

## COMMISSION ON STATE MANDATES

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August 18, 2015

Ms. Elizabeth Pianca  
 Deputy County Counsel  
 County of Santa Clara  
 70 West Hedding St. East Wing, Ninth Floor  
 San Jose, CA 95110

*And Parties, Interested Parties, and Interested Persons (See Mailing List)*

Re: **Incorrect Reduction Claims**

*Absentee Ballots*, 07-3713-I-02

Statutes 1978, Chapter 77; Statutes 1994,  
 Chapter 920; Statutes 2002, Chapter 1032;  
 Fiscal Years 2000-2001, 2001-2002, and  
 2002-2003

Santa Clara County, Claimant

*Domestic Violence Treatment Services*,  
 07-9628101-I-01

Statutes 1992, Chapter 183

Fiscal Years 1998-1999, 1999-2000, 2000-2001  
 County of Santa Clara, Claimant

Dear Ms. Pianca:

Commission staff is reviewing the record for the County's *Absentee Ballots* incorrect reduction claim (IRC) and notes that no rebuttal comments have been filed in response to the Controller's comments filed on March 15, 2010. We further note that in the County's other IRCs, how break time and training time were calculated for the purposes of calculating productive hourly rate were also at issue, the County now asserts that this issue is no longer being challenged. (E.g., rebuttal comments on the *Domestic Violence Treatment Services* IRC, 07-9628101-I-01, filed Aug. 4, 2015; *Sexually Violent Predators* IRC, 07-4509-I-02, filed April 28, 2015; *Child Abduction and Recovery* IRC, 08-4237-I-02/12-02, filed April 2, 2015; and *Peace Officers Procedural Bill of Rights* IRC, 10-4499-I-01, filed Mar. 15, 2015.)

Therefore, please clarify whether you are still challenging the treatment of the break time and training time calculation for purposes of the countywide productive hourly rate in the *Absentee Ballots* IRC. If not, it appears that there are no issues remaining in controversy on this IRC.

On a related matter, in the comments on *Domestic Violence Treatment Services* IRC, 07-9628101-I-01, filed August 4, 2015, you no longer challenge the treatment of break time and training time. Please also indicate whether you are still challenging the findings on the productive hours for staff meetings and sick leave earned in excess of sick leave taken.

Please provide clarification on these matters on or before **August 28, 2015**.

Sincerely,

Heather Halsey  
 Executive Director

**DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On August 18, 2015, I served the:

**Request for Additional Information**

*Absentee Ballots, 07-3713-I-02*  
Statutes 1978, Chapter 77; Statutes 1994,  
Chapter 920; Statutes 2002, Chapter 1032;  
Fiscal Years 2000-2001, 2001-2002, and  
2002-2003  
Santa Clara County, Claimant

and

*Domestic Violence Treatment Services,*  
07-9628101-I-01  
Statutes 1992, Chapter 183  
Fiscal Years 1998-1999, 1999-2000, 2000-2001  
County of Santa Clara, Claimant

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on August 18, 2015 at Sacramento, California.



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Jill L. Magee  
Commission on State Mandates  
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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 8/6/15

**Claim Number:** 07-3713-I-02

**Matter:** Absentee Ballots

**Claimant:** County of Santa Clara

### TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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