



## LANE COUNTY

HUMAN RESOURCES DIVISION / 125 East 8th Ave. / Eugene, OR 97401  
Phone: (541) 682-3665/ Fax: (541) 682-4290

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W. 11.a.

### AGENDA COVER MEMORANDUM

**AGENDA DATE:** March 31, 2004

**PRESENTED TO:** Board of County Commissioners

**PRESENTED BY:** Frank Forbes, Labor & Employee Relations Manager, Management Services Department

**AGENDA TITLE:** **IN THE MATTER OF IMPLEMENTING THE COMPENSATION ANALYSIS RESULTS UNDER THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE LANE COUNTY PROSECUTING ATTORNEYS' ASSOCIATION AND LANE COUNTY.**

#### I. MOTION

**MOVE APPROVAL OF ORDER 04** — \_\_\_\_\_ . IN THE MATTER OF IMPLEMENTING THE COMPENSATION ANALYSIS RESULTS FOR THE CLASSIFICATIONS REPRESENTED BY THE LANE COUNTY PROSECUTING ATTORNEYS' ASSOCIATION, EFFECTIVE JULY 1, 2004.

#### II. ISSUE

During the negotiations for the 2003-2005 Agreement between the County and the Prosecuting Attorneys' Association (PAA), the County agreed to conduct a compensation analysis to review the salary grades of the classifications represented by the Association. Further, the Agreement, Article II, Sections 2 & 3, called for a reduction in the number of steps in the salary grades associated with the PAA classifications from twelve (12) to seven (7). (See attached Agreement language.)

### **III. DISCUSSION**

#### **A. Background**

During the negotiations for the 2003-2005 Agreement between the County and the PAA, the Association requested a considerable pay increase for its members. The parameters established by the Board of County Commissioners included no cost of living adjustments (COLAs) and asked for changes that would result in cost reductions in benefits, including health insurance. Two other bargaining units agreed to a package with benefit changes and no COLAs prior to the PAA negotiations. The PAA agreed to no COLAs and to make benefit changes, if the County would address their concerns regarding their salaries in comparison with their counterparts' salaries in other counties.

As a result, the Association and the County agreed that the County would conduct a compensation analysis of those positions represented by the PAA, and would include market as a significant factor in the analysis, keeping in mind that internal equity is the central basis of Lane County's salary structure. The market was defined as Marion, Clackamas, Multnomah, and Washington counties, and the Board directed Human Resources to use total compensation as the basis for the review. (Total compensation includes benefits, deferred compensation, time management and any other remuneration received in addition to salary.). These counties were selected because, together with Lane County, they are the "Tier One" counties used by the State to set the District Attorney's salary.

The results of the analysis indicated that Lane County classifications are paid significantly less than similar positions in the other counties. For example, we are from 9%-24% lower for starting salaries of a District Attorney I. (See attached detailed comparative salary analysis.)

#### **B. Analysis**

Data was collected for all attorney classifications for each county. This included all relevant benefits. The results show that Lane County has significantly lower wages for similar positions when compared with any of the other counties surveyed. On average, the other counties pay 15% more for similar attorney classifications in the District Attorney's Office. Even after factoring in estimated cost of living differences and benefit differences, Lane County's compensation is lower. For example, the pay range for a District Attorney I in Clackamas County is \$49,363-\$66,641, while for Lane County the range is \$40,581-\$56,202. This difference takes into account our time management sell-back feature that is worth about an additional 3%.

The Association has agreed to some minimum changes consistent with the Agreement that will make the County more competitive. The changes include converting all PAA classification pay grades to the same compensation schedule that

applies to the Lane County Peace Officers Association. This schedule (POA) has the required 7 steps and the adjustment provides at least a 3% salary increase at the time the employee becomes eligible for a merit increase. Since these merit dates are spaced over the entire year, the cost of implementing the compensation schedule change for PAA members in FY04-05 is less than anticipated, amounting to about \$34,000. The District Attorney is aware of these costs.

The new ranges do not significantly alter internal equity relationships. For example, the starting pay for a District Attorney I will be about \$43,500, which is similar to a Public Health Engineer or a Sr. Planner.

**C. Alternatives/Options**

1. Approve the new salary schedule for the PAA, in accordance with the Agreement provisions.
2. Do not approve the salary schedule change. If this option is selected, the County will need to reopen negotiations with the PAA.

