



Legislation Details (With Text)

File #: 2022-0545
Type: Consent Calendar Item **Status:** Passed
File created: 5/2/2022 **In control:** Human Resources
On agenda: 5/17/2022 **Final action:** 5/17/2022
Title: Appointing a Hearing Officer in the Matter of an Appeal of Disciplinary Action
Sponsors: Human Resources, Sonoma County Water Agency
Indexes:
Attachments: 1. Summary Report

Date	Ver.	Action By	Action	Result
5/17/2022	1	Board of Supervisors	Approved as recommended	Pass

To: The Board of Directors of the Sonoma County Water Agency
Department or Agency Name(s): Sonoma County Human Resources Department, Sonoma County Water Agency
Staff Name and Phone Number: Carol Allen, (707) 565-2549
Vote Requirement: 4/5th
Supervisory District(s): Countywide

Title:
Appointing a Hearing Officer in the Matter of an Appeal of Disciplinary Action

Recommended Action:
Delegate authority for the Human Resources Director or designee to appoint a hearing officer in the matter of appeal of disciplinary action. (4/5th Vote Required)

Executive Summary:
The current Memorandum of Understanding (MOU) with SEIU 1021, authorizes SEIU represented employees of the Sonoma Water to appeal specified disciplinary actions to the Board of Directors of Sonoma Water. As employees of Sonoma Water are not classified under the County's Civil Service System, the MOU gives the Board the choice to hear the appeal itself, or assigning it to a hearing officer. If heard by a hearing officer, the decision is final. On April 19, 2022, an employee filed an appeal of disciplinary action related to that employee's dismissal.

Human Resources requests approval for the delegation of authority to the Human Resources Director or designee to appoint a hearing officer in the matter of an appeal of disciplinary action.

Discussion:
On April 19, 2022, the Director of the Sonoma County Water Agency issued an order of dismissal to one of its employees who is represented by SEIU. On April 19, 2022, the employee filed a timely appeal of this disciplinary action.

The current Memorandum of Understanding (MOU) with SEIU 1021, authorizes SEIU represented employees

of the Sonoma County Water Agency to appeal specified disciplinary actions to the Board of Directors of the Water Agency. As employees of the Water Agency are not classified under the County’s Civil Service System, the MOU gives the Board the choice to hear the appeal itself, or assigning it to a hearing officer. If heard by a hearing officer, the decision is final.

Under the MOU, the matter must be placed on the agenda of the Board of Directors within 30 days of receipt of a petition to set a hearing date, or decide to appoint a hearing officer. Staff request the Board approve delegating authority to the Human Resources Director or designee to appoint a hearing officer to hear the appeal. Alternatively, the Board of Directors may set a hearing date for a future Board meeting and hear the appeal themselves.

Strategic Plan:

N/A

Prior Board Actions:

May 6, 2008: Board approved Sonoma County Water Agency to appoint a hearing officer in the matter of the appeal of disciplinary action.

June 10, 1997: Board approved Sonoma County Water Agency to appoint a hearing officer in the matter of the appeal of disciplinary action.

August 13, 1996: Board approved Sonoma County Water Agency to appoint a hearing officer in the matter of the appeal of disciplinary action.

April 9, 2019: August 13, 1996: Board approved Sonoma County Water Agency to appoint a hearing officer in the matter of the appeal of disciplinary action.

FISCAL SUMMARY

Expenditures	FY 21-22 Adopted	FY22-23 Projected	FY 23-24 Projected
Budgeted Expenses	\$3,000		
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$3,000		
Use of Fund Balance			
Contingencies			
Total Sources	\$3,000		

Narrative Explanation of Fiscal Impacts:

According to the current SEIU Memorandum of Understanding (MOU), Article 6.12h, the costs of a hearing officer shall be shared by the parties. The total cost is estimated by County Counsel to be \$6,000. No new appropriations are requested; the department has sufficient funding to absorb the estimated cost of the hearing officer.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

None

Related Items "On File" with the Clerk of the Board:

N/A