Legislation Text

File #: 2022-0042, **Version:** 1

To: The Board of Commissioners of the Sonoma County Community Development Commission
Department or Agency Name(s): Sonoma County Human Resources Department, Sonoma County Community Development Commission
Staff Name and Phone Number: Carol Allen, (707) 565-2549
Vote Requirement: 4/5th
Supervisorial 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 Commission to appeal specified disciplinary actions to the Community Development Commission Board of Commissioners. As employees of the Community Development Commission are not classified under the County's Civil Service System, the MOU gives the Board the choice to hear the appeal itself, or assign it to a hearing officer. If heard by a hearing officer, the decision is final. On January 5, 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 January 4, 2022, the Interim Executive Director of the Sonoma County Community Development Commission issued an order of dismissal to one of its employees who is represented by SEIU. On January 5, 2022, the employee filed a timely appeal of this disciplinary action.

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Under the MOU, the matter must be placed on the agenda of the Board of Commissioners 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 Commissioners may set a hearing date for a future Board meeting and hear the appeal themselves.

Strategic Plan:
N/A

Prior Board Actions:
None

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 6.12(h), 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