City of Sacramento
City Council

915 I Street, Sacramento, CA, 95814
www.CityofSacramento.org

3

Meeting Date: **8/4/2011** **Report Type:** Consent

Title: Personnel Resolution Covering Unrepresented Officers and Employees [To Be Delivered]

Report ID: 2011-00711

Location: Citywide

Recommendation: Adopt a Resolution amending the Personnel Resolution Covering Unrepresented Officers and Employees to extend the Senior Employee Pay Program to September 30, 2011.

Contact: John Green, Labor Relations Manager, (916) 808-5095;

Tosha Cherry, Support Services Manager, (916) 808-5498,Human Resources Department

Presenter: None

Department: Human Resources
Division: HR Administration
Dept ID: 08001011

Attachments:

1-Description/Analysis
2-08-04-11Resolution
3 -UnRepReso08-04-2011clean
4 -UnRepReso08-04-2011trackedchanges

City Attorney Review

Approved as to Form
Sandra Talbott
8/3/2011 1:18:37 PM

Approvals/Acknowledgements

Department Director or Designee: Geri Hamby - 8/1/2011 3:43:12 PM

Assistant City Manager: Cassandra Jennings - 8/3/2011 12:41:24 PM

Eileen Teichert, City Attorney Shirley Concolino, City Clerk Russell Fehr, City Treasurer
William H. Edgar, Interim City Manager

Back to Table of Contents

Description/Analysis

Issue: Council adopted the Personnel Resolution Covering Unrepresented Officers and Employees for unrepresented classifications on June 14, 2011. At that time Section 3.6 of the Resolution was amended to eliminate the Senior Employee Pay Program consistent with anticipated guidance from the California Public Employees Retirement System (CalPERS).

Since the adoption of the Resolution, the City has received formal correspondence from CalPERS stating a determination has been made that Senior Employee Pay does not qualify as reportable compensation.

As a result, the City has a duty to meet and discuss impacts with the recognized employee organization Sacramento City Exempt Employees Association (SCXEA), who represent Units 10 and 14, and potentially Unit 01 pending the outcome of an election.

Staff anticipates these obligations can be met over the next sixty days. Therefore, staff is recommending employees in employee units 01, 10, and 14 continue with the Senior Employee Pay Program until September 30, 2011. Employees in newly created units 20 and 21 ceased participation in the program effective of July 30, 2011.

The attachments contained in this report are described below:

> Exhibit 1 contains a record of the text change to the City's Personnel Resolution Covering Unrepresented Officers and Employees. The specific change to the Personnel Resolution is presented in two versions. The first version depicts the change that was made to the existing text of the Personnel Resolution. The second version, Exhibit 2 depicts the change as the amended text would appear in the Personnel Resolution, subject to City Council adoption.

Policy Considerations: The recommendation contained in this report enables the City to meet its duty to discuss the impacts of the CalPERS determination to the bargaining unit as it required by law.

Environmental Considerations: Under the California Environmental Quality Act (CEQA) guidelines, continuing administrative activities do not constitute a project and are therefore exempt from review.

Sustainability: Not Applicable.

Commission/Committee Action: Not Applicable.

Rationale for Recommendation: The recommendation to extend Senior Employee Pay until September 30, 2011 allows for a reasonable time for discussions to occur with the recognized employee organization.

Financial Considerations: As the Senior Employee Pay Program was designed to be cost neutral there is no cost associated with the adoption of the proposed amendment to the Personnel Resolution.

Emerging Small Business Development (ESBD): Not Applicable.

Back to Table of Contents

Adopted by the Sacramento City Council

APPROVING THE AMENDED PERSONNEL RESOLUTION COVERING UNREPRESENTED OFFICERS AND EMPLOYEES

BACKGROUND

A. The City Council adopted the Personnel Resolution Covering Unrepresented Officers and Employees which sets forth general administrative provisions, hours of work and other terms and conditions affecting unrepresented classifications on June 14, 2011.

B. Since the adoption of the Resolution CalPERS has determined that Senior Employee Pay does not qualify as reportable compensation.

C. Therefore, the Personnel Resolution attached as Exhibit 1 has been modified to continue the Senior Employee Pay Program until September 30, 2011 to allow meetings to occur with the recognized employee organization. There is no additional cost to the FY2011/12 proposed budget associated with this revision.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. This amended Personnel Resolution Covering Unrepresented Officers and Employees is adopted effective August 4, 2011, and the provisions of Exhibit 1 attached to this Resolution, will supersede the provisions of Resolution No. 2011-358.

Section 2. The City Manager is authorized to make minor changes or adjustments to exhibits in order to correct omissions and errors.

Back to Table of Contents

Exhibit 2

PERSONNEL RESOLUTION

COVERING

UNREPRESENTED OFFICERS AND EMPLOYEES

July 2, 2011

ARTICLE 1 – GENERAL ADMINISTRATIVE PROVISIONS

1.1 APPOINTING AUTHORITY

a. For the City of Sacramento, appointing authority is vested with the Mayor, City Council members, and Charter Officers and, for secretarial/clerical positions in the Mayor and Council office, the Council Operations Manager. Subject to the Rules and Regulations of the Civil Service Board, Council-adopted resolutions and administrative policy instructions, appointing authority provides for the ability to hire employees in classifications that are:

(1) Unrepresented, (or represented);

(2) Subject to Civil Service Rules and Regulations or exempt from such Rules;

(3) Career or non-career; and

(4) Exempt Management.

Subject to delegation of authority from the Mayor and City Council, the Council Operations Manager is authorized to appoint candidates who fill secretarial support positions assigned to the Mayor and Councilmember offices.

b. Consistent with the adopted City Classification Plan, appointing authority also provides for the ability to:

(1) Allocate full-time equivalent positions to specific job classifications and to establish rates of pay for incumbents in those classifications, subject to the approved Budget Resolution and administrative policy;

(2) Change the number of exempt management positions under their administrative jurisdiction, so long as their total exempt management salary budget does not increase; and

(3) Adjust the salary of individual exempt managers or positions, so long as the total exempt management salary budget for each department does not increase.

(4) Grant performance-based salary adjustments to unrepresented officers and employees consistent with employee appraisal procedures, subject to the approved Budget Resolution and administrative policy.

1.2 APPLICABILITY

The terms of this Resolution shall apply to all unrepresented employees of the City, and where applicable, to elected officials.

1.3 APPOINTMENTS

a. Non-Career

Non-competitive appointment to a position for duration of time as outlined in Civil Service Board Rules 6.9 (b).

b. Career

Competitive appointment to a position which is subject to a probationary period.

c. Exempt Appointments

Nothing in this Resolution shall be construed to be an express or implied covenant or contract, or to create a property right or tenure for any person appointed to positions that are exempt from the classified service. Exempt employees serve at the pleasure of the Appointing Authority. Consequently, just cause is not required for discipline, and there are no appeal rights.

1.4 RATE OF COMPENSATION UPON RETURN TO CITY SERVICE

An employee recalled after layoff, reinstated after a leave of absence, or reemployed after resignation shall return at the same rate of pay unless such rate is below the minimum of the classification salary range. This provision shall not be applicable to management employees.

1.5 SALARY CONTINUATION FOR ABSENCES LESS THAN ONE DAY

For partial day absences covered by the Family and Medical Leave Act (FMLA), and/or the California Family Rights Act (CFRA), a salaried employee shall be charged leave for each whole hour of absence, or if there is no accrued, useable leave, that employee's pay shall be reduced in an amount equal to the employee's hourly rate of pay for each whole hour of the absence.

1.6 STAFF AIDE POSITIONS

The classification of Staff Aide (Exempt Management) or Staff Aide (Confidential/Administrative), may be used when a classification is needed either pending establishment of a regular classification or a position is funded for a limited time and no appropriate classification exists. A person may be appointed to such classification for a maximum period of twelve (12) months. The salary range shall be established by the Human Resources Director.

1.7 EFFECT OF LEAVE OF ABSENCE WITHOUT PAY UPON COMPENSATION

Time spent on leave of absence without pay of ten (10) or less consecutive workdays shall not affect the pay adjustment eligibility during a rating period. Such leaves in excess of ten (10) consecutive working days, may affect eligibility during a rating period at the discretion of the Appointing Authority.

ARTICLE 2 – HOURS OF EMPLOYMENT AND OVERTIME

2.1 HOURS OF EMPLOYMENT

a. The work period for employees shall begin at 12:01 a.m. Saturday, and end at 12:00 midnight the following Friday. The normal workweek for full-time employees, except for management employees, shall consist of forty (40) hours of work during the seven (7) day work period.

b. The normal workweek shall not apply to management employees exempt from the provisions of the Fair Labor Standards Act who are expected to work whatever time is required to perform the duties of their positions.

c. The workweek for part-time employees shall be determined by the Appointing Authority.

2.2 VOLUNTARY WORK FURLOUGH/REDUCED WORKWEEK PROGRAM

The City's Voluntary Work Furlough/Reduced Workweek Program shall be applicable to unrepresented full-time career employees on the same terms as apply to represented employees. The optional benefit plan of eligible employees shall not be reduced or prorated by participation in such work reductions.

2.3 MANDATORY WORK FURLOUGH

The City’s Mandatory Work Furlough Program is applicable to all unrepresented employees and shall consist of 12 days of furlough (96 hours) in Fiscal Year 11-12, Each Appointing Authority shall be responsible for the administration of his/her employees’ furloughs.

2.4 OVERTIME FOR CONFIDENTIAL/ADMINISTRATIVE EMPLOYEES

a. Confidential/Administrative who are required to work in excess of eight (8) hours per day or forty (40) hours per week or on a recognized holiday shall be compensated for such overtime with pay at one and one-half (1-1/2) times the applicable rate of pay in cash payment or compensating time off (CTO) as determined by the Appointing Authority.

b. The Appointing Authority may, with prior agreement of a

Confidential/Administrative employee, establish a flexible work schedule consisting of more than an eight (8) hour day in a forty (40) hour workweek. In such a schedule, the overtime rate after eight (8) hours per day as set forth above shall not apply.

c. Absence with pay shall be counted as time worked. Time worked in excess of eight (8) hours in a day or on a recognized holiday shall not be included in determining whether an employee has worked in excess of forty (40) hours in a week.

d. Employees may accrue up to one hundred and twenty (120) hours of CTO. The City may cash out those CTO hours accumulated in excess of eighty (80) hours at any time provided that the use of such time off has not been previously approved.

e. The use of accrued CTO shall be at the discretion of the Appointing Authority. Employees who request use of accrued CTO shall be permitted to use such time within a reasonable period after making the request if the use of CTO does not unduly disrupt the operations of the work unit.

f. Upon termination from City service, employees shall be paid for any unused CTO hours at the applicable rate of pay.

2.5 OVERTIME FOR NON-CAREER EMPLOYEES

a. Non-career employees who are required to work in excess of forty (40) hours per week shall be compensated for such overtime with pay at one and one-half (1-1/2) times the applicable rate of pay in cash payment.

b. The Appointing Authority may establish a flexible work schedule consisting of more than an eight (8) hour day in a forty (40) hour workweek.

2.6 MODIFIED/ALTERNATIVE DUTY POLICY

A Modified/Alternative Duty Policy shall be applicable to eligible employees who have been injured on-the-job.

2.7 TELEWORK PROGRAM

Confidential/Administrative employees may participate, at the discretion of the Appointing Authority, in the City's Telework Program

2.8 ALTERNATIVE WORK SCHEDULE PROGRAM

Confidential/Administrative, exempt management support, and management employees may participate, at the sole discretion of the Appointing Authority, in Alternative Work Schedule Program such as 9/80 or 4/10 schedules. Employee participation in Alternative Work Schedule Program shall be dependent on employee

performance and shall not disrupt department operations.

2.9 EMERGENCY RESPONSE BY FIRE MANAGEMENT

When a Fire Assistant Chief is required to respond to a call for mutual aid during an emergency or disaster, or a strike team, and works in excess of the employee' regular work schedule, the employee shall be paid at their regular hourly rate for the duration of the call-up.

2.10 EMERGENCY RESPONSE BY POLICE MANAGEMENT

When a Police Lieutenant or a Police Captain is required to respond to a call for mutual aid, during an emergency or disaster, and works in excess of the employees' regular work schedule, the employee shall be paid at the regular hourly rate for the duration of the call-up.

2.11 POLICE LIEUTENANT

When a Police Lieutenant is required to work for another Lieutenant during the employees' scheduled time off, he/she shall be paid at the regular hourly rate for all hours worked on the additional shift.

ARTICLE 3 – HEALTH AND WELFARE

3.1 FRINGE BENEFIT PLAN

The fringe benefit plan for exempt management, exempt management support and confidential/administrative employees shall be as follows:

a. Basic Life Insurance

City-paid basic life insurance shall be:

Group	Amount
Confidential/administrative	$ 10,000
Management & Management Support	$ 50,000
Charter Officer	$100,000
City Manager	$150,000

b. Long-Term Disability Insurance

Management and management support employees shall receive City-paid long-term disability insurance.

c. Health and Welfare Contribution (City Dollars)

(1) Effective August 2, 2008, the City shall pay up to seven percent (7%) for the City Manager, City Attorney, City Clerk and City Treasurer of the member contribution to the PERS retirement plan. In addition the City Manager, City Attorney, City Clerk and City Treasurer shall receive a monthly health and welfare contribution and a three percent (3%) of base salary optional benefit plan which should be combined and shall be applied, first, to a member's retirement contribution (if any), up to the maximum of such retirement contribution and, second, the premiums for City-sponsored health and dental plans and short-term disability plans for eligible employees and qualified dependents, if any. To the extent not applied toward the employee's retirement contribution or insurance coverage premiums, such contribution may be applied on behalf of an eligible employee under the City's flexible spending account pursuant to the City's Internal Revenue Code Section 125 Cafeteria Plan or paid in cash to the employee, as directed by the employee. If the City's contribution allocated to any pay period is less than the amount needed to pay for the employee's retirement contribution and insurance coverage, the City shall deduct on a pre-tax basis from the employee's paycheck the balance of the amount needed for such purposes.

(2) <u>Optional Benefit Plan</u>

(a) Effective August 2, 2008 for police safety management employees, the City shall pay up to nine percent (9%) of the member contribution to the PERS retirement plan. For exempt management employees the City shall pay up to seven percent (7%) of the member contribution to the PERS retirement plan. For exempt management support employees the City shall pay up to five percent (5%) of the member contribution to the PERS retirement plan. In addition, exempt management and exempt management support employees shall receive a monthly health and welfare contribution which shall be applied, first, to the employee's retirement contribution (if any), up to the maximum of such retirement contribution, and, second, the premiums for City-sponsored health and dental plans, and short-term disability plans for eligible employees and qualified dependents, if any. To the extent not applied toward the employee's retirement contribution or insurance coverage premiums, such contribution may be applied on behalf of an eligible employee under the City's flexible spending account pursuant to the City's Internal Revenue Code Section 125 Cafeteria Plan or paid in cash to the employee, as directed by the employee. If the City's contribution allocated to any pay period is less than the amount needed to pay for the employee's retirement contribution and insurance coverage, the City shall deduct on a pre-tax basis from the employee's

paycheck the balance of the amount needed for such purposes.

(b) For Fire safety management employees, the City shall pay up to nine percent (9%) of the member contribution to the PERS retirement plan on behalf of the management employees. Such payments shall be reported to PERS as additional compensation for the purpose of retirement benefit calculations. In addition, Fire safety management employees shall receive a monthly health and welfare contribution, which shall be applied, first, to the employee's retirement contribution (if any), up to the maximum of such retirement contribution, and, second, the premiums for City-sponsored health and dental plans, and short-term disability plans for eligible employees and qualified dependents, if any. To the extent not applied toward the employee's retirement contribution or insurance coverage premiums, such contribution may be applied on behalf of an eligible employee under the City's flexible spending account pursuant to the City's Internal Revenue Code Section 125 Cafeteria Plan or paid in cash to the employee, as directed by the employee. If the City's contribution allocated to any pay period is less than the amount needed to pay for the employee's retirement contribution and insurance coverage, the City shall deduct on a pre-tax basis from the employee's paycheck the balance of the amount needed for such purposes.

