LCW LIEBERT CASSIDY WHITMORE

6033 West Century Boulevard, 5th Floor
Los Angeles, California 90045
T: (310) 981-2000 F: (310) 337-0560

December 29, 2014

Kimberley Moore
Assistant Director of Human Resources
County of Monterey Human Resources Department
168 W. Alisal St., 3rd Fl., Govt Center Bldg.
Salinas, CA 93901

Re: Monterey Bay Employment Relations Consortium

Dear Ms. Moore:

We are looking forward to another successful year with the Monterey Bay Employment Relations Consortium. The consortium committee has selected a wide variety of topics for your managers and supervisors. We are pleased to provide the consortium with five full days of training, our monthly Client Update, and telephone consultation. The workshops chosen for the upcoming training are listed on the enclosed planning meeting notes.

Enclosed is an Agreement for Special Services. Please execute and return a copy to our office.

Some members have requested information regarding our customized training. We provide training outside of the consortium on a variety of topics, all of which can be customized to include your policies and procedures. The rates vary depending on the presenter. We are willing to provide this customized training for an individual agency or a group of agencies so that the rate can be pro-rated.

If you have any questions about the consortium or our other training programs, please contact Cynthia Weldon, Director of Marketing & Training at (310) 981-2055 or cweldon@lcwlegal.com.

We thank you for your membership and we look forward to another successful training year.

Sincerely,

LIEBERT CASSIDY WHITMORE

BY:
J. Scott Tiedemann
Managing Partner

Enclosures

AGREEMENT FOR SPECIAL SERVICES

This Agreement is entered into between the County of Monterey Human Resources Department, hereinafter referred to as "Agency," and the law firm of LIEBERT CASSIDY WHITMORE, A Professional Corporation, hereinafter referred to as "Attorney."

WHEREAS Agency has the need to secure expert training and consulting services to assist Agency in its relations and negotiations with its employee organizations; and

WHEREAS Agency has determined that no less than thirty-one (31) public agencies in the Monterey Bay area have the same need and have agreed to enter into identical agreements with Attorney; and

WHEREAS Attorney is specially experienced and qualified to perform the special services desired by the Agency and is willing to perform such services;

NOW, THEREFORE, Agency and Attorney agree as follows:

Attorney's Services:

During the year beginning January 1, 2015, Attorney will provide the following services to Agency (and the other aforesaid public agencies):

1. Five (5) days of group training workshops covering such employment relations subjects as management rights and obligations, negotiation strategies, employment discrimination and affirmative action, employment relations from the perspective of elected officials, performance evaluation (administering evaluations), grievance and discipline administration for supervisors and managers, planning for and responding to concerted job actions, current court, administrative and legislative developments in personnel administration and employment relations, etc., with the specific subjects covered and lengths of individual workshop presentations to be determined by Agency and the other said local agencies.

   It is expressly understood that the material used during these presentations, including written handouts and projected power points are provided solely for the contracted workshops. This agreement warrants there will be no future use of Liebert Cassidy Whitmore material in other trainings or formats without the expressed written permission of Liebert Cassidy Whitmore. Any such use will constitute a violation of this agreement and copyright provisions.

2. Availability of Attorney for Agency to consult by telephone.

3. Providing of a monthly newsletter covering employment relations developments.

Fee:

Attorney will provide these special services to Agency for a fee of Three Thousand Four Hundred Twenty Dollars ($3,420.00) payable in one payment prior to February 15, 2015. The fee, if paid after February 15, 2015 will be $3,520.00.

Said fee will cover Attorney's time in providing said training and consultative services and the development and printing of written materials provided to attendees at the training programs.

Additional Services:

Attorney shall, as and when requested by Agency, make itself available to Agency to provide representational, litigation, and other employment relations services. The Agency will be billed for the actual time such representation services are rendered, including reasonable travel time, plus any necessary costs and expenses authorized by the Agency.

