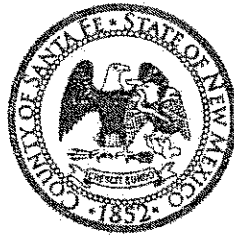


Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4


Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

Date: August 31, 2017

To: Santa Fe County Board of County Commissioners

From: Bernadette Salazar, Human Resources Director 

Via: Katherine Miller, County Manager

Re: Request Approval of Amendment No.4 to the Collective Bargaining Agreement between Santa Fe County and the Santa Fe County Deputy Sheriff's Association, A Subsidiary of the New Mexico Coalition of Public Safety Officers/NMCPSO

BACKGROUND AND SUMMARY

The Santa Fe County Board of County Commissioners approved the collective bargaining agreement (CBA) effective January 26, 2016 to December 31, 2019. Section 37 of the CBA provides each party the right to open one (1) economic item no earlier than May 1, 2017 and no later than June 1, 2017. Both parties worked diligently together and successfully completed negotiations of the economic items provided for in Section 37. As a result, the parties have agreed to amendments to Section 37, Wages, and Section 35, Retirement. These changes will enhance the compensation package for our Sheriff Deputies and assist with the recruitment and retention of highly qualified employees. The enhanced PERA contributions will also provide benefits comparable to competing law enforcement agencies in the state of New Mexico and other County employees eligible for similar retirement plans. The Annual Leave Buy Back Program can provide some relieve in overtime expenditures for the County and reduce employees from losing hours at the end of a calendar year. These proposed changes are within the allocated budget.

ACTION REQUESTED

The Association and the County request approval of amendment no. 4 to the Collective Bargaining Agreement between Santa Fe County and the Santa Fe County Deputy Sheriff's Association, A Subsidiary of the New Mexico Coalition of Public Safety Officers/NMCPSO. Thank you for your consideration.

Attachment:

Amendment No.4 to the Collective Bargaining Agreement Between Santa Fe County and the Santa Fe County Deputy Sheriff's Association, A Subsidiary of the New Mexico Coalition of Public Safety Officers/NMCPSO



**AMENDMENT NO. 4 TO COLLECTIVE BARGAINING AGREEMENT
BETWEEN SANTA FE COUNTY AND
THE NEW MEXICO COALITION OF PUBLIC SAFETY OFFICERS
REPRESENTING THE SANTA FE COUNTY DEPUTY SHERIFFS**

THIS AMENDMENT is made and entered into as of this _____ day of September, 2017, by and between Santa Fe County, a political subdivision of the State of New Mexico (hereinafter referred to as "the County") and the New Mexico Coalition of Public Safety Officers (hereinafter referred to as "the Union").

WHEREAS, the County and the Union (Parties) entered into the Collective Bargaining Agreement (CBA) effective January 26, 2016 to December 31, 2019;

WHEREAS, Section 20 of the CBA originally provided for a \$590 per year clothing and equipment allowance, with \$425 given to bargaining unit employees via a purchase order and the remaining \$165, less mandatory deductions given to Deputies the last pay day in the month of November;

WHEREAS, in June of 2016, the Parties amended Section 20 to allow for payment of a \$590 clothing allowance, less any required deductions, to be paid to bargaining unit employees by check annually, in the month of November to afford bargaining unit employees the opportunity to purchase uniforms and equipment required by the Santa Fe County Sheriff's Office Standard Operating Procedures and the CBA;

WHEREAS, Section 56 of the CBA provided each party the right to open one (1) economic item no earlier than October 1, 2016, and no later than November 1, 2016;

WHEREAS, the parties successfully completed negotiation of the economic items provided for in Section 56, and as a result amended Section 37, Wages, and Section 51, Promotions;

WHEREAS, on July 11, 2017, the parties further amended the CBA by inserting a grievance procedure into the CBA;

WHEREAS, the CBA provided each party the right to one (1) economic item no earlier than May 1, 2017 and no later than June 1, 2017; and

