



**Human Resources and
Development
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: March 19, 2019

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
CONTACT PERSON: Rhonda Sjostrom PHONE: 636-4900				

SUBJECT: Side Letter of Agreement with the Tulare County Professional Firefighters Association, Bargaining Unit 23.

REQUEST(S):
That the Board of Supervisors:
Approve a side letter agreement with the Tulare County Professional Firefighters Association (TCPFA) Bargaining Unit 23 regarding agreement on various overtime and payroll related issues.

SUMMARY:
The 9th Circuit decision of Flores v. City of San Gabriel provides new interpretation of how employers should calculate overtime under the Fair Labor Standards Act (FLSA) that required cash payments made in lieu of health benefits be included in the regular rate calculation for overtime pay. In addition, FLSA requires other compensation paid to an employee be included in the regular rate of pay for overtime hours' worked, except for payments specifically excluded by law.

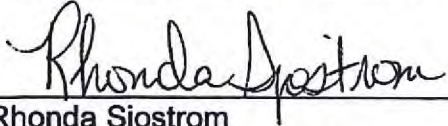
FISCAL IMPACT/FINANCING:
Adoption of this agreement may result in increased cost to the County, depending on the combination of hours worked or scheduled, the paycode type of earnings, and rates. There may be minimal costs for software programming for rate changes by our payroll administrator, ADP.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:
Organizational Performance: Continuously improve organizational effectiveness and fiscal stability. Provide for the stability of county operations through periods of economic fluctuations, changing priorities and service demands

SUBJECT: Side Letter of Agreement with the Tulare County Professional Firefighters Association, Bargaining Unit 23.

DATE: March 19, 2019

ADMINISTRATIVE SIGN-OFF:



Rhonda Sjostrom
Human Resources Director

cc: Auditor -Controller
County Counsel
County Administrative Office (2)
County Fire Department
TCPFA

Attachment(s) Side Letter Agreement between Tulare County and TCPFA Bargaining Unit 23.

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF A SIDE LETTER)
OF AGREEMENT WITH THE COUNTY) Resolution No. _____
AND TULARE COUNTY PROFESSIONAL) Agreement No. _____
FIREFIGHTERS ASSOCIATION)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD MARCH 19, 2019 BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

That the Board of Supervisors:
Approved the side letter agreement with the Tulare County Professional Firefighters
Association (TCPFA) regarding agreement on various overtime and payroll related
issues.