



**Board of Commissioners' County Counsel Meeting
July 7, 2020 ~ 10:00am ~ Room 214**

7/7/2020 - Minutes

**1. To Watch A Live Stream Of This Meeting, Click The Link Below Or Go To
Www.klamathcounty.org**

2. Call To Order & Those Present

Commissioner Boyd, Commissioner Morris; Marcus Henderson / County Counsel; Chris Kaber / Sheriff; Haley Huffman / Admin Staff; Amanda Van Riper / Human Resources.

3. Approve Minutes From Last Meeting

Approved.

4. Sergeant's Sick Leave/Vacation Accrual

Marcus Henderson addresses the Board regarding the Board's intention to remove the Sheriff's Office sergeants from the union. Commissioner Boyd said he doesn't feel that our intention is to be punitive to employees that are currently in the union. Sheriff Kaber said he doesn't represent the employees at all other than they are employees of the County and many of them have put in many years of service. He is concerned about several sergeants retiring if this change is made. Sheriff Kaber said he does believe that the intent is not punitive, however the sergeants find themselves in a situation where they feel the rug is being pulled out from underneath them. Sheriff Kaber said this will effect 8 sergeants. He said he is asking the Board for a time cushion for the sergeants who are getting close to retirement. One sergeant has already submitted a retirement letter and he fears several others are going to submit retirement letters soon in order to retire and protect their benefits from being changed should the sergeants be removed from the union. Commissioner Boyd said, there isn't a need for a sergeant's union. He said this Board will protect the sergeants as if they were in a union. Having them in a union is just unnecessary hardship for the County. He said, there won't be a negative consequences for leaving the union. He would prefer to continue on with whatever the administrative law judge decides and write MOUs with the employees who have concerns. Commissioner Morris agreed with putting something in writing. Sheriff Kaber said, there is a provision in the Teamsters Union paperwork that there is some sort of Teamsters retirement plan that you have some form of gap insurance for them until they are Medicare age. Sheriff Kaber said he doesn't feel that the Board can do anything to protect the sergeants there. Commissioner Boyd said, the County could pay the health insurance until they are eligible for Medicare but that is not very feasible with the tight budget. Sheriff Kaber discusses his concerns about having two sergeants retire at the same time and having experienced staff to fill the spots. He suggested hiring the two that are retiring back for a year as a top step deputy in order to help with the transition to a replacement. He said, this would allow them to retire as a Teamster, but he doesn't know if they would agree with that. He is also worried about not being able to fill the sergeant positions if they are taken out of the union. Mr. Henderson said, under the Teamsters contract there is a prohibition of subcontracting

work by existing members. He said, they have the right to bargain that if the Sheriff wanted to hire them back as a non-member sergeant. Amanda Van Riper said it is a PERS position and there is no hourly limit and the County would have to pay the PERS portion. Sheriff said the sergeants are also concerned about the leave hours they are allowed to keep in the banks. He suggested the Board grandfathered them in where they are if they left Teamsters. Commissioner Morris said she would be fine with that since we are looking at this from a big picture angle and not so much the present. She wants to keep the people, who are in the mix now, as whole as possible while taking the union away for the future. Commissioner Boyd said he feels pretty lost because they are talking about things now that they haven't talked about in the past. He said he wasn't aware of the gap insurance and the leave bank issue. Sheriff Kaber said he's not sure if the sergeants would meet with the Board with the litigation going on in the background. He said he feels a little stuck and that's why he is asking to suspend this for now. Commissioner Morris suggested continuing on but tasking HR to work with them to bring a proposal to the Board. Mr. Henderson said, his concern with that is they are represented by counsel and the Teamsters counsel is not likely won't want to talk to us. Commissioner Boyd asks what if we slow it down? Mr. Henderson said he'd have to double check if the union could be awarded costs and fees if the County decides they want to withdraw the request. He said, presumably we could request an extension of filing for the briefs. Commissioner Boyd said, we can't decide if we are going to withdraw until we know what the costs are. Commissioner Morris said, part of the downside is the whole reason this was brought up, is it right to have people in a union that shouldn't be in a union. Commissioner Morris said she is willing to put in writing all of the ways the Board will take care of these long time employees. She said it wasn't her idea to pursue this whole thing but now that we are in it, she would hesitate to withdraw. The Sheriff said, but there are things that you know now that you didn't know then. He discussed the accountability for our front line deputies and their concerns around support. Commissioner Boyd said, he'd like to continue on and figure out an MOU. Commissioner Morris asks, what is Board consensus on next steps? Commissioner Boyd said he needs to fully understand what they will lose so we can put an MOU together. Commissioner Morris said she feels the same, stay the course on one end and get more information to put together a memo.

5. Other County Business

None.

6. Adjournment

Audio recordings of all proceedings are available at the County Commissioners' office. The meeting facility is handicap accessible. Persons needing materials in alternate format or communication access, should telephone this office at 541-883-5100 (voice/TDD) or the ADA Coordinator at 541-883-4296 at least 48 hours in advance of the scheduled meeting.

Klamath County Commissioners' Weekly Calendar is subject to change without notice. 305 Main Street 2nd Floor,
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