WHEREAS, the parties have successfully completed negotiations of the economic items and wish to have their agreement incorporated into an amendment to the CBA.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The following shall replace Section 37, as amended by Amendment No. 2 to the CBA:

Section 37: Wages

A. The Union and the County agree to an Annual Leave/Compensatory Time Buy Back Program for bargaining unit employees. The program will allow bargaining unit employees who have at least two hundred forty hours (240) hours of accrued annual leave the opportunity to sell back to the County up to forty hours (40) of annual leave, but not less than twenty (20) hours or up to forty (40) hours of compensatory leave but not less than twenty (20) hours. For each hour of annual leave or compensatory time the County buys back, the bargaining unit employee will be paid his or her base rate as of the date of the payment. Bargaining unit employees shall submit a request to sell back up to forty (40) hours of annual leave but not less than twenty (20) hours or forty (40) hours of compensatory leave but not less than twenty (20) hours on the designated form, by December 1st of each year and/or by June 1st of each year. If it is determined by the County, in its sole discretion, that there is not sufficient budget appropriated for this buyback program, annual leave or compensatory time cannot be sold back to the County. Additional policies and procedures for the program may be developed at the sole discretion of the County by the Finance Division and the Human Resources Division.

B. Salary increases based on the pay scale attached hereto as Exhibit A, shall become effective the first full pay period after the effective date of the CBA. Bargaining unit members whose anniversary date is between October 18, 2015 and the effective date of this CBA shall receive a pay increase commensurate with the attached pay scale effective the first full pay period after the effective date of the CBA. The pay scale will be effective through December 31, 2015. The pay scale attached hereto as Exhibit B shall become effective January 1, 2017, and shall be effective through December 31, 2017. The pay scale attached hereto as Exhibit C shall become effective the first full pay period after January 1, 2018. Exhibit C will be effective through December 31, 2019.

Upon eligibility for promotion to Deputy I, Deputy II, and Deputy III, if a bargaining unit member is not promoted, the employee will remain at their existing pay rate in the pay scale.

2. The following shall be added to Section 35 of the CBA:

“The County will increase its payment of bargaining unit members’ contributions to the Municipal Police Plan 5 from 56.8% to 75%, effective the first day of the first full pay period following filing of the CBA as amended by this amendment with the PERA Board, unless the PERA Board refuses the filing. If the PERA Board refuses the filing, the increase to the 75% contribution will not go into effective until the first pay period following the PERA Board’s acceptance of the filing of the CBA as amended by this Amendment Number 3. However, if,

pursuant to NMSA 1978, Section 10-11-5(F), the PERA Board determines that the increased contributions should commence the first full pay period after July 1, 2018, the parties agree that the increased contributions will commence the first full pay period after July 1, 2018. The County will simultaneous with execution of this Amendment, execute the resolution attached hereto as Exhibit E, confirming that the County is irrevocably agreeing to take responsibility for 75% percent of qualifying Sheriff's Office employees' contributions under Municipal Police Plan 5.

Following execution of this Amendment, if the PERA Board approves the above described change, and upon commencement of the increased contributions by the County, the CBA shall automatically be amended such that Section 35, set forth above, will be replaced with the following:

'Santa Fe County shall provide the eligible employees PERA benefits under Municipal Police Plan 5. The County will pay 75% of the employee's contribution toward the Municipal Police Plan 5.'

3. All other provisions of the CBA not specifically deleted, replaced or amended by Amendment No. 1, Amendment No. 2, Amendment No.3, or this Amendment No. 4, shall remain in full force and effect."

IN WITNESS WHEREOF, the parties have executed this Amendment No. 4 to Collective Bargaining Agreement as of the date of the last signatory to this Amendment.

