

# Staff Report

for the Board of Directors' Meeting of April 13, 2016

**TO:** Board of Directors  
**FROM:** Chip Close, Water Operations Manager  
**DATE:** April 5, 2016  
**SUBJECT:** Amended Uniform Allowance Resolutions

***OPERATIONS***

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**RECOMMENDATION:**

Rescind Resolution Nos. 2015-35 and 2015-36 and adopt Resolutions Nos. 2016-12 and 2016-13, as amended for compliance with CalPERS regulations for uniform allowance compensation reporting.

**BACKGROUND:**

CalPERS notified the District that language utilized in Resolution No. 2015-35 and 2015-36 did not meet the regulations required for reportable benefits. CalPERS provided the District with recommended language to assure it met their needs. The change in language includes a description of the length of term that the MOU is in place and provides a bracketed amount of potential reportable benefit.

The suggested amended language does not change the District's current practice of reporting uniform allowance benefit based on actual cost per year per department. The changes from the 2015 Resolutions are provided in red for comparison.

The labor organization has been informed of the requested amendments.

**BUDGETARY IMPACT:**

No budgetary impact

AC

attachment (2):

- Resolution Nos. 2016-12 & 2016-13

**AUTHORIZING CHANGES IN WAGES, HOURS,  
AND TERMS AND CONDITIONS OF EMPLOYMENT FOR  
EMPLOYEES REPRESENTED BY AFSCME -  
FIELD AND SUPERVISORY UNITS**

**WHEREAS**, Nevada Irrigation District (hereafter “NID”) and the recognized bargaining representatives representing employees within American Federation of State, County and Municipal Employees, Local 146 (hereinafter “AFSCME”) engage in meet and confer sessions regarding wages, hours, and terms and conditions of employment that are set out in the Comprehensive Memorandum of Understanding, July 1, 2014 to June 30, 2017, Governing Wages, Terms, and Conditions of Employment (hereafter “2014 MOU”); and,

**WHEREAS**, CalPERS amended CCR Section 571 defining special compensation. The monetary value for the purchase, rental and/or maintenance of required clothing is defined as special compensation. The District reports to CalPERS the uniform rental and maintenance costs for those employees who are required to wear a uniform. Per CCR (b)(1) the special compensation must be contained in a written labor policy or agreement and duly approved and adopted by the District’s governing body. By amending the 2014 MOU to include the special compensation the District will be in compliance with CalPERS CCR 571; and,

**WHEREAS**, following meet and confer sessions, NID and representatives of the AFSCME agreed to and approved the amendment by the addition of Attachment A to the 2014 MOU for Field and Supervisory Units; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Nevada Irrigation District, as follows:

1. That the amendment to the 2014 MOU, as shown on Attachment A hereto, is hereby approved.
2. For the duration of this MOU, for each calendar year, the District will report up to the amounts listed in Attachment A
3. That the General Manager is hereby authorized and directed to implement the conditions of employment for Field and Supervisory Units as described in Attachment A.

4. That the amendment (Attachment A) shall be effective on December 9, 2015.

**PASSED AND ADOPTED** by the Board of Directors of the Nevada Irrigation District at a regular meeting of said Board, held on the 9th day of December, 2015, by the following vote of said Board:

**AYES:** Directors:  
**NOES:** Directors:  
**ABSENT:** Directors:  
**ABSTAIN:** Directors:

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President of the Board of Directors

**Attest:**

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Secretary to the Board of Directors

Attachment A

The District will provide and maintain uniforms for employees that are required to wear them in accordance with District policy. The California Government Code and California Code of Regulations require the District to report special compensation - uniform allowance for “classic” CalPERS members. Members covered under PEPRAs are excluded from the reporting of this special compensation. Uniform allowance reported to CalPERS will be based upon the affected employees district wide average annual cost of the uniforms by department for the reporting period which may include: uniform service, t-shirts and other items as required that do not meet the definition of health and safety as defined by CCR 571. The District, for the duration of this MOU, will report up to the following amounts for each member: The 2014 average by department costs would be as follows:

Engineering <u>Employees</u>	\$360
Finance <u>Employees</u>	\$230
Hydro <u>Employees</u>	\$1350
Maintenance <u>Employees</u>	\$440
Operations <u>Employees</u>	\$350
Recreation <u>Employees</u>	\$230

Amounts reported ~~in subsequent years~~ will fluctuate annually because of the actual costs being different from year to every year. In January each year, the District will include the previous year amount as CalPERS reportable compensation on affected employee’s paychecks and withhold the employee contribution based upon employee’s retirement formula (2% @ 55 or 2.5% @ 55). The compensation and contributions will be included in the District’s reporting to CalPERS for that period.

As an example, the 2014 average by department costs would be as follows:

Engineering <u>Employees</u>	\$182.00
Finance <u>Employees</u>	\$114.00
Hydro <u>Employees</u>	\$673.00
Maintenance <u>Employees</u>	\$220.00
Operations <u>Employees</u>	\$176.00
Recreation <u>Employees</u>	\$114.00

**AMENDING BENEFIT AND COMPENSATION PLAN,  
AND AUTHORIZING CHANGES IN WAGES, HOURS,  
AND TERMS AND CONDITIONS OF EMPLOYMENT  
FOR UNREPRESENTED EMPLOYEES**

**WHEREAS**, Nevada Irrigation District (hereafter “District”) has established a Benefit and Compensation Plan for Unrepresented Employees to confirm and/or change wages, hours, and terms and conditions of employment for unrepresented employees (the “Compensation Plan); and

**WHEREAS**, CalPERS amended CCR Section 571 defining special compensation. The monetary value for the purchase, rental and/or maintenance of required clothing is defined as special compensation. The District reports to CalPERS the uniform rental and maintenance costs for those employees who are required to wear a uniform. Per CCR (b)(1) the special compensation must be contained in a written labor policy or agreement and duly approved and adopted by the District’s governing body. By amending the Compensation Plan to include the special compensation the District will be in compliance with CalPERS CCR 571; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Nevada Irrigation District, as follows:

1. That the amendment to the Compensation Plan, as shown on Attachment A hereto, is hereby approved.
2. For each calendar year starting June 30, 2014 the District will report up to the amounts listed in Attachment A
3. That the General Manager is hereby authorized and directed to implement the conditions of employment for unrepresented employees as described in Attachment A.
4. That the amendment (Attachment A) shall be effective on December 9, 2015.

\* \* \* \*

**PASSED AND ADOPTED** by the Board of Directors of the Nevada Irrigation District at a regular meeting of said Board, held on the 9th day of December, 2015, by the following vote of said Board:

**AYES:** Directors:  
**NOES:** Directors:  
**ABSENT:** Directors:  
**ABSTAIN:** Directors:

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President of the Board of Directors

**Attest:**

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Secretary to the Board of Directors

Attachment A

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As an example, the 2014 average per department cost would be as follows:

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