(3) Effective August 2, 2008, the City shall pay up to three percent (3%) of the member contribution to the PERS retirement plan for full-time career Confidential/Administrative employees. In addition full-time career Confidential/Administrative employees shall receive a monthly health and welfare contribution which shall be combined and applied, first, to the employee's retirement contribution (if any), up to the maximum of such retirement contribution, and, second, the premiums for City-sponsored health and dental plans, short-term disability plans, and/or supplemental life insurance (in the amount of $30,000) and additional supplemental life insurance (in the amount of $10,000) for eligible employees. To the extent not applied toward the employee's retirement contribution or insurance coverage premiums, such contribution may be applied on behalf of an eligible employee under the City's flexible spending account pursuant to the City's Internal Revenue Code Section 125 Cafeteria Plan or paid in cash to the employee, as directed by the employee. If the City's contribution allocated to any pay period is less than the amount needed to pay for the employee's retirement contribution and insurance coverage, the City shall deduct on a pre-tax basis from the employee's paycheck the balance of the amount needed for such purposes.

(4) The City will contribute $100 monthly as an add-on to the City's health and welfare contribution for Sacramento City Employees Retirement System (SCERS) members in lieu of the contribution the City pays for PERS members.

(5) Amount of Contribution

(a) For full-time Confidential/Administrative employees, the City shall contribute $490 or a contribution equal to the lowest cost City health and dental rate whichever is greater for a single employee enrolled in City-sponsored group health insurance; $800 for an employee enrolled with one (1) dependent; and $1050 for an employee enrolled with two (2) or more dependents. Effective January 1, 2010, for full-time Confidential/Administrative employees, the City shall contribute $520 or a contribution equal to the lowest cost City health and dental rate whichever is greater for a single employee enrolled in City-sponsored group health insurance for a single employee enrolled in City-sponsored group health insurance; $850 for an employee enrolled with one (1) dependent; and $1200 for an employee enrolled with two (2) or more dependents. For part-time career Confidential/Administrative employees, the City shall contribute a prorata share of the contribution.

(b) For exempt management and exempt management support employees, the City shall contribute $520 or a contribution equal to the lowest cost City health and dental rate whichever is greater for a single employee enrolled in City-sponsored group health insurance; $800 for an employee enrolled with one (1) dependent; and $1050 for an employee enrolled with two (2) or more dependents. Effective January 1, 2010, for full-time exempt management employees, the City shall contribute $520 or a contribution equal to the lowest cost City health and dental rate whichever is greater for a single employee enrolled in City-sponsored group health insurance; for a single employee enrolled in City-sponsored group health insurance; $850 for an employee enrolled with one (1) dependent; and $1200 for an employee enrolled with two (2) or more dependents. For part-time exempt management and exempt management support employees, the City shall contribute a prorata share of the contribution.

(c) For Charter Officers, the City shall contribute $575 or a contribution equal to the lowest cost City health and dental rate whichever is greater for a single employee enrolled in City-sponsored group health insurance; $800 for an employee

enrolled with one (1) dependent; and $1050 for an employee enrolled with two (2) or more dependents. Effective January 1, 2010, for Charter Officers, the City shall contribute $575 or a contribution equal to the lowest cost City health and dental rate whichever is greater for a single employee enrolled in City-sponsored group health insurance; $850 for an employee enrolled with one (1) dependent; and $1200 for an employee enrolled with two (2) or more dependents.

(6) Funds used to pay the health insurance premium cost for the domestic partner and/or the domestic partner's dependent children shall be in accordance with Federal and State tax laws.

(a) An employee who has a domestic partner, and is registered with the City Clerk, may cover the domestic partner under the employee's City-sponsored health plan. The employee will pay for the premium difference for the domestic partner coverage.

(b) An employee who has a domestic partner, and is registered with the Secretary of State of the State of California, may cover the domestic partner and/or the domestic partner's children as defined in paragraph (7) below, under the employee's City-sponsored health plan. The City shall contribute $800 for an employee enrolled with one (1) dependent; and $1050 for an employee enrolled with two (2) or more dependents. Effective January 1, 2010, the City shall contribute $850 for an employee enrolled with one (1) dependent; and $1200 for an employee enrolled with two (2) or more dependents.

(7) The definition of dependent child for purposes of health and dental insurance shall be a child from birth to age 26. Dependent child includes an adult child up to age 26, grandchild living in the employee grandparent's home, disabled children, step-children, adopted children, wards and foster children provided they qualify as the subscriber's or subscriber's lawful spouse's dependent under IRS rules and regulations.

d. <u>Cash-Back Limits</u>

(1) The cash-back of City dollars from the IRS Section 125 Plan for employees who waive enrollment in City-sponsored group health plans shall be limited to career and exempt employees as follows:

(a) Effective January 1, 2009, for Confidential/Administrative employees, up to $200 per month. Part-time employees shall be prorated.

(b) Effective January 1, 2009, for management employees, up to

$200 per month.

(c) Effective January 1, 2009, for Charter Officers, up to $200 per month.

e. Insurance Over $50,000

(1) Exempt management and exempt management support employees may purchase out-of-pocket supplemental life insurance in the amount of up to three (3) times annual salary.

(2) Confidential/Administrative employees may purchase out-of-pocket supplemental life insurance in the amount of up to three (3) times annual salary and additional supplemental life insurance in the amount of $10,000.

f. The fringe benefit plan shall be applicable to full-time management and Confidential/Administrative employees. The fringe benefit plan, including management leave time, for employees who are less than full-time shall be established by the City Manager on a case-by-case basis, not to exceed the fringe benefit plan for comparable full-time employees.

3.2 FLEXIBLE SPENDING ACCOUNTS

The City has established the following Flexible Spending Accounts (FSA) as permitted by Internal Revenue Service Regulations:

a. For City-sponsored health and dental insurance out-of-pocket costs; and

b. Unreimbursed health care expenses up to $4,800 per plan year effective each January 1; and

c. Dependent care reimbursement.

d. Unreimbursed mass transit expenses for work commute up to $110 per month.

e. Unreimbursed parking expenses to park at or near work up to $215 per month.

3.3 DEFERRED COMPENSATION PLAN

Exempt management, exempt management support and Confidential/Administrative employees may participate in the City's Deferred Compensation 457 Plan as long as the deferred compensation salary limit is not exceeded.

3.4 SECTION 401(A) MONEY PURCHASE PLAN

The City's established IRS Section 401(a) Plan is available as follows:

a. For exempt management employees, the City will contribute four percent (4%) of salary to the 401(a) Plan and the employee shall contribute five percent (5%) of salary to the Plan. An employee may also contribute up to ten percent (10%) of additional after-tax dollars into the Plan.

b. Employees must make an irrevocable election to participate in the Plan within ninety (90) days of employment and such election shall be final. Effective January 1, 2010 enrollment in the Plan will no longer be permitted during open enrollment .

3.5 LONGEVITY PAY

a. Employee Eligibility

For the purpose of determining the year of employee eligibility for longevity pay as provided under Section 108 of the City Charter, only continuous full-time service shall be considered.

(1) Where beginning employment may be intermittent with separate periods of employment in relief, seasonal, limited-term, temporary or part-time positions, only that period of intermittent employment (but excluding employment in part-time positions) immediately preceding the date of regular full-time continuous employment and without loss of time shall be considered.

(2) Leaves of absence without pay shall not constitute a break in service, except such time on leave without pay, when it exceeds twenty (20) working days in a calendar year, shall be deducted in determining the year for an employee's eligibility. Leaves of absence granted for military service shall be considered as full-time continuous service.

(3) Time taken off without pay, where formal leave of absence is not required, aggregating twenty (20) or fewer days in a calendar year shall not constitute a break in service and shall be disregarded in computing the year for an employee's eligibility. However, if such time taken off without pay exceeds twenty (20) days in any calendar year, the total amount of time so taken off without pay shall be deducted in determining the year for an employee's eligibility, but shall not constitute a break in service.

(4) Where employment is terminated by resignation or discharge and the employee is subsequently reemployed, such time accumulated prior to resignation or discharge shall be forfeited, unless the employee is reinstated, in which case the time absent from City service shall not be considered as a break in service, but shall be deducted in determining the year for an employee's eligibility.

(5) A layoff shall not constitute a break in service and the time accumulated prior to the layoff shall be added to the time after reinstatement for determining the year for an employee's eligibility.

(6) Persons who become City employees pursuant to the provisions of City Charter Section 93 shall receive credit for time accumulated in the employment of the district, for purposes of determining the year for employee eligibility.

b. Payment After Eligibility

Once it has been determined that an employee is eligible for longevity pay, he/she shall receive the allowance as prescribed.

(1) When authorized leave of absence or time off aggregating twenty (20) or more working days is taken during any employment year, longevity payment in the following July shall be made on a prorata basis.

(2) Upon entrance of an employee into military service, or where an employee is granted a leave of absence following expiration of sick leave credits, such employee shall be paid, in the month of July following the date such leave begins, such longevity pay earned from his/her anniversary date of employment to the date such leave begins, on a pro rata basis, but not to exceed the maximum yearly allowance. Such employee shall not thereafter receive longevity pay until his/her return to City service, when he/she shall receive, in the month of July first following his/her return, the prorata portion of longevity pay from the date of return.

(3) Upon death or retirement of an employee, such employee shall be entitled to receive the prorata portion of longevity earned on the date of death or retirement, but not to exceed the maximum yearly allowance; in all other cases of termination, longevity pay which would have been paid in the following July had employment continued, shall be forfeited, and there shall be no prorata payment for longevity.

(4) The longevity pay granted in July of any year shall be considered to have been earned during the preceding employment year ending on or prior to July 1 of each year.

(5) All payments for longevity shall be made on the payday covering the first full pay period in July of each year, except as provided under (3) of this Section.

3.6 SENIOR EMPLOYEE PAY

a. The City Manager/Charter Officers are authorized to institute Senior Employee Pay for all eligible unrepresented employees and/or officers in Unrepresented Units 01, 10, and 14. Senior Employee Pay will apply to all eligible employees under the following criteria:

(1) Effective August 10, 2010, full-time eligible employees will receive Senior Employee Pay in the amount of (5%).

(2) To qualify for Senior Employee Pay, the employee must have twenty-five (25) years or more of Public Employees Retirement System (PERS) service or Sacramento City Employees Retirement System (SCERS) service.

(3) Employees who receive Senior Employee Pay are required to furlough 104 hours per year. Employees will normally not be scheduled for overtime, nor receive on-call pay on their furlough day. Furlough time will be prorated for those employees who begin their Senior Employee Pay after the start of the fiscal year.

(4) Senior Employee Pay will be discontinued on September 30, 2011.

(5) The City considers Senior Employee Pay to be longevity pay and shall report it as special compensation to CalPERS. The City does not warrant that this pay will be considered special compensation under PERS law.

ARTCLE 4 – RETIREMENT

4.1 RETIREES OR SURVIVOR DEPENDENTS

Eligible City retirees or survivor dependents shall receive City-paid health insurance contributions and dental insurance benefits under the following provisions:

a. Retiree Health Insurance Contribution Rates and Dental Insurance Benefits

Effective January 1, 2008, the City retiree health insurance contribution will be $300 per month for the retiree and $365 for retiree with dependent(s).

b. Employees Retiring on or After July 1, 1992

(1) Except as provided below, to be eligible for the City contribution to health insurance and for the City-paid dental benefit for retiree only, the employee must retire from active service with a minimum of ten

(10) full years of City service for a service or ordinary disability retirement, and be minimum age 50.

(2) Employees retiring with thirty (30) or more years of service shall be eligible for the City's health insurance contribution and dental benefit effective with the date of retirement without regard to age.

(3) The City's contribution for health insurance shall be as follows:

(a) Employees with a minimum of ten (10) full years of service but less than fifteen (15) full years of service shall be eligible to a maximum of fifty percent (50%) of the City's maximum health insurance contribution identified in subsection (a) above.

(b) Employees with a minimum of fifteen (15) full years of service but less than twenty (20) full years of service shall be eligible to a maximum of seventy-five percent (75%) of the City's maximum health insurance contribution identified in subsection (a) above.

(c) Employees with a minimum of twenty (20) full years of service shall be eligible for up to one hundred percent (100%) of the City's maximum health insurance contribution identified in subsection (a) above.

(4) There shall be no eligibility for the City's health insurance contribution or dental benefit if the employee elects to take a deferred retirement.

(5) There shall be no City-paid health insurance contribution or dental benefit for retirees with less than ten (10) full years of City retirement service.

c. Persons in Deferred Retirement Status as of January 1, 1991

Employees who have elected a deferred retirement prior to January 1, 1991 and who then elect to retire on or after July 1, 1992, shall be eligible for the City's health insurance contribution and dental benefit as follows:

(1) A retiree with at least ten (10) full years of City service shall be eligible for fifty percent (50%) of the City's health insurance contribution as identified in subsection (a) above.

(2) A retiree with twenty (20) full years or more of City service shall be eligible for one hundred percent (100%) of the City's health insurance contribution as identified in subsection (a) above.

(3) Retirees must be at least 50 years of age.

(4) There is no eligibility to such health insurance contribution or dental benefit for retirees with less than ten (10) full years of City service or who have not attained the age minimum specified in subsection (b) above.

d. Industrial Disabled or Death in Line of Duty Survivors

Retirees who receive industrial disability pensions or death in-line-of-duty survivors will be entitled to one hundred percent (100%) of the City-paid health insurance contribution and dental benefit for retirees regardless of years of service.

e. Survivor Dependents Benefits

Survivor dependents of eligible employees or retirees shall be entitled to the same benefit amount, as the employee was eligible to at the time of death.

f. Medicare Supplement

In order to maintain eligibility for the City-paid retiree health insurance contribution, each eligible retiree and dependent must enroll in Medicare Parts A and B immediately after becoming eligible for such benefits.

g. Limitation Clause

No employee or retiree shall have any rights provided by this Section 4.1 after July 2, 2012.

4.2 PERS RETIREMENT PLAN AND CONTRIBUTION

a. The City's contract with the Public Employees Retirement System (PERS) for miscellaneous employees provides the following plan for all miscellaneous employees:

- Modified 2% at age 55
- One-year highest compensation
- Up to 2% COLA
- 25% survivor continuation
- 50% industrial disability
- Military service credit
- Peace Corps service credit
- Sick leave conversion to service credit

b. The City's contract with the Public Employees Retirement System (PERS) for fire safety employees to provide for the following plan for fire safety management employees:

Tier I and Tier III

- Modified 3% at age 55
- One-year highest compensation
- Up to 2% COLA
- 50% survivor continuation
- 50% industrial disability
- Military service credit
- Peace Corps service credit
- EPMC
- Sick leave conversion to service credit

Tier II (SCERS Transferees)

- Modified 3% at age 55
- One-year highest compensation
- Up to 3% COLA
- 50% survivor continuation
- 50% industrial disability
- Military service credit
- Peace Corps service credit
- EPMC
- Sick leave conversion to service credit

c. The City's contract with the Public Employees Retirement System (PERS) for police safety employees provides the following plan for police safety management employees:

Tier I and Tier III

- Modified 3% at age 50
- One-year highest compensation
- Up to 2% COLA
- 50% survivor continuation
- 50% industrial disability
- Military service credit
- Peace Corps service credit
- Sick leave conversion to service credit

Tier II (SCERS Transferees)

- Modified 3% at age 50
- One-year highest compensation
- Up to 3% COLA
- 50% survivor continuation
- 50% industrial disability
- Military service credit

- Peace Corps service credit
- Sick leave conversion to service credit

ARTICLE 5 – CHARTER OFFICERS

5.1 CHARTER OFFICER SALARIES

The salaries for the City Manager, City Attorney, City Treasurer, and City Clerk shall be modified only by City Council action and approval.