The range of hourly rates for Attorney time is from One Hundred Ninety to Three Hundred Twenty-Five Dollars ($190.00 - $325.00) per hour for attorney staff and from Seventy-Five to One Hundred Fifty Dollars ($75.00 - $150.00) per hour for services provided by paraprofessional and litigation support staff. Attorneys, paraprofessional and litigation support staff bill their time in minimum units of one-tenth of an hour. Attorney reviews its hourly rates in an annual basis and if appropriate, adjusts them effective July 1.

Independent Contractor:

It is understood and agreed that Attorney is and shall remain an independent contractor under this Agreement.

Term:

The term of this Agreement is twelve (12) months commencing January 1, 2015. The term may be extended for additional periods of time by the written consent of the parties.

Condition Precedent:

It is understood and agreed that the parties' aforesaid rights and obligations are contingent on no less than thirty-one (31) local agency employers entering into a substantially identical Agreement with Attorney on or about January 1, 2015.

Dated: 12/29/14

LIEBERT CASSIDY WHITMORE
A Professional Corporation

By _____

Dated: _____

COUNTY OF MONTEREY HUMAN RESOURCES DEPARTMENT

By _____

LCW LIEBERT CASSIDY WHITMORE

6033 West Century Boulevard, 5th Floor
Los Angeles, California 90045
T: (310) 981-2000 F: (310) 337-0560

INVOICE

December 29, 2014

Kimberley Moore
Assistant Director of Human Resources
County of Monterey Human Resources Department
168 W. Alisal St., 3rd Fl., Govt Center Bldg.
Salinas, CA 93901

(MO100-10000)
INVOICE NUMBER: 1397451

MONTEREY BAY EMPLOYMENT RELATIONS CONSORTIUM

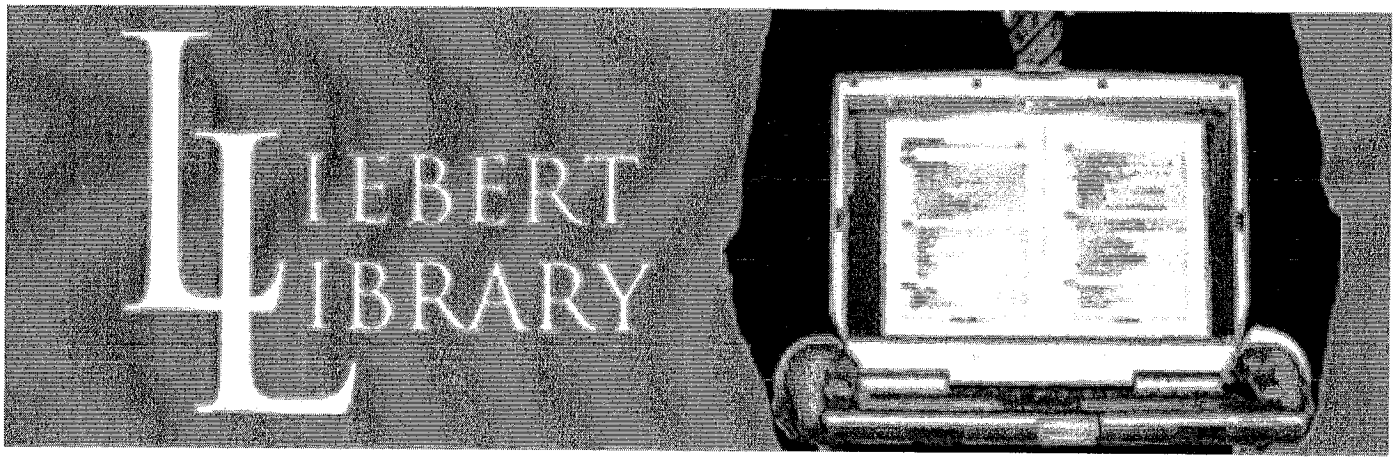
Membership: 01/01/15 through 12/31/15

Please make your check out for one of the following amounts:

