IN THE FACTFINDING PROCEEDINGS

PURSUANT TO THE MEYERS-MILIAS-BROWN ACT

SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 2015, Union, v. COUNTY OF SISKIYOU (IN-HOME SUPPORT SERVICES PUBLIC AUTHORITY), Employer.	PERB Case No.: SA-IM-257-M **DISSENT TO FACTFINDER'S REPORT BY MICHAEL W. JARVIS, COUNTY OF SISKIYOU'S APPOINTEE TO THE FACTFINDING PANEL**

I. INTRODUCTION

I was appointed by the County of Siskiyou ("County") to serve as the County's representative on the factfinding panel in this impasse between the County and the Service Employees International Union Local 2015 ("SEIU" or "Union")[1].

The Factfinder's Report ("Report") breaks down the Parties' positions, outlines the legal framework, and analyzes the statutory factors provided in Government Code, section 3505.4, subdivision (d). I dissent to the Report for the reasons set forth below.

II. DISSENT

My dissent follows the structure of the Report's analysis, and, to the extent practicable, flows in the order of topics raised in the Report. Any failure or omission to articulate dissent to additional points, conclusions, inferences, or recommendations does not mean I embrace those items as my own or concede them as valid, true, or persuasive.

A. FACTOR FOUR

The Report makes little analysis of the financial documentation provided as part of the factfinding proceedings. Instead, the Report focuses on the Union's argument that the County had a *"preference"* not to increase IHSS wages rather than "an *inability* to pay." The Report did not take into account the County's actual financial conditions. The County's fiscal year ("FY") 2025-2026 General Fund Analysis as well as the Union's excerpt from the County's FY 2025-

[1] The County and Union may be referred to individually as a "Party" or collectively as the "Parties".

2026 budget demonstrated that the County is in a deficit. (See County Exhibit ("Ex.") 4; see Union Ex. 9.) The County was only able to balance the deficit "on paper" by drawing from one-time use reserve funds. Now that those one-time use funds are spent, the County anticipates being in a deficit for the FY 2026-2027.

The Report states that the intent behind the County referencing this "on paper" balancing of the budget was to indicate the budget might fall short. This mistakes the County's position. The County presented during the factfinding hearing that the balanced budget was achieved using one-time funds. (See County Ex. 1, slide 11.) If not for the use of those funds, the County's FY 2025-2026 budget would have shown a deficit of more than $10 million. The Report's reading of the County's reference to a balanced budget "on paper" allowing for an increase in in-home support services ("IHSS") wages since the budget is "only on paper" is fiscally irresponsible and an inaccurate representation of the County's presentation.

If the County were to follow the recommendations in the Report, the County would worsen its financial condition, thereby risking essential services or potentially layoffs.

B. FACTOR FIVE

Government Code, section 3505.4, subdivision (d)(5), calls for the comparing of the wages, hours, and conditions of the subject employees with the wages and working conditions of "other employees performing similar services in comparable public agencies." The statute does not require the comparison of only the exact same classifications or job performance, but rather of those performing similar services. It does not require examination of employees performing identical duties. The Report asserts it is irrelevant to compare the conditions of County IHSS providers, relative to IHSS providers in other counties, with the conditions of County Deputy Sheriffs, Public Health Nurses, and Social Workers. I believe this comparison is not only relevant, but critical in highlighting how County IHSS workers do compare in an apples-to-apples comparison with IHSS workers in other counties.

First, the County compared IHSS provider wages to Deputy Sheriffs, Public Health Nurses, and Social Workers because all of those employees perform the similar services of protecting the health, safety, and welfare of vulnerable populations in the County.

Second, the County's comparison highlights that the County is not lagging behind other counties solely regarding IHSS wages. Rather, the comparison shows the County is consistently below market across multiple classifications—classifications essential to the public welfare and safe operation of a county. In this context, County IHSS wages are not the outlier compared to small and/or rural counties the Union and the Report make them out to be.

It is appropriate and informative to compare IHSS wages to the wages of IHSS providers in other counties as well as to classifications performing similar services. This more comprehensive comparison shows that IHSS providers in the County are compensated significantly more favorably relative to the market than key classifications performing similar services.

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C. FACTOR SEVEN

The Report concludes the County not paying IHSS providers additional benefits further supports a wage supplement. I disagree for the same reasons detailed in Factors Four and Five.

D. CONCLUSION SECTION

As an aside, but important clarification, the Report in footnote 1 states the Union's last proposal was for $1.70 over three years. Review of Union Exhibit 1(A), page 3, clarifies this $1.70 proposal was part of a proposed settlement. While the Union's written brief argues the last proposal on wages was $1.70, the exhibits used by the Union during its hearing presentation demonstrate the County correctly identified $2.10 over three years as its last offer. (See Union Ex. 1(A), p. 1 [the Union's bargaining overview identifies $2.10 as the last wage proposal]; and see Union Ex. 8 [the Union's projected cost increases to the County were all based on the $2.10].)

The Report acknowledges that the County is "clearly under economic pressure," but nevertheless recommends a wage increase that would place County IHSS workers squarely at the average of IHSS workers in small and/or rural counties. The Report states that the Union's argument for a wage increase is "fair and reasonable." What is fair and reasonable in this case is not what is wise for proper governance. The Report's recommendations ignore the County's financial situation and spur on fiscal irresponsibility. Moreover, referring to the recommended wage increase as "modest" mischaracterizes the financial hardship the County would incur following by it.

The Report recommends a wage increase of $1.10 to be in line with the average rate of small and/or rural counties without providing any analysis of whether the County itself sits in the average of those counties in terms of revenue. While the County is indeed both small and rural, it has the second lowest average household income in the State. It is not "fair and reasonable" to expect a county with one of the lowest average household incomes in the State to fund IHSS wages at the average of other small and/or rural counties with materially greater economic resources.

III. <u>CONCLUSION</u>

For all the above reasons, I dissent to the Report.

Dated: March 30, 2026

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Michael W. Jarvis
County of Siskiyou's Appointee to
the Factfinding Panel