



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

I-2

For the meeting of: May 3, 2016

Date: April 13, 2016
To: Board of Supervisors
From: William Damiano, Chief Probation Officer
Subject: Employment of temporary retired annuitant as Senior Legal Office Assistant in the Probation Department

RECOMMENDATION(S):

That the Board of Supervisors:

Resolve that the employment of Cheryl Kaska as a temporary "retired annuitant" Senior Legal Office Assistant with the Probation Department (budget unit 235) is necessary to fill a critical need within the department and that Ms. Kaska's employment as a temporary "retired annuitant" is needed before the CalPERS "180-day wait period" has expired.

SOURCE OF FUNDING:

Probation budget unit 1100-235

Prepared By Ellisha Hardison, Legal Office Business Manager

CAO Approval

Chief Dillingham

REVIEW:

Auditor

WBM

County Counsel

OS

Personnel

Def.

Risk Manager

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 _____ Seconded by Supervisor _____

Ayes _____
Nays _____
Abstain _____
Absent _____

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

Dated: _____

By: _____

Kathy Hayes, Clerk of the Board

DISCUSSION:

Senior Legal Office Assistant Cheryl Kaska retired from County employment on December 30, 2015 with over 15 years of experience working in county justice departments. For the last seven of those years, she has served as a Senior Legal Office Assistant both in the 235 and 202 budget units of the Probation Department. Since 2008 she served as the Senior Legal Office Assistant for the Juvenile Justice Crime Prevention Program (JJCPA). The JJCPA program was established legislatively under the auspices of the State Crime Prevention Act of 2000, and since 2011 has been funded through a combination of State Vehicle License Fees (VLF) and sales tax revenues. The JJCPA program has been named Primary Assessment and Intervention to Reduce Recidivism (PAIRR) and includes the use of an evidence based risk-needs screening tool to assist in appropriate identification of an offender's risk to re-offend and strengths and criminogenic needs related to risk reduction. Ms. Kaska provided the sole administrative support for this unit and is cross-trained to cover administrative support roles in several other units.

When Ms. Kaska retired December 30, 2015 the vacancy was filled by promoting one of Probation's Legal Office Assistant I/II's from budget unit 245 into Ms. Kaska's role and transferring another Legal Office Assistant I/II from 235 into 245. This left Probation with a Legal Office Assistant I/II vacancy in BU 235. In January, Probation requested a list from the Human Resources Department to fill the vacancy and was given six names from the existing eligibility list, all six candidate called to waive their interview. When Probation called to obtain the next six names, Human Resources informed us that those six were the last names and a new recruitment would have to be opened.

Before the recruitment could close another of Probation's Senior Legal Office Assistants gave notice of her intention to retire. Her last day with the department was April 1, 2016. Her position has also been filled with a Legal Office Assistant I/II who was already working for the department which has created another Legal Office Assistant I/II vacancy in budget unit 235. In addition to these two vacancies, another of Probation's Legal Office Assistant I/II took maternity leave in March and is not anticipated to return to work until August 2016. These factors leave Probation with only seven of ten positions and these positions are spread throughout four different office locations making coverage difficult.

The new recruitment for Legal Office Assistant I/II closed March 11, 2016 and testing took place March 30, 2016. Probation has now received the list will be interviewing April 21st to fill to the two vacancies in budget unit 235. These candidates go through an extensive law enforcement background process in order to be hired. Due to the influx in justice agencies hiring for Measure Z, this process is currently slowed further. The last non-sworn position hired by Probation took four weeks to return from the investigator; in addition to that candidates are generally given two weeks to complete the background packet. Should both background investigations be successful, Probation can expect to have staff onboard in two of the three positions by the end of June and then will require training by already stretched employees.

The appointment of Ms. Kaska is necessary to ensure that critically needed functions of the Department continue and to prevent disruption of public business until such time as the position can be adequately filled. Additionally, the appointment would allow scheduling flexibility for staff vacations and for the training of new hires. Ms. Kaska is uniquely qualified as a former Senior Legal Office Assistant to fill-in as needed for any of the vacancies without training or orientation.

