



# The California County Platform | Chapter 8 Public Employment and Retirement

*Adopted by the CSAC Board of Directors*

5

## 6 SECTION 1: PUBLIC EMPLOYEE RELATIONS

7

8 Counties are committed to an employment system that provides public employees with  
9 protection against arbitrary and capricious loss of jobs, unfair hiring practices, and preferential  
10 promotions or job assignments that are not merit-based. Counties believe in, and support,  
11 merit systems that promote equity and equality among its employees and applicants. For this  
12 purpose, they have provided personnel services, grievance procedures, health and safety  
13 protection, retirement, and pension plans. Foremost, however, counties have a fundamental  
14 obligation to all citizens to exercise the peoples' sovereign power in determining what  
15 government will do, at what cost to the taxpayer, and under what circumstances. Thus, the  
16 basic principle of county employer-employee relations is one of balancing the legitimate  
17 desires and needs of employees against the public's right to economical, efficient, effective,  
18 and stable government.

19

### 20 Collective Bargaining

21 CSAC supports collective bargaining legislation that:

22

- 23 1) Recognizes the right of each employee to join or not join organizations and bargain  
24 collectively or individually.
- 25 2) Recognizes the responsibility of local elected officials to govern and manage the  
26 organization and to implement public policy.
- 27 3) Minimizes the potential for disputes arising purely from procedural matters.
- 28 4) Provides an acceptable method of resolving impasse resulting from negotiations. CSAC  
29 opposes compulsory, binding arbitration.
- 30
- 31
- 32

33

### 34 Political Activity by Employees

35 Employees whose job security is protected by civil service or merit systems or by agreement  
36 between the county and an employee organization cannot be permitted to engage in any  
37 political activity during times when they are paid to perform the duties of their employment.

38

### 39 Nepotism Restriction

40 CSAC supports nepotism restriction policies that are consistent with applicable state statutes.  
41 Specifically, CSAC supports policies that prohibit employment of immediate family members  
42 by county officers, or participation of county officers or employees in employment decisions  
43 affecting immediate family members. No person should be employed in a position where that

1 position will be directly supervised by a member of the immediate family, or where it is  
2 reasonable to believe, and it can be shown, that employment of immediate family members in  
3 the same department, division, or facility involves potential conflicts of interest.

4  
5 Employee Benefits Legislation

6 Counties strive to develop employee benefit plans that are affordable, responsive to the needs  
7 and desires of county employees, and reflect the values of the community. CSAC is opposed to  
8 the state legislating salary, wages, or employee benefits for county employees. These issues  
9 must be determined only at the local bargaining table; otherwise, the foundation of the  
10 collective bargaining process is undermined.

11  
12 Workers' Compensation

13 CSAC supports preserving the original intent of the Workers' Compensation Act and legislation  
14 that would prevent or correct abuses within the system. We believe that timely and  
15 unprejudiced benefits should be provided to employees who suffer from work-related injuries  
16 or illnesses at a reasonable cost to county employers. CSAC opposes state policy that would  
17 erode the original intent of the Workers' Compensation Act or result in excessive costs and  
18 increased litigation to county employers.

19  
20 CSAC supports workers' compensation legislation that:

- 21
- 22 1) Provides reasonable measures to assist employees in returning to suitable employment.
  - 23
  - 24 2) Promotes medical care treatment guidelines that are based on evidentiary medicine  
25 and designed to cure or relieve the effects of employment-related injury or illness.
  - 26
  - 27 3) Supports the concept of apportionment for disability that is the result of other  
28 industrial or non-industrial injuries or conditions.
  - 29
  - 30 4) Maintains objectivity in evaluating permanent disability standards.
  - 31
  - 32 5) Promotes the concept that tax exemptions on temporary disability should extend only  
33 to the statutory maximum.
  - 34
  - 35 6) Ensures that the Workers' Compensation Appeals Board remains a forum for efficient  
36 resolution of claim issues.

37  
38 CSAC Opposes:

- 39
- 40 1) Extending workers' compensation benefits to any person other than the employee, as  
41 defined by law, except in the case of dependent death benefits.
  - 42
  - 43
  - 44 2) Expanding injury presumptions without data-driven evidence that the existing system is

1 unjust.

2  
3 3) Changing the system in ways that could increase fraud, abuse, or unqualified claims.

4  
5 Coordination of Governmental Employers

6 Counties, cities, and local governmental management are strongly encouraged to freely and  
7 timely exchange information on employee demands over wages and employee benefits as  
8 well as settlements reached. In this manner, each employer can deal more effectively with its  
9 own "meet and confer" process.