**BOARD OF COUNT COMMISSIONERS
OF SANTA FE COUNTY**

By: _____
Henry P. Roybal, Chair

Date: _____

ATTEST:

Geraldine Salazar, County Clerk

Date: _____

APPROVED AS TO FORM:



Gregory S. Shaffer, County Attorney

Date: 9-1-17

NEW MEXICO COALITION OF PUBLIC SAFETY OFFICERS

David Jaramillo, President
Santa Fe County Sheriff's Deputy Association

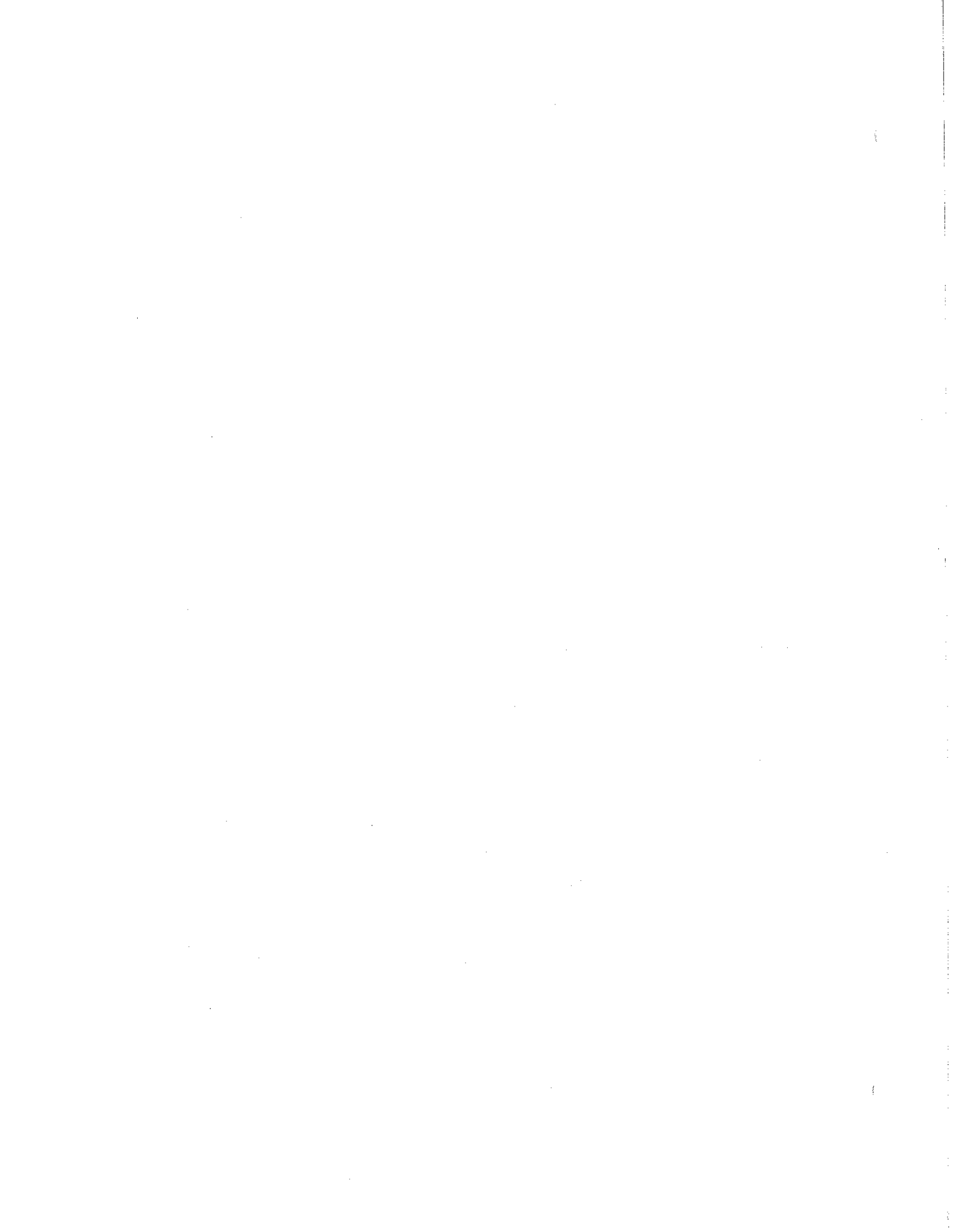
Date: _____

David Griffith, President, NMCP SO

Date: _____

Exhibit C
Pay scale for the Santa Fe County Deputy Sheriff's Association, a Subsidiary of the New Mexico Coalition of Public Safety Officers
January 1, 2018-December 31, 2019

