS) = \$8,832

\$4,734 (NS); \$2,480 (S); \$1,618 (Chief)

Estimates do not include additional positions approved for FY23 or estimated PERS changes for FY24

FY24 estimates reflect cumulative impacts based on FY23 increases-not incremental impacts (i.e., FY23 salary range update plus FY24 employee merit increases plus FY24 COLA)

RECOMMENDATION

Recommendation to approve Collective Bargaining Agreements with the Washoe County Alternative Sentencing Officers Association (WCASOA) for the Non-Supervisory and Supervisory bargaining units for the two (2) year period beginning July 1, 2022 including adjustment to pay grade structure for parity with Washoe County District Attorney's Investigator Association salaries; and cost of living adjustments in base wages of 5.0% effective July 1, 2022 [FY 22/23 estimated fiscal impact \$120,590]; and 3.5% beginning July 1 2023 [FY 23/24 estimated fiscal impact \$135,805]; including updated safety equipment allowance, shift differential, career incentive, instructor differential, POST pay; and approve same cost of living adjustments, and updated safety equipment, career incentive, and POST pay, and for the non-represented Chief Alternative Sentencing Officer [FY 22/23 estimated fiscal impact \$10,434] and [FY 23/24 estimated fiscal impact \$13,289]. [Estimated total fiscal impact \$280,118.]. (All Commission Districts.)

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:

"Move to approve Collective Bargaining Agreements with the Washoe County Alternative Sentencing Officers Association (WCASOA) for the Non-Supervisory and Supervisory bargaining units for the two (2) year period beginning July 1, 2022 including adjustment to pay grade structure for parity with Washoe County District Attorney's Investigator Association salaries; and cost of living adjustments in base wages of 5.0%

effective July 1, 2022 [FY 22/23 estimated fiscal impact \$120,590]; and 3.5% beginning July 1 2023 [FY 23/24 estimated fiscal impact \$135,805]; including updated safety equipment allowance, shift differential, career incentive, instructor differential, POST pay; and approve same cost of living adjustments, and updated safety equipment, career incentive, and POST pay, and for the non-represented Chief Alternative Sentencing Officer [FY 22/23 estimated fiscal impact \$10,434] and [FY 23/24 estimated fiscal impact \$13,289]. [Estimated total fiscal impact \$280,118.].”