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# MEMORANDUM

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Date: February 19, 2016

To: The Honorable Chair and Members  
Pima County Board of Supervisors

From: C.H. Huckelberry  
County Administrator

A handwritten signature in black ink, appearing to be "C.H. Huckelberry", is written over the typed name and title.

Re: **February 16, 2016 Call to the Public: Pima County Deputy Sheriff's Association's Noticeable Concerns List**

At the February 16 Call to the Public, Pima County Deputy Sheriff's Association (PCDSA) representative Deputy Kevin Kubitskey appeared and provided a list of concerns (attached). This list was also distributed to the Board of Supervisors at the February 16, 2016 meeting. The Board asked that County staff respond in writing to Deputy Kubitskey and provide a copy of the response to the Board.

There appear to be a number of misconceptions in the Noticeable Concerns list that need to be addressed: Several of these items can be resolved relatively quickly. The concerns and my response are shown below.

1. *We asked the Board of Supervisors to suspend the adoption of the package submitted by the Sheriff due to numerous issues relayed and discussed with the Command Staff and the Board of Supervisors.*

The letter submitted by the Sheriff was simply a suggested compensation package. Employee compensation is considered as part of the budget planning process, which is currently underway.

2. *The 3.65 percent that is included in the Sheriff's package for a swap of 4.15 percent is potentially causing us to receive a reduced benefit, which would violate Arizona Statutes.*

The proposal would actually result in an increased retirement benefit for deputies.

3. *The \$18.8 million suggested by Mr. Huckelberry and Mr. Burke do not reflect accurately as was discussed the Human Resources (HR) Department. It appears to include what the Sheriff's Department proposed in addition to what the unions presented.*

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Deputy Kubitskey should review the detail calculations of fiscal impacts jointly with the Human Resources Director and the Finance Director. The information is accurate and reflects the cost of the pay proposal submitted as outlined below:

**Summary of Costs for FY 2016/17 Pay Proposals Submitted by the PCDSA.\***

| <b>Classification</b>    | <b>Proposal 1<sup>1</sup></b> | <b>Proposal 2<sup>2</sup></b> | <b>Proposal 3<sup>3</sup></b> |
|--------------------------|-------------------------------|-------------------------------|-------------------------------|
| 3211/Deputy Sheriff      | \$ 7,964,684                  | \$ 9,798,109                  | \$ 7,983,948                  |
| 3212/Sergeant            | 897,055                       | 1,283,897                     | 1,037,642                     |
| 3291/Correction Officers | 5,903,922                     | 5,903,922                     | 5,484,229                     |
| 3294/Correction Sergeant | 756,525                       | 756,525                       | 812,337                       |
| <b>Subtotal</b>          | <b>\$15,522,186</b>           | <b>\$17,742,453</b>           | <b>\$15,318,156</b>           |
| Civilians (5% increase)  | 1,092,017                     | 1,092,017                     | 1,092,017                     |
| <b>Total Proposed</b>    | <b>\$16,614,203</b>           | <b>\$18,834,470</b>           | <b>\$16,410,173</b>           |

\*Costs include benefits.

<sup>1</sup>Attachment 2 in 02/12/16 memorandum.

<sup>2</sup>Attachment 3 in 02/12/16 memorandum.

<sup>3</sup>Attachment 4 in 02/12/16 memorandum.

4. *The Package submitted by the Sheriff's Department has received little to no support from the men and women that it would be applied to.*

I have not received any information regarding employee feedback received in response to the Sheriff's proposal.

5. *At the direction of several Board Members, I worked directly with HR giving our pay packages with areas to be negotiated on, yet nothing has been negotiated and we have not received a call.*

Management does not negotiate pay packages with any employee organization. By State law, employee compensation cannot be negotiated through a binding union agreement.

6. *When I called down to inquire about the packages we were attempting to just get numbers on, I was informed they could not give those numbers to me, I was told that it came down from Mr. Huckelberry not to disclose them to us. These were our pay packages.*

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Human Resources staff did not tell Deputy Kubitskey that i said not to disclose the numbers to him. Staff informed him we would provide the numbers once they were complete and approved by the Human Resources Director, Deputy County Administrator and County Administrator. In fact, the numbers were not completed until Friday, February 12.

We will give PCDSA any numbers they desire. PCDSA needs to review the numbers and analysis jointly with the Finance Director and the Human Resources Director.

- 7. The first opportunity that we have received to view information was at the delivery of the February 12, 2016 memorandum from Mr. Huckelberry in reference to the salary adjustment requests.*

From Tom: As stated in Item 6 above, the calculation of impacts of the proposed changes was not completed until February 12. PCDSA received the information as soon as it was validated.

- 8. The package includes my letter addressed to the Sheriff and only two of the four packages we tried to have worked on were included, while nothing from the Sheriff's package was disclosed. Nor are there any other letters from any other group.*

I am not aware of any other letters or proposals from any other group. The Sheriff's \$7.3 million compensation adjustment proposal is included in Attachment 1 to my February 12, 2016 memorandum on the summary worksheet of salary-related supplemental funding requests and in the Sheriff's Supplemental Request Package B. My February 12 memorandum discusses three proposals from PCDSA, and they are included as Attachments, 2, 3 and 4 to the memorandum.

