MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into between the County of Dakota (hereafter "County") and the American Federation of State, County and Municipal Employees, Council 5, (hereafter "Union") Local 306.

WHEREAS, the County and the Union are parties to a Collective Bargaining Agreement (hereafter "Agreement") in effect from January 1, 2025 to December 31, 2026; and

WHEREAS, the Agreement provides "the Employer shall determine the classification and position(s) within the classification to be reduced,"

WHEREAS, the County anticipates the elimination of positions within the classification of Social Worker associated with the reduction of budgetary funding for the affected positions with incumbent employees of:

- Social Worker Child Care Licensing (1.0 FTE)
- Social Worker Child Care Licensing (0.5 FTE)
- Embedded Social Worker (1.0 FTE)
- Embedded Social Worker (1.0 FTE)
- Social Worker Jail Treatment (1.0 FTE)

WHEREAS, the County anticipates the elimination of positions within the classification of Program Coordinator associated with the reduction of budgetary funding for the affected positions with incumbent employees of:

- Resources Development Program Coordinator (1.0 FTE)
- Resources Development Program Coordinator (1.0 FTE)
- Mental Health Program Coordinator (1.0 FTE)
- Jail Treatment Program Coordinator (1.0 FTE)

WHEREAS, the County anticipates the elimination of a position within the classification of Program Analyst associated with the reduction of budgetary funding for the affected position with incumbent employee of:

- E&EA Program Analyst (1.0 FTE)

NOW, THEREFORE, the parties hereby stipulate and agree as follows:

<u>Program Coordinator</u>

1. The Employer has identified which classifications and positions will be eliminated based on job responsibilities.

2. Employees within the classifications and positions to be reduced shall be selected for layoff in the following order.

    a. Provisional and temporary employees within the affected classification and position will be laid off first

b. Probationary employees within the affected classification and position will be laid off in inverse order of classification seniority

c. A permanent full-time or part-time employee whose position is being eliminated will inform the Human Resources Director via email within 24 hours of notification of the position elimination of their election to utilize option 1, 2 or 3 in Section 15.5 of the Agreement as quoted below.

1. Bump the employee within the same job classification who has the least Classification seniority provided the bumping employee has more Classification seniority; or

2. Bump the least senior employee in the next lowest previously held classification in which the employee obtained permanent status using County seniority provided the least senior employee has less County seniority; or

3. Accept the layoff. An employee exercising their bumping rights must accept the work schedule (days or week and number of hours per day) and work location of the position they will be placed in unless otherwise modified by the Employer.

3. Human Resources will create a list of the least senior employees in the classification of Program Coordinator which is commensurate with the number of employees in the classification of Program Coordinator who exercise Option 1.

a. The employees whose position is being eliminated will be given the list of positions that are currently held by the least senior employees in the classification.

b. The most senior employee will then pick which of those employees to bump.

c. This process will continue in classification seniority order.

d. An employee may not bump an employee in the same classification with more classification seniority.

4. If Program Coordinator positions are added in the next three (3) years within the Social Services or Employment & Economic Services departments, employees who previously held Program Coordinator positions and who have been bumped from those positions into vacant Social Worker positions as described in this Memorandum, shall be recalled to their former classification in the inverse order of their County seniority as long as they are still employed by Dakota County in a Social Worker position. Employees shall be notified by email to their County email. Should such employee not indicate acceptance of said position within two (2) working days of the date notice is emailed, the employee will be considered to have relinquished their right to return to a Program Coordinator position and the position shall be offered to the next person who was displaced from a Program Coordinator position pursuant to this Memorandum. Employees shall retain rights to be recalled to a Program

Coordinator position for a period of three (3) years commencing with the effective date of this Memorandum.

Social Worker

5. The Employer has identified which classifications and positions will be eliminated based on classification seniority within each team.

6. For employees in the classification of Social Worker, the parties shall utilize vacancies to avoid the need to layoff employes.

7. The Employer will provide the Union with an up-to-date list of all vacancies within the Social Worker job classification.

    a. Included on the list of vacancies will be the current: department, work location, work schedule, supervisor and minimum qualifications.

    b. Employees whose position have been determined to be eliminated will be given a copy of the list and will have 48 hours to review and email the Human Resources Director and Social Services Department Directors their top three ranked desired vacant positions for which they meet the minimum qualifications.

    c. The Employer will assign each person to a vacancy exercising due diligence to select one of the top three ranked desired vacant positions, if possible, based on qualifications, experience and eligibility. If the Employer does not select the employee's top ranked desired vacant position, the employee can request an explanation from the Employer, and the Employer shall provide the explanation.

    d. Human Resources and Social Services Department Directors will review the employees' submissions and make this determination in the following order:

        (1) Any Program Coordinator whose position has been eliminated or who has been bumped as a result of the process outlined in paragraphs 2 and 3 above in County seniority order.

        (2) Any Social Worker whose position has been determined to be eliminated in classification seniority order.

        (3) If, after all permanent employees have completed the vacancy filling process and there are remaining vacancies, the Employer shall then offer probationary employees, or employees who have no contractual rights to bumping, a vacancy as determined by the Employer.

Program Analyst

8. The Employer has identified which classification and position will be eliminated based on team and job responsibilities.

9. For the employee in the classification of Program Analyst whose position will be eliminated, the parties shall utilize a Program Analyst vacancy in the Social Services Department to avoid the need to lay off the employee.

General

10. Employees who move into a vacancy shall not be required to complete an additional probationary period if they have already completed their initial probationary period.

11. If an employee experiences a reduction in grade/class, it shall be processed as a voluntary demotion for the purposes of calculation of a new wage rate.

12. This Agreement is based upon the unique circumstances of the present case and shall not constitute a precedent in future negotiations or with respect to any other claim or dispute arising between the County and the Union or any member of the bargaining unit covered by the collective bargaining agreement between the County and the Union.

13. This Memorandum of Agreement represents the complete and total agreement of the parties regarding this matter.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement on the dates set forth by their respective signatures.

COUNTY OF DAKOTA	AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, COUNCIL 5
_____	_____
_____	_____