



# COUNTY OF HUMBOLDT

## Legislation Details (With Text)

**File #:** 22-1188      **Version:** 1      **Name:**  
**Type:** Informational Report      **Status:** Passed  
**File created:** 8/31/2022      **In control:** Human Resources  
**On agenda:** 10/18/2022      **Final action:** 10/18/2022  
**Title:** Ratification of a Side Letter of Agreement with the American Federation of State, County, and Municipal Employees (AFSCME) Local 1684 for Certified Federal Motor Carrier Safety Administration (FMCSA) Trainer Incentive Pay.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Attachment 1 - Partially Executed, 3. Attachment 2 - Title 49, 4. Attachment 3 - Training Checklist, 5. Attachment 4 - Training Certification Form, 6. Resolution, 7. Executed Side Letter.pdf, 8. Resolution No. 22-126.pdf

Date	Ver.	Action By	Action	Result
10/18/2022	1	Board of Supervisors	approved	Pass

**To:** Board of Supervisors

**From:** Human Resources

**Agenda Section:** Consent

### SUBJECT:

Ratification of a Side Letter of Agreement with the American Federation of State, County, and Municipal Employees (AFSCME) Local 1684 for Certified Federal Motor Carrier Safety Administration (FMCSA) Trainer Incentive Pay.

### RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve and authorize the Chair of the Board to sign a Side Letter of Agreement with AFSCME to establish Federal Motor Carrier Safety Administration Trainer Incentive Pay effective the pay period following Board approval.

### SOURCE OF FUNDING:

Public Works, Roads 1200-325

### DISCUSSION:

The County of Humboldt and AFSCME have agreed to a side letter of agreement (Attachment 1) to add Section 12.13. to the current memorandum of understanding. On Feb. 07, 2022, the Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation, enacted a new regulation

under Title 49, Subtitle B, Chapter III, Subchapter B, Part 380, Subpart F, Entry Level Driver Requirements for the Code of Federal Regulations (CFR) (Attachment 2). It requires that a Certified Federal Motor Carrier Safety Administration Trainer (Trainer) provides certification for those who seek to obtain a Class B or A Driver License. This side letter would establish an incentive pay for county employees designated as a Trainer to test and certify other county employees as drivers in entry level driver training.

There are positions within the county that require a Class A or B License. These employees obtain a Learners' Permit from the California Department of Motor Vehicles (DMV) for a Class A or B License and are required to receive training from a Trainer. In order for county employees to obtain the certification for these required Class A and B Licenses, AFSCME and the county have agreed to an incentive pay of \$25 per hour. This incentive pay will be provided to county employees designated as a Trainer for hours worked in a Trainer capacity. The testing time would range from 15-80 hours for each driver. The Trainer will use a special activity number to track only the time they are spending on the certification training and would only be paid the incentive for that time, and would be in addition to the employee's base wage. Based on the need for drivers to receive up to 80 hours to complete their certification, the Trainer could receive up to \$2,000 per driver.

A Certified Trainer can be any person who holds a Commercial License equal to the license they are certifying for a new driver. Their license must be without violations for a minimum of 3 years. They must be registered with the Federal Motor Carrier Safety Administration as a Certified Trainer. Hours worked as a Trainer would include testing other county employees on a list of subjects, procedures and behind the wheel performance. During this testing, the Trainer will use an approved check list to make sure the driver has mastered the required theory and driving skills (Attachment 3). After successfully completing testing, the Trainer would register the driver on the FMCSA website and prepare the California Commercial Driver Behind the Wheel Training Certification Form (Attachment 4) for the Driver to take to the DMV for their Behind the Wheel Test (BTW).

This incentive pay would be a cost savings to the county as currently the cost to send employees out of the area to receive FMCSA training is approximately \$4,000 to \$7,000 per employee including lodging and meals. It would also allow for more flexibility as the Trainer could coordinate with the department and schedule the testing for times that would be less impactful to other county operations.

#### FINANCIAL IMPACT:

Public Works has an average of four to five new employees that require training and testing each year. By paying a county employee this incentive pay would cost approximately \$2,000 per new driver for the certification. Sending employees out of the area is between \$4,000 and \$7,000 per employee, for a week out of town. Annual savings to the county would be approximately \$8,000 to \$25,000. The Side Letter Agreement costs will impact Road Maintenance (Budget Unit 1200-325).

The fiscal year 2020-21 Annual Road Report, completed by the State of California, reflected an estimated negative fund balance of \$5.9 million. This negative balance is partially due to the timing of Federal Emergency Management Agency reimbursements to the county, which can take years for the county to receive repayment. The cost for training will be calculated in the Indirect Cost Rate Proposal (ICRP) which will be billed out on project costs. Road Fund projects are underfunded and will have a

negative impact on the General Fund if additional revenue sources are not secured.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by investing in county employees.

OTHER AGENCY INVOLVEMENT:

AFSCME Local 1684

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could choose not to authorize the Side Letter, however, this is not recommended as departments would need to send county employees out of the area for FMCSA training at an increased cost.

ATTACHMENTS:

1. Side Letter of Agreement between AFSCME Local 1684 and the County of Humboldt
2. Title 49, Subtitle B, Chapter III, Subchapter B, Part 380, Subpart F Entry Level Driver Requirements of the Code of Federal Regulations (CFR).
3. Training Checklist
4. The California Commercial Driver Behind the Wheel Training Certification Form
5. Resolution No. \_\_\_\_

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: 22-12