

**SIDELETTER OF AGREEMENT
BY AND BETWEEN THE
COUNTY OF MADERA
AND THE MID-MANAGEMENT ASSOCIATION OF MADERA COUNTY
REGARDING FLSA DESIGNATION CHANGES MADE AS PART OF THE
IMPLEMENTATION OF THE CLASSIFICATION AND COMPENSATION STUDY**


This Side Letter Agreement (“Agreement”) is made and entered into by the Mid-Management Association of Madera County (“MMAMC”) and the County of Madera (“County”) collectively referred to as the “Parties.” Having met and conferred in good faith regarding the effects of the Fair Labor Standards Act (“FLSA”) designation change for classifications identified in the 2023 County Classification and Compensation Study, the Parties hereby agree to the following:

1. Attachment ‘A’ – Impacted Classifications. Attachment ‘A’ identifies classifications impacted from changing the FLSA designation from overtime exempt to overtime eligible.
2. Attachment ‘B’ – Impacted Employees. Attachment ‘B’ identifies the employees filling the classifications at the time the FLSA designation change was implemented (September 21, 2024).
3. To comply with federal law, the FLSA designation for classifications identified in Attachment A were changed from overtime exempt to overtime eligible. The Parties acknowledge that this change was made based on new information about the identified classifications that was obtained through the County Classification and Compensation Study and/or related classification studies that were conducted by the County. As a result of this re-designation, employees filling the identified classifications are now entitled to receive overtime pay for any overtime hours worked during the applicable work period and shall no longer receive sixty (60) hours of management leave (ML) per fiscal year, subject to the terms of Section 4 below.
4. The receipt of ML for the identified impacted employees shall be phased out over three (3) fiscal years. ML will be phased out as follows:
 - a. 24/25 Fiscal Year – Impacted employees received sixty (60) ML hours on July 1, 2024, and can utilize those hours through June 30, 2025.
 - b. 25/26 Fiscal Year – Impacted employees will receive forty-eight (48) ML hours on July 1, 2025, and will be able to utilize those hours through June 30, 2026.
 - c. 26/27 Fiscal Year – Impacted employees will receive twenty-four (24) ML hours on July 1, 2026, and will be able to utilize those hours through June 30, 2027.
 - d. 27/28 Fiscal Year – Phasing out is complete. Impacted employees will no longer receive ML.
5. Impacted employees’ use of ML during the three (3) year phase out period shall continue to be subject to established departmental process for requesting time off. ML shall be separate and distinct from an employee’s accrued vacation, shall not be accumulated from one fiscal year to the next, and shall not be paid out to the employee at termination.
6. MMAMC agrees that open negotiations related to the Salary Reopener language in Article 1.4 (E)(4) of the July 1, 2021-June 30, 2024, Memorandum of Understanding (“MOU”) are closed and considered finally settled with the signing of this agreement.
7. MMAMC agrees that negotiations related to the Classifications and Compensation Study are closed and considered finally settled with the signing of this agreement.

8. By this agreement, MMAMC releases the County from any and all claims, expenses, demands, and other liabilities and actions of any nature whatsoever related to or connected with Article 1.4(E)(4) (the Salary Reopener) or Article 4.5(B) (the Classifications and Compensation Study) of the MOU which MMAMC has claimed, claims, or may claim against the County.
9. Nothing in this agreement precludes MMAMC from requesting to reopen negotiations regarding a possible review of Article 4.1 of the MOU, consistent with and subject to the terms of Article 1.4(E)(4) of the MOU.
10. All provisions of the MOU not amended by this agreement shall remain in full force and effect.

Agreed this 3rd day of December, 2024.

