



**RESOLUTION NO. 227-84**

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**EL DORADO COUNTY**

**COMPENSATION ADMINISTRATION RESOLUTION**

**TABLE OF CONTENTS**

PART 1	DEFINITION OF TERMS
PART 2	COMPENSATION ADMINISTRATION
PART 3	TERMS OF EMPLOYMENT

**INDEX TO  
RESOLUTION NO. 227-84**

**EL DORADO COUNTY  
COMPENSATION ADMINISTRATION RESOLUTION**

<b>Part 1 – Definition of Terms.....</b>	<b>1</b>
100. NAME .....	1
101. ACTUAL SERVICE .....	1
102. ANNIVERSARY DATE .....	1
103. BIWEEKLY PAY PERIOD .....	1
104. BOARD .....	1
105. CONTINUOUS SERVICE .....	1
106. COUNTY OFFICER .....	1
107. COUNTY SERVICE.....	1
108. DEMOTION .....	1
109. DEPARTMENT .....	1
110. DEPARTMENT HEAD.....	1
111. EXTRA HELP .....	1
112. FULL-TIME EMPLOYEES .....	2
113. FULL-TIME WORK .....	2
114. HOLIDAYS .....	2
115. PART-TIME EMPLOYEES .....	2
116. PAY PERIOD .....	2
117. PROMOTION .....	2
118. RECLASSIFICATION .....	2
119. REGULAR EMPLOYEE .....	2
120. SATISFACTORY SERVICE.....	2
121. VETERAN .....	2
122. UNCLASSIFIED SERVICE .....	2
<b>Part 2 - Compensation Administration .....</b>	<b>3</b>
201. FEES AND COMMISSIONS.....	3
202. AUTHORIZED PERSONNEL.....	3
203. STANDARD SALARY RANGES .....	3
204. COMPENSATION PLAN .....	3
204.1 Salary Computation – Full-Time Employees .....	4
204.2 Salary Compensation – Part-Time Employees .....	4
204.3 Salary Compensation – Extra Help .....	4
205. MERIT STEP ADVANCEMENTS.....	4
205.1 Time Requirements.....	4

205.2 Procedure.....	4
205.3 Appeal of Denial of Merit Increase .....	5
206. SALARY ON PROMOTION .....	5
207. SALARY ON DEMOTION.....	5
207.1 Demotion to Another Position or Class – Voluntary.....	5
207.2 Demotion to Another Position or Class – Involuntary .....	5
207.3 Demotion Within a Salary Range .....	5
208. SALARY ON TRANSFER.....	5
209. SALARY IN RANGE CHANGE.....	6
210. SALARY ON RECLASSIFICATION .....	6
210.1 Lateral Reclassification.....	6
210.2 Upward Reclassification .....	6
210.3 Downward Reclassification .....	6
211. BOARD AUTHORITY TO SPECIFY SALARY .....	6
212. ADDITIONAL COMPENSATION .....	6
213. PAYROLL RECORDS.....	6
214. PAY DATE.....	7
<b>Part 3 - Terms of Employment .....</b>	<b>8</b>
301. HOLIDAYS .....	8
302. VACATIONS.....	8
302.1 Accumulation Rates .....	8
302.2 Provisions .....	8
302.3 Vacation Scheduling.....	9
303. ATTENDANCE .....	9
304. SICK LEAVE .....	9
304.1 Accumulation .....	9
304.2 Death in Family & Family Illness .....	10
304.3 Exception to Use of Sick Leave.....	10
304.4 Integration with Other Benefits .....	10
304.5 Administration of Sick Leave.....	10
304.6 Fitness for Duty Examination .....	11
304.7 Recovery of Sick Leave .....	11
304.8 Payment for Unused Sick Leave .....	11
305. LEAVE OF ABSENCE WITHOUT PAY .....	11
306. LEAVE OF ABSENCE WITH PAY .....	12

307. JURY DUTY.....	12
308. COURT APPEARANCES.....	12
308.1 On Duty Time .....	12
308.2 Off Duty Time .....	12
308.3 Private Litigation .....	12
309. OVERTIME AND COMPENSATING TIME OFF.....	13
309.1 Reporting.....	13
309.2 Board Policy.....	13
309.3 Attendance Sheet.....	13
309.4 Compensatory Time .....	13
309.5 Benefit Accumulations .....	13
309.6 Exemption .....	13
310. REST PERIODS.....	13
311. MEAL PERIOD .....	13
312. WAIVER .....	14

## RESOLUTION NUMBER 227-84

### Part 1 – Definition of Terms

**100. NAME** this resolution shall be known and may be referred to in all proceedings as the EL DORADO COUNTY COMPENSATION ADMINISTRATION RESOLUTION. These terms used in this resolution shall have the meaning indicated below unless the context indicates otherwise.