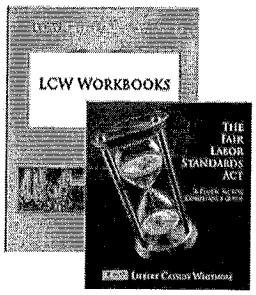
ERC Membership	**$3,420.00**	☐
ERC Membership w/ Basic Liebert Library Subscription *Basic Subscription provides access to over 200 sample forms, policies and checklists that can be used as templates.*	**$3,825.00**	☐
ERC Membership w/ Premium Liebert Library Subscription *Premium Subscription provides unlimited access to LCW workbooks in digital format, as well as over 200 sample forms, policies and checklists that can be used as templates.*	**$4,315.50**	☐

Note: *Please send us a copy of this invoice along with your payment.*

If ERC Membership paid after February 15, 2015 amount due is $3,520.00
(Includes $100.00 late fee)



*Our firm is proud to present the **Liebert Library** – an online collection of trusted legal training and reference materials that cover a variety of public-sector labor and employment topics!*

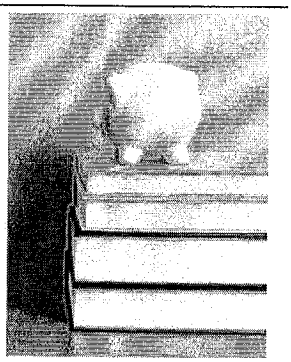


For more than 30 years our attorneys have tirelessly worked to create an entire library of legal resources that covers a variety of labor and employment topics. Now you can get on-demand access to our extensive collection of workbooks, sample forms, polices and checklists, including:

Workbooks
- The FLSA Compliance Guide
- Principles for Public Safety Employment
- Annual Audit of Your Personnel Rules
- Labor & Employment Relations Issues During Lean Times
- Understanding Public Employee Retirement Issues

Sample Forms and Polices
- Checklist for POBR/FBOR Investigation
- Reasonable Accommodation Policy
- Sample Anti-Bullying Policy
- Sample Discipline Policy
- Social Media Policy

We offer 2 levels of subscription for Liebert Library at ***economical*** prices that will allow you to lower future legal costs for your agency:



35. **Basic Membership -** Access to ***all of our sample forms and policies*** that we use as appendices in **our workbooks**. You will have ***on-demand*** access to these documents and can download them in Word and PDF formats.

36. **Premium Membership -** Access to all of the benefits of our Basic Membership (see above), as well as the ability to read and reference **our workbooks at any time!** You will also receive a $15 discount on the purchase of any workbook.

For more information visit: ***www.LiebertLibrary.com***

Questions? Contact Vladimir Power at vpower@lcwlegal.com or 310.981.2011

MONTEREY BAY ERC

1) Comments

- Members like the webinars! They find that they increase participation. The presentations can be long and members would appreciate the presenter taking extra breaks in order to not lose anyone's attention
- Jacque is timely and gives a good amount of reminders
- Members love the City of Watsonville location (they provide great snacks)
- Monterey Bay ERC receives Certificates of completion for their workshops. A question was asked regarding obtaining certificates for attending OTHER consortium presentations. LCW can provide this. They will just need to remind the Training Coordinator that they would like this.
    - LCW noted that they were applying for HRCI for our conference with a goal of adding it to consortium presentations.
    - It was noted that SHRM is also starting a new certification program.
- Members felt that the Leaves presentation did not answer all of their questions. Cynthia reminded them that they could always use the consortium call service to ask any follow up questions.
- Members are interested in receiving a leaves chart explaining the Integration of FMLA/CFRA
    - LCW has something that is used for our education clients that could be adapted and will put something together for the group.

