

Sec. 14-56. - Policy and Standards for Determination of Appropriate Units.

56.1 The policy objectives in determining the appropriateness of units shall be the effect of a proposed unit on (1) the efficient operations of the County and its compatibility with the primary responsibility of the County and its employees to effectively and economically serve the public, and (2) providing employees with effective representation based on recognized community of interest considerations. These policy objectives require that the appropriate unit shall be the broadest feasible grouping of positions that share an identifiable community of interest. Factors to be considered in assigning classifications to units shall be:

- (a) Title notwithstanding, similarity of the general kinds or work performed, types of qualifications required, and the general working conditions.
- (b) History of representation in the County and similar employment; except however, no unit shall be deemed to be an appropriate unit for the classification solely on the basis of the employee organization to which employees the subject classifications belong.
- (c) Consistency with the general description of the units in this section.
- (d) Consistency with the organization patterns of the County.
- (e) Effect on the classification structure and impact on the stability of the employer-employee relationship of dividing a single or related classification among two (2) or more units.

56.2 Notwithstanding the foregoing provisions of this section, management and confidential employees shall only be included in units consisting solely of management or confidential employees; and such management or confidential employees shall not represent a recognized employee organization which represents other employees of the County; supervisory employees shall only be included in a unit consisting solely of supervisory employees, and such supervisory employees may represent a recognized employee organization that represents nonsupervisory employees of the County only to the extent allowed by State law, and professional employees shall not be denied the right to be represented in a separate unit from non-professional employees.

56.3 The following units are hereby established:

- (a) *Administrative, Professional and Office Technical Non-supervisory*: Includes classes of positions normally referred to as "white collar," such as clerical support positions, professional and related technical support positions.
- (b) *Trades, Crafts and Field Worker Nonsupervisory*: Includes those classes whose work requiring specific skills involving technical ability that may be derived from academic or vocational preparation or experience providing competence in one (1) or more techniques, trades or crafts; may include classifications associated with the inspection of facilities or conditions as to compliance with rules and regulations; may also include those classifications associated with the maintenance of roads, parks, buildings, bridges, equipment and other functions requiring practical knowledge gained through experience on the job.
- (c) *General Supervisory*: Includes all non-law-enforcement supervisors in the County who are below the managerial ranks as defined below.
- (d) *Law Enforcement Basic*: Positions in the Sheriff's Department which are not designated as confidential, managerial or peace officers as defined in subsection (i) below, and are not in a classification which is common to other departments of the County.
- (e) *Law Enforcement/Management*: Those employees who are sworn peace officers and occupy managerial positions within the Sheriff's department.
- (f) *Confidential Unit*: Comprised of all employees who, in the course of their duties, have access to information relating to the County's administration of employer-employee relations.
- (g) *General Management*: Comprised of only department heads and assistant department heads whose hours, wages and other terms and conditions of employment shall be as mutually agreed between the Board and those department heads and assistants.
- (h) *Deputy District Attorneys*: Those attorneys-at-law who occupy positions in the District Attorney's Office.
- (i) *Peace Officers*: Includes all classes of positions defined as peace officers in Penal Code Sections 830.1, except those which are designated as confidential and managerial.
- (j) *Other Safety Positions*: Includes all classifications of peace officers and safety positions not covered by the preceding unit definitions. For purposes of this division, safety positions is defined as those positions eligible for safety retirement benefits.

56.4 The Employee Relations Officer shall allocate new classifications or positions; delete eliminated classifications or positions; and retain, reallocate or delete classifications or positions from units in accordance with the provisions of this section after consulting with personnel employee organizations.

(Ord. No. 1063, Art. II, § 6, 12-1-79; Ord. No. 1236, § 1, 3-30-82; Ord. No. 1308, § 1, 4-5-83;
Ord. No. 1726, § 1, 3-15-88; Ord. No. 1812, § 1, 3-7-89; Ord. No. 2427, §§ 1, 2, 2-24-98)
(Ord. No. 2972, § 1, 4-24-2012; Ord. No. 3022, § 1, 1-6-2015.)