COUNTY OF MADERA:



Sabrina Mendez, Chief Negotiator



Chenecua Dixon (Dec 3, 2024 08:47 PST)

Chenecua Dixon, Co-Negotiator

MMAMC:



Chris Aguirre, President



Joe Arnold, Business Representative

Attachment 'A'

CURRENT CLASS TITLE	UNIT	OT	RECOMMENDED CLASS TITLE	UNIT	OT
Account Clerk Supervisor I (MSS)	MDMGT	Exempt-ML	Account Clerk Supervisor I (MSS)	MDMGT	1 1/2 elig
Eligibility Supervisor (MSS)	MDMGT	Exempt-ML	Eligibility Supervisor (MSS)	MDMGT	1 1/2 elig
Employment and Training Worker Supervisor (MSS)	MDMGT	Exempt-ML	Employment and Training Worker Supervisor (MSS)	MDMGT	1 1/2 elig
Equipment Shop Supervisor	MDMGT	Exempt-ML	Equipment Shop Supervisor	MDMGT	1 1/2 elig
Health Education Coordinator	MDMGT	Exempt-ML	Health Education Coordinator	MDMGT	1 1/2 elig
Office Assistant Supervisor I (MSS)	MDMGT	Exempt-ML	Office Assistant Supervisor I (MSS)	MDMGT	1 1/2 elig
Office Assistant Supervisor II (MSS)	MDMGT	Exempt-ML	Office Assistant Supervisor II (MSS)	MDMGT	1 1/2 elig
Office Services Supervisor I	MDMGT	Exempt-ML	Office Services Supervisor	MDMGT	1 1/2 elig
Road Construction and Maintenance Supervisor	MDMGT	Exempt-ML	Road Supervisor	MDMGT	1 1/2 elig
Social Worker Supervisor I (MSS)	MDMGT	Exempt-ML	Social Worker Supervisor I (MSS)	MDMGT	1 1/2 elig
Social Worker Supervisor II (MSS)	MDMGT	Exempt-ML	Social Worker Supervisor II (MSS)	MDMGT	1 1/2 elig
Traffic Sign Supervisor	MDMGT	Exempt-ML	Traffic Sign Supervisor	MDMGT	1 1/2 elig

Attachment 'B' - List of Impacted Employees

ID	First Name	Last Name	Department	Position Title
01239	Sophia	Aguilar	HEALTH	Health Education Coordinator
01352	Christopher	Aguirre	SCSVC	Eligibility Supervisor MSS
31217	Catalina	Alcorn	SCSVC	Social Worker Supervisor I MSS
30728	Teresa	Alejo	SCSVC	Eligibility Supervisor MSS
31567	Donald	Allen	SCSVC	Social Worker Supervisor II MSS
30103	Angelica	Altamirano	SCSVC	Office Assistant Supervisor II MSS
30759	Starla	Basler	SCSVC	Eligibility Supervisor MSS
31524	Dovie	Beard	SCSVC	Social Worker Supervisor II MSS
08174	Eleanor	Belmontes	SCSVC	Eligibility Supervisor MSS Extra Help
31736	Rasleen	Boparai	HEALTH	Health Education Coordinator
02716	Martee	Brown	SCSVC	Eligibility Supervisor MSS
30798	Terrance	Carter	HEALTH	Health Education Coordinator
33366	Alibra	Carter	SCSVC	Office Assistant Supervisor II MSS
31920	Maria	Chia	BHSVC	Health Education Coordinator
31981	Stephanie	Cisneros	SCSVC	Office Assistant Supervisor I MSS
31807	Iliana	Contreras	BHSVC	Health Education Coordinator
30482	Veronica	Cordero	SCSVC	Eligibility Supervisor MSS
31491	Sandra	Cortez	SCSVC	Office Assistant Supervisor I MSS
30893	Roberto	Cosio	SCSVC	Eligibility Supervisor MSS
03691	Kenneth	Crow	PWRKS	Road Construction and Maintenance Supervisor
32059	Arely	Cruz	HEALTH	Health Education Coordinator
04035	Justin	Day	SCSVC	Social Worker Supervisor II MSS
32323	Maritza	Dorantes	SCSVC	Office Assistant Supervisor I MSS
31124	Fernando	Escalante	SCSVC	Social Worker Supervisor II MSS
31489	Kristina	Espinoza	SCSVC	Social Worker Supervisor II MSS
06002	Jeromie	Fairchild	PWRKS	Road Construction and Maintenance Supervisor
32243	Alycia	Falley	SCSVC	Employment and Training Worker Supervisor MSS