2) Services Explained

- Consortium Calls can be placed to the Fresno, San Francisco, San Diego or Los Angeles Offices. Members may ask for a specific attorney or any available attorney. Questions may also be submitted by email directly to the attorney or to info@lcwlegal.com.
- Individual/customized training:
    - Includes the incorporation of your policies and procedures, as well as an original set of materials for your reproduction.
    - Any of the workshops listed on the Master Workshop Topics List can be presented outside of the consortium to one specific agency or a group of agencies to share the cost.
    - LCW would be happy to send an e-mail to other agencies if a request for an individual workshop has been made and the agency requesting the workshop wishes to combine with other agencies. For more information, contact Anna Sanzone-Ortiz at (310) 981-2051.

- Consortium Workshops across the State: ERC Members are able to attend other Consortium's workshops. If you are interested in attending, you must contact Jacqueleen Balderas 2 weeks prior the scheduled workshop. Once all the registration sheets are received from the host Consortium, if there is space available, Members from other consortiums are able to attend. There is no cost to attend another Consortiums workshop, *unless* they require a refreshment fee.

- Newsletters – LCW has Multiple Monthly Newsletters: Client Update, Briefing Room (geared towards law Enforcement) and Fire Watch (geared towards Fire Safety Personnel). Members may sign up for any or all of these publications. The newsletters are sent either via surface mail or via email. The email comes from Newsletter@lcwlegal.com so please ensure that this email address is accepted by your system.

- Webinars – LCW has designated select webinars for consortium members only. Members will receive a monthly email outlining available consortium only webinars for the month. Additionally, LCW provides webinars that are open to all public agencies, but provides them at a discounted rate for consortium members. A list of upcoming (and archived webinars) can be found at: www.lcwlegal.com/seminars

- Social Media – follow us on Twitter (http://twitter.com/lcwlegal) and read our Labor and Employment blog (http://www.calpublicagencylaboremploymentblog.com)

- Liebert Library – an online collection of LCW reference material: www.LiebertLibrary.com

- LCW reminds agencies that they are responsible for monitoring who is registering for the workshops. LCW provides a guide as to who should attend the workshops and requests that the agency use its best discretion when registering employees as the composition of the audience can impact the message and tone of the workshop.

3) **Workshops (Prefer Thursdays/Wednesdays but NOT 3rd Wednesday or 4th Thursday of the Month)**

- Supervisory Skills for the First Line Supervisor/Manager (Full Day)
- Difficult Conversations (Half Day)
- Managing Performance Through Evaluation (Half Day)
- Prevention and Control of Absenteeism and Abuse of Leave (Half Day)
- Employee Due Process Rights and 'Skelly': A Guide to Implementing Public Employee Discipline (Half Day) – to be presented as a webinar
- Advanced FLSA to include FLSA: New Developments and Hot Topics (Half Day)
- Understanding Public Employee Retirement Issues for California's Public Employers (Half Day) – to be presented as a webinar
- The Art of Writing the Performance Evaluation (Full Day) ***[New Workshop]***
- Badda Bing, Badda Boom: Don't Delay in Creating a High Performance Department and Agency (Half Day) ***[New Workshop]***

4) **Workshop Hosting**

- We will ask other agencies to help host workshops if we are not able to accommodate all Training days. Hollister and Watsonville are willing to host. Santa Cruz is willing to co-host The following suggestions were made by the group and LCW will follow up:
  - Marina library
  - CSUMB
- Those that cannot host are welcome to assist a host agency with refreshments, registration etc.

5) **ERC Rates**

- AGENCIES W/LESS THAN 200 FULL TIME EMPLOYEES: $3,105 ($3,080+ $25 REFRESHMENT FEE)
- AGENCIES W/200 TO 1,000 FULL TIME EMPLOYEES: $3,420($3,380 + $40 REFRESHMENT FEE)
- AGENCIES W/ OVER 1,000 FULL TIME EMPLOYEES: $4,890 ($4,840+ $50 REFRESHMENT FEE)

- A late fee of $100 will be accessed if payment is not received by February 1st