



A Tradition of Stewardship
A Commitment to Service

County Executive Office
Human Resources Division

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Re: Side Letter Agreement Regarding Hazard Pay

Section 21.0 of the Supervisory and Non-Supervisory Memorandum of Understanding (MOU) between Napa County Professional Probation Association (NCPA) Supervisory and Non-Supervisory Units and Napa County states the following:

Probation Safety/Hazard Premium:

PERS-eligible safety employees, as defined in the California Public Employees Retirement Law, Government Code section 20438, in the Juvenile Hall Counselor and Probation Officer series shall receive a 5% hazard premium.

Section 21.0 was originally drafted and agreed to in 2017, when Probation Officers and Juvenile Hall Counselors were represented by SEIU 1021. The language was intended to recognize the hazardous nature of their duties, particularly as they related to implementing health and safety procedures for juveniles and probationers. In 2022, following the formation of NCPA and the negotiation of a new MOU, Section 21.0 was carried over without revision.

Recently, a NCPA bargaining unit member requested a retirement estimate from CalPERS. It was during a review of that estimate that Napa County was made aware that the "Hazard Pay" Special Assignment Pay assigned to the that classification (and the other aforementioned) was incorrectly assigned, as those classifications were not "...*routinely and consistently exposed to toxic, radioactive, explosive or other hazardous substances or perform hazardous activities to implement health or safety procedures.*" And the pay was excluded from pensionable pay.

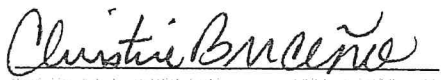
It was and is the intent of Napa County for the 5% Premium Pay to be included as Special Compensation and therefore included as pensionable pay.

To remedy this and allow for the Premium Pay to be included as Special Compensation, Section 21.0 should be revised to say, retroactive to January 1, 2020:

Probation Officer and Juvenile Hall Counselor Hazard Safety Premium Pay:


Compensation to Juvenile Hall Counselors and Probation Officer series employees who are assigned to juvenile hall or jails and routinely and consistently perform hazardous activities to implement safety procedures, such as performing drop-off and intake searches to ensure removal of weapons, drugs, contraband, and other hazardous items; maintaining a controlled facility; responding to and preventing altercations; and ensuring the health and safety of detained individuals and other individuals entering and exiting the facility. The compensation will consist of 5% of base pay paid bi-weekly.

FOR NAPA COUNTY:


Christine Briceño
Chief HR Officer

6/30/2023
Date

FOR NCPPA:


NCPA President
M. Goodrich

7/2/2025
Date