Attachment 'B' - List of Impacted Employees

30613	Cenorina	Fernandez	HELTH	Health Education Coordinator
31525	William	Forige	SCSVC	Social Worker Supervisor II MSS
30877	Kimberly	Gardner	SCSVC	Office Assistant Supervisor I MSS (Overfill)
07155	Ruben	Garza	SCSVC	Eligibility Supervisor MSS
07318	Kevin	Gilpatrick	PWRKS	Equipment Shop Supervisor
32163	Maribel	Gonzalez	BHSVC	Health Education Coordinator
07985	Gary	Hansen	PWRKS	Road Construction and Maintenance Supervisor
30687	Corissa	Heiss	SCSVC	Eligibility Supervisor MSS
31142	Eduviges	Hernandez	SCSVC	Account Clerk Supervisor I MSS (Underfill)
31378	Junita	Hernandez	SCSVC	Office Assistant Supervisor I MSS
31287	Aaron	Herring	PWRKS	Traffic Sign Supervisor
32208	Ivan	Huerta	BHSVC	Health Education Coordinator
10561	Kevel	Johnson	SCSVC	Social Worker Supervisor II (Extra Help)
31676	Kenna	Jordan	SCSVC	Office Assistant Supervisor I MSS
30159	Sandra	Lewis	SCSVC	Eligibility Supervisor MSS
12931	Olga	Maciel	BHSVC	Office Services Supervisor I
30176	Rosemary	Martinez	SCSVC	Employment and Training Worker Supervisor MSS
31576	Sharon	Morris	SCSVC	Office Assistant Supervisor I MSS
31412	Joey	Nunes	BHSVC	Health Education Coordinator
31092	Edrina	Odom	SCSVC	Social Worker Supervisor II MSS
31108	Joanna	Orea	HELTH	Health Education Coordinator
30677	Karlene	Ortiz	SCSVC	Social Worker Supervisor II MSS
16337	Veronica	Pleitez	SCSVC	Social Worker Supervisor II MSS
16572	Toni	Propes	SCSVC	Eligibility Supervisor MSS
17102	Lorena	Quintero	SCSVC	Eligibility Supervisor MSS
30754	Nancy	Ramirez	SCSVC	Employment and Training Worker Supervisor MSS

Attachment 'B' - List of Impacted Employees

30305	Randall	Reynolds	PWRKS	Road Construction and Maintenance Supervisor
30729	Carlos	Rodriguez	SCSVC	Eligibility Supervisor MSS
31190	Marissa	Rodriguez	SCSVC	Employment and Training Worker Supervisor MSS
32132	Don	Rogers	SCSVC	Social Worker Supervisor II MSS
32133	Danine	Saff	SCSVC	Social Worker Supervisor II MSS
30862	Vanessa	Sanchez	SCSVC	Office Assistant Supervisor I MSS
30957	Jimmy	Schlotter	SCSVC	Office Assistant Supervisor I MSS
31490	Vanessa	Self	SCSVC	Social Worker Supervisor II MSS
19279	Heather	Sharp	SCSVC	Social Worker Supervisor II MSS
30200	James	Silva	PWRKS	Road Construction and Maintenance Supervisor
30771	Wendy	Smith	SCSVC	Eligibility Supervisor MSS
30071	Marizela	Terkildsen	HEALTH	Health Education Coordinator
20587	Gloriana	Torres	SCSVC	Office Assistant Supervisor I MSS (Overfill)
30307	Javier	Tovar	PWRKS	Road Construction and Maintenance Supervisor
30174	Kelli	Troiano	SCSVC	Eligibility Supervisor MSS
30863	Carmen	Umphenour	SCSVC	Office Assistant Supervisor I MSS
13048	Melissa	Urena Garcia	SCSVC	Social Worker Supervisor I MSS
30568	Yajahira	Vaca	SCSVC	Social Worker Supervisor II MSS
31622	Graciela	Valdez	HEALTH	Health Education Coordinator
23014	Simone	Walton	SCSVC	Social Worker Supervisor I MSS
23280	Paul	Whaite	SCSVC	Eligibility Supervisor MSS
31391	Donecia	Wright	SCSVC	Social Worker Supervisor II MSS



