

MASTER TABLE Union Proposal -4/14/23

PART I - COUNTY-WIDE CONTRACTING OUT

- a) The purpose of this section is to guarantee that the County does not contract out work appropriately performed by SEIU 521 bargaining unit employees, consistent with the terms of this section.
- a)b) County shall give at least forty-five (45) calendar days (except as provided in Part I e) below) prior written notice of all proposed contracts/calls for bid or contract amendment/extension to private third parties as are required to be presented to the Board of Supervisors for acceptance and/or approval where the labor estimate for same equals or exceeds \$40,000 for; (1) current work now being done by classifications represented by the Union(s); (2) new work not now being done but otherwise specifically included within job specifications of classifications represented by the Union(s); provided that excluded from this Agreement are all contracts with professionals (such as engineering, architectural, legal and medical) where the primary services contracted for will be provided by those professionals; leases, lease-backs, lease purchases or other facility agreements; and work required by law to be contracted out; ~~and continuations of existing contracts.~~ Contracts regularly and customarily let out to private third parties shall also be excluded; provided that for the first three (3) months of the project the County shall give notice of such contracts and meet regarding such contracts as and when requested and if the procedure works to the mutual agreement of both parties, such contracts shall thereafter be subject to the notice and meet and confer provisions of this Agreement.
- b)c) In determining whether labor estimates equal \$40,000, all individual contractors hired for a project or assignment will be considered together.
- e)d) Notice from County is to be given in writing to Union(s) by personal delivery electronic mail or certified mail. Union(s) shall respond within five (5) ten (10) working days from date of receipt with request to meet and confer; or Union is deemed to have waived meet and confer. Union(s) shall attempt to respond sooner, if possible. The County shall provide the Union any requested information within five (5) working days.
- d) County and Union(s) shall meet and confer for not more than twenty (20) working days within receipt of written request from Union(s). If concerns are not alleviated or agreement not reached, County may only proceed for no longer than a one (1) year agreement and continue to meet and confer monthly with the Union during that period of the limited contract to assess and bring back bargaining unit work.
- e) The Board of Supervisors may proceed without meeting and conferring if they determine circumstances justify urgency action. Reasonable advance written notice of intention to proceed on such basis shall be provided Union(s) prior to meeting of Board; provided nothing herein shall hamper the Board's lawful

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exercise of authority under State law in emergency situations.

- f) Workers in the affected department shall have the opportunity to identify cost reductions, program improvements, or other proposals which would address the Department's rationale for the considered contract. The parties shall also review and consider which contracts must be terminated immediately, which contract(s) will take additional time to terminate, which contract may continue (for how long and under what conditions) and how (if necessary and cost effective, including monthly costs for the contractor) to transition contract employees or positions into SEIU 521 represented positions, in accordance with Merit System Rules. This opportunity shall be afforded no later than the issuance of the call for bid or request for proposal.

- g) No SEIU 521 represented positions shall be filled by contract employees unless as provided in Appendix K.

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PART II - MAINTENANCE WORK CONTRACTING OUT ROADS AND AIRPORTS

- a) In accordance with the following procedures, County and Union shall review at the Roads and Airports Agency department level issuance of Notices to Proceed on Maintenance Work under Minor Engineering Contracts.
- b) Method of Notice - Notice from County is to be given in writing by personal delivery or certified mail to one person designated by the Union, or their alternate(s), not to exceed a total of three (3), with a copy to the Union.
- c) Time Limits and Meet and Confer - Notice from the County in (b) above shall be given seven (7) working days prior to the issuance of Notice to Proceed; and meet and confer, if requested, shall be completed within that time or County may proceed.
- d) Number of Union Representatives - The Union shall designate not more than a total of three (3) representatives from within the department to meet with management.
- e) Exclusions - Excluded from the above procedures are the following types of work, except that prior or concurrent notice shall be given of such work and why excluded.
 - 1. Construction work.
 - 2. Emergency work, i.e., work which cannot be handled because staff and equipment have been allocated and the work must be done post haste.
 - 3. Work to be done with equipment not owned by the Roads and Airports Agency.
- f) The following definitions apply:

Maintenance Work: Work performed to keep facilities in repair - near original condition, considering normal expectation of wear and tear.

Construction Work: Work involving additions to facilities, changes in road bed or grade, any overlay of 1 1/4" or more, new facilities, or work required by law to be let.