5.2 EXPENSE AND SUBSISTENCE ALLOWANCE

The sum of $400 per month is established as a City expense reimbursement allowance for the City Manager for which no vouchers need be furnished. The sum of $350 per month is established as a City expense reimbursement allowance for the City Attorney, City Treasurer and City Clerk for which no vouchers need be furnished.

ARTICLE 6 – NON-CAREER EMPLOYEES

6.1 NON-CAREER BENEFITS

Except as provided herein, unrepresented non-career (+1,040) employees do not accrue benefits.

6.2 CITY HEALTH AND WELFARE CONTRIBUTION

a. Employees in the classification of Fire Recruit and Student Trainee (Paramedic Intern) shall receive the same City monthly health and welfare contribution amount as provided for the classification of Firefighter.

b. Employees in the classification of Police Cadet, Police Recruit, and Community Service Officer (Limited Term) shall receive the same City monthly health and welfare contribution amount as provided for the classification of Police Officer.

c. Employees in the classification of Dispatcher Recruit shall receive the same City health and welfare contribution amount as provided for the non-supervisory Dispatcher classification.

d. Such health and welfare contributions may only be applied toward City-sponsored health and dental plans.

6.3 POOL SAFETY CLASSIFICATIONS

Employees holding classifications designated as pool safety positions may be eligible for additional compensation for qualifying work associated with the summer aquatics program. Such compensation is authorized solely for the purpose of recruiting and retaining qualified employees at City-operated swimming pools. Said employees shall be paid additional compensation as follows:

a. Certification Fee Reimbursements. Upon submittal of documents showing successful completion of the required water safety courses and receipts showing fees paid, the City shall reimburse eligible employees up to $200 for completing their certification course work.

b. Recruitment Incentive. Upon successful completion of eighty (80) hours of work in a designated pool safety classification, the City shall pay eligible employees a lump sum amount of $200.

c. Retention Incentive. Upon successful completion of work during the entire summer aquatics season, the City shall pay eligible employees a lump sum amount of $400.

ARTICLE 7 – LEAVES

7.1 VACATION

a. Employees shall be entitled to vacation allowances pursuant to the provisions of Section 107 of the City Charter. Based on length of City service, the annual vacation allowances are:

Annual Vacation Allowance	Length of Service
10 days	to 5 years
15 days	to 15 years
20 days	16 or more years

b. Vacation allowance administration shall be in accordance with the rules and regulations of the Civil Service Board, unless an exception is authorized by the City Manager under appropriate circumstances. Employees may accumulate up to a maximum of 480 vacation hours.

7.2 HOLIDAYS

a. Holiday Hours for Fire Management

(1) Fire Assistant Chiefs assigned to fire suppression duty shall receive holiday benefits equal to, and on the same terms and conditions as, those holiday benefits granted by the City to employees in the Fire

Department Unit. Such employees shall not receive any other holiday benefits under this Section.

(2) Fire Assistant Chiefs not assigned to fire suppression duty shall receive, for so long as they hold such assignments, 127.4 holiday hours per fiscal year, for which they shall be paid in cash, with their regular paycheck, in twenty-six (26) equal bi-weekly installments. Such employees shall be eligible to receive the recognized holidays but not the floating holidays under this Section.

b. Holiday Hours for Police Captains and Police Lieutenants

Police Captains and Police Lieutenants regularly scheduled to work on a recognized holiday shall receive holiday credit for the hours worked on the holiday. Holiday credit accumulations shall be limited to a maximum carry-over of forty (40) hours from the preceding calendar year. Effective the pay period which includes January 8 of each year, earned holiday hours in excess of forty (40) shall be paid to the employee in cash at the employee's regular rate of pay for that pay period, unless an exception is authorized by the City Manager under appropriate circumstances.

c. Recognized Holidays

Except as otherwise provided, the following shall be recognized holidays for eligible employees:

Holiday	Date
New Year's Day	January 1
Martin Luther King's Birthday	Third Monday in January
Washington's Birthday	Third Monday in February
Cesar Chavez' Birthday	Last Monday in March
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Friday after Thanksgiving
Christmas Eve (4 hours)	December 24
Christmas Day	December 25
New Year's Eve (4 hours)	December 31

d. Eligibility

(1) To be eligible for holiday pay, the employee shall work the scheduled workday before and after the recognized holiday. Paid time on vacation, sick leave, compensating time off, or management leave time shall be considered hours worked for the purpose of holiday pay

eligibility.

(2) A part-time career employee, including an employee in a work-sharing program, or a non-career (+1,040) employee shall receive the recognized holiday benefit based upon the number of hours the employee was paid in that workweek as follows:

Number of Recognized Holidays in the Workweek	Minimum Number of Paid Hours in the Workweek	
	50% Benefit	100% Benefit
0.5	18	28.8
1.0	16	25.6
1.5	14	22.4
2.0	12	19.2

An employee paid for less than the minimum number of hours required for the 50% benefit shall receive no recognized holiday benefit.

(3) Non-career (-1,040) employees shall not receive recognized holiday benefits.

e. Monday-Friday Schedule

If an employee's scheduled days off are Saturday and Sunday during a standard City workweek in which a recognized holiday falls, the following shall apply:

(1) If the recognized holiday falls on a Saturday, the preceding Friday shall be considered the employee's holiday.

(2) If the recognized holiday falls on a Sunday, the following Monday shall be considered the employee's holiday.

f. Weekend Schedule

If an employee's scheduled days off are other than Saturday and Sunday during the standard City workweek in which a recognized holiday falls, the following shall apply:

(1) The actual dates as listed above shall be considered as the employee's holiday.

(2) If the recognized holiday falls on the employee's scheduled day off, the employee shall accrue holiday credit for the hours of the holiday benefit.

g. Accrual of Leaves Over 24 Pay Periods

The accrual of leaves shall occur over twenty-four (24) pay periods per year, which shall be the first two (2) pay periods of each month. Leave accrual rates for each pay period in which accrual occurs shall be as specified in Section 7.2(i) (1), 7.4(a), and 7.11(a) and (b) below.

h. Holiday Credit Accumulation

Employees may accumulate holiday credit up to a maximum of eighty (80) hours. Holiday credit may be taken by the employee at the discretion of the department head.

i. Floating Holidays

(1) Accrual

(a) In addition to the recognized holidays specified above, except as provided below, employees shall receive the equivalent of two (2) floating holidays per fiscal year on an accrual basis as follows:

(i) Each full-time exempt management and exempt management support employee shall accrue floating holiday credit at the rate of forty (40) minutes per pay period. Each full-time Confidential/Administrative employee shall accrue floating holiday credit at the rate of forty (40) minutes per pay period. The employee shall accrue floating holiday credit for each pay period for which the employee is paid twenty (20) or more hours of salary.

(ii) A part-time career or management employee, including an employee in a work sharing program, or a non-career (+1,040) employee shall accrue floating holiday credit based upon the number of hours the employee was paid in that bi-weekly pay period: 64 or more hours paid = forty (40) minutes accrual; 40-63.9 hours paid = twenty (20) minutes accrual; less than 40 hours paid = 0 minutes accrual.

(b) Non-career (-1,040) employees shall not receive floating holiday benefits.

(2) Administration

(a) The scheduling of floating holiday time must be approved in advance by the Appointing Authority or designated

representative.

(b) An employee may carry-over from the preceding calendar year a maximum of eight (8) hours of floating holiday accrual. Except for the eight (8) hour carry-over, all accumulated floating holiday time not used by the end of the pay period which includes January 8 shall be paid to the employee in cash at the straight-time rate on the payday covering that pay period.

(c) An employee terminating for any reason or going on a leave of absence without pay for a period exceeding ninety (90) days shall be paid for all accrued floating holiday time at the straight-time rate.

7.3 MANAGEMENT LEAVE TIME

a. Exempt management and exempt management support employees exempt from the provisions of the Fair Labor Standards Act shall not accrue compensating time off or earn overtime pay for time worked in excess of eight (8) hours per day or forty (40) hours per week, but shall be expected to devote as much time to their employment as may be necessary for the efficient operation of City government.

b. Exempt management and exempt management support employees shall be credited with eighty (80) hours of management leave time each fiscal year. Such time will be posted for use the first pay period in July. Management employees appointed after July 1 of a fiscal year shall be entitled to a prorata share of eighty hours of management leave time based upon the number of full months remaining in that fiscal year. Management leave time shall be useable upon being credited, subject to the approval of the immediate supervisor.

c. Management leave time shall not accumulate from fiscal year to fiscal year. Employees will not be paid for the unused portion of management leave time.

d. Management leave time shall not be cashed out upon separation from City service.

7.4 ADMINISTRATIVE LEAVE TIME

a. Confidential/Administrative employees shall be credited with twenty (20) hours of administrative leave time each fiscal year. Such time will be posted in the first pay period in July.. Confidential/Administrative employees hired after July 1 of a fiscal year shall be entitled to a prorata share of twenty hours of administrative leave time based upon the number of full months remaining in that fiscal year. Administrative leave time shall be useable upon being credited, subject to the approval of the immediate supervisor.

b. Administrative leave time shall not accumulate from fiscal year to fiscal year. Employees will not be paid for the unused portion of administrative leave time.

Administrative leave time shall not be cashed out upon separation from City service.

7.5 SICK LEAVE

a. Accrual

(1) A full-time employee shall accumulate sick leave credits at the rate of one day per month (4 hours per bi-weekly pay period) of employment which may be used at the discretion of the employee in the event of illness or injury which is not job-related; however, in accordance with the Rules of the Civil Service Board, one-third (1/3) of the accrued sick leave may be used after exhaustion of injury-on-duty time. Such usage shall not exceed the maximum amount of the employee's accumulation. A permanent part-time employee shall earn sick leave on a prorata basis.

(2) An employee in active service of the City, eligible to accumulate sick leave credits, shall in January of each year receive a cash payment for twenty-five percent (25%) of the unused portion of sick leave credits accumulated during the preceding calendar year from January 1 through December 31, provided the employee shall have to his/her credit on December 31 immediately preceding the date for payment, a total of at least sixty (60) sick leave days accumulated. The employee shall be paid for such percentage of sick leave accumulation at the rate of pay which the employee was receiving on January 1 of each year in which payment is made. The amount of time for which an employee is paid shall be deducted from the employee's total accumulation.

(3) Notwithstanding the above, an employee, otherwise eligible, may elect not to receive cash payments for accumulated sick leave by notifying the Accounting Division of the Department of Finance, in writing of such election no later than January 1 of each year.

b. Sick Leave Cash Out

Upon termination of any employee eligible to accumulate sick leave credits, with more than twenty (20) years of City service, for reasons of retirement, resignation, layoff, or death, such employee (or those entitled by law to the possession of the estate of a deceased employee) shall receive payment for thirty-three and one-third percent (33-1/3%) of the sick leave credits accumulated (to the nearest full day) by the employee on the date of such

retirement, resignation, layoff, or death, or to apply the sick leave balance to service credit pursuant to the PERS contract with the City. Any employee eligible to accumulate sick leave credits with less than twenty (20) years of City service may apply the sick leave balance to service credit pursuant to the PERS contract with the City upon termination of employment for retirement. Employees hired on or after January 1, 2005 shall not be eligible for payment of any portion of accumulated sick leave credits.

Upon retirement, SCERS members eligible to accumulate sick leave credits shall receive payment of thirty-three and one-third percent (33-1/3%).

c. Reinstatement of Sick Leave After Return From Layoff

Any employee who is laid off and receives payment for thirty-three and one-third percent (33-1/3%) of his/her total accumulated sick leave credits shall be credited with the remaining sixty-six and two-thirds percent (66-2/3%) of his/her accumulated sick leave credits if and when said employee is recalled. If said employee thereafter leaves City service after being recalled and is entitled to payment of his/her accumulated sick leave credits under this Section, said employee shall only receive payment for thirty-three and one-third percent (33-1/3%) of those sick leave credits which accrued after the date of recall.

d. Except as provided herein, no payments made or sick leave credits accumulated shall be construed or deemed to constitute retirement benefits payable to employees of the City.

e. The Rules and Regulations of the Civil Service Board relating to the administration of sick leave privileges and benefits shall apply to all covered employees.

7.6 PARENTAL LEAVE

The parental leave policy for both male and female employees is as follows:

a. Full-time career employees shall be eligible for City Parental Pay of four (4) weeks consisting of up to one hundred-sixty (160) hours of continuous paid time off. Part-time career employees shall be eligible for up to eighty (80) hours of continuous City-paid time off. The duration of City Parental Pay shall not change based on a change in employment status, such as from part-time to full time career. Unused City Parental Pay shall have no cash value. Non-career employees are not eligible for the four (4) weeks of City- Parental Pay.

b. To be eligible for City Parental Pay, an employee must have completed at least 6,240 hours and three (3) years of career service from the most recent date of hire, preceding either (a) the birth of a child who resides with the employee and for whom the employee has legal custody, or (b) the adoption of a child under age four (4) who resides with the employee and for whom the

employee has physical and legal custody.

c. The use of City Parental Pay must be initiated within four (4) months of childbirth or adoption.

d. Eligible employees shall have the right to only one allotment of City Parental Pay per pregnancy or adoption regardless of the number of children involved (e.g., twins).

e. Eligible employees shall have the right to extend City Parental Pay time off beyond the four (4) weeks of City-paid leave for a maximum of six (6) months of leave by utilizing accrued leave hours such as sick leave, vacation, accrued holiday, and/or unpaid leave to their initial request for parental leave. The total period of absence from work, including the four (4) weeks of paid parental leave, shall not exceed six (6) months.

f. Parental Leave of Absence and/or City Parental Pay shall be used continuously. At the discretion of the appointing authority parental leave may be used intermittently or on a reduced schedule if a timely request is made by the employee.

g. Paid parental leave shall be considered as time worked for purposes of eligibility for recognized holidays occurring during the leave.

h. Upon return from parental leave on the date previously authorized, employees shall be reinstated in the former department and in the classification last held.

7.7 INJURY-ON-DUTY

a. The City Manager or designee shall administer the provisions of the City Charter governing benefits for City employees who incur injuries arising out of and in the course of their duties.

b. In administering those provisions, the City Manager or designee shall determine the amount of credit to which the City is entitled as against workers' compensation benefits payable under the California Labor Code. In no event shall the credit so determined exceed that specified by the City Charter or the laws of the State of California.

c. Where a career employee sustains an injury covered by workers' compensation and has utilized all of the one-year "injury-on-duty time" as provided under City Charter Section 253, or former City Charter Section 167, as the case may be, and consequently is receiving straight workers' compensation temporary disability payments, the employee will be allowed to utilize (while off work) accrued vacation time in addition to receiving workers' compensation payments. The employee must take a full day's vacation pay for each day off work. As a condition of so using such accrued vacation, the

employee is required to continuously utilize accrued vacation until accrued vacation is exhausted or he/she returns to work, so that the employee is off the City payroll at the earliest possible date. This provision also applies to holiday pay accrued and vested.

7.8 COURT LEAVE

a. When an employee is absent from work to testify in response to a properly served subpoena issued by a court of competent jurisdiction in a non-work-related matter to which the employee is not a party, to serve on a jury, or to report for jury duty examination, the employee shall be granted pay for those hours which the employee is absent for such reason. The City may require the employee to elect to be on telephone alert for jury duty and remain on the job until such time as called to testify or serve jury duty. When an employee is required to be on telephone alert, the employee will cooperate with the court or jury commissioner and the City will be responsible to ensure that the employee is available. Pay for work time lost shall be computed at the employee's regular rate of pay at the time of such absence.

b. If a swing shift or graveyard shift employee has served in excess of one-half the scheduled shift in court or on jury duty, the employee will notify the supervisor in advance of the start time so he/she will be excused from the shift. If the employee is in court or on jury duty less than one half the shift, the employee will be required to work.

c. In lieu of the shift after service on court leave, a graveyard shift employee may request to take off the shift prior to court leave, provided that if the employee serves less than one-half of the shift, he/she will be required to use vacation or other leave accruals to cover the shift.

d. To receive pay for work time lost, an employee must provide the City with a statement signed by an official of the court certifying the employee's service as a witness or juror or appearance in court for such purposes, the date or dates of attendance, the time released from attendance and the compensation paid exclusive of any transportation and subsistence allowance.

e. When a non-career employee is regularly scheduled to work and is ordered to appear in court or report for jury duty, such employee shall be entitled to court leave benefits in accordance with the above-stated procedure.