**D. Recommendation**

Human Resources staff recommends approval of option 1.

**IV. IMPLEMENTATION/FOLLOW-UP**

If option one is approved, Human Resources will implement the new salary schedule according to the Agreement.

**V. ATTACHMENTS**

Board Order  
PAA Agreement, Article II  
PAA Total Compensation Analysis  
PAA Salary Survey & Cost of Living

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. ) IN THE MATTER OF IMPLEMENTING THE  
) COMPENSATION ANALYSIS RESULTS  
) UNDER THE AGREEMENT BETWEEN THE  
) LANE COUNTY PROSECUTING  
) ATTORNEYS' ASSOCIATION AND LANE  
) COUNTY.

WHEREAS, the Agreement between Lane County and the Lane County Prosecuting Attorneys' Association requires a compensation analysis; and

WHEREAS, the analysis of external market factors, total compensation and internal equity justify a change in the salary schedule for classifications represented by PAA, and

WHEREAS, the agreement is consistent with the guidelines set forth by the Board of County Commissioners.

IT IS NOW HEREBY ORDERED that the compensation analysis results be implemented, to the following pay grades.

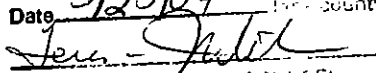
Deputy District Attorney I	Grade 34	\$43,472-\$58,302.
Deputy District Attorney II	Grade 39	\$49,171-\$65,874
Deputy District Attorney III	Grade 43	\$54,288-\$72,800
Deputy District Attorney IV	Grade 49	\$62,961-\$84,386
Sr. Prosecutor I	Grade 51	\$66,102-\$88,629
Sr. Prosecutor II	Grade 53	\$69,472-\$93,101
Sr. Prosecutor III	Grade 55	\$73,029-\$97,802

This order is effective July 1, 2004, in accordance with the Agreement.

DATED this \_\_\_\_ day of March, 2004.

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Bobby Green, Sr., Chair  
Lane County Board of County Commissioners

APPROVED AS TO FORM  
Date 3/23/04 Lane County  
  
OFFICE OF LEGAL COUNSEL

**ARTICLE II**

**WAGES**

**Section 1 – Salary Range Adjustments**

- (A) Effective July 1, 2003 each presently established job classification will be increased by 0%. If during the 03-04 and 04-05 contract years, any other County employee group, excluding LCPOA and AFSCME Nurses, receives a Cost of Living Adjustment (COLA), Prosecuting Attorney employees shall receive the same COLA. For purposes of this provision, COLA is defined as a cost-of-living salary range increase that is applicable to all members of an employee group. COLA specifically does not include one-time cash payments or bonuses given to an employee group in exchange for benefit plan changes or other cost reductions, or any salary increases given to selected employees within a larger employee group, such as increases due to reclassifications, merit increases and other similar increases.

**Section 2 – New or Revised Classifications**

- (A) The **COUNTY** agrees to undertake a classification and compensation analysis study to review the classifications represented by the **ASSOCIATION**. Parties agree that external market factors will be included as a significant factor in the point factoring and that the comparable market for the analysis will be the District Attorney's offices in Marion, Clackamas, Multnomah, and Washington counties. Each of the four "comparables" will be given equal weight in determining average market salary for a given position. The analysis will be completed by the **COUNTY** on or before March 1, 2004, and any adjustments in compensation will be implemented by July 1, 2004.

**Section 3 – Steps in Compensation Plan**

- (A) The compensation plan shall be based on a 12 Step schedule between July 1, 2003 and June 30, 2004. Effective July 1, 2004, as a result of the compensation analysis referenced in Section 2, the compensation plan for the **ASSOCIATION** shall be based on a 7 Step schedule, with five percent between each step. Beginning July 1, 2004, each **ASSOCIATION** member will be placed on the closest step that provides an increase in salary of at least 3% *at the time the member becomes eligible for a step increase*. Members who will not become eligible for a step increase by virtue of their placement at the top step in the former salary range will be placed on a step within the new salary range, which is closest to a salary increase of 3%.
- (B) Employees hired at Step 1 of the compensation plan shall advance to Step 2 upon the completion of six months of employment with the **COUNTY**. Otherwise, the anniversary date for any employee to move between steps of the compensation plan shall occur at twelve (12) month intervals provided the employee has achieved a "competent" ("satisfactory") or better rating on their performance evaluation.
- (D) In the event an employee's evaluation is not completed within thirty (30) calendar days of when due, the following pay period the employee shall advance to the next higher step.