**101. ACTUAL SERVICE** for the purposes of determining the amount of sick leave and vacation earned by a regular employee shall mean the number of regular hours worked within a biweekly pay period and absence from work with pay due to sick leave, vacation, injury or illness incurred in County service, absence on temporary military duty and compensatory time taken; but shall not include compensatory time earned and overtime.

**102. ANNIVERSARY DATE** for all regular employees hired before January 1, 1971, shall mean the first day of the biweekly pay period in which their previously established anniversary dates fall. For all regular employees hired on or after January 1, 1971, their anniversary date shall be the first day of the biweekly pay period following their employment date.

**103. BIWEEKLY PAY PERIOD** means, unless otherwise indicated, the eighty (80) hour biweekly period.

**104. BOARD** when used alone means the Board of Supervisors of El Dorado County.

**105. CONTINUOUS SERVICE** means that service commencing with the employee's anniversary date and continuing until broken by resignation or dismissal for the purpose of determining eligibility for sick leave allowance, eligibility for longevity advances, vacation eligibility for regular employees, and eligibility for merit step advancement.

**106. COUNTY OFFICER** means those officers enumerated in Section 24,000 of the Government Code.

**107. COUNTY SERVICE** means all positions in all departments as herein defined that are subject to control and regulation of the Board of Supervisors.

**108. DEMOTION** means the movement of an employee to another position in a class having a lower salary allocation or to a lower compensation level within the employee's salary range.

**109. DEPARTMENT** means any office or organizational unit of County government.

**110. DEPARTMENT HEAD** shall mean the administrative head of a department including elected officials.

**111. EXTRA HELP** means a person whose temporary employment by the County has been authorized and accomplished as provided in these rules.

**112. FULL-TIME EMPLOYEES** means employees whose positions require the total number of hours prescribed for normal employment in the class or position. All positions are full time unless designated otherwise.

**113. FULL-TIME WORK** shall mean eight hours per day and five days per calendar week, provided, however, that the Board of Supervisors may in its discretion authorize specific departments to utilize a ten hour per day, four day week, full time period for some or all of such department's employees.

**114. HOLIDAYS** means those days enumerated in the respective Memorandum of Understanding applicable to the individual employee.

**115. PART-TIME EMPLOYEES** means those employees in positions which are designated part-time where they are expressly employed for less than full-time work.

**116. PAY PERIOD** means 14 calendar days from 12 a.m. Saturday to 12 a.m. the second Saturday thereafter.

**117. PROMOTION** means the change of an employee to a position in a class allocated to a salary range where the top step is higher than the top step of the class which the employee formerly occupied.

**118. RECLASSIFICATION** means the act of changing in allocation of a position by raising it to a higher class or reducing it to a lower class on the basis of significant changes in the nature, difficulty or responsibility of duties performed in the position.

**119. REGULAR EMPLOYEE** means a person whose permanent appointment to a classified position in the County service has been made and confirmed. A person employed as extra help is not a regular employee.

**120. SATISFACTORY SERVICE** means meeting the work, performance and conduct standards established by the department. Eligibility as to periods of service required for merit step advancements shall be verified by the Personnel Office.

**121. VETERAN** means a person satisfying the definition specified in the Military and Veterans Code.

**122. UNCLASSIFIED SERVICE** means those positions of the County service designated as such by the Board of Supervisors, involving:

- i. The rendering of professional, scientific, technical or expert services;
- ii. Services of a temporary or extra help nature;
- iii. Services, which by reason of unusual or special employment condition are contracted for on a special flat rate or fee basis.