7.9 DAILY HOUR VALUE

The hour value of a leave day for vacation, sick leave or other paid leave shall be 11.2 hours for Fire Assistant Chiefs not assigned to fire suppression duty.

7.10 CATASTROPHIC LEAVE PLAN

a. A benefit-qualified employee may donate to or receive from another benefit-qualified employee, usable vacation, floating holiday, management leave, or compensating time off hours. Participation in this plan shall be voluntary. Sick leave may not be donated under this plan.

b. All donations shall be made and accepted in writing using City-provided forms.

c. The donation in any category must be a minimum of eight (8) hours of usable time.

d. Donations shall be on an hour-for-hour basis, regardless of the pay rates of the donor and recipient, except hours transferred between employees on the Fire suppression (56 hours) schedule and the non-Fire suppression (40) hours schedule shall be adjusted by a factor of 1.4 to 1.

e. Hours to be donated shall be kept in a pledge status until used. As needed, pledged hours shall be debited from the donor's leave balance and credited to the recipient's usable vacation accrual balance. Once credited, the donation becomes irrevocable.

f. Management employees may only receive donations from management employees. A non-management employee may not receive donations from a subordinate employee where a direct supervisor/subordinate relationship exists. Any exception to this paragraph must be approved by the City Manager or designee.

g. To be eligible to use donations, an employee must:

(1) Be incapacitated and unable to work due to a prolonged catastrophic non-industrial illness or injury that is estimated to last for at least thirty (30) calendar days;

(2) have exhausted all usable balances, including sick leave;

(3) be on an approved leave of absence.

h. All donated hours must be used on a continuous and uninterrupted basis and will be paid at the rate of pay and normal work schedule of the recipient, along with all usable hours accrued, until the earliest of the following events occurs:

(1) All leave balances, including both donated and accrued leave, are exhausted;

(2) The employee returns to work at his/her normal work schedule; or

(3) The employee's employment terminates.

i. Donations received while a recipient is still utilizing previously donated and related accrued leave time may be used immediately thereafter. Hours donated subsequent to exhausting all donated hours shall be accumulated and utilized along with related accrued leave hours in amounts equal to the recipient's normal bi-weekly work hours.

j. Used donated leave time shall count toward the application of City service and benefits in the same manner as when the employee is on paid vacation leave.

k. Used donated leave time shall be subject to the recipient's normal payroll deductions.

7.11 SACRAMENTO HOUSING & REDEVELOPMENT AGENCY (SHRA) TRANSITION

Employees who are transferred from employment at SHRA to the City as a result of restructuring, reorganizing or removal of services to the City shall be allowed to transfer the following accrued benefits from SHRA to the City:

a. Eighty percent (80%) of sick leave balances after cash-out pursuant to Agency policy.

b. Vacation balances up to one year of accrual at the employee's current rate on transition to the City.

7.12 PERSONAL TIME OFF FOR CONFIDENTIAL/ADMINISTRATIVE EMPLOYEES

a. <u>Non-Exempt Accrual</u>

In addition to the floating holidays specified in Section 7.2, each non-exempt Confidential/Administrative employee shall receive the equivalent of twenty-four (24) hours of annual paid personal time off on an accrual basis as follows:

(1) Each full-time employee shall accrue personal time off credit at the rate of one hour per pay period. The employee shall accrue such credit for each pay period for which the employee is paid twenty (20) or more hours of salary.

(2) A part-time employee, including an employee in a work sharing program, or a non-career (+1,040) employee shall accrue personal time off credit based upon the number of hours the employee was paid in that bi-weekly pay period: 64 or more hours paid = one (1) hour accrual; 40-63.9 hours paid = thirty (30) minutes accrual; less than 40 hours paid = 0 minutes accrual.

b. <u>Exempt Accrual</u>

In addition to the floating holidays specified above, each exempt confidential/ administrative employee shall receive the equivalent of thirty-two (32) hours of annual paid personal time off on an accrual basis as follows:

(1) Each full-time employee shall accrue personal time off credit at the rate of one (1) hour and twenty (20) minutes per pay period. The employee shall accrue such credit for each pay period for which the employee is paid twenty (20) or more hours of salary.

(2) A part-time employee, including an employee in a work sharing program, or a non-career (+1,040) employee shall accrue personal time off credit based upon the number of hours the employee was paid in that bi-weekly pay period: 64 or more hours paid = one (1) hour and twenty (20) minutes accrual; 40-63.9 hours paid = forty (40) minutes accrual; less than 40 hours paid = 0 minutes accrual.

c. Non-Career

Non-career (-1,040) employees shall not receive personal time off benefits.

d. Administration

Personal time off shall be administered in the same manner as specified above for floating holidays, except the eight (8) hour maximum carry-over shall apply to both floating holidays and personal time off in the aggregate.

7.13 BEREAVEMENT LEAVE

An employee may receive up to three (3) days of City Bereavement Pay based on the death of the employee's spouse, parent, sibling, child, grandchild or grandparent as defined herein. The employee may use sick leave as authorized by Civil Service Board Rule 16, Sick Leave, for additional time off or to attend to other death, bereavement or funeral needs.

7.14 FAMILY AND MEDICAL LEAVE

a. The federal Family Medical Leave Act (FMLA) and state California Family Rights Act (CFRA) are applicable to career and non-career employees who have completed the required 1250 hours and 12 months of employment prior to the time requested. The City uses a 12-month rolling period to determine eligibility .

b. To apply for a leave the employee must complete the City leave request form available from Human Resources or the department support staff. The employee must provide a medical certification of the need and the duration or intermittent schedule which is anticipated, to allow for coverage.

c. The duration of FMLA/CFRA leave cannot exceed twelve weeks. The

employee must use their accrued leave during the FMLA/CFRA leave, except that they may retain up to forty (40) hours of accrued leave at the time leave without pay commences. The employee may not then resume paid leave until after returning to work.

d. To the extent allowed by law, FMLA/CFRA leaves shall be used concurrently.

e. The City policy covering FMLA/CFRA shall be applicable to all employees and may be obtained from Human Resources.

7.15 PERSONAL LEAVE

a. Full-time career employees who have completed ten (10) full years of service shall be credited with twenty-four (24) hours of personal leave in January of each applicable year. Part-time career employees shall be credited with a prorated amount of time based on their regular schedule.

b. Use of the personal leave shall not cause overtime.

c. Personal leave shall not accumulate from year to year and shall have no cash value. If an employee is unable to use all of the time by the end of the calendar year based on operational need, the Department may approve carry-over to the next year. In all other cases, the time shall be forfeited.

ARTICLE 8 – REIMBURSEMENTS AND ALLOWANCES

8.1 TRANSPORTATION AND PARKING ALLOWANCES

a. Reimbursement for Use of Privately-Owned Vehicles

(1) The City Manager/Charter Officersmay offer up to $400 per month as reimbursement for the use of privately-owned vehicles on City business or as compensation in lieu of the use of City vehicles on City business for management employees.

(2) The City Manager/Charter Officers shall receive $400 monthly vehicle allowance and City-provided parking.

(3) Department Directors shall receive $400 monthly vehicle allowance and City-provided parking.

(4) Exempt management and exempt management support employees are eligible for vehicle allowance with department authorization.

(5) Exempt management and exempt management support employees shall receive City-provided parking. Exempt Confidential/Administrative employees are eligible for City-provided

parking.

(6) With the authorization of the City Manager/Charter Officers, Confidential/Administrative employees may receive up to $100 per month with or without City-provided parking.

(7) Reimbursement for out-of-town travel shall be at the general mileage reimbursement rate (minus 25 miles for individuals receiving a monthly vehicle allowance) or comparable coach airfare, whichever is lower.

Any automobile operated on City business by any of the officials mentioned for use of the monthly vehicle allowance shall be insured against liability in persons and property, including wrongful death, in an amount no less than the minimum State of California required automobile coverage for bodily injury and property damage. The monthly vehicle allowance shall be in lieu of the payment of all mileage, except for out-of-county travel on official business of the City, and in lieu of the use of City-owned vehicles.

b. Monthly Bus Transportation Reimbursement

(1) Sacramento Regional Transit District (SRTD)

Full-time career civil service, exempt management, exempt management support, and exempt Confidential/Administrative employees who utilize SRTD for home-to-work transportation are eligible to receive an eighty percent (80%) City-paid SRTD monthly non-zone sticker pass. Part-time career civil service and exempt employees shall be eligible for a fifty percent (50%) price discount on the monthly non-zone sticker pass. The employee must notify the Department of Finance, Revenue Division, prior to the first day of the month to obtain the monthly pass discount for that next month.

Exempt management, exempt management support, and exempt Confidential/Administrative employees are eligible to receive an eighty percent (80%) City-paid SRTD monthly non-zone sticker pass in lieu of the City-paid parking.

(2) Other Public Transportation

Eligible full-time employees, as described above, who regularly utilize other public transportation regulated by the Public Utilities Commission or the equivalent for home-to-work commuting are eligible for monthly transit pass reimbursement up to eighty percent (80%) of the cost. Eligible part-time employees, as described above, shall be eligible for a fifty percent (50%) monthly reimbursement. The employee must present the required proof of purchase to the Department of Finance, Revenue Division, prior to the first day of the month to obtain

reimbursement. The amount of monthly reimbursement shall not exceed $120.00.

Exempt management and exempt Confidential/Administrative employees who regularly utilize other public transportation regulated by the Public Utilities Commission are eligible to receive reimbursement of up to eighty percent (80%) of the cost in lieu of City-paid parking up to a maximum of $120.00.

(3) Transportation Allowance for Employees Assigned Downtown

Effective July 2009, eligible full-time Confidential/Administrative employees, as described above, who work in the downtown area, shall receive a $90.00 per month transportation allowance. Part-time career confidential/ administrative employees who work in the downtown area shall receive $60.00 per month transportation allowance. Non-career employees shall not be eligible for the allowance.

(4) Transportation Allowance for Employees Not Assigned Downtown

Effective September 1, 2000, eligible full-time confidential/ administrative employees, as described above, who work outside of the downtown area shall receive $15.00 per month transportation allowance. New employees hired after August 29, 2000 shall not be eligible for the allowance.

c. Discounted Parking Rates

Discounted parking will be available to Confidential/Administrative employees, on a first-come, first-serve basis, for parking spaces in the Memorial Parking Lot at a cost of seventy percent (70%) of the regular Memorial Parking Lot monthly rate. This means that the employee discounted rate is thirty percent (30%) off the full monthly rate. This provision shall remain in effect until further notice by the City.

d. City Vehicle Retention

The City Manager /Charter Officers may authorize overnight home retention of City vehicles for public safety assignments, on-call assignments, and other special or emergency assignments.

8.2 POLICE AND FIRE UNIFORM ALLOWANCE

a. Safety management personnel employed in the Police Department shall receive a uniform allowance equal to, and on the same terms and conditions as, the uniform allowance granted to employees in the Police Department Unit.

b. Safety management personnel employed in the Fire Department shall receive a uniform allowance equal to, and on the same terms and conditions as, the uniform allowance granted to employees in the Fire Department Unit.

c. Civilian managers of the Police Department shall receive a uniform allowance equal to the highest uniform allowance granted to the represented employees whom they manage.

8.3 TUITION REIMBURSEMENT

Career employees will be reimbursed for the cost of tuition up to a maximum of $1500.00 per calendar year, pursuant to the City's existing policy for such education reimbursement. In addition, the department may authorize tuition reimbursement for training through other approved sources.

8.4 STATE OF CALIFORNIA BAR DUES

The actual cost of mandatory State Bar dues shall be paid for employees in attorney classifications in the City Attorney's Office. In the sole discretion of the City Attorney, the City Attorney may approve reimbursement, from the budget of the employing department, for other licensed City employee attorneys whose legal skills and abilities represent a significant benefit to the City. The City Attorney may authorize such reimbursement after the paying department has produced documentation showing payment was made by the employee receiving the reimbursement.

8.5 REQUIRED LICENSES AND CERTIFICATIONS

Where the City requires that an employee maintain a license and/or certification, the Department Head or designee may, on a case-by-case basis, reimburse the employee for costs associated with the renewal of such license. This action shall not apply to driver licenses.

8.6 CONTINUING EDUCATION

When the City requires that an employee maintain a license or certificate, which mandates continuing education (CEU) to maintain the license or certificate, the employee is responsible for obtaining the CEUs. The City may provide the needed CEUs or reimburse the employee for the cost of such training.

8.7 BILINGUAL PAY

a. The City may authorize bilingual pay when it is determined to be necessary for the operation. The City shall determine what languages are appropriate for such pay and the number of employees to be certified. To be eligible for bilingual pay the employee must be determined to be verbally proficient, and if necessary for the assignment, proficient in the written language. The City will arrange the certification and testing process and authorize the bilingual pay.

b. Bilingual pay shall be paid at the rate of twenty dollars ($20) bi-weekly for any pay period in which the employee is certified. An employee who is receiving bilingual pay may be required to provide assistance to any City operations.

8.8 TECHNOLOGY ALLOWANCE

a. Charter Officers, exempt management and exempt management support employees shall be authorized a monthly technology allowance of up to one-hundred dollars ($100). At the discretion of the Appointing Authority or, as delegated by the City Manager to a department head, a technology allowance may be approved for an exempt management or exempt management support employee in lieu of using a City-provided cellular telephone. Use of City-provided cellular telephones shall be discontinued upon receipt of the technology allowance by the employee.

b. Upon approval of the monthly technology allowance, the employee shall obtain, at his or her own expense and as a private individual, a personal cellular telephone and monthly cellular service contract that may be used to conduct City-related business. The employee shall publish and/or provide the cellular telephone number to designated individuals and organizations with whom the employee normally conducts City-related business.

c. Exempt management and exempt management support employees shall be generally accessible via his or her cellular telephone for the conduct of City-related business.

8.9 NOTARY PAY

A confidential/administrative employee who is required to maintain, or who obtains for City benefit a notary registration shall receive a biweekly certification pay of fifteen dollars ($15

ARTICLE 9 – MISCELLANEOUS

9.1 OFF-DUTY EMPLOYMENT OF EXEMPT EMPLOYEES

a. Exempt employees shall not engage in any other employment, work, profession, business or enterprise that is inconsistent, incompatible, in conflict with or adversely affects the performance of their duties, or that is inimical to the most effective performance of the mission of City management or the best interests of the City.

b. Exempt employees shall not accept any off-duty employment without the express consent, in advance, of the City Manager/Charter Officer or designated representative.

c. An exempt employee shall not work:

(1) In any employment which will tend to bring discredit upon City management, or which is detrimental to City goals, or which will reduce an individual's efficiency or usefulness as a City employee.

(2) In any employment requiring an affiliation, membership or allegiance tending to influence conduct in a manner inconsistent with the proper discharge of responsibilities to the City or the public interest.

(3) In any employment for any other municipality or political subdivision of the state or federal government (except by express permission of the City Manager).

(4) In any off-duty position while on sick leave or injured-on-duty status.

d. An exempt employee may request authorization for off-duty employment by forwarding a letter of request in duplicate to his/her department head. The letter should provide details concerning the type of employment, expected duration of employment, and the employer's name. Department heads and members of the City Manager's immediate staff will submit personal requests directly to the City Manager for approval.

e. The department head will notify each exempt employee of action taken on the request for off-duty employment by indicating such action on the letter of request and returning it to the individual. A copy of the letter will be retained in the office of the department head. The City Manager will take similar action on personal requests by department heads and members of the City Manager's immediate staff.

f. Authorization for off-duty employment may be revoked by the department head at any time it has been determined that the provisions of this Section have not been followed. The department head will notify the employee, by letter, of actions taken to revoke previous authorization for off-duty employment.

g. Part-time, seasonal, or limited-term employees are not subject to the restrictions of this Section.