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Members of the Board
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David Rogers, District 2
Robert L. Poythress, District 3
Leticia Gonzalez, District 4
Robert Macaulay, District 5

AGENDA ITEM SUBMITTAL

January 14, 2025
Chair Leticia Gonzalez

DEPARTMENT Department of Human Resources		DEPARTMENT CONTACT Susan Carter 559-675-7705		AGENDA ITEM 6.a DISCUSSION ITEMS:									
SUBJECT: Sideletter of Agreement - Mid-Management Unit - FLSA Designation Change		REQUIRED VOTE: 3/5 Votes Required	DOC. ID NUMBER 11406	DATE REC'D									
STRATEGIC FOCUS AREA(S): Employees													
For Clerk of the Board's Office Use Only													
BOARD'S ACTION:													
<table border="0"> <tr> <td>RESULT:</td> <td>APPROVED [UNANIMOUS]</td> </tr> <tr> <td>MOVER:</td> <td>Robert Macaulay, ProTem - District No. 5</td> </tr> <tr> <td>SECONDER:</td> <td>David Rogers, Supervisor - District No. 2</td> </tr> <tr> <td>AYES:</td> <td>Wamhoff, Rogers, Poythress, Gonzalez, Macaulay</td> </tr> </table>						RESULT:	APPROVED [UNANIMOUS]	MOVER:	Robert Macaulay, ProTem - District No. 5	SECONDER:	David Rogers, Supervisor - District No. 2	AYES:	Wamhoff, Rogers, Poythress, Gonzalez, Macaulay
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MOVER:	Robert Macaulay, ProTem - District No. 5												
SECONDER:	David Rogers, Supervisor - District No. 2												
AYES:	Wamhoff, Rogers, Poythress, Gonzalez, Macaulay												
Is this item Budgeted? No Will this item require additional personnel? No Previous Relevant Board Actions: PowerPoint/Supporting Documents: Other/Misc.			DOCUMENT NO(S).										

RECOMMENDED ACTIONS:

Discussion and consideration to adopt the Sideletter of Agreement with the Mid-Management bargaining unit regarding Fair Labor Standards Act Designation changes made as part of the Classification and Compensation Study.

DISCUSSION / FISCAL IMPACT / STRATEGIC FOCUS:

DISCUSSION:

The Fair Labor Standards Act (FLSA) is a federal law that covers public agency employees, such as employees of Madera County (County), that establishes minimum wage, overtime pay, recordkeeping, and youth employment standards. The County is obligated by law to adhere to and comply with the FLSA. Additionally, under the law, the County is the authority ultimately responsible for designating each County classification as exempt or nonexempt, and ensuring the continuing accuracy of those designations.

Following the conclusion of the Classification and Compensation Study (Study), the County identified (through the Study and from a separate internal review) twelve (12) Mid-Management Unit classifications which are listed in Attachment 'A' of the attached Sideletter of Agreement (sideletter), and where new information was revealed about



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how work in these classifications was being performed. Based on the new information, the County determined that these classifications are no longer exempt as the majority of the work being performed in them is nonexempt work.

The re-designation to nonexempt was implemented for all impacted classifications on September 21, 2024, and the employees filling those classifications became eligible to receive overtime for all hours worked over their regularly assigned work period. Following implementation, the County continued to meet with the Mid-Management Unit in meetings separate from the Study, to negotiate the effects of the re-designation for the impacted employees, who are identified in Attachment 'B' of the sideletter.

Before the Board of Supervisors today is a sideletter representing the successful outcome of negotiations with the Mid-Management bargaining unit regarding the re-designation of the twelve (12) classifications from overtime exempt to overtime eligible and the phasing out of the receipt of management leave for the impacted employees over three fiscal years (FY 24/25, FY 25/26, and FY 26/27), with the phase out concluding in FY 27/28.

FISCAL IMPACT:

The fiscal impacts associated with the recommended actions have been addressed by County Administration.

ATTACHMENTS

1. Mid-Management Unit Sideletter of Agreement - FLSA Designation Change