10  
11 While multi-employer bargaining may not currently occur, there are many real benefits  
12 available if governmental units kept adjoining and comparable agencies promptly informed of  
13 employer positions on salaries, employee demands, and employee benefits. Governmental  
14 entities are regularly used to compare employee benefits, sometimes at an "anticipated"  
15 rather than actual level.

16  
17 Closed Sessions for Negotiation Discussions

18 Successful negotiations depend upon meaningful discussions at the bargaining table. Under no  
19 circumstances should closed sessions of the Board of Supervisors and its designated  
20 management representatives be required to be opened to the public.

21  
22 Federal Labor Relations Legislation

23 CSAC opposes the intrusion of the federal government into the field of state and local public  
24 labor relations legislation. States and counties should be innovative with new legislative  
25 approaches and adopt procedures tailored to meet the needs of their constituents.

26  
27 However, should federal labor relations legislation become inevitable, counties should  
28 encourage the adoption of legislation that parallels their positions on state legislation.

29  
30  
31 **SECTION 2: PUBLIC RETIREMENT**

32  
33 Public retirement systems should be established and maintained on actuarially sound  
34 principles and be fiscally responsible. Public pension reform has garnered widespread  
35 interest and has generated significant debate among policy leaders about the appropriate  
36 remedy for actual and perceived abuse, rising costs, and accountability to taxpayers. CSAC  
37 welcomes this discussion and approaches the concept of reform with the overarching goal  
38 of maintaining public trust in public pension systems and empowering local elected officials  
39 to exercise sound fiduciary management of pension systems, as well as maintaining a  
40 retirement benefit sufficient to assure recruitment and retention of a competent local  
41 government workforce. The guiding principles are intended to apply to new public  
42 employees in both the California Public Employees' Retirement System (CalPERS) and  
43 County Employees Retirement Law of 1937 (1937 Act) retirement systems.

1 Local elected officials should be able to develop pension systems that meet the needs of their  
2 workforce, maintain principles of sound fiduciary management, and preserve their ability to  
3 recruit and retain quality employees for key positions that frequently pay less than  
4 comparable positions in the private sector. We oppose efforts to remove the authority of  
5 boards of supervisors to determine retirement benefits since they are responsible for funding  
6 benefit changes. For the 1937 Act county retirement system, we are opposed to any  
7 legislation that would transfer authority now vested with the county board of supervisors to  
8 the county board of retirement. Such proposed transfers could include, but are not limited to,  
9 the adoption of salaries for retirement board members or employees, the extension of  
10 benefits, or decisions related to funding the system.

11

12 Public pension systems boards have a constitutional duty to:

13

14 1) Protect the administration of the system to ensure benefits are available to members;  
15 and,

16

17 2) Minimize employer costs.

18

19 The constitutional provisions and state statutes governing such boards should promote  
20 responsible financial management, discourage conflicts of interest, and eliminate fraud or  
21 abuse to ensure public trust and to preserve the overall public value of these systems.

22

23 Public pensions should adhere to the following principles:

24

25 1) Protect Local Control and Flexibility

26 a. Local elected officials should be able to develop pension systems that meet the  
27 needs of their workforce, maintain principles of sound fiduciary management,  
28 and preserve their ability to recruit and retain quality employees for key  
29 positions that frequently pay less than comparable positions in the private  
30 sector. A statewide mandated retirement system is neither appropriate nor  
31 practical, given the diversity and varying needs of California's communities.  
32 Further, a mandated defined contribution retirement system could force a  
33 reconsideration of the decision of local governments not to participate in Social  
34 Security.

35

36 2) Eliminate Abuse

37 a. Any fraud or abuse must be eliminated to maintain the public trust and to  
38 preserve the overall public value of these systems.

39

40

41 3) Reduce and Contain Cost

42 a. Public pension reform should provide for cost relief for government, public  
43 employees, and taxpayers.

44

- 1 4) Increase Predictability of Costs and Benefits for Employee and Employer
- 2 a. Responsible financial planning requires predictability. Employers must be able
- 3 to predict, and therefore budget for, their financial obligations in future years.
- 4 Employees should have the security of an appropriate and predictable level of
- 5 income for their retirement after a career in public service.
- 6
- 7 5) Strengthen Local Control to Develop Plans with Equitable Sharing of Costs and Risks
- 8 Between Employee and Employer
- 9 a. Equitable sharing of pension costs and risks promotes shared responsibility for
- 10 the financial health of pension systems and reduces the incentive for either
- 11 employees or employers to advocate changes that result in disproportionate
- 12 costs to the other party, while diminishing the exclusive impact on employers
- 13 for costs resulting from increases in unfunded liability.
- 14
- 15 6) Increase Pension System Accountability
- 16 a. Public pension systems boards have a constitutional duty to both protect
- 17 administration of the system to ensure benefits are available to members and
- 18 minimize employer costs. The constitutional provisions and state statutes
- 19 governing such boards should promote responsible financial management and
- 20 discourage conflicts of interest.
- 21
- 22

