



AGENDA ITEM NO.  
**C-17**

# COUNTY OF HUMBOLDT

For the meeting of: April 28, 2015

Date: April 14, 2015  
 To: Board of Supervisors  
 From: Maggie Fleming, District Attorney *M. Fleming*  
 Subject: Extension of Extra-Help Hours Past the 960 Hour Limit *(4/5 Vote Required)*

### RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve the extension of extra-help hours for Michael McDonald, Paralegal II, BU 1100 205 (General Fund) to a maximum of 1440 hours through June 30, 2015.
2. Approve the extension of extra-help hours for Carrie Call, Victim/Witness Program Specialist, BU 1100 211 (grant award) to a maximum of 1440 hours through June 30, 2015.

### SOURCE OF FUNDING:

General Fund and Grant Funding

### DISCUSSION:

The District Attorney's Office in past budget years has continually seen a number of vacancies within the department. In order to cope with the workload, extra help employee Michael McDonald was hired as a Paralegal II to assist the Deputy District Attorneys. Mr. McDonald has worked approximately 910 hours

Prepared by Rachelle Davis CAO Approval *Chris Dillingham*  
 REVIEW: Auditor *me* County Counsel \_\_\_\_\_ Human Resources *D.J.* Other \_\_\_\_\_

TYPE OF ITEM:  
 Consent  
 Departmental  
 Public Hearing  
 Other \_\_\_\_\_

### PREVIOUS ACTION/REFERRAL:

Board Order No. \_\_\_\_\_

Meeting of: \_\_\_\_\_

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**  
 Upon motion of Supervisor Lovelace Seconded by Supervisor Bass  
 Ayes Sundberg, Lovelace, Fennell, Bahn, Bass  
 Nays \_\_\_\_\_  
 Abstain \_\_\_\_\_  
 Absent \_\_\_\_\_

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: April 28, 2015  
 By: *Kathy Hayes*  
 Kathy Hayes, Clerk of the Board



this fiscal year. This position has proven to be crucial in the successful prosecution of cases. The amount of work accomplished by Mr. McDonald has continued to help the District Attorney's office provide services to the general public. Our request to extend the hours of our current extra help Paralegal II position would alleviate a portion of our Deputy District Attorneys' time for drafting motions, filing oppositions and responding to writs and appeals.

If Mr. McDonald's hours cannot be extended, the work he currently does will have to be completed by the Deputy District Attorneys and that will cause crucial time being taken away from court rooms, victims, and witnesses and could lead to a much slower service level for the community.

The Victim Witness Program is a branch of the District Attorney's office. This program is vital to the community for serving and assisting victims and witnesses of crimes with support and resources. A three (3) year Rural Domestic Violence, Dating Violence, Sexual Assault and Stalking Assistance Program Grant was secured by North Coast Rape Crisis in collaboration with the District Attorney's office. This grant supplies the salaries of (1) Victim/Witness Program Specialist and (1) Deputy District Attorney Position.

A current extra help employee, Carrie Call, was hired as a Victim Witness Program Specialist during a crucial time in meeting the requirements of the 3 year Rural Grant and her salary is fully funded through that grant. Ms. Call has worked approximately 789 hours this fiscal year. Ms. Call is currently immersed in numerous cases as a support person for many of the victims and witnesses in rural areas of Humboldt County where resources and services are limited.

If Ms. Call's extra help hours are not extended at this time the rural areas of Humboldt County may see a lapse in service which will mean the District Attorney's office will not be able to fulfil the requirements of the Rural Grant and which could cause the loss of the 3 year grant funding.

#### FINANCIAL IMPACT:

The estimated salary and benefits cost for extra help extension of Paralegal II position is \$13,795. There are sufficient funds to accommodate the estimated increase in hours. All extra help employees working beyond 960 hours are subject to paying into the California Public Employee Retirement System (PERS). The additional cost for PERS has been included in the estimated salary costs.

The estimated salary and benefits cost for extra help extension of Victim/Witness Program Specialist 1A position is \$10,506. There are sufficient funds to accommodate the estimated increase in hours with no cost to the General Fund as the Rural Grant will cover the salary for the extension of hours. All extra help employees working beyond 960 hours are subject to paying into the California Public Employee Retirement System (PERS). The additional cost for PERS has been included in the above estimated salary costs.

The District Attorney's Office is aware that in accordance with the Affordable Care Act (ACA), extra help employees who have been identified as a full time employee under the ACA guidelines shall be given the opportunity to enroll in the County's health insurance plan. Those employees will be identified by using the standard measurement period and associated stability period annual cycle set forth by those guidelines. If the ACA opportunity is accepted by these two extra help employees, the additional cost is \$2,302 for each and there are sufficient funds to cover those costs in each budget unit.

This action supports the Board of Supervisor's Strategic Framework to "enforce laws and regulations to protect residents" and to "protect vulnerable populations."

OTHER AGENCY INVOLVEMENT:

None.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

This is not recommended because it would leave the District Attorney's Office without sufficient support to handle the duties associated with researching and responding to legal motions if the extra help hours for the Paralegal II position is not approved.

There are no recommended alternatives from the requested extension of extra help hours for the Victim/Witness Program Specialist as the grant maybe in jeopardy for compliance if the hours are not extended.

ATTACHMENTS:

none