

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No.: 24-157

PPPR Control No.

- a. Amend Employer-Employee Relations Resolution)
(EERR) No. 10-041 to modify Section XIV(C))
Construction; and)
- b. Direct the Human Resources Department to implement)
the changes.)

WHEREAS, the Human Resources Department recommends amending the Employer-Employee Relations Resolution (EERR) No. 10-041 to bring the County’s policies in line with current legal compliance standards and ensure that our policies are respectful of employee rights; and

WHEREAS, recent legal developments, particularly concerning the Meyers-Milias Brown Act (MMBA), have clarified the statutory protections afforded to public employees in relation to strikes. It is now understood that, under the MMBA, public employees have a protected right to strike, except in circumstances where such actions pose a substantial and imminent threat to public health or safety.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors in and for the County of Monterey, that Section XIV (C) of the Employee Relations Resolution (EERR) No. 10-041 is amended as follows:

Section XIV. CONSTRUCTION

This Resolution shall be administered and construed as follows:

- A. Nothing in this Resolution shall be construed to deny any person, employee, organization, the County, or any authorized officer, body or other representative of the County, the rights, powers and authority granted by federal or state law (or County Resolution provisions).
- B. This Resolution shall be interpreted so as to carry out its purposes as set forth in Section I.
- C. Consistent with the Meyers-Milias Brown Act, strikes by public employees are statutorily protected, except as limited by controlling precedent. All strikes by public employees that create a substantial and imminent threat to the health or safety of the public are prohibited as provided by law. Violation of this provision by an employee may be cause for disciplinary action.

BE IT FURTHER RESOLVED, that the Board of Supervisors in and for the County of Monterey hereby directs the Human Resources Department and Auditor Controller’s Office to implement the actions.

PASSED AND ADOPTED on this _____ day of _____, 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, Valeria Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book _____ for the meeting on _____, 2024.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California.

By _____
Deputy