My memorandum also included the discussion and table below regarding the doubling of the County's Public Safety Personnel Retirement System contribution over the last five five years.

*In FY 2015/16, the County's employer contribution rates to the Public Safety Personnel Retirement System (PSPRS) increased significantly due to a combination of funding issues and the impact of the loss of a court challenge filed by plan beneficiaries.*

*Table 3 below shows the total employer contribution rate to the PSPRS, as well as the aggregate dollars contributed by Pima County to the system over the last five years. As can be seen, the contribution by the employer, the County, has nearly doubled.*

**Table 3: County Contribution Rates to the PSPRS.**

| <b>FY</b> | <b>Total Employer Contribution Rate (Percent)</b> | <b>Total Contribution</b> |
|-----------|---|---------------------------|
| 2012/13   | 34.55   | \$8,552,218               |
| 2013/14   | 38.94   | 11,110,598                |
| 2014/15   | 41.92   | 12,615,724                |
| 2015/16   | 53.69   | 15,389,607                |
| 2016/17   | 56.45   | 16,096,511                |

9. *The fact that we were singled out in this document and that our letter to the Sheriff was included appears to be retaliatory to the last time I stood in front of the Board on behalf of the PCDSA and FOP.*

The PCDSA is the only organization that gave the Board specific proposals. I requested that the Human Resources and Finance Departments evaluate the impact of the proposals.

10. *The fact that we are prohibited from seeing the numbers of our own pay packages to work towards a fair and equal solution appears to be intentional.*

As stated in Items 6 and 7 above, we have provided PCDSA with the information. We are in the early stages of budget preparation and still have ample time to consider all propositions regarding wages.

11. *This is forcing our Unions down a path of public involvement that we have desperately tried to avoid. We want to be able to work together for the best outcome, however our hands feel tied at this point due to the lack of assistance from the direction of Mr. Huckelberry.*

I have no information regarding any union public involvement campaign.

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*12. Disbanding of Catastrophic Leave Bank (CAT Bank) Subcommittee.*

The CAT Bank Subcommittee has not been disbanded. The Subcommittee was created through the Meet and Confer process with SEIU. The role and duties of the Subcommittee were not specified in the Memorandum of Understanding with SEIU. The Subcommittee began reviewing individual employees' requests for CAT Bank hours, and the Subcommittee recently attempted to suspend childbirth and adoption benefits in midstream to a number of County employees who were already on approved Family and Medical Leave for same. The role of the Subcommittee should be to periodically monitor and evaluate the condition of the CAT Bank, but the decision of whether an individual employee qualifies for use of the CAT Bank is decided by the County's Family and Medical Leave Coordinator and should not be subject to a vote of the Subcommittee.

*13. Fifty-cent Cost of Living Adjustment (COLA).*

The fifty-cent COLA previously approved by the Board was for every County employee. No employee, employee group, or employee organization or union was identified or singled out for special treatment.

CHH/mjk

Attachment

c: The Honorable Christopher Nanos, Pima County Sheriff  
Tom Burke, Deputy County Administrator for Administration  
Allyn Bulzomi, Director, Human Resources  
Keith Dommer, Director, Finance and Risk Management  
Robert Johnson, Budget Manager, Finance and Risk Management

## Noticeable Concerns:

1. We asked the Board of Supervisors to suspend the adoption of the package submitted by the Sheriff due to numerous issues relayed and discussed with the Command Staff and the Board of Supervisors.
2. The 3.65% that is included in the Sheriff's Package for a swap of 4.15% is potentially causing us to receive a reduced benefit, which would violate Arizona Statutes.
3. The 18.8 Million suggested by Mr. Huckleberry and Mr. Burke do not reflect accurately as was discussed with the HR department. It appears to include what the Sheriff's Department proposed in addition to what the unions presented.
4. The Package submitted by the Sheriff's Department has received little to no support from the men and woman that it would be applied to.
5. At the direction of several Board Members, I worked directly with HR giving our pay packages with areas to be negotiated on, yet nothing has been negotiated and we have not received a calls.
6. When I called down to inquire about the packages we were attempting to just get numbers on, I was informed they could not give those numbers to me, I was told that it came down from Mr. Huckleberry not to disclose them to us. These were our pay packages.
7. The first opportunity that we have received to view information was at the delivery of the February 12<sup>th</sup> Memorandum from Mr. Huckelbery in reference to the salary adjustment requests.
8. The package includes my letter addressed to the Sheriff and only 2 of the four packages we tried to have worked on were included, while nothing from the Sheriff's package was disclosed. Nor are there any other letters from any other group.
9. The fact that we were singled out in this document and that our letter to the Sheriff was included appears to be retaliatory to the last time I stood in front of the Board on behave of the PCSDA and FOP.
10. The fact that we are prohibited from seeing the numbers of our own pay packages to work towards a fair and equal solution appears to be intentional.
11. This is forcing our Unions down a path of public involvement that we have desperately tried to avoid. We want to be able to work together for the best outcome, however our hands feel tied at this point due to the lack of assistance from the directions of Mr. Huckleberry.

12 Disbanding of CAT BANK Com mtee

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