**Section 4 – Direct Deposit**

- (A) All employees hired after March 1, 2001 shall have their payroll transmitted via direct deposit
- (B) Employees hired before March 1, 2001 may elect to continue to receive their payroll check via the status quo or via direct deposit. Election of direct deposit is, thereafter, irrevocable.
- (C) Employees whose payroll is subject to direct deposit will continue to receive a payroll stub comparable to that which is provided under the status quo.

Agency	Medical plans/premiums	Dental plans/premiums	Vision plans/premiums	Health Insurance 'opt out'	Life Ins. (most offer add'l coverage at EE's cost)	AD&D (most offer add'l coverage at EE's cost)	STD
Clackamas	Yes: County paid family coverage.	Yes: County paid; one plan offers cash back	Yes: County paid.	Yes: must provide proof of non-county coverage. \$65/month cash back.	\$150,000 paid by County, or \$50,000 with \$16/month cash back. Additional is available at employee's expense.	Optional: employee paid	Yes: County paid. Pays 60% of salary to max of \$1,999.80 per month.
Marion	Yes: Most are County paid	Yes: County paid	Yes: County paid	No	Yes	Yes	No
Multnomah	For /f/ employees, County will pay premiums for one plan.	For /f/ employees, County will pay premiums for one plan, as selected by the employee.	County pays for /f/ employees.	Yes: \$150/month (added to pay check). If other plan does not offer dental, the EE may enroll in County dental plan, even if opting out of medical/division	County provides \$20,000 at no cost. Retirees with at least 10 years' service with DA's office receive \$2,000 term life coverage during the time they receive pension benefits.	??	NOT employer paid. Employee may purchase.
Washington	Yes: County pays premiums	Yes: County pays premiums	Yes: County pays premiums	No	1x annual salary	1 x annual salary	No
Lane	100% County paid	100% County paid	100% County paid	No	1X annual salary paid by County.	1x annual salary paid by County	Yes

Agency	LTD	Is Long term care Insurance offered?	Sell Back Feature	TM	Vacation	Sick
Clackamas	Yes; County paid. Pays 60% of salary to max of \$1,999.80 per month	Yes, at employee's expense.	May sell back one week per calendar year, as long as they have taken at least one week of vacation during that year.	n/a	Hired before 1/1/01, choice of a) sellback with accrual of 24 days/yr. or b) no sellback with 19-29 days/yr. Hired after 1/1/01, sellback with accrual of 24 days/yr. Max accrual 280 hours	12 days/year; unlimited accrual. Unused sick is reported to PERS at termination.
Marion	Yes			n/a	12 - 24 days/year	12 days/year. No limit. Unused sick is reported to PERS at termination.
Multnomah	County pays. Up to approximately 60% earnings up to \$4,000/month.	No	Full time ee's who worked the 12 months preceding 7/1/00 & each fiscal year thereafter, may convert accrued unused s/l to up to 3 days' additional personal holiday time, depending on the # of s/l hours taken by the ee.	n/a	12, up to 27 days (after 8 years' County service)	12 days/yr. No limit. (See Sell-back column for info on s/l/sellback). Unused s/l is reported to PERS at time of retirement.
Washington	66-2/3% of gross income to the plan limit of \$3,334 payable per month)		No	n/a	12-24 days	12 days
Lane	Yes	No	80 hrs/yr. 200/yr for last 3 yrs before retirement	25 - 47 days/year (vacation, sick, personal)	n/a	n/a

