




County Executive Office

Memorandum

May 11, 2020

To: Chairwoman Michelle Steel, Supervisor, Second District

From: Tom Hatch, Chief Human Resources Officer 

Subject: Administrative Revision in the Employment Agreement for the Public Defender

Human Resource Services was placed on notice that the attached First Amendment for the employment agreement for the Public Defender, Sharon Petrosino, contained outdated salary information. The listed salary did not include authorized salary increases Ms. Petrosino received in alignment with other executives from 2016 to 2019. As such, the First Amendment should have noted Ms. Petrosino's hourly salary as of April 2019 as \$113.66.

HRS intends to bring an updated amendment with this administrative correction in the fourth Quarterly Budget Report before your Honorable Board in September 2020.

If you have any questions, please feel free to contact Colette Farnes at (714) 834-2247.

cc: Robin Stieler, Clerk of the Board
Margaret Briggs, Public Defender HR Manager

**FIRST AMENDMENT TO
EMPLOYMENT AGREEMENT
FOR
PUBLIC DEFENDER**

This First Amendment ("FIRST AMENDMENT") to the Employment Agreement ("AGREEMENT") for the Public Defender is made by and between the County of Orange ("COUNTY") and SHARON L. PETROSINO (hereinafter "PETROSINO"). The COUNTY and PETROSINO shall collectively be referred to herein as the "Parties."

ARTICLE I. RECITALS

- 1.1 **WHEREAS**, by minute order dated July 12, 2016 the Orange County Board of Supervisors ("BOARD") approved the Employment Agreement for Public Defender ("AGREEMENT");
- 1.2 **WHEREAS**, the BOARD has determined that PETROSINO'S terms and conditions of employment should be amended as follows;

ARTICLE II. TERMS

NOW THEREFORE, in consideration of the mutual covenants, representations, and promises set forth herein, the parties agree as follows:

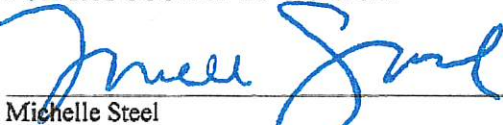
- 2.1 Except as modified in this FIRST AMENDMENT, all terms of the AGREEMENT shall remain in full force and effect; and
- 2.2 With respect to Section 6 paragraph 1 of the AGREEMENT, PETROSINO shall be compensated by the County at an hourly rate of ~~\$107.02~~. PETROSINO as of April 2019, shall additionally be entitled to receive the same salary adjustments generally provided to the members of the Orange County Attorney's Association. As the position of Public Defender is an overtime-exempt executive position, PETROSINO shall not be entitled to overtime pay under either Fair Labor Standards Act or California Law.
- 2.3 With respect to Section 6 paragraph 2 of the AGREEMENT, PETROSINO shall accrue Vacation and Sick Leave at the same rate as other COUNTY Executive Management (Group II) employees, and shall be entitled to a payoff for all accrued, unused Vacation Time, Compensatory Time, and Annual Leave (but not Sick Leave) at the time of separation of employment, in accordance with the requirements of California law. PETROSINO shall receive the same benefits generally provided to other Executive Management (Group II) employees, except as otherwise provide herein or in other acts of the BOARD. PETROSINO shall be a member of the Orange County Employees Retirement System, and shall be required to contribute toward pension benefits under the same terms as other COUNTY Executive Management (Group II) employees.

* \$113.66 (20)

ARTICLE III. ACKNOWLEDGEMENT AND CONSENT

By signing below, PETROSINO and Supervisor Michelle Steel, Chairwoman of the Board of Supervisors, acting on behalf of the COUNTY, acknowledge that they each have read and fully understand the terms and conditions of this FIRST AMENDMENT, and that they consent and agree to each and every term and condition contained herein.

FOR THE COUNTY OF ORANGE:


 4/28/20
Date
Michelle Steel
Chair of the Board of Supervisors
County of Orange

 5/6/20
Date
SHARON L. PETROSINO

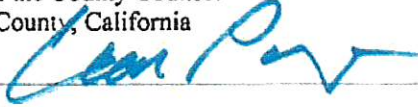
Signed and certified that copy of this document
Has been delivered to the Chair of the Board per
G.C. Sec. 25103, Reso 79-1535



Attest:


Robin Stieler
Clerk of the Board of Supervisors
Orange County California

APPROVED AS TO FORM:
Office of the County Counsel
Orange County, California

By 
Leon J. Page
County Counsel