## **Part 2 - Compensation Administration**

**201. FEES AND COMMISSIONS** All fees and commissions or other remuneration or compensation of any kind or character excepting a regular County salary or wage received by any County officer or employee, including elective County officers and judges of the justice courts in their official capacity shall be paid into the County treasury; provided, however, that this requirement shall not apply to the fees and commissions paid to any County or judicial district officer who does not receive a monthly salary for his/her services from the County, nor to that portion of any fees collected which is authorized by statute to be paid to other persons, or is necessarily diverted to other persons for the purpose of carrying out the objects of the statute. All funds received by the Sheriff from the State as reimbursements for expenses incurred in the transportation of prisoners and patients to State institutions shall be paid into the County treasury. Each County and judicial officer shall file monthly affidavit reporting the collection of fees with the County Auditor as required by Section 24353 or Section 24355 of the California Government Code.

**202. AUTHORIZED PERSONNEL** The Board of Supervisors shall, by resolution, specify the number and classification of all regular employees authorized for each department of the County. Such resolution shall be known and may be referred to in all proceedings as the Authorized Personnel Allocation Resolution. All additions, deletions or modifications to the Authorized Personnel Allocation Resolution shall be made by amending resolution. No person shall receive any compensation for his/her services as a County employee from County funds whose employment is not authorized by the Authorized Personnel Allocation Resolution, except as duly authorized emergency or extra help. The Board Clerk shall immediately forward to the County Auditor and Chief Administrative Officer a copy of the Authorized Personnel Resolution, and of any and all resolutions making additions, deletions or modifications thereto upon adoption by the Board of Supervisors. Nothing in this section shall restrict the right of any County officer to appoint as many deputies as he/she shall deem proper, who shall serve without compensation for their services or reimbursement of their expenses from County funds.

**203. STANDARD SALARY RANGES** A standard salary range schedule consisting of ranges of hourly and monthly salary rates in dollars for employment in permanent full-time positions shall be established by resolution of the Board of Supervisors. The schedule of monthly salary rates established by the Board resolution is for the purpose of convenience in quotation of monthly salaries. Computations for purposes of paying employees shall be on the basis of hourly rates.

**204. COMPENSATION PLAN** Except as otherwise provided by law or ordinance, officers and employees shall receive the hourly rate compensation provided in the basic salary schedule that has been adopted by the Board of Supervisors by resolution or ordinance for their respective classifications of positions. Classifications shall be allocated to specific ranges of the basic salary schedule in accordance with the terms of employment hereinafter set forth. The Board of Supervisors shall establish by ordinance such salary compensation and/or benefit for members of the Board of Supervisors of El Dorado County.

#### *204.1 Salary Computation – Full-Time Employees*

A full-time employee shall receive the full amount of biweekly salary for the range specified in the Salary Schedule and Compensation Plan for his/her classification as listed and the step in the range to which he/she is assigned by his/her appointment, if the total hours worked for the biweekly pay period as shown by the Payroll Time Report equals or is greater than eighty (80) hours. A full-time employee who has not worked full time for a particular biweekly pay period shall be entitled only to the total worked, plus the total compensating time off, vacation and leaves with pay, lawfully earned or accrued and taken during such biweekly pay period as shown by the Payroll Time Report.

#### *204.2 Salary Compensation – Part-Time Employees*

A part-time employee shall receive that portion of the biweekly salary for the range specified on the Salary Schedule and Compensation Plan for his/her classification as listed and the step in the range to which he/she is assigned by his/her appointment that is proportionate to the percentage of time compared to full-time employment. Part-time employees shall earn vacation with pay and accrue sick leave in the same ratio. In other respects, the provisions of this Chapter applicable to full-time employees shall apply to part-time employees.

#### *204.3 Salary Compensation – Extra Help*

The Chief Administrative Officer may authorize the temporary employment of a person as extra help upon a determination that sufficient funds are budgeted within the department concerned. Extra help employees shall receive the first step hourly rate as listed for the classification assigned to them by appointment as listed in the Salary Schedule and Compensation Plan. Extra help employees shall be paid the designated hourly rate for all time worked, but shall not be entitled to sick leave, vacation, absence for temporary military duty or holiday pay. Pursuant to Government Code Section 20336, extra help employees may be employed for no longer than six (6) months.

### **205. MERIT STEP ADVANCEMENTS**

#### *205.1 Time Requirements*

Each regular employee shall be eligible for advancement from Step 1 to Step 2 of his/her salary range after completion of continuous satisfactory service for 13 biweekly pay periods following his/her anniversary date. Each regular employee shall thereafter be eligible for succeeding merit step advancements after the completion of 26 biweekly pay periods of continuous satisfactory service in each preceding step of his/her salary range.