The Probation Department is requesting approval of Cheryl Kaska as a temporary "retired annuitant" Senior Legal Office Assistant (Budget Unit 235) to fill a critically needed position and that the Board of Supervisors resolve that Ms. Kaska's employment as a temporary "retired annuitant" is needed before expiration of the CalPERS 180-day wait period as required by California Government Code section 7522.56(f)(1).

FINANCIAL IMPACT:

Ms. Kaska would be hired into an existing job class with a designated wage assignment equal to other County employees performing comparable duties. Under the 2014-15 AFSCME contract, costs associated with this hire would not exceed \$1,051.39 per pay period. Funds are available in the Probation Department budget.

This agenda item supports the Board's Strategic Framework by investing in County employees and providing community-appropriate levels of service.

OTHER AGENCY INVOLVEMENT:

Humboldt County Human Resources Department

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board may choose to decline staff's recommendation. In that case, the Department would do its best to manage all duties and responsibilities; however, the Department may experience a significantly slowed workflow with only 2/3 of their administrative support team and may be unable meet various court and reporting timelines and requirements if additional support is not approved, which could jeopardize inter-agency relationships, the ability of Probation to perform all necessary functions, and provide appropriate levels of service to the public.

ATTACHMENTS:

1. Resolution for Exception to the 180-Day Wait Period

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of May 3, 2016

RESOLUTION NO. 16-53

**RESOLUTION OF THE HUMBOLDT COUNTY BOARD OF SUPERVISORS FOR
EXCEPTION TO THE 180-DAY WAIT PERIOD GC SECTIONS 7522.56 & 21224**

WHEREAS, in compliance with Government Code section 7522.56 the Board of Supervisors must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

WHEREAS, Cheryl Kaska, (K1916) retired from the County of Humboldt in the position of Senior Legal Office Assistant, effective December 30, 2015; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is (date of 181st day after retirement) without this certification resolution; and

WHEREAS, section 7522.56 provides that this exception to the 180 day wait period shall not apply if the retiree accepts any retirement-related incentive; and

WHEREAS, the Board of Supervisors of the County of Humboldt and Cheryl Kaska certify that Cheryl Kaska has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the Board of Supervisors hereby appoints Cheryl Kaska as an extra help retired annuitant to perform the duties of the Senior Legal Office Assistant for the County of Humboldt under Government Code section (21224 or 21227 or 21229 specify which), effective May 8, 2016; and

WHEREAS, the entire employment agreement, contract or appointment document between Cheryl Kaska and the County of Humboldt has been reviewed by this body and is attached herein; and

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

WHEREAS, the employment shall be limited to 960 hours per fiscal year; and

WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

WHEREAS, the maximum base salary for this position is \$3751.12 and the hourly equivalent is \$21.64, and the minimum base salary for this position is \$2808.85 and the hourly equivalent is \$16.20; and

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

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WHEREAS, the hourly rate paid to Cheryl Kaska will be \$20.79; and

WHEREAS, Cheryl Kaska has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby certifies the nature of the appointment of Cheryl Kaska as described herein and detailed in the attached Agenda Item I-2, dated May 3, 2016 and that this appointment is necessary to fill the critically needed position of Legal Office Business Manager for the County of Humboldt by May 8, 2016.

Dated: May 3, 2016



MARK LOVELACE, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Sundberg, seconded by Supervisor Bass, and the following vote:

| | | |
|----------|-------------|---|
| AYES: | Supervisors | Sundberg, Fennell, Lovelace, Bohn, Bass |
| NAYS: | Supervisors | -- |
| ABSENT: | Supervisors | -- |
| ABSTAIN: | Supervisors | -- |

STATE OF CALIFORNIA)
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed the Seal of said Board of Supervisors.



By ANA HARTWELL
Deputy Clerk of the Board of Supervisors of the
County of Humboldt, State of California



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SOURCE OF FUNDING:

Probation budget unit 1100-235

Prepared By Ellisha Hardison, Legal Office Business Manager

CAO Approval Cheryl Dillingham

REVIEW:

Auditor WBM County Counsel AS Personnel DF Risk Manager _____ 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 Sandberg Seconded by Supervisor Bass

Ayes Sandberg, Fennell, Carls, Bohn, Bass
Nays _____
Abstain _____
Absent _____

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

Dated: May 3, 2016

By: Kathy Hayes
Kathy Hayes, Clerk of the Board

DISCUSSION:

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