

**COUNTY OF SACRAMENTO
CALIFORNIA**

For the Agenda of:
September 29, 2009

To: Board of Supervisors
From: County Clerk Recorder – 71J Coordinator
Subject: Report Back – 71J Contract Actions
Supervisory District: All
Contact: Craig Kramer, Director, 874-6382

Overview

On September 22, 2009, during the Fiscal Year 2009-10 Final Budget hearings, the Board of Supervisors requested a report back on actions taken related to 71J contracts as part of the Final Budget solution.

Recommendation

Receive and file this report back.

Measures/Evaluation

Not applicable to this report.

Fiscal Impact

Based on the information provided by County Departments 71J contract actions in the amount of \$108,433 affecting four contracts utilizing four classifications resulted in no County lay-offs being rescinded.

BACKGROUND

Section 71J of the County Charter provides that:

Notwithstanding any other provision of the Charter, the Board of Supervisors may contract for the provision of County services for reasons of economy and efficiency when all of the following conditions are met:

(1) The contract does not cause the displacement of civil service employees. The term “displacement” includes, layoff, demotion and involuntary transfer to a new classification. Displacement does not include changes in shifts or days off, nor does it include reassignment to other positions within the same class; and

(2) The County has met and conferred, in accordance with its legal obligation pursuant to [Government Code](#) Sections 3500 et seq., with an organization that represents County employees who perform the type of services to be contracted; and

(3) The contract for services is awarded through a publicized, competitive bidding process.

DISCUSSION

Throughout the Fiscal Year 2009-10 Budget Process an examination of County contracts subject to the provisions of Section 71J is conducted to ensure that the appropriate action is taken to reduce, terminate or suspend those contracts utilizing County equivalent classifications in which a County employee is subject to lay-off or is on a reemployment list. Attachment A provides information on the contract actions taken in compliance with Section 71J as a result of the Final Budget actions to date.

Prior to the implementation of any additional budget reductions resulting in the displacement of a County employee an examination of remaining 71J contracts will be conducted to ensure compliance with the Charter. However County Departments as part of their budgeting process take into consideration the need to address 71J contract issues prior to making recommendations to the Board.

Countywide contracts for temporary services using those County classifications with employees subject to displacement have been suspended. Such contracts cannot be utilized until all displaced employees have been rehired or removed from a reemployment list. Most costs associated with temporary services are funded through budget savings during a specific fiscal year and the suspension of their use does not result in an ability to reduce lay-offs but rather a reduced service level.

Respectfully submitted,

APPROVED
MARK NORRIS, Agency Administrator
Internal Services Agency

Craig Kramer, Director
County Clerk Recorder

Attachment I - Table