

# County of Santa Clara

Employee Services Agency

Labor Relations Department

County Government Center, East Wing

70 West Hedding Street, 8<sup>th</sup> Floor

San Jose, California 95110



June 21, 2023

Ms. Debbie Narvaez, Chief of Staff  
Service Employees International Union (SEIU), Local 521  
2302 Zanker Road  
San Jose, CA 95131

## **RE: Piecemeal APT Bargaining**

Dear Ms. Narvaez:

As you know, the County of Santa Clara and the Service Employees International Union (SEIU), Local 521 are currently meeting and conferring for a successor Memorandum of Agreement. During the parties' June 7, 2023 meet and confer session for the Administrative, Professional, and Technical (APT) Unit, Principal Labor Relations Representative Nicholas Steinmeier presented to the SEIU APT bargaining team a proposal seeking to meet and confer about "County proposed job specification revisions that make changes to the duties and employment standards" of classifications in the County's Victim Services Unit and related compensation, as required by Section 20.4 of the parties' Memorandum of Agreement (MOA).

During that June 7, 2023, meet and confer session, SEIU refused to bargain over the County's proposal and stated that the County should use processes outside the MOA negotiations for economic changes that the County seeks to make, especially since the County was considering the cost of its proposal to be part of the County's overall economic authority for the MOA negotiations. SEIU's APT representative reiterated on June 15, 2023, that SEIU is refusing to consider the County's proposal because SEIU does not want the value of the County's proposal to count towards the County's overall economic authority for bargaining the parties' successor MOA.

The County proposed addressing the duties and pay rates of the SEIU-represented employees in the Victim Services Unit in the meet and confer process precisely because that is one of the forums that the parties have chosen for meeting and conferring about these issues. In fact, during the ongoing bargaining process, SEIU has made numerous proposals about the duties performed by bargaining unit members and the appropriate compensation for those duties, especially in the form of approximately one hundred salary realignments.

SEIU's refusal to bargain as part of the MOA negotiations the County's proposal related to job duties and salary realignment for classifications in the Victim Services Unit, as well as SEIU's demand to delay negotiations on that subject until at least July 2023, appears to be an attempt to

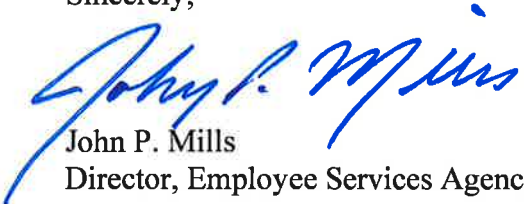
**Board of Supervisors:** Sylvia Arenas, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian

**County Executive:** Jeffrey V. Smith

engage in improper piecemeal bargaining by removing those mandatory subjects from the MOA negotiations (and the other subjects being addressed in those negotiations).

If SEIU wanted to exclude certain mandatory subjects of bargaining from the MOA negotiations, SEIU should have proposed including those limitations in bargaining ground rules. However, SEIU refused to bargain over ground rules for the MOA negotiations, explaining that SEIU wanted to keep its options open related to the bargaining process. Since the parties have not agreed to any such limitation on the mandatory subjects to be included in the MOA negotiations, the County views the MOA negotiations for APT to be the appropriate venue for meeting and conferring about those classifications' duties and compensation.

Sincerely,



John P. Mills  
Director, Employee Services Agency

cc: Matthew Cottrell, Labor Relations Director  
Nicholas Steinmeier, Principal Labor Relations Representative  
Riko Mendez, Chief Elected Officer, SEIU Local 521  
Andrea Hightower, Senior Coordinator, SEIU Local 521  
Trevor Gillis, APT Vice Chair, SEIU Local 521