AMENDMENT #1
2009-2012
MEMORANDUM OF UNDERSTANDING
WITH THE
SAFETY EMPLOYEES BENEFIT ASSOCIATION
FOR THE
SAFETY UNIT

We agree to the Agreement on Cost-Saving Measures as described below to the Memorandum of Understanding between the County of San Bernardino and the Safety Employees Benefit Association (SEBA) for the Safety Unit.

AGREEMENT ON COST-SAVING MEASURES

DELAYED IMPLEMENTATION OF NEGOTIATED SALARY INCREASE

In order to avoid implementation of layoffs (including short-term layoffs) commencing at the beginning of FY 09/10, the parties agree to a delay in the implementation of the negotiated across-the-board salary increases for the Safety Unit that were previously scheduled to go into effect pay period 15/09 and pay period 02/10 as follows:

1) The across-the-board salary increase of 2% scheduled to go into effect pay period 15/09 will now go into effect in pay period 15 of 2010.
2) The across-the-board salary increase of 2% scheduled to go into effect pay period 02/10 will be reduced to .75%. The remaining 1.25% across-the-board salary increase will now go into effect in pay period 15 of 2010.

Salary increases will go into effect as stated above unless the financial condition of the County improves such that the County is able to implement the delayed salary increases prior to pay period 15 of 2010. The delayed salary increases shall remain in effect, only so long as a delayed salary increase exists for any group that has agreed to delay increases. However, if the financial condition of the County worsens during FY 09/10, such that the County needs additional fiscal relief beyond the savings from the delayed implementation of the negotiated salary increase referenced above, the parties agree to meet within fifteen (15) days of a request by the County to discuss the impact of additional cost savings measures.

In addition, the County agrees to meet with SEBA in January 2010 to provide an update as to the fiscal condition of the County and meet and confer on the impact of any cost savings that may be necessary for FY 10/11.

DEFERRED BANK OF LEAVE HOURS

Employees hired into the bargaining unit prior to July 1, 2009, and who continue to remain in a regular position with the County on July 1, 2011, will be credited with sixty (60) hours of banked leave in July 2011 in the following manner:

1. Employees are able to use banked leave hours at the beginning of FY 11/12. Such banked leave hours must be used by the end of FY15/16. The maximum number of banked leave hours that employees may use in any fiscal year is forty. Eligible employees are required to use banked leave hours prior to using annual leave and comp time. If an employee has not requested to use all their banked leave hours by March of 2016, the Department shall schedule use of the banked leave hours in the remainder of the fiscal year in order to ensure that employees do not lose their banked leave hours. If any banked leave hours remain at the end of FY 15/16, all unused banked leave hours shall not be cumulative into the next fiscal year nor shall there be any conversion to cash and the remaining balance will be forfeited. The use of banked leave hours will count towards the use of eighty (80) or more hours annual leave during a calendar year for purposes of converting forty (40) hours of accrued annual leave into a cash payment the following year, as provided in the Leave Provisions article, Section 2 – Annual Leave.

In no event will banked leave hours be converted to cash.

RETIREMENT PAYMENT

Employees who retire in FY 09/10 or FY 10/11 shall be eligible for a lump-sum payment for each completed quarter worked commencing with the quarter beginning July 2009. The lump-sum payment shall be made in the pay period prior to the employee's retirement date and calculated as described below. The payment shall be considered compensation earnable for purposes of calculating benefits or contributions for the San Bernardino County Employees' Retirement Association.

Fiscal Year 2009/2010		**Total Percentage of Base Salary Rate**
After completion of the 1st quarter	25% of 2%	(0.5%)
After completion of the 2nd quarter	50% of 2%	(1.0%)
After completion of the 3rd quarter	75% of 2%	(1.8125%)
	25% of 1.25%	
After completion of 4th quarter	100% of 2%	(2.625%)
	50% of 1.25%	
Fiscal Year 2010/2011		
After completion of the 1st quarter	75% of 2%	(2.125%)
	50% of 1.25%	
After completion of the 2nd quarter	50% of 2%	(1.625%)
	50% of 1.25%	
After completion of the 3rd quarter	25% of 2%	(0.8125%)
	25% of 1.25%	
After completion of the 4th quarter	0%	(0%)

County of San Bernardino

BOB WINDLE
Assistant Director of Human Resources

6/8/09
Date

Safety Employees Benefit Association

WILLIAM ABERNATHIE
President

6/8/09
Date

BOARD OF SUPERVISORS:

GARY C. OVITT, Chairman

Date