Agency	# of Holidays and personal days	PERS: Who pays employee's portion	Do you have Deferred Comp. Plan? If County makes any contributions, please indicate.	Bereavement	Tuition reimbursement/ continuing education & training	Parking/Bus
Clackamas	9 paid holidays, plus one floating holiday.	County pays 66's portion	Offer Deferred Comp. No County contribution.	3 days	Individual departments determine education reimbursements.	Some buildings have free lots; others have metered parking. No discount for metered parking; no bus pass
Marion	10, + 3 personal holidays. Plus any other day designated as legal holiday by Govt. of Oregon or President of U.S. (to qualify as an additional legal holiday, a one-time observance or memorial holiday must be declared or approved by Marion's BCC)	Employee pays	Optional; employee pays	Up to 2 days if immediate family; 3 additional days chargeable to sick leave allowed in case of death in immediate family.	Tuition: Full salary + tuition paid by agreement w/dept. head & BCC if directly affects work. Continuing Ed: If req. to maintain certification, time off w/pay up to 12 days/year at dept. head discretion if coverage is maintained & budget ava to pay for tuition. Training: Supervisor & nurse may negotiate reimbursement for attendance at voluntary education, training conferences or mtyg. Mandatory training reimbursed.	Free (Mary: Plz clarify what is free...parking, or bus, or both. Thx)
Multnomah	9, plus any day designated as holiday for all public sector EEs by the President or Governor. (see note under Sick Leave for additional holidays)	County pays EEs portion	Yes. Employee makes all contributions	5 days; if travel to funeral is more than 500 miles, they receive an additional 3 days	County provides training opportunities at no cost to employee. Where practical, the County will attempt to gain MCALE accreditation for such training.	Free bus pass.
Washington	10	Employee pays the 6%	Yes; employee paid	3 - 5 days	Each department determines if they will, or can, provide reimbursement for education.	Reduced bus pass: \$25/year
Lane	9 + 1 floating	Employee pays the 6%	Two 457 plans; employee paid.	3 days; 5 if out of state	Training: In-house classes offered; many are free.	Discounted parking.



Agency	Longevity Pay	Travel - anything special, lo per diem	Amount of union dues (if applicable), & if paid by EE or ER	Other	Other	Bar Dues
Clackamas	Percent added to base pay by years of service: 5-9 = 1.0% 10-14 = 1.5% 15-19 = 2.0% 20-24 = 2.5% 25-29 = 3.0% 30+ = 3.5% (all non-reps receive longevity pay)	\$30/day for low cost areas; \$46/day for high cost areas (as defined by the IRS)	Deputy DA positions are non-union			
Marion	After employee has been at step 7 (top step in range) for 1 year & has been with County for 10 years, they receive an additional 2.5%. After 15 years, they receive another 2.5%.					
Multnomah	???	???	???	Retiring ee's can maintain medical benefits by payment of 50% of coverage until eligible for Medicare. (do not need to have been hired by ee) EE must have 16 total yrs of service in DA's office.	Professional Recognition Leave: Based on budgetary limitations, DA may recognize deputies for exemplary work & professionalism criteria by awarding up to 4 weeks paid time off. EE must have 16 total yrs of service in DA's office.	County pays
Washington						County pays
Lane	n/a	Per diem			Signing refund: \$90/month from 7/1/03 thru 6/30/04.	

**PAA Salary Survey & Cost of Living  
February 2004**

**Clackamas DDA1 – \$49,363-\$66,641**  
**Marion DDA1 – \$47,362-\$63,482**  
**Multnomah DDA1 – \$44,412-\$57,316**  
**Washington DDA1 – \$50,256-\$61,080**  
**Lane\* DDA1 – \$40,581-\$56,202**

<b>COUNTY</b>	<b>DDA 1 – BASE WAGE PERCENTAGE DIFFERENCE</b>	<b>COST OF LIVING PERCENTAGE DIFFERENCE</b> <small>(higher than Lane County)</small>	<b>NET PERCENTAGE DIFFERENCE</b>
Clackamas	21 %	7 %	13 %
Marion	16 %	4 %	12 %
Multnomah	9 %	6 %	3 %
Washington	24 %	10 %	14 %

*\* Lane County is 21% lower than Clackamas County with the cost of living in Clackamas at almost 7% higher.*

**Net difference of.....13%**

*\* Lane County is 16% lower than Marion County (not including 401k contribution) with the cost of living in Salem at almost 4% higher.*

**Net difference of.....12%**

*\* Lane County is 9% lower than Multnomah County with the cost of living in Portland at almost 6% higher.*

**Net Difference of.....3%**

*\* Lane County is 24% lower than Washington County with the cost of living in Beaverton at almost 10% higher.*

**Net difference of.....14%**