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
YOS																							
DI	19,9767	20,1765																					
DIH		21,5297	21,7450	21,9624	22,1821	22,4039	22,6279																
DIH						23,8119	24,0500	24,2905	24,5334	24,7788	25,0265	25,2768	25,5296	25,7849	26,0427	26,3032	26,5662	26,8318	27,1002	27,3712	27,6449	27,9213	
Corp.				26,1931	26,4550	26,7196	26,9868	27,2566	27,5292	27,8045	28,0825	28,3634	28,6470	28,9335	29,2228	29,5150	29,8102	30,1085	30,4094	30,7135	31,0206	31,3308	
\$6+						29,3909	29,5847	29,9816	30,2814	30,5842	30,8900	31,1989	31,5109	31,8260	32,1443	32,4657	32,7904	33,1183	33,4495	33,7840	34,1218	34,4630	



RESOLUTION NO. _____

**A RESOLUTION INCREASING PICK-UP FOR PERA MEMBER CONTRIBUTIONS
PREVIOUSLY ESTABLISHED BY RESOLUTION 2006-81
BY AUTHORIZING 75% PICK-UP
OF PERA MEMBER CONTRIBUTIONS
FOR EMPLOYEES IN THE MUNICIPAL POLICE MEMBER COVERAGE PLAN 5**

WHEREAS, NMSA 1978, Section 10-11-5, authorizes affiliated public employers to be responsible for making contributions of up to seventy-five percent of its employees' member contributions to the Public Employees Retirement Association (PERA) under certain conditions;

WHEREAS, on April 25, 2006, Santa Fe County passed Resolution 2006-81, whereby it committed to be responsible for making contributions to PERA of fifty-six and eight-tenths percent (56.8%) of the member contributions under Municipal Police Member Coverage Plan 5 of all County municipal police members;

WHEREAS, Santa Fe County has entered into a Collective Bargaining Agreement (CBA) with the New Mexico Coalition of Public Safety Officers committing to increase that contribution to 75% of the bargaining unit members' contributions under PERA's Municipal Police Member Coverage Plan 5, which CBA further requires adoption of this Resolution;

WHEREAS, Santa Fe County also desires to increase contributions under PERA's Municipal Police Member Coverage Plan 5 for non-bargaining unit members defined as Municipal Police Members under Resolution 2006-81;

WHEREAS, Santa Fe County desires to increase its percentage of the member contributions to PERA from fifty-six and eight-tenths (56.8%) to seventy-five percent (75%) for County Municipal Police Members covered under PERA Municipal Police Member Coverage Plan 5;

WHEREAS, pursuant to NMSA 1978, Section 10-11-5, this Resolution is irrevocable (subject to the exceptions set forth in Section 10-11-5) and shall apply to all County Municipal Police Members within PERA's Municipal Police Member Coverage Plan 5.

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for Santa Fe County, pursuant to NMSA 1978, Section 10-11-5, hereby commits to increase its responsibility for member contributions to the PERA for Santa Fe County Municipal Police Members covered under PERA's Municipal Police Member Coverage Plan 5 from fifty-six and eight-tenths percent (56.8%) to seventy-five percent (75%).

PASSED, APPROVED, AND ADOPTED THIS _____ **DAY OF** _____, 2017.



BOARD OF COUNTY COMMISSIONERS

Henry P. Roybal, Chair

ATTEST:

Geraldine Salazar, Santa Fe County Clerk

APPROVED AS TO FORM:

Gregory S. Shaffer, County Attorney

APPROVED AS TO FORM:

Gregory S. Shaffer, Santa Fe County Attorney

