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METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Doreen E. Wolf
EXECUTIVE SECRETARY

February 17, 1994

To: (Legal & Claims Committee--Action)
Board of Directors (Organization & Personnel Committee--Action)

From: General Counsel

Subject: Authorization to Convert Three Temporary Positions to Three Permanent Positions

Report

In the absence of permanent positions, the General Counsel over time has utilized the services of one temporary attorney and two agency temporary secretaries to perform necessary work. As reported by the General Manager to your Board by letter dated December 20, 1993, after extensive review of the functions being performed by temporary agency employees, temporary employees were classified by three categories. Category III was defined as "Convert to Permanent" and were considered to be agency temporaries who fulfill functions that must be performed and that if funds were available would be filled with regular employees. The temporary positions in this department which include both District and agency temporaries have been classified as Category III and therefore, in order to clarify the status of those positions, clarify the General Counsel's budget proposals for fiscal year 1994/1995, and to take advantage of cost savings that may occur with permanent employees rather than use of agency temporaries, authorization is requested to convert these three temporary positions to permanent positions. Such authorization will increase the total number of authorized permanent positions in the General Counsel's office from 23 to 26 and would place the total number of permanent full-time attorneys at 14 and the number of full-time permanent secretaries at 8.¹

1. The staff also includes one part-time attorney, one Special Projects Administrator whose duties include maintenance of the District's computerized legislative tracking and analysis system, supervision of all data base applications, and supervision of other administrative functions discussed below. Three administrative assistants perform a wide range of duties which include paralegal duties, particularly to support the eminent domain litigation resulting from the Domenigoni Reservoir project, maintenance of the law library, opinion and central files, special counsel billings, and budget preparation.

Due to the increased workload in the Legal Department, we have utilized the services of a temporary attorney. Duties which have been performed by the temporary attorney include the handling of the District's routine tort litigation (automobile accidents, etc.), working with the claims branch and the District's outside claims adjuster, as well as assisting on larger litigation matters such as the recently settled Garvey Reservoir litigation. These litigation-related needs are ongoing and are not discretionary duties. Because temporary services are budgeted for each year, conversion of the attorney position to a permanent position would increase the overall cost to the District only the amount necessary to cover additional District provided benefits such as vacation and sick leave.

With regard to the conversion of two temporary secretarial positions, a possible cost savings occurs because we currently pay for agency temporaries, whose annual cost is greater than a permanent District Legal Secretary, including benefit additives. For example, a Legal Secretary II who is required to have knowledge regarding the preparation of legal documents including litigation matters can be hired as a permanent employee for the annual cost of \$37,708 including additives, those same services provided by a temporary employment agency on an annual basis cost \$47,982.

With the relocation of staff to the II Cal Plaza building last March, staff was separated with the General Counsel and the Assistant General Counsel located on the 3d floor, while the remainder of the staff is located on the 29th floor. These separate locations have placed additional burdens upon the secretarial staff. For example, because the Secretary to the General Counsel and the Secretary to the Assistant General Counsel are located on the third floor, they are no longer available to be assigned to attorneys on the 29th floor. Without the use of temporary secretaries we would, in effect, have one secretary for every three professional staff members, this ratio will of course increase in the event you approve the additional permanent attorney position requested in this letter. Additionally, it has been necessary to provide a receptionist on the 29th floor. While the secretary who fulfills these duties continues to also perform secretarial duties for the Legal Department, she is only assigned to one attorney because of the time commitments of the other duties. Because we share the floor with the Administrative Services Division, one-half of that secretary is paid for by Administrative Services.

In the event that approval is given for the conversion of these positions, the General Counsel's budget for fiscal year 1994/1995 would of course be modified with respect to monies requested for temporary help.

Board Committee Assignments

This letter is referred for action to:

The Legal and Claims Committee because of its authority to study, advise, and make recommendations with regard to the determination of the scope of the assignments of the General Counsel, pursuant to Administrative Code section 2461, subdivision (e); and

The Organization and Personnel Committee because of its authority to study, advise, and make recommendations with regard to policies and rules regarding the employment, discipline, and discharge of District officers and employees, pursuant to Administrative Code section 2471, subdivision (e).

Recommendation

LEGAL AND CLAIMS AND ORGANIZATION AND PERSONNEL COMMITTEES FOR ACTION.

It is recommended that the General Counsel be authorized to increase the total number of permanent full-time attorneys from 13 to 14 and the total number of full-time secretaries from 6 to 8 with the resulting overall number of full-time positions for the General Counsel's office set at 26.


N. Gregory Taylor

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