9.2 PAYROLL ERRORS

a. In the event an error has been made, including but not limited to the payment of an employee's salary, overtime payment or leave accruals, balances or usages, the City shall, for purposes of future compensation, adjust such compensation to the correct amount, and give written notice to the employee.

b. In the event an employee received an overpayment, reimbursement to the City shall be accomplished by:

(1) Lump sum payment by the employee;

(2) A one-time deduction from useable vacation, compensating time off (CTO), or holiday credit balances equivalent to the overpayment at the employee's current hourly rate;

(3) A repayment schedule through payroll deduction; and/or

(4) Other means, as may be mutually agreed between the parties.

No repayment schedule shall exceed fifty-two (52) pay periods in duration, except that if the employee does not agree to a voluntary repayment schedule, the overpayment collection shall not exceed twenty-six (26) pay periods.

c. No action shall be taken to enforce repayment of an overpayment, or to correct an underpayment, unless action is taken within two (2) years from the ending date of the pay period in which the error is discovered. "Action is taken" as used in this Section shall mean written notice to the employee in the case of an overpayment, or written or oral notice to the City in the case of an underpayment error.

9.3 LETTER OF REPRIMAND

a. A letter of reprimand issued to a civil service employee on or after June 24, 1995, shall not be appealable to the Civil Service Board, except the employee may have an administrative review of the reprimand by submitting a request in writing within seven (7) calendar days to the Director of Labor Relations. The Director or designee will schedule a private meeting within seven (7) calendar days of receipt of the written request to hear the employee's response. A final written decision will be rendered by the Director or designee within seven (7) calendar days of the meeting.

b. Such letter will be withdrawn from an employee's official personnel file two (2) years from the date of issue provided there has not been additional formal discipline imposed during the two-year period.

9.4 RETIREE COURT APPEARANCE FEES

A retired City employee who is subpoenaed to appear in court on behalf of the City in his or her capacity as a former City employee shall receive a court appearance fee if the employee reports at the time specified for his or her particular testimony regardless of whether the employee is ultimately required to testify. The court appearance fee shall be one hundred twenty-five dollars ($125) for a full day or seventy-five dollars ($75) for a half day, which is defined as four (4) hours or less. Nothing herein shall serve to establish an employment relationship for any purpose, including, but not limited to, employee benefits, reimbursements, compensation, court cancellation fee, or any other rights.

Back to Table of Contents

Exhibit 2

PERSONNEL RESOLUTION

COVERING

UNREPRESENTED OFFICERS AND EMPLOYEES

July 2, 2011

ARTICLE 1 – GENERAL ADMINISTRATIVE PROVISIONS

1.1 APPOINTING AUTHORITY

a. For the City of Sacramento, appointing authority is vested with the Mayor, City Council members, and Charter Officers and, for secretarial/clerical positions in the Mayor and Council office, the Council Operations Manager. Subject to the Rules and Regulations of the Civil Service Board, Council-adopted resolutions and administrative policy instructions, appointing authority provides for the ability to hire employees in classifications that are:

(1) Unrepresented, (or represented);

(2) Subject to Civil Service Rules and Regulations or exempt from such Rules;

(3) Career or non-career; and

(4) Exempt Management.

Subject to delegation of authority from the Mayor and City Council, the Council Operations Manager is authorized to appoint candidates who fill secretarial support positions assigned to the Mayor and Councilmember offices.

b. Consistent with the adopted City Classification Plan, appointing authority also provides for the ability to:

(1) Allocate full-time equivalent positions to specific job classifications and to establish rates of pay for incumbents in those classifications, subject to the approved Budget Resolution and administrative policy;

(2) Change the number of exempt management positions under their administrative jurisdiction, so long as their total exempt management salary budget does not increase; and

(3) Adjust the salary of individual exempt managers or positions, so long as the total exempt management salary budget for each department does not increase.

(4) Grant performance-based salary adjustments to unrepresented officers and employees consistent with employee appraisal procedures, subject to the approved Budget Resolution and administrative policy.

1.2 APPLICABILITY

The terms of this Resolution shall apply to all unrepresented employees of the City, and where applicable, to elected officials.

1.3 APPOINTMENTS

a. Non-Career

Non-competitive appointment to a position for duration of time as outlined in Civil Service Board Rules 6.9 (b).

b. Career

Competitive appointment to a position which is subject to a probationary period.

c. Exempt Appointments

Nothing in this Resolution shall be construed to be an express or implied covenant or contract, or to create a property right or tenure for any person appointed to positions that are exempt from the classified service. Exempt employees serve at the pleasure of the Appointing Authority. Consequently, just cause is not required for discipline, and there are no appeal rights.

1.4 RATE OF COMPENSATION UPON RETURN TO CITY SERVICE

An employee recalled after layoff, reinstated after a leave of absence, or reemployed after resignation shall return at the same rate of pay unless such rate is below the minimum of the classification salary range. This provision shall not be applicable to management employees.

1.5 SALARY CONTINUATION FOR ABSENCES LESS THAN ONE DAY

For partial day absences covered by the Family and Medical Leave Act (FMLA), and/or the California Family Rights Act (CFRA), a salaried employee shall be charged leave for each whole hour of absence, or if there is no accrued, useable leave, that employee's pay shall be reduced in an amount equal to the employee's hourly rate of pay for each whole hour of the absence.

1.6 STAFF AIDE POSITIONS

The classification of Staff Aide (Exempt Management) or Staff Aide (Confidential/Administrative), may be used when a classification is needed either pending establishment of a regular classification or a position is funded for a limited time and no appropriate classification exists. A person may be appointed to such classification for a maximum period of twelve (12) months. The salary range shall be established by the Human Resources Director.

1.7 EFFECT OF LEAVE OF ABSENCE WITHOUT PAY UPON COMPENSATION

Time spent on leave of absence without pay of ten (10) or less consecutive workdays shall not affect the pay adjustment eligibility during a rating period. Such leaves in excess of ten (10) consecutive working days, may affect eligibility during a rating period at the discretion of the Appointing Authority.

ARTICLE 2 – HOURS OF EMPLOYMENT AND OVERTIME

2.1 HOURS OF EMPLOYMENT

a. The work period for employees shall begin at 12:01 a.m. Saturday, and end at 12:00 midnight the following Friday. The normal workweek for full-time employees, except for management employees, shall consist of forty (40) hours of work during the seven (7) day work period.

b. The normal workweek shall not apply to management employees exempt from the provisions of the Fair Labor Standards Act who are expected to work whatever time is required to perform the duties of their positions.

c. The workweek for part-time employees shall be determined by the Appointing Authority.

2.2 VOLUNTARY WORK FURLOUGH/REDUCED WORKWEEK PROGRAM

The City's Voluntary Work Furlough/Reduced Workweek Program shall be applicable to unrepresented full-time career employees on the same terms as apply to represented employees. The optional benefit plan of eligible employees shall not be reduced or prorated by participation in such work reductions.

2.3 MANDATORY WORK FURLOUGH

The City’s Mandatory Work Furlough Program is applicable to all unrepresented employees and shall consist of 12 days of furlough (96 hours) in Fiscal Year 11-12, Each Appointing Authority shall be responsible for the administration of his/her employees’ furloughs.

2.4 OVERTIME FOR CONFIDENTIAL/ADMINISTRATIVE EMPLOYEES

a. Confidential/Administrative who are required to work in excess of eight (8) hours per day or forty (40) hours per week or on a recognized holiday shall be compensated for such overtime with pay at one and one-half (1-1/2) times the applicable rate of pay in cash payment or compensating time off (CTO) as determined by the Appointing Authority.

b. The Appointing Authority may, with prior agreement of a

Confidential/Administrative employee, establish a flexible work schedule consisting of more than an eight (8) hour day in a forty (40) hour workweek. In such a schedule, the overtime rate after eight (8) hours per day as set forth above shall not apply.

c. Absence with pay shall be counted as time worked. Time worked in excess of eight (8) hours in a day or on a recognized holiday shall not be included in determining whether an employee has worked in excess of forty (40) hours in a week.

d. Employees may accrue up to one hundred and twenty (120) hours of CTO. The City may cash out those CTO hours accumulated in excess of eighty (80) hours at any time provided that the use of such time off has not been previously approved.

e. The use of accrued CTO shall be at the discretion of the Appointing Authority. Employees who request use of accrued CTO shall be permitted to use such time within a reasonable period after making the request if the use of CTO does not unduly disrupt the operations of the work unit.

f. Upon termination from City service, employees shall be paid for any unused CTO hours at the applicable rate of pay.

2.5 OVERTIME FOR NON-CAREER EMPLOYEES

a. Non-career employees who are required to work in excess of forty (40) hours per week shall be compensated for such overtime with pay at one and one-half (1-1/2) times the applicable rate of pay in cash payment.

b. The Appointing Authority may establish a flexible work schedule consisting of more than an eight (8) hour day in a forty (40) hour workweek.

2.6 MODIFIED/ALTERNATIVE DUTY POLICY

A Modified/Alternative Duty Policy shall be applicable to eligible employees who have been injured on-the-job.

2.7 TELEWORK PROGRAM

Confidential/Administrative employees may participate, at the discretion of the Appointing Authority, in the City's Telework Program

2.8 ALTERNATIVE WORK SCHEDULE PROGRAM

Confidential/Administrative, exempt management support, and management employees may participate, at the sole discretion of the Appointing Authority, in Alternative Work Schedule Program such as 9/80 or 4/10 schedules. Employee participation in Alternative Work Schedule Program shall be dependent on employee

performance and shall not disrupt department operations.

2.9 EMERGENCY RESPONSE BY FIRE MANAGEMENT

When a Fire Assistant Chief is required to respond to a call for mutual aid during an emergency or disaster, or a strike team, and works in excess of the employee' regular work schedule, the employee shall be paid at their regular hourly rate for the duration of the call-up.

2.10 EMERGENCY RESPONSE BY POLICE MANAGEMENT

When a Police Lieutenant or a Police Captain is required to respond to a call for mutual aid, during an emergency or disaster, and works in excess of the employees' regular work schedule, the employee shall be paid at the regular hourly rate for the duration of the call-up.

2.11 POLICE LIEUTENANT

When a Police Lieutenant is required to work for another Lieutenant during the employees' scheduled time off, he/she shall be paid at the regular hourly rate for all hours worked on the additional shift.

ARTICLE 3 – HEALTH AND WELFARE

3.1 FRINGE BENEFIT PLAN

The fringe benefit plan for exempt management, exempt management support and confidential/administrative employees shall be as follows:

a. Basic Life Insurance

City-paid basic life insurance shall be:

Group	Amount
Confidential/administrative	$ 10,000
Management & Management Support	$ 50,000
Charter Officer	$100,000
City Manager	$150,000

b. Long-Term Disability Insurance

Management and management support employees shall receive City-paid long-term disability insurance.

c. Health and Welfare Contribution (City Dollars)

(1) Effective August 2, 2008, the City shall pay up to seven percent (7%) for the City Manager, City Attorney, City Clerk and City Treasurer of the member contribution to the PERS retirement plan. In addition the City Manager, City Attorney, City Clerk and City Treasurer shall receive a monthly health and welfare contribution and a three percent (3%) of base salary optional benefit plan which should be combined and shall be applied, first, to a member's retirement contribution (if any), up to the maximum of such retirement contribution and, second, the premiums for City-sponsored health and dental plans and short-term disability plans for eligible employees and qualified dependents, if any. To the extent not applied toward the employee's retirement contribution or insurance coverage premiums, such contribution may be applied on behalf of an eligible employee under the City's flexible spending account pursuant to the City's Internal Revenue Code Section 125 Cafeteria Plan or paid in cash to the employee, as directed by the employee. If the City's contribution allocated to any pay period is less than the amount needed to pay for the employee's retirement contribution and insurance coverage, the City shall deduct on a pre-tax basis from the employee's paycheck the balance of the amount needed for such purposes.

(2) <u>Optional Benefit Plan</u>

(a) Effective August 2, 2008 for police safety management employees, the City shall pay up to nine percent (9%) of the member contribution to the PERS retirement plan. For exempt management employees the City shall pay up to seven percent (7%) of the member contribution to the PERS retirement plan. For exempt management support employees the City shall pay up to five percent (5%) of the member contribution to the PERS retirement plan. In addition, exempt management and exempt management support employees shall receive a monthly health and welfare contribution which shall be applied, first, to the employee's retirement contribution (if any), up to the maximum of such retirement contribution, and, second, the premiums for City-sponsored health and dental plans, and short-term disability plans for eligible employees and qualified dependents, if any. To the extent not applied toward the employee's retirement contribution or insurance coverage premiums, such contribution may be applied on behalf of an eligible employee under the City's flexible spending account pursuant to the City's Internal Revenue Code Section 125 Cafeteria Plan or paid in cash to the employee, as directed by the employee. If the City's contribution allocated to any pay period is less than the amount needed to pay for the employee's retirement contribution and insurance coverage, the City shall deduct on a pre-tax basis from the employee's

paycheck the balance of the amount needed for such purposes.

(b) For Fire safety management employees, the City shall pay up to nine percent (9%) of the member contribution to the PERS retirement plan on behalf of the management employees. Such payments shall be reported to PERS as additional compensation for the purpose of retirement benefit calculations. In addition, Fire safety management employees shall receive a monthly health and welfare contribution, which shall be applied, first, to the employee's retirement contribution (if any), up to the maximum of such retirement contribution, and, second, the premiums for City-sponsored health and dental plans, and short-term disability plans for eligible employees and qualified dependents, if any. To the extent not applied toward the employee's retirement contribution or insurance coverage premiums, such contribution may be applied on behalf of an eligible employee under the City's flexible spending account pursuant to the City's Internal Revenue Code Section 125 Cafeteria Plan or paid in cash to the employee, as directed by the employee. If the City's contribution allocated to any pay period is less than the amount needed to pay for the employee's retirement contribution and insurance coverage, the City shall deduct on a pre-tax basis from the employee's paycheck the balance of the amount needed for such purposes.

(3) Effective August 2, 2008, the City shall pay up to three percent (3%) of the member contribution to the PERS retirement plan for full-time career Confidential/Administrative employees. In addition full-time career Confidential/Administrative employees shall receive a monthly health and welfare contribution which shall be combined and applied, first, to the employee's retirement contribution (if any), up to the maximum of such retirement contribution, and, second, the premiums for City-sponsored health and dental plans, short-term disability plans, and/or supplemental life insurance (in the amount of $30,000) and additional supplemental life insurance (in the amount of $10,000) for eligible employees. To the extent not applied toward the employee's retirement contribution or insurance coverage premiums, such contribution may be applied on behalf of an eligible employee under the City's flexible spending account pursuant to the City's Internal Revenue Code Section 125 Cafeteria Plan or paid in cash to the employee, as directed by the employee. If the City's contribution allocated to any pay period is less than the amount needed to pay for the employee's retirement contribution and insurance coverage, the City shall deduct on a pre-tax basis from the employee's paycheck the balance of the amount needed for such purposes.

(4) The City will contribute $100 monthly as an add-on to the City's health and welfare contribution for Sacramento City Employees Retirement System (SCERS) members in lieu of the contribution the City pays for PERS members.

(5) Amount of Contribution

(a) For full-time Confidential/Administrative employees, the City shall contribute $490 or a contribution equal to the lowest cost City health and dental rate whichever is greater for a single employee enrolled in City-sponsored group health insurance; $800 for an employee enrolled with one (1) dependent; and $1050 for an employee enrolled with two (2) or more dependents. Effective January 1, 2010, for full-time Confidential/Administrative employees, the City shall contribute $520 or a contribution equal to the lowest cost City health and dental rate whichever is greater for a single employee enrolled in City-sponsored group health insurance for a single employee enrolled in City-sponsored group health insurance; $850 for an employee enrolled with one (1) dependent; and $1200 for an employee enrolled with two (2) or more dependents. For part-time career Confidential/Administrative employees, the City shall contribute a prorata share of the contribution.