#### *205.2 Procedure*

All merit step advancements must be initiated by the department head on a Payroll/Personnel Form accompanied by an Employee Evaluation Report filed with the Chief Administrative Officer prior to the proposed effective date of the merit step advancement. No merit step advancement shall become effective unless approved by the Chief Administrative Officer. Merit step advancements shall be effective on the first day of the biweekly pay period following completion



of the required period of service. The Chief Administrative Officer shall notify the County Auditor of every approved merit step advancement.

*205.3 Appeal of Denial of Merit Increase*

In the event any regular employee who would otherwise be eligible for a merit step advancement is denied such an advancement by his/her department head, such an employee, if he/she has attained Civil Service status, has the right to appeal said denial to the El Dorado County Civil Service Commission by following the procedures set forth in the El Dorado County Civil Service Ordinance. When such an appeal is taken, there shall be a presumption that the action of the department head was proper.

**206. SALARY ON PROMOTION** An employee who is appointed to a position in a class allocated to a salary range for which the top step is higher than the top step of the class which the employee formerly occupied, shall receive the nearest step within the new salary range which shall not be less than five percent more than his/her former step. Provided, however, that in no case shall the increased salary be more than the top step in the new range. The effective date of a promotion shall be the first day of the first full pay period following the appointment. Increases shall be made effective on the effective date of the promotion and for purposes to further annual increases within the salary range the employee anniversary date shall be changed to the effective date of the promotion.

**207. SALARY ON DEMOTION** The salary of an employee who has been demoted shall be determined as follows:

*207.1 Demotion to Another Position or Class – Voluntary*

An employee who voluntarily demotes to a position of a class having a lower salary range than the class previously occupied by the employee, shall have his/her salary reduced to the step in the range next lower than the salary he/she received before the demotion. A new probationary period shall commence on the effective date of this action if the employee has not previously served in the lower class and if that lower class is not part of his/her current class series.

*207.2 Demotion to Another Position or Class – Involuntary*

An employee may only be involuntarily demoted to a lower class as a disciplinary action in accordance with County rules and regulations. The employee's salary shall be adjusted in accordance with 207.1.

*207.3 Demotion Within a Salary Range*

An employee may only be demoted to a lower compensation level within a salary range as a disciplinary action in accordance with County rules and regulations.

**208. SALARY ON TRANSFER** An employee who is transferred from one position to another as per provisions of 1003 of the Personnel Administration Resolution shall be compensated at the same step in the salary range as he/she previously received. For purposes of further annual increase within the salary range, his/her anniversary date shall remain the same as it was before the transfer. The effective date of

all transfers shall be the first working day of the pay period. Employees shall serve a new probationary period in the department they have transferred to.

**209. SALARY IN RANGE CHANGE** Whenever the salary range for a class is revised each incumbent in a position to which the revised schedule applies shall remain at the step held in the previous range, unless otherwise specifically provided by the Board of Supervisors.

**210. SALARY ON RECLASSIFICATION** The salary of an incumbent in a position which is reclassified shall be determined as follows:

*210.1 Lateral Reclassification*

If the position is reclassified to a class which is allocated to the same salary range as is the class of the position before it was reclassified, the salary and anniversary date of the employee shall not change.

*210.2 Upward Reclassification*

If the position is reclassified to a class which is allocated to a higher salary range than the class of the position before it was reclassified, the salary of the employee shall be governed by Section 206, Salary on Promotion.

*210.3 Downward Reclassification*

If the position is reclassified to a class which is allocated to a lower salary range than the class of the position before it was reclassified, the employee shall receive the step, if any, in the new range which is the same or greater than the salary he/she was receiving prior to reclassification and his/her anniversary date shall not change. If the salary of the employee is greater than the maximum step of the new range, the salary of the employee shall be designated as a "Y" rate and the salary will be frozen until the top step salary of the new classification equals or exceeds the present salary. At that time, they will be placed on the top step and will become eligible for cost of living increases granted to incumbents of that classification.