### 23 **SECTION 3: INDUSTRIAL DISABILITY RETIREMENT (IDR)**

24  
25 CSAC has traditionally supported the principle of provision of IDR to safety employees who are  
26 unable to continue their safety employment due to a bona fide job-connected disabling injury  
27 or illness. CSAC has also traditionally recognized that IDR can be extremely expensive, and that  
28 responsible reforms may be warranted to limit the cost to legitimate claims.

### 31 **SECTION 4: OCCUPATIONAL SAFETY AND HEALTH STANDARDS**

32  
33 The occupational safety and health standards and practices for counties should comply with  
34 California Division of Occupational Safety and Health (Cal/OSHA) regulations.

#### 36 Safety Member Classification

37 The safety member classification is intended to provide a retirement system for the class or  
38 classes of public employees whose duties consist of physically active functions in the  
39 protection and safety of the public. The purpose of such classification is to ensure that persons  
40 so employed will be agile and active and possess a high degree of physical alertness and  
41 stamina, and it is designed to provide an opportunity for career employment and, at the same  
42 time, provide for and ensure separation from such service without financial hardship at a  
43 normal retirement age that is a younger age than other employees. The term "safety," as used  
44 in the retirement law, refers to the safety of the public. Personal risk or the hazardous nature

1 of job functions are not elements of the classification and shall have no bearing in determining  
2 the establishment of or eligibility for safety membership.

3  
4 Coordination of Personnel Functions with Central Administration

5 CSAC recognizes the successes and failures of local government rest heavily on the quality of  
6 its personnel, and, therefore, supports the close organizational ties between the central  
7 administration and the personnel function. Counties are encouraged to establish and maintain  
8 effective partnerships between the central administration and the personnel functions and to  
9 link activities related to those functions.

10  
11 Equal Employment Opportunity

12 The California State Association of Counties is committed to the concept of equal employment  
13 opportunity (EEO) in public service as a basic merit system principle. Acceptance of this  
14 principle does not end with mere prohibition of discriminatory practices. We recognize the  
15 obligation of counties to develop practical plans for specific steps to be taken to achieve more  
16 fully the goal of equal employment opportunity in county government. This includes positive  
17 efforts in recruitment, examination, selection, promotion, pay, job restructuring, and due  
18 process protection so that appropriate numbers of protected group members achieve  
19 positions in county government and are provided training and promotional opportunities at all  
20 job classification levels.

21  
22 Testing, Selection, and Promotion

23 Counties believe initial selection and promotional assessments used should eliminate artificial  
24 barriers, be job-related, and help ensure future job success. Special consideration should be  
25 given to facilitate the transfer and promotion of qualified employees and the full utilization of  
26 human resources particularly in protected classes.

27  
28 Licensing and Certification

29 Counties urge a review of all requirements for licenses or certificates for county employment  
30 to ensure they are reasonably and realistically related to job performance. Counties should  
31 strive to prevent requirements within licenses or certificates when those requirements create  
32 artificial barriers to employment and/or upward mobility.

33  
34 State Duplication of Federal Law and Reporting Requirements

35 CSAC is opposed to the adoption of state laws that duplicate, are inconsistent, or conflict with  
36 federal law or regulations.

37  
38 Counties are greatly concerned with the multitude of varying EEO reporting requirements  
39 coming from the state and federal government. The time required to gather and report EEO  
40 data from the many different state and federal agencies, each requiring its own data, greatly  
41 reduces the time available to accomplish the objective of EEO. Counties urge state and federal  
42 government reporting requirements that are reasonably and realistically related to necessary  
43 monitoring and evaluation activities.

1 CSAC supports the consolidation and integration of federal agencies with responsibilities for  
2 the monitoring, auditing, or regulating of local affirmative action plans and activities. The  
3 federal government should initiate efforts to increase standardization and uniformity of their  
4 practices in these areas.

5  
6

7 **SECTION 5: WORKFORCE DEVELOPMENT**

8

9 CSAC recognizes and endorses the principles of prime sponsorship and accountability of  
10 county officials in the planning, administration, and supervision of comprehensive local  
11 systems of workforce development, training, and employment--with minimal federal  
12 regulation.

13