

## MONTEREY COUNTY BOARD OF SUPERVISORS

<b>MEETING: July 12, 2011 CONSENT</b>	<b>AGENDA NO:</b>
a. Extend the effective date of lay-off notices in the Department of Social and Employment Services for positions covered by Merit Systems Services to August 13, 2011; and,	
b. Authorize the County Administrative Officer and County Auditor - Controller to take such actions as may be necessary or appropriate to implement the intent and purposes of the above described direction.	
<b>DEPARTMENT: Social &amp; Employment Services</b>	

### **RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Extend the effective date of lay-off notices in Department of Social and Employment Services for positions covered by Merit Systems Services to August 13, 2011; and,
- b. Authorize the County Administrative Officer and County Auditor - Controller to take such actions as may be necessary or appropriate to implement the intent and purposes of the above described direction.

### **SUMMARY/DISCUSSION:**

Federal legislation has established that, as a condition of eligibility for Federal assistance or participation in an intergovernmental program, state and local governments must operate merit personnel systems (a personnel system that hires and promotes government employees based on ability, education, experience, and job performance).

California's State Personnel Board (SPB) is charged with the responsibility of ensuring that counties that receive federal funds for programs within their Social Services and Child Support Services departments adhere to federal merit principles. The State of California has approved 28 counties as Approved Local Merit Systems. Because the County's personnel system does not meet the requirements of an Approved Local Merit System, the Department of Social and Employment Services' (DSES) personnel system for Units 8256, 8257, 8259, 8262, 8268 and 8270 is overseen by Merit Systems Services (the State Personnel Board's contractor). This oversight includes, among other things, the determination of layoffs and seniority.

Merit Systems Services typically requires 90 days from the date the Board of Supervisors authorizes the lay-offs before issuing lay-off notices. DSES has been working with Merit Systems Services to shorten this timeframe and expects notices to be available by July 22nd. As a result, the effective date of layoffs cannot be prior to August 13, 2011.

DSES is also working with County Administrator's Office to assess the impact of the State budget and new employee compensation agreements. It is anticipated that this analysis will identify sufficient resources to allow many of the layoff notices to be rescinded. DSES anticipates bringing forward a plan for restoring positions that can be financed within budgeted FY 2011-12 County General Fund Contributions to your July 26<sup>th</sup> meeting. Extending the effective date of lay-off notices to August 13<sup>th</sup> will allow for the analysis and recommended restorations to be considered by your Board prior to employees being laid off.

### **OTHER AGENCY INVOLVEMENT:**

The County Administrator's Office has reviewed and approved these recommendations.

**FINANCING:**

Financing this one month extension is achieved through anticipated labor agreements, increased State appropriations for CalWORKs operations, and budget trailer bill language to transfer financial responsibility for placement of Seriously Emotionally Disturbed Children under AB 3632 from the County to schools. As a result of these changes that occurred after development and adoption of the recommended budget, there are sufficient estimated revenues to extend the effective date of lay-off notices for Merit Systems Services positions to August 13, 2011 without additional impact to the FY 2011-12 County General Fund.

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Elliott Robinson, Director  
Department of Social and Employment Services

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