(b) For exempt management and exempt management support employees, the City shall contribute $520 or a contribution equal to the lowest cost City health and dental rate whichever is greater for a single employee enrolled in City-sponsored group health insurance; $800 for an employee enrolled with one (1) dependent; and $1050 for an employee enrolled with two (2) or more dependents. Effective January 1, 2010, for full-time exempt management employees, the City shall contribute $520 or a contribution equal to the lowest cost City health and dental rate whichever is greater for a single employee enrolled in City-sponsored group health insurance; for a single employee enrolled in City-sponsored group health insurance; $850 for an employee enrolled with one (1) dependent; and $1200 for an employee enrolled with two (2) or more dependents. For part-time exempt management and exempt management support employees, the City shall contribute a prorata share of the contribution.

(c) For Charter Officers, the City shall contribute $575 or a contribution equal to the lowest cost City health and dental rate whichever is greater for a single employee enrolled in City-sponsored group health insurance; $800 for an employee

enrolled with one (1) dependent; and $1050 for an employee enrolled with two (2) or more dependents. Effective January 1, 2010, for Charter Officers, the City shall contribute $575 or a contribution equal to the lowest cost City health and dental rate whichever is greater for a single employee enrolled in City-sponsored group health insurance; $850 for an employee enrolled with one (1) dependent; and $1200 for an employee enrolled with two (2) or more dependents.

(6) Funds used to pay the health insurance premium cost for the domestic partner and/or the domestic partner's dependent children shall be in accordance with Federal and State tax laws.

(a) An employee who has a domestic partner, and is registered with the City Clerk, may cover the domestic partner under the employee's City-sponsored health plan. The employee will pay for the premium difference for the domestic partner coverage.

(b) An employee who has a domestic partner, and is registered with the Secretary of State of the State of California, may cover the domestic partner and/or the domestic partner's children as defined in paragraph (7) below, under the employee's City-sponsored health plan. The City shall contribute $800 for an employee enrolled with one (1) dependent; and $1050 for an employee enrolled with two (2) or more dependents. Effective January 1, 2010, the City shall contribute $850 for an employee enrolled with one (1) dependent; and $1200 for an employee enrolled with two (2) or more dependents.

(7) The definition of dependent child for purposes of health and dental insurance shall be a child from birth to age 26. Dependent child includes an adult child up to age 26, grandchild living in the employee grandparent's home, disabled children, step-children, adopted children, wards and foster children provided they qualify as the subscriber's or subscriber's lawful spouse's dependent under IRS rules and regulations.

d. <u>Cash-Back Limits</u>

(1) The cash-back of City dollars from the IRS Section 125 Plan for employees who waive enrollment in City-sponsored group health plans shall be limited to career and exempt employees as follows:

(a) Effective January 1, 2009, for Confidential/Administrative employees, up to $200 per month. Part-time employees shall be prorated.

(b) Effective January 1, 2009, for management employees, up to

$200 per month.

(c) Effective January 1, 2009, for Charter Officers, up to $200 per month.

e. Insurance Over $50,000

(1) Exempt management and exempt management support employees may purchase out-of-pocket supplemental life insurance in the amount of up to three (3) times annual salary.

(2) Confidential/Administrative employees may purchase out-of-pocket supplemental life insurance in the amount of up to three (3) times annual salary and additional supplemental life insurance in the amount of $10,000.

f. The fringe benefit plan shall be applicable to full-time management and Confidential/Administrative employees. The fringe benefit plan, including management leave time, for employees who are less than full-time shall be established by the City Manager on a case-by-case basis, not to exceed the fringe benefit plan for comparable full-time employees.

3.2 FLEXIBLE SPENDING ACCOUNTS

The City has established the following Flexible Spending Accounts (FSA) as permitted by Internal Revenue Service Regulations:

a. For City-sponsored health and dental insurance out-of-pocket costs; and

b. Unreimbursed health care expenses up to $4,800 per plan year effective each January 1; and

c. Dependent care reimbursement.

d. Unreimbursed mass transit expenses for work commute up to $110 per month.

e. Unreimbursed parking expenses to park at or near work up to $215 per month.

3.3 DEFERRED COMPENSATION PLAN

Exempt management, exempt management support and Confidential/Administrative employees may participate in the City's Deferred Compensation 457 Plan as long as the deferred compensation salary limit is not exceeded.

3.4 SECTION 401(A) MONEY PURCHASE PLAN

The City's established IRS Section 401(a) Plan is available as follows:

a. For exempt management employees, the City will contribute four percent (4%) of salary to the 401(a) Plan and the employee shall contribute five percent (5%) of salary to the Plan. An employee may also contribute up to ten percent (10%) of additional after-tax dollars into the Plan.

b. Employees must make an irrevocable election to participate in the Plan within ninety (90) days of employment and such election shall be final. Effective January 1, 2010 enrollment in the Plan will no longer be permitted during open enrollment .

3.5 LONGEVITY PAY

a. Employee Eligibility

For the purpose of determining the year of employee eligibility for longevity pay as provided under Section 108 of the City Charter, only continuous full-time service shall be considered.

(1) Where beginning employment may be intermittent with separate periods of employment in relief, seasonal, limited-term, temporary or part-time positions, only that period of intermittent employment (but excluding employment in part-time positions) immediately preceding the date of regular full-time continuous employment and without loss of time shall be considered.

(2) Leaves of absence without pay shall not constitute a break in service, except such time on leave without pay, when it exceeds twenty (20) working days in a calendar year, shall be deducted in determining the year for an employee's eligibility. Leaves of absence granted for military service shall be considered as full-time continuous service.

(3) Time taken off without pay, where formal leave of absence is not required, aggregating twenty (20) or fewer days in a calendar year shall not constitute a break in service and shall be disregarded in computing the year for an employee's eligibility. However, if such time taken off without pay exceeds twenty (20) days in any calendar year, the total amount of time so taken off without pay shall be deducted in determining the year for an employee's eligibility, but shall not constitute a break in service.

(4) Where employment is terminated by resignation or discharge and the employee is subsequently reemployed, such time accumulated prior to resignation or discharge shall be forfeited, unless the employee is reinstated, in which case the time absent from City service shall not be considered as a break in service, but shall be deducted in determining the year for an employee's eligibility.

(5) A layoff shall not constitute a break in service and the time accumulated prior to the layoff shall be added to the time after reinstatement for determining the year for an employee's eligibility.

(6) Persons who become City employees pursuant to the provisions of City Charter Section 93 shall receive credit for time accumulated in the employment of the district, for purposes of determining the year for employee eligibility.

b. Payment After Eligibility

Once it has been determined that an employee is eligible for longevity pay, he/she shall receive the allowance as prescribed.

(1) When authorized leave of absence or time off aggregating twenty (20) or more working days is taken during any employment year, longevity payment in the following July shall be made on a prorata basis.

(2) Upon entrance of an employee into military service, or where an employee is granted a leave of absence following expiration of sick leave credits, such employee shall be paid, in the month of July following the date such leave begins, such longevity pay earned from his/her anniversary date of employment to the date such leave begins, on a pro rata basis, but not to exceed the maximum yearly allowance. Such employee shall not thereafter receive longevity pay until his/her return to City service, when he/she shall receive, in the month of July first following his/her return, the prorata portion of longevity pay from the date of return.

(3) Upon death or retirement of an employee, such employee shall be entitled to receive the prorata portion of longevity earned on the date of death or retirement, but not to exceed the maximum yearly allowance; in all other cases of termination, longevity pay which would have been paid in the following July had employment continued, shall be forfeited, and there shall be no prorata payment for longevity.

(4) The longevity pay granted in July of any year shall be considered to have been earned during the preceding employment year ending on or prior to July 1 of each year.

(5) All payments for longevity shall be made on the payday covering the first full pay period in July of each year, except as provided under (3) of this Section.

3.6 SENIOR EMPLOYEE PAY

a. The City Manager/Charter Officers are authorized to institute Senior Employee Pay for all eligible unrepresented employees and/or officers in Unrepresented Units 01, 10, and 14. Senior Employee Pay will apply to all eligible employees under the following criteria:

(1) Effective August 10, 2010, full-time eligible employees will receive Senior Employee Pay in the amount of (5%).

(2) To qualify for Senior Employee Pay, the employee must have twenty-five (25) years or more of Public Employees Retirement System (PERS) service or Sacramento City Employees Retirement System (SCERS) service.

(3) Employees who receive Senior Employee Pay are required to furlough 104 hours per year. Employees will normally not be scheduled for overtime, nor receive on-call pay on their furlough day. Furlough time will be prorated for those employees who begin their Senior Employee Pay after the start of the fiscal year.

(4) Senior Employee Pay will be discontinued on ~~July 30, 2011~~ September 30, 2011.

(5) The City considers Senior Employee Pay to be longevity pay and shall report it as special compensation to CalPERS. The City does not warrant that this pay will be considered special compensation under PERS law.

ARTCLE 4 – RETIREMENT

4.1 RETIREES OR SURVIVOR DEPENDENTS

Eligible City retirees or survivor dependents shall receive City-paid health insurance contributions and dental insurance benefits under the following provisions:

a. Retiree Health Insurance Contribution Rates and Dental Insurance Benefits

Effective January 1, 2008, the City retiree health insurance contribution will be $300 per month for the retiree and $365 for retiree with dependent(s).

b. Employees Retiring on or After July 1, 1992

(1) Except as provided below, to be eligible for the City contribution to health insurance and for the City-paid dental benefit for retiree only,

the employee must retire from active service with a minimum of ten (10) full years of City service for a service or ordinary disability retirement, and be minimum age 50.

(2) Employees retiring with thirty (30) or more years of service shall be eligible for the City's health insurance contribution and dental benefit effective with the date of retirement without regard to age.

(3) The City's contribution for health insurance shall be as follows:

(a) Employees with a minimum of ten (10) full years of service but less than fifteen (15) full years of service shall be eligible to a maximum of fifty percent (50%) of the City's maximum health insurance contribution identified in subsection (a) above.

(b) Employees with a minimum of fifteen (15) full years of service but less than twenty (20) full years of service shall be eligible to a maximum of seventy-five percent (75%) of the City's maximum health insurance contribution identified in subsection (a) above.

(c) Employees with a minimum of twenty (20) full years of service shall be eligible for up to one hundred percent (100%) of the City's maximum health insurance contribution identified in subsection (a) above.

(4) There shall be no eligibility for the City's health insurance contribution or dental benefit if the employee elects to take a deferred retirement.

(5) There shall be no City-paid health insurance contribution or dental benefit for retirees with less than ten (10) full years of City retirement service.

c. Persons in Deferred Retirement Status as of January 1, 1991

Employees who have elected a deferred retirement prior to January 1, 1991 and who then elect to retire on or after July 1, 1992, shall be eligible for the City's health insurance contribution and dental benefit as follows:

(1) A retiree with at least ten (10) full years of City service shall be eligible for fifty percent (50%) of the City's health insurance contribution as identified in subsection (a) above.

(2) A retiree with twenty (20) full years or more of City service shall be eligible for one hundred percent (100%) of the City's health insurance contribution as identified in subsection (a) above.

(3) Retirees must be at least 50 years of age.

(4) There is no eligibility to such health insurance contribution or dental benefit for retirees with less than ten (10) full years of City service or who have not attained the age minimum specified in subsection (b) above.

d. Industrial Disabled or Death in Line of Duty Survivors

Retirees who receive industrial disability pensions or death in-line-of-duty survivors will be entitled to one hundred percent (100%) of the City-paid health insurance contribution and dental benefit for retirees regardless of years of service.

e. Survivor Dependents Benefits

Survivor dependents of eligible employees or retirees shall be entitled to the same benefit amount, as the employee was eligible to at the time of death.

f. Medicare Supplement

In order to maintain eligibility for the City-paid retiree health insurance contribution, each eligible retiree and dependent must enroll in Medicare Parts A and B immediately after becoming eligible for such benefits.

g. Limitation Clause

No employee or retiree shall have any rights provided by this Section 4.1 after July 2, 2012.

4.2 PERS RETIREMENT PLAN AND CONTRIBUTION

a. The City's contract with the Public Employees Retirement System (PERS) for miscellaneous employees provides the following plan for all miscellaneous employees:

- Modified 2% at age 55
- One-year highest compensation
- Up to 2% COLA
- 25% survivor continuation
- 50% industrial disability
- Military service credit
- Peace Corps service credit
- Sick leave conversion to service credit

b. The City's contract with the Public Employees Retirement System (PERS) for fire safety employees to provide for the following plan for fire safety management employees:

Tier I and Tier III

- Modified 3% at age 55
- One-year highest compensation
- Up to 2% COLA
- 50% survivor continuation
- 50% industrial disability
- Military service credit
- Peace Corps service credit
- EPMC
- Sick leave conversion to service credit

Tier II (SCERS Transferees)

- Modified 3% at age 55
- One-year highest compensation
- Up to 3% COLA
- 50% survivor continuation
- 50% industrial disability
- Military service credit
- Peace Corps service credit
- EPMC
- Sick leave conversion to service credit

c. The City's contract with the Public Employees Retirement System (PERS) for police safety employees provides the following plan for police safety management employees:

Tier I and Tier III

- Modified 3% at age 50
- One-year highest compensation
- Up to 2% COLA
- 50% survivor continuation
- 50% industrial disability
- Military service credit
- Peace Corps service credit
- Sick leave conversion to service credit

Tier II (SCERS Transferees)

- Modified 3% at age 50
- One-year highest compensation
- Up to 3% COLA
- 50% survivor continuation
- 50% industrial disability
- Military service credit

- Peace Corps service credit
- Sick leave conversion to service credit

ARTICLE 5 – CHARTER OFFICERS

5.1 CHARTER OFFICER SALARIES

The salaries for the City Manager, City Attorney, City Treasurer, and City Clerk shall be modified only by City Council action and approval.

5.2 EXPENSE AND SUBSISTENCE ALLOWANCE

The sum of $400 per month is established as a City expense reimbursement allowance for the City Manager for which no vouchers need be furnished. The sum of $350 per month is established as a City expense reimbursement allowance for the City Attorney, City Treasurer and City Clerk for which no vouchers need be furnished.

ARTICLE 6 – NON-CAREER EMPLOYEES

6.1 NON-CAREER BENEFITS

Except as provided herein, unrepresented non-career (+1,040) employees do not accrue benefits.

6.2 CITY HEALTH AND WELFARE CONTRIBUTION

a. Employees in the classification of Fire Recruit and Student Trainee (Paramedic Intern) shall receive the same City monthly health and welfare contribution amount as provided for the classification of Firefighter.

b. Employees in the classification of Police Cadet, Police Recruit, and Community Service Officer (Limited Term) shall receive the same City monthly health and welfare contribution amount as provided for the classification of Police Officer.

c. Employees in the classification of Dispatcher Recruit shall receive the same City health and welfare contribution amount as provided for the non-supervisory Dispatcher classification.

d. Such health and welfare contributions may only be applied toward City-sponsored health and dental plans.

6.3 POOL SAFETY CLASSIFICATIONS

Employees holding classifications designated as pool safety positions may be eligible for additional compensation for qualifying work associated with the summer aquatics program. Such compensation is authorized solely for the purpose of recruiting and retaining qualified employees at City-operated swimming pools. Said employees shall be paid additional compensation as follows:

a. Certification Fee Reimbursements. Upon submittal of documents showing successful completion of the required water safety courses and receipts showing fees paid, the City shall reimburse eligible employees up to $200 for completing their certification course work.

b. Recruitment Incentive. Upon successful completion of eighty (80) hours of work in a designated pool safety classification, the City shall pay eligible employees a lump sum amount of $200.

c. Retention Incentive. Upon successful completion of work during the entire summer aquatics season, the City shall pay eligible employees a lump sum amount of $400.

ARTICLE 7 – LEAVES

7.1 VACATION

a. Employees shall be entitled to vacation allowances pursuant to the provisions of Section 107 of the City Charter. Based on length of City service, the annual vacation allowances are:

Annual Vacation Allowance	Length of Service
10 days	to 5 years
15 days	to 15 years
20 days	16 or more years

b. Vacation allowance administration shall be in accordance with the rules and regulations of the Civil Service Board, unless an exception is authorized by the City Manager under appropriate circumstances. Employees may accumulate up to a maximum of 480 vacation hours.

7.2 HOLIDAYS

a. Holiday Hours for Fire Management

(1) Fire Assistant Chiefs assigned to fire suppression duty shall receive holiday benefits equal to, and on the same terms and conditions as, those holiday benefits granted by the City to employees in the Fire

Department Unit. Such employees shall not receive any other holiday benefits under this Section.

(2) Fire Assistant Chiefs not assigned to fire suppression duty shall receive, for so long as they hold such assignments, 127.4 holiday hours per fiscal year, for which they shall be paid in cash, with their regular paycheck, in twenty-six (26) equal bi-weekly installments. Such employees shall be eligible to receive the recognized holidays but not the floating holidays under this Section.

b. Holiday Hours for Police Captains and Police Lieutenants

Police Captains and Police Lieutenants regularly scheduled to work on a recognized holiday shall receive holiday credit for the hours worked on the holiday. Holiday credit accumulations shall be limited to a maximum carry-over of forty (40) hours from the preceding calendar year. Effective the pay period which includes January 8 of each year, earned holiday hours in excess of forty (40) shall be paid to the employee in cash at the employee's regular rate of pay for that pay period, unless an exception is authorized by the City Manager under appropriate circumstances.

c. Recognized Holidays

Except as otherwise provided, the following shall be recognized holidays for eligible employees:

Holiday	Date
New Year's Day	January 1
Martin Luther King's Birthday	Third Monday in January
Washington's Birthday	Third Monday in February
Cesar Chavez' Birthday	Last Monday in March
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Friday after Thanksgiving
Christmas Eve (4 hours)	December 24
Christmas Day	December 25
New Year's Eve (4 hours)	December 31

d. Eligibility

(1) To be eligible for holiday pay, the employee shall work the scheduled workday before and after the recognized holiday. Paid time on vacation, sick leave, compensating time off, or management leave time shall be considered hours worked for the purpose of holiday pay

eligibility.

(2) A part-time career employee, including an employee in a work-sharing program, or a non-career (+1,040) employee shall receive the recognized holiday benefit based upon the number of hours the employee was paid in that workweek as follows:

Number of Recognized Holidays in the Workweek	Minimum Number of Paid Hours in the Workweek	
	50% Benefit	100% Benefit
0.5	18	28.8
1.0	16	25.6
1.5	14	22.4
2.0	12	19.2

An employee paid for less than the minimum number of hours required for the 50% benefit shall receive no recognized holiday benefit.

(3) Non-career (-1,040) employees shall not receive recognized holiday benefits.

e. Monday-Friday Schedule

If an employee's scheduled days off are Saturday and Sunday during a standard City workweek in which a recognized holiday falls, the following shall apply:

(1) If the recognized holiday falls on a Saturday, the preceding Friday shall be considered the employee's holiday.

(2) If the recognized holiday falls on a Sunday, the following Monday shall be considered the employee's holiday.

f. Weekend Schedule

If an employee's scheduled days off are other than Saturday and Sunday during the standard City workweek in which a recognized holiday falls, the following shall apply:

(1) The actual dates as listed above shall be considered as the employee's holiday.

(2) If the recognized holiday falls on the employee's scheduled day off, the employee shall accrue holiday credit for the hours of the holiday benefit.

g. Accrual of Leaves Over 24 Pay Periods

The accrual of leaves shall occur over twenty-four (24) pay periods per year, which shall be the first two (2) pay periods of each month. Leave accrual rates for each pay period in which accrual occurs shall be as specified in Section 7.2(i) (1), 7.4(a), and 7.11(a) and (b) below.

h. Holiday Credit Accumulation

Employees may accumulate holiday credit up to a maximum of eighty (80) hours. Holiday credit may be taken by the employee at the discretion of the department head.

i. Floating Holidays

(1) Accrual

(a) In addition to the recognized holidays specified above, except as provided below, employees shall receive the equivalent of two (2) floating holidays per fiscal year on an accrual basis as follows:

(i) Each full-time exempt management and exempt management support employee shall accrue floating holiday credit at the rate of forty (40) minutes per pay period. Each full-time Confidential/Administrative employee shall accrue floating holiday credit at the rate of forty (40) minutes per pay period. The employee shall accrue floating holiday credit for each pay period for which the employee is paid twenty (20) or more hours of salary.

(ii) A part-time career or management employee, including an employee in a work sharing program, or a non-career (+1,040) employee shall accrue floating holiday credit based upon the number of hours the employee was paid in that bi-weekly pay period: 64 or more hours paid = forty (40) minutes accrual; 40-63.9 hours paid = twenty (20) minutes accrual; less than 40 hours paid = 0 minutes accrual.

(b) Non-career (-1,040) employees shall not receive floating holiday benefits.

(2) Administration

(a) The scheduling of floating holiday time must be approved in advance by the Appointing Authority or designated

representative.

(b) An employee may carry-over from the preceding calendar year a maximum of eight (8) hours of floating holiday accrual. Except for the eight (8) hour carry-over, all accumulated floating holiday time not used by the end of the pay period which includes January 8 shall be paid to the employee in cash at the straight-time rate on the payday covering that pay period.

(c) An employee terminating for any reason or going on a leave of absence without pay for a period exceeding ninety (90) days shall be paid for all accrued floating holiday time at the straight-time rate.

7.3 MANAGEMENT LEAVE TIME

a. Exempt management and exempt management support employees exempt from the provisions of the Fair Labor Standards Act shall not accrue compensating time off or earn overtime pay for time worked in excess of eight (8) hours per day or forty (40) hours per week, but shall be expected to devote as much time to their employment as may be necessary for the efficient operation of City government.

b. Exempt management and exempt management support employees shall be credited with eighty (80) hours of management leave time each fiscal year. Such time will be posted for use the first pay period in July. Management employees appointed after July 1 of a fiscal year shall be entitled to a prorata share of eighty hours of management leave time based upon the number of full months remaining in that fiscal year. Management leave time shall be useable upon being credited, subject to the approval of the immediate supervisor.

c. Management leave time shall not accumulate from fiscal year to fiscal year. Employees will not be paid for the unused portion of management leave time.

d. Management leave time shall not be cashed out upon separation from City service.

7.4 ADMINISTRATIVE LEAVE TIME

a. Confidential/Administrative employees shall be credited with twenty (20) hours of administrative leave time each fiscal year. Such time will be posted in the first pay period in July.. Confidential/Administrative employees hired after July 1 of a fiscal year shall be entitled to a prorata share of twenty hours of administrative leave time based upon the number of full months remaining in that fiscal year. Administrative leave time shall be useable upon being credited, subject to the approval of the immediate supervisor.

b. Administrative leave time shall not accumulate from fiscal year to fiscal year. Employees will not be paid for the unused portion of administrative leave time.

Administrative leave time shall not be cashed out upon separation from City service.

7.5 SICK LEAVE

a. Accrual

(1) A full-time employee shall accumulate sick leave credits at the rate of one day per month (4 hours per bi-weekly pay period) of employment which may be used at the discretion of the employee in the event of illness or injury which is not job-related; however, in accordance with the Rules of the Civil Service Board, one-third (1/3) of the accrued sick leave may be used after exhaustion of injury-on-duty time. Such usage shall not exceed the maximum amount of the employee's accumulation. A permanent part-time employee shall earn sick leave on a prorata basis.

(2) An employee in active service of the City, eligible to accumulate sick leave credits, shall in January of each year receive a cash payment for twenty-five percent (25%) of the unused portion of sick leave credits accumulated during the preceding calendar year from January 1 through December 31, provided the employee shall have to his/her credit on December 31 immediately preceding the date for payment, a total of at least sixty (60) sick leave days accumulated. The employee shall be paid for such percentage of sick leave accumulation at the rate of pay which the employee was receiving on January 1 of each year in which payment is made. The amount of time for which an employee is paid shall be deducted from the employee's total accumulation.

(3) Notwithstanding the above, an employee, otherwise eligible, may elect not to receive cash payments for accumulated sick leave by notifying the Accounting Division of the Department of Finance, in writing of such election no later than January 1 of each year.

b. Sick Leave Cash Out

Upon termination of any employee eligible to accumulate sick leave credits, with more than twenty (20) years of City service, for reasons of retirement, resignation, layoff, or death, such employee (or those entitled by law to the possession of the estate of a deceased employee) shall receive payment for thirty-three and one-third percent (33-1/3%) of the sick leave credits accumulated (to the nearest full day) by the employee on the date of such

retirement, resignation, layoff, or death, or to apply the sick leave balance to service credit pursuant to the PERS contract with the City. Any employee eligible to accumulate sick leave credits with less than twenty (20) years of City service may apply the sick leave balance to service credit pursuant to the PERS contract with the City upon termination of employment for retirement. Employees hired on or after January 1, 2005 shall not be eligible for payment of any portion of accumulated sick leave credits.

Upon retirement, SCERS members eligible to accumulate sick leave credits shall receive payment of thirty-three and one-third percent (33-1/3%).

c. Reinstatement of Sick Leave After Return From Layoff

Any employee who is laid off and receives payment for thirty-three and one-third percent (33-1/3%) of his/her total accumulated sick leave credits shall be credited with the remaining sixty-six and two-thirds percent (66-2/3%) of his/her accumulated sick leave credits if and when said employee is recalled. If said employee thereafter leaves City service after being recalled and is entitled to payment of his/her accumulated sick leave credits under this Section, said employee shall only receive payment for thirty-three and one-third percent (33-1/3%) of those sick leave credits which accrued after the date of recall.

d. Except as provided herein, no payments made or sick leave credits accumulated shall be construed or deemed to constitute retirement benefits payable to employees of the City.

e. The Rules and Regulations of the Civil Service Board relating to the administration of sick leave privileges and benefits shall apply to all covered employees.

7.6 PARENTAL LEAVE

The parental leave policy for both male and female employees is as follows:

a. Full-time career employees shall be eligible for City Parental Pay of four (4) weeks consisting of up to one hundred-sixty (160) hours of continuous paid time off. Part-time career employees shall be eligible for up to eighty (80) hours of continuous City-paid time off. The duration of City Parental Pay shall not change based on a change in employment status, such as from part-time to full time career. Unused City Parental Pay shall have no cash value. Non-career employees are not eligible for the four (4) weeks of City- Parental Pay.

b. To be eligible for City Parental Pay, an employee must have completed at least 6,240 hours and three (3) years of career service from the most recent date of hire, preceding either (a) the birth of a child who resides with the employee and for whom the employee has legal custody, or (b) the adoption of a child under age four (4) who resides with the employee and for whom the

employee has physical and legal custody.

c. The use of City Parental Pay must be initiated within four (4) months of childbirth or adoption.

d. Eligible employees shall have the right to only one allotment of City Parental Pay per pregnancy or adoption regardless of the number of children involved (e.g., twins).

e. Eligible employees shall have the right to extend City Parental Pay time off beyond the four (4) weeks of City-paid leave for a maximum of six (6) months of leave by utilizing accrued leave hours such as sick leave, vacation, accrued holiday, and/or unpaid leave to their initial request for parental leave. The total period of absence from work, including the four (4) weeks of paid parental leave, shall not exceed six (6) months.

f. Parental Leave of Absence and/or City Parental Pay shall be used continuously. At the discretion of the appointing authority parental leave may be used intermittently or on a reduced schedule if a timely request is made by the employee.

g. Paid parental leave shall be considered as time worked for purposes of eligibility for recognized holidays occurring during the leave.

h. Upon return from parental leave on the date previously authorized, employees shall be reinstated in the former department and in the classification last held.

7.7 INJURY-ON-DUTY

a. The City Manager or designee shall administer the provisions of the City Charter governing benefits for City employees who incur injuries arising out of and in the course of their duties.

b. In administering those provisions, the City Manager or designee shall determine the amount of credit to which the City is entitled as against workers' compensation benefits payable under the California Labor Code. In no event shall the credit so determined exceed that specified by the City Charter or the laws of the State of California.

c. Where a career employee sustains an injury covered by workers' compensation and has utilized all of the one-year "injury-on-duty time" as provided under City Charter Section 253, or former City Charter Section 167, as the case may be, and consequently is receiving straight workers' compensation temporary disability payments, the employee will be allowed to utilize (while off work) accrued vacation time in addition to receiving workers' compensation payments. The employee must take a full day's vacation pay for each day off work. As a condition of so using such accrued vacation, the

employee is required to continuously utilize accrued vacation until accrued vacation is exhausted or he/she returns to work, so that the employee is off the City payroll at the earliest possible date. This provision also applies to holiday pay accrued and vested.

7.8 COURT LEAVE

a. When an employee is absent from work to testify in response to a properly served subpoena issued by a court of competent jurisdiction in a non-work-related matter to which the employee is not a party, to serve on a jury, or to report for jury duty examination, the employee shall be granted pay for those hours which the employee is absent for such reason. The City may require the employee to elect to be on telephone alert for jury duty and remain on the job until such time as called to testify or serve jury duty. When an employee is required to be on telephone alert, the employee will cooperate with the court or jury commissioner and the City will be responsible to ensure that the employee is available. Pay for work time lost shall be computed at the employee's regular rate of pay at the time of such absence.

b. If a swing shift or graveyard shift employee has served in excess of one-half the scheduled shift in court or on jury duty, the employee will notify the supervisor in advance of the start time so he/she will be excused from the shift. If the employee is in court or on jury duty less than one half the shift, the employee will be required to work.

c. In lieu of the shift after service on court leave, a graveyard shift employee may request to take off the shift prior to court leave, provided that if the employee serves less than one-half of the shift, he/she will be required to use vacation or other leave accruals to cover the shift.

d. To receive pay for work time lost, an employee must provide the City with a statement signed by an official of the court certifying the employee's service as a witness or juror or appearance in court for such purposes, the date or dates of attendance, the time released from attendance and the compensation paid exclusive of any transportation and subsistence allowance.

e. When a non-career employee is regularly scheduled to work and is ordered to appear in court or report for jury duty, such employee shall be entitled to court leave benefits in accordance with the above-stated procedure.

7.9 DAILY HOUR VALUE

The hour value of a leave day for vacation, sick leave or other paid leave shall be 11.2 hours for Fire Assistant Chiefs not assigned to fire suppression duty.

7.10 CATASTROPHIC LEAVE PLAN

a. A benefit-qualified employee may donate to or receive from another benefit-qualified employee, usable vacation, floating holiday, management leave, or compensating time off hours. Participation in this plan shall be voluntary. Sick leave may not be donated under this plan.

b. All donations shall be made and accepted in writing using City-provided forms.

c. The donation in any category must be a minimum of eight (8) hours of usable time.

d. Donations shall be on an hour-for-hour basis, regardless of the pay rates of the donor and recipient, except hours transferred between employees on the Fire suppression (56 hours) schedule and the non-Fire suppression (40) hours schedule shall be adjusted by a factor of 1.4 to 1.

e. Hours to be donated shall be kept in a pledge status until used. As needed, pledged hours shall be debited from the donor's leave balance and credited to the recipient's usable vacation accrual balance. Once credited, the donation becomes irrevocable.

f. Management employees may only receive donations from management employees. A non-management employee may not receive donations from a subordinate employee where a direct supervisor/subordinate relationship exists. Any exception to this paragraph must be approved by the City Manager or designee.

g. To be eligible to use donations, an employee must:

(1) Be incapacitated and unable to work due to a prolonged catastrophic non-industrial illness or injury that is estimated to last for at least thirty (30) calendar days;

(2) have exhausted all usable balances, including sick leave;

(3) be on an approved leave of absence.

h. All donated hours must be used on a continuous and uninterrupted basis and will be paid at the rate of pay and normal work schedule of the recipient, along with all usable hours accrued, until the earliest of the following events occurs:

(1) All leave balances, including both donated and accrued leave, are exhausted;

(2) The employee returns to work at his/her normal work schedule; or

(3) The employee's employment terminates.

i. Donations received while a recipient is still utilizing previously donated and related accrued leave time may be used immediately thereafter. Hours donated subsequent to exhausting all donated hours shall be accumulated and utilized along with related accrued leave hours in amounts equal to the recipient's normal bi-weekly work hours.

j. Used donated leave time shall count toward the application of City service and benefits in the same manner as when the employee is on paid vacation leave.

k. Used donated leave time shall be subject to the recipient's normal payroll deductions.

7.11 SACRAMENTO HOUSING & REDEVELOPMENT AGENCY (SHRA) TRANSITION

Employees who are transferred from employment at SHRA to the City as a result of restructuring, reorganizing or removal of services to the City shall be allowed to transfer the following accrued benefits from SHRA to the City:

a. Eighty percent (80%) of sick leave balances after cash-out pursuant to Agency policy.

b. Vacation balances up to one year of accrual at the employee's current rate on transition to the City.

7.12 PERSONAL TIME OFF FOR CONFIDENTIAL/ADMINISTRATIVE EMPLOYEES

a. <u>Non-Exempt Accrual</u>

In addition to the floating holidays specified in Section 7.2, each non-exempt Confidential/Administrative employee shall receive the equivalent of twenty-four (24) hours of annual paid personal time off on an accrual basis as follows:

(1) Each full-time employee shall accrue personal time off credit at the rate of one hour per pay period. The employee shall accrue such credit for each pay period for which the employee is paid twenty (20) or more hours of salary.

(2) A part-time employee, including an employee in a work sharing program, or a non-career (+1,040) employee shall accrue personal time off credit based upon the number of hours the employee was paid in that bi-weekly pay period: 64 or more hours paid = one (1) hour accrual; 40-63.9 hours paid = thirty (30) minutes accrual; less than 40 hours paid = 0 minutes accrual.

b. <u>Exempt Accrual</u>

In addition to the floating holidays specified above, each exempt confidential/ administrative employee shall receive the equivalent of thirty-two (32) hours of annual paid personal time off on an accrual basis as follows:

(1) Each full-time employee shall accrue personal time off credit at the rate of one (1) hour and twenty (20) minutes per pay period. The employee shall accrue such credit for each pay period for which the employee is paid twenty (20) or more hours of salary.

(2) A part-time employee, including an employee in a work sharing program, or a non-career (+1,040) employee shall accrue personal time off credit based upon the number of hours the employee was paid in that bi-weekly pay period: 64 or more hours paid = one (1) hour and twenty (20) minutes accrual; 40-63.9 hours paid = forty (40) minutes accrual; less than 40 hours paid = 0 minutes accrual.

c. Non-Career

Non-career (-1,040) employees shall not receive personal time off benefits.

d. Administration

Personal time off shall be administered in the same manner as specified above for floating holidays, except the eight (8) hour maximum carry-over shall apply to both floating holidays and personal time off in the aggregate.

7.13 BEREAVEMENT LEAVE

An employee may receive up to three (3) days of City Bereavement Pay based on the death of the employee's spouse, parent, sibling, child, grandchild or grandparent as defined herein. The employee may use sick leave as authorized by Civil Service Board Rule 16, Sick Leave, for additional time off or to attend to other death, bereavement or funeral needs.

7.14 FAMILY AND MEDICAL LEAVE

a. The federal Family Medical Leave Act (FMLA) and state California Family Rights Act (CFRA) are applicable to career and non-career employees who have completed the required 1250 hours and 12 months of employment prior to the time requested. The City uses a 12-month rolling period to determine eligibility .

b. To apply for a leave the employee must complete the City leave request form available from Human Resources or the department support staff. The employee must provide a medical certification of the need and the duration or intermittent schedule which is anticipated, to allow for coverage.

c. The duration of FMLA/CFRA leave cannot exceed twelve weeks. The

employee must use their accrued leave during the FMLA/CFRA leave, except that they may retain up to forty (40) hours of accrued leave at the time leave without pay commences. The employee may not then resume paid leave until after returning to work.

d. To the extent allowed by law, FMLA/CFRA leaves shall be used concurrently.

e. The City policy covering FMLA/CFRA shall be applicable to all employees and may be obtained from Human Resources.

7.15 PERSONAL LEAVE

a. Full-time career employees who have completed ten (10) full years of service shall be credited with twenty-four (24) hours of personal leave in January of each applicable year. Part-time career employees shall be credited with a prorated amount of time based on their regular schedule.

b. Use of the personal leave shall not cause overtime.

c. Personal leave shall not accumulate from year to year and shall have no cash value. If an employee is unable to use all of the time by the end of the calendar year based on operational need, the Department may approve carry-over to the next year. In all other cases, the time shall be forfeited.

ARTICLE 8 – REIMBURSEMENTS AND ALLOWANCES

8.1 TRANSPORTATION AND PARKING ALLOWANCES

a. <u>Reimbursement for Use of Privately-Owned Vehicles</u>

(1) The City Manager/Charter Officersmay offer up to $400 per month as reimbursement for the use of privately-owned vehicles on City business or as compensation in lieu of the use of City vehicles on City business for management employees.

(2) The City Manager/Charter Officers shall receive $400 monthly vehicle allowance and City-provided parking.

(3) Department Directors shall receive $400 monthly vehicle allowance and City-provided parking.

(4) Exempt management and exempt management support employees are eligible for vehicle allowance with department authorization.

(5) Exempt management and exempt management support employees shall receive City-provided parking. Exempt Confidential/Administrative employees are eligible for City-provided

parking.

(6) With the authorization of the City Manager/Charter Officers, Confidential/Administrative employees may receive up to $100 per month with or without City-provided parking.

(7) Reimbursement for out-of-town travel shall be at the general mileage reimbursement rate (minus 25 miles for individuals receiving a monthly vehicle allowance) or comparable coach airfare, whichever is lower.

Any automobile operated on City business by any of the officials mentioned for use of the monthly vehicle allowance shall be insured against liability in persons and property, including wrongful death, in an amount no less than the minimum State of California required automobile coverage for bodily injury and property damage. The monthly vehicle allowance shall be in lieu of the payment of all mileage, except for out-of-county travel on official business of the City, and in lieu of the use of City-owned vehicles.

b. Monthly Bus Transportation Reimbursement

(1) Sacramento Regional Transit District (SRTD)

Full-time career civil service, exempt management, exempt management support, and exempt Confidential/Administrative employees who utilize SRTD for home-to-work transportation are eligible to receive an eighty percent (80%) City-paid SRTD monthly non-zone sticker pass. Part-time career civil service and exempt employees shall be eligible for a fifty percent (50%) price discount on the monthly non-zone sticker pass. The employee must notify the Department of Finance, Revenue Division, prior to the first day of the month to obtain the monthly pass discount for that next month.

Exempt management, exempt management support, and exempt Confidential/Administrative employees are eligible to receive an eighty percent (80%) City-paid SRTD monthly non-zone sticker pass in lieu of the City-paid parking.

(2) Other Public Transportation

Eligible full-time employees, as described above, who regularly utilize other public transportation regulated by the Public Utilities Commission or the equivalent for home-to-work commuting are eligible for monthly transit pass reimbursement up to eighty percent (80%) of the cost. Eligible part-time employees, as described above, shall be eligible for a fifty percent (50%) monthly reimbursement. The employee must present the required proof of purchase to the Department of Finance, Revenue Division, prior to the first day of the month to obtain

reimbursement. The amount of monthly reimbursement shall not exceed $120.00.

Exempt management and exempt Confidential/Administrative employees who regularly utilize other public transportation regulated by the Public Utilities Commission are eligible to receive reimbursement of up to eighty percent (80%) of the cost in lieu of City-paid parking up to a maximum of $120.00.

(3) Transportation Allowance for Employees Assigned Downtown

Effective July 2009, eligible full-time Confidential/Administrative employees, as described above, who work in the downtown area, shall receive a $90.00 per month transportation allowance. Part-time career confidential/ administrative employees who work in the downtown area shall receive $60.00 per month transportation allowance. Non-career employees shall not be eligible for the allowance.

(4) Transportation Allowance for Employees Not Assigned Downtown

Effective September 1, 2000, eligible full-time confidential/ administrative employees, as described above, who work outside of the downtown area shall receive $15.00 per month transportation allowance. New employees hired after August 29, 2000 shall not be eligible for the allowance.

c. Discounted Parking Rates

Discounted parking will be available to Confidential/Administrative employees, on a first-come, first-serve basis, for parking spaces in the Memorial Parking Lot at a cost of seventy percent (70%) of the regular Memorial Parking Lot monthly rate. This means that the employee discounted rate is thirty percent (30%) off the full monthly rate. This provision shall remain in effect until further notice by the City.

d. City Vehicle Retention

The City Manager /Charter Officers may authorize overnight home retention of City vehicles for public safety assignments, on-call assignments, and other special or emergency assignments.

8.2 POLICE AND FIRE UNIFORM ALLOWANCE

a. Safety management personnel employed in the Police Department shall receive a uniform allowance equal to, and on the same terms and conditions as, the uniform allowance granted to employees in the Police Department Unit.

b. Safety management personnel employed in the Fire Department shall receive a uniform allowance equal to, and on the same terms and conditions as, the uniform allowance granted to employees in the Fire Department Unit.

c. Civilian managers of the Police Department shall receive a uniform allowance equal to the highest uniform allowance granted to the represented employees whom they manage.

8.3 TUITION REIMBURSEMENT

Career employees will be reimbursed for the cost of tuition up to a maximum of $1500.00 per calendar year, pursuant to the City's existing policy for such education reimbursement. In addition, the department may authorize tuition reimbursement for training through other approved sources.

8.4 STATE OF CALIFORNIA BAR DUES

The actual cost of mandatory State Bar dues shall be paid for employees in attorney classifications in the City Attorney's Office. In the sole discretion of the City Attorney, the City Attorney may approve reimbursement, from the budget of the employing department, for other licensed City employee attorneys whose legal skills and abilities represent a significant benefit to the City. The City Attorney may authorize such reimbursement after the paying department has produced documentation showing payment was made by the employee receiving the reimbursement.

8.5 REQUIRED LICENSES AND CERTIFICATIONS

Where the City requires that an employee maintain a license and/or certification, the Department Head or designee may, on a case-by-case basis, reimburse the employee for costs associated with the renewal of such license. This action shall not apply to driver licenses.

8.6 CONTINUING EDUCATION

When the City requires that an employee maintain a license or certificate, which mandates continuing education (CEU) to maintain the license or certificate, the employee is responsible for obtaining the CEUs. The City may provide the needed CEUs or reimburse the employee for the cost of such training.

8.7 BILINGUAL PAY

a. The City may authorize bilingual pay when it is determined to be necessary for the operation. The City shall determine what languages are appropriate for such pay and the number of employees to be certified. To be eligible for bilingual pay the employee must be determined to be verbally proficient, and if necessary for the assignment, proficient in the written language. The City will arrange the certification and testing process and authorize the bilingual pay.

b. Bilingual pay shall be paid at the rate of twenty dollars ($20) bi-weekly for any pay period in which the employee is certified. An employee who is receiving bilingual pay may be required to provide assistance to any City operations.

8.8 TECHNOLOGY ALLOWANCE

a. Charter Officers, exempt management and exempt management support employees shall be authorized a monthly technology allowance of up to one-hundred dollars ($100). At the discretion of the Appointing Authority or, as delegated by the City Manager to a department head, a technology allowance may be approved for an exempt management or exempt management support employee in lieu of using a City-provided cellular telephone. Use of City-provided cellular telephones shall be discontinued upon receipt of the technology allowance by the employee.

b. Upon approval of the monthly technology allowance, the employee shall obtain, at his or her own expense and as a private individual, a personal cellular telephone and monthly cellular service contract that may be used to conduct City-related business. The employee shall publish and/or provide the cellular telephone number to designated individuals and organizations with whom the employee normally conducts City-related business.

c. Exempt management and exempt management support employees shall be generally accessible via his or her cellular telephone for the conduct of City-related business.

8.9 NOTARY PAY

A confidential/administrative employee who is required to maintain, or who obtains for City benefit a notary registration shall receive a biweekly certification pay of fifteen dollars ($15

ARTICLE 9 – MISCELLANEOUS

9.1 OFF-DUTY EMPLOYMENT OF EXEMPT EMPLOYEES

a. Exempt employees shall not engage in any other employment, work, profession, business or enterprise that is inconsistent, incompatible, in conflict with or adversely affects the performance of their duties, or that is inimical to the most effective performance of the mission of City management or the best interests of the City.

b. Exempt employees shall not accept any off-duty employment without the express consent, in advance, of the City Manager/Charter Officer or designated representative.

c. An exempt employee shall not work:

(1) In any employment which will tend to bring discredit upon City management, or which is detrimental to City goals, or which will reduce an individual's efficiency or usefulness as a City employee.

(2) In any employment requiring an affiliation, membership or allegiance tending to influence conduct in a manner inconsistent with the proper discharge of responsibilities to the City or the public interest.

(3) In any employment for any other municipality or political subdivision of the state or federal government (except by express permission of the City Manager).

(4) In any off-duty position while on sick leave or injured-on-duty status.

d. An exempt employee may request authorization for off-duty employment by forwarding a letter of request in duplicate to his/her department head. The letter should provide details concerning the type of employment, expected duration of employment, and the employer's name. Department heads and members of the City Manager's immediate staff will submit personal requests directly to the City Manager for approval.

e. The department head will notify each exempt employee of action taken on the request for off-duty employment by indicating such action on the letter of request and returning it to the individual. A copy of the letter will be retained in the office of the department head. The City Manager will take similar action on personal requests by department heads and members of the City Manager's immediate staff.

f. Authorization for off-duty employment may be revoked by the department head at any time it has been determined that the provisions of this Section have not been followed. The department head will notify the employee, by letter, of actions taken to revoke previous authorization for off-duty employment.

g. Part-time, seasonal, or limited-term employees are not subject to the restrictions of this Section.

9.2 PAYROLL ERRORS

a. In the event an error has been made, including but not limited to the payment of an employee's salary, overtime payment or leave accruals, balances or usages, the City shall, for purposes of future compensation, adjust such compensation to the correct amount, and give written notice to the employee.

b. In the event an employee received an overpayment, reimbursement to the City shall be accomplished by:

(1) Lump sum payment by the employee;

(2) A one-time deduction from useable vacation, compensating time off (CTO), or holiday credit balances equivalent to the overpayment at the employee's current hourly rate;

(3) A repayment schedule through payroll deduction; and/or

(4) Other means, as may be mutually agreed between the parties.

No repayment schedule shall exceed fifty-two (52) pay periods in duration, except that if the employee does not agree to a voluntary repayment schedule, the overpayment collection shall not exceed twenty-six (26) pay periods.

c. No action shall be taken to enforce repayment of an overpayment, or to correct an underpayment, unless action is taken within two (2) years from the ending date of the pay period in which the error is discovered. "Action is taken" as used in this Section shall mean written notice to the employee in the case of an overpayment, or written or oral notice to the City in the case of an underpayment error.

9.3 LETTER OF REPRIMAND

a. A letter of reprimand issued to a civil service employee on or after June 24, 1995, shall not be appealable to the Civil Service Board, except the employee may have an administrative review of the reprimand by submitting a request in writing within seven (7) calendar days to the Director of Labor Relations. The Director or designee will schedule a private meeting within seven (7) calendar days of receipt of the written request to hear the employee's response. A final written decision will be rendered by the Director or designee within seven (7) calendar days of the meeting.

b. Such letter will be withdrawn from an employee's official personnel file two (2) years from the date of issue provided there has not been additional formal discipline imposed during the two-year period.

9.4 RETIREE COURT APPEARANCE FEES

A retired City employee who is subpoenaed to appear in court on behalf of the City in his or her capacity as a former City employee shall receive a court appearance fee if the employee reports at the time specified for his or her particular testimony regardless of whether the employee is ultimately required to testify. The court appearance fee shall be one hundred twenty-five dollars ($125) for a full day or seventy-five dollars ($75) for a half day, which is defined as four (4) hours or less. Nothing herein shall serve to establish an employment relationship for any purpose, including, but not limited to, employee benefits, reimbursements, compensation, court cancellation fee, or any other rights.