**211. BOARD AUTHORITY TO SPECIFY SALARY** Notwithstanding anything herein to the contrary, the Board of Supervisors may by resolution, upon recommendation of the Chief Administrative Officer, specify that the incumbent of a particular position shall occupy a step on the salary range for that class either higher or lower than that provided for in this resolution.

**212. ADDITIONAL COMPENSATION** Notwithstanding anything in this resolution to the contrary, when in the judgment of the Board of Supervisors, it becomes necessary or desirable to utilize the service of County employees in capacities other than those for which they are regularly employed, the Board of Supervisors, may by minute order, so authorize and fix an additional rate of compensation for such employees who shall be paid such additional compensation upon claims presented and approved in like manner as other claims against the County are presented and approved.

**213. PAYROLL RECORDS** The office of the County Auditor shall be the office of record with respect to maintenance of payroll records to implement the payroll provisions of all ordinances and resolutions. Departmental payroll records shall be maintained in forms provided or approved by the County Auditor.

**214. PAY DATE** The date of payment shall be the first Friday following the close of the biweekly pay period, except that when such following Friday falls on a legal holiday, the date of payment shall be the first Thursday (or first Wednesday if Thursday is a holiday) following the close of the biweekly pay period.

## **Part 3 - Terms of Employment**

**301. HOLIDAYS** The County shall designate specific days as County holidays as enumerated in the respective Memorandum of Understanding applicable to the individual employee. The following provisions as to administration of holidays shall apply to all employees:

- a. A new employee whose first working day is the day after a paid holiday shall not be paid for that holiday.
- b. An employee who is terminating his/her employment and whose last day as a paid employee is the day before a holiday shall not be paid for that holiday.
- c. An employee who is on a leave of absence without pay who is not authorized any pay for both the regularly scheduled working day before the holiday and after the holiday shall not be paid for that holiday.
- d. Extra help and contractual employees are not covered by holiday provisions herein or in any Memorandum of Understanding.
- e. All regular employees who are on an irregular work week schedule shall be entitled to the same number of paid holiday hours as those regular employees on a regular work week schedule.

**302. VACATIONS** For purposes of this section, one year shall be equivalent to 26 biweekly pay periods.

### *302.1 Accumulation Rates*

Every regular employee shall accumulate vacation leave with pay as follows:

- a. Every regular employee with less than four years continuous service shall accrue vacation credit at the rate of .03875 hour for each full hour worked plus vacation taken, workers' compensation taken, sick leave taken or compensating time taken (Equal to 3.1 hours per full pay period). In no case shall a regular employee with less than four years continuous service accumulate more than 240 hours vacation leave.
- b. Every regular employee with over four years continuous service shall accrue vacation credit at the rate of .05875 hour for each full hour worked plus vacation taken, workers compensation taken, sick leave taken or compensating time taken (Equal to 4.7 hours per pay period). In no case shall a regular employee with more than four years continuous service accumulate more than 320 hours vacation leave.
- c. Every regular employee with over eleven years continuous service shall accrue vacation credit at the rate of .07750 hour for each full hour worked plus vacation taken, workers compensation taken, sick leave taken or compensating time taken (Equal to 6.2 hours per full pay period). In no case shall a regular employee with more than eleven years continuous service accumulate more than 320 hours vacation leave.

### *302.2 Provisions*

Vacation leave shall be accumulated from each regular employee's anniversary date. Regular employees shall not be entitled to vacation leave or payment therefore until completion of one

year of continuous service. Upon termination of a regular employee's employment, for any cause, he/she shall be paid for any unused vacation hours accumulated, up to the maximum amount permitted to be accumulated. No regular employee shall receive any payment in lieu of vacation while he/she remains a County employee.

### *302.3 Vacation Scheduling*

It is the policy of the County that employees take their vacation each year; provided, however, that for reasons deemed sufficient by the department head, an employee may take less than the normal vacation accrued that year. All vacations shall be taken at such times during the calendar year as may be approved by the department head.

- a. In the event an employee is not permitted to take all of the vacation to which he or she is entitled in a calendar year, he or she shall be permitted to accumulate the unused portion to his/her credit, provided, that on January 1 of any calendar year he or she shall not have a total vacation credit of more than the maximum allowed herein.
- b. All requests for vacation must be approved by the employee's department head. The department head is responsible for insuring that the employee is eligible for the vacation requested. No person shall be allowed vacation in excess of that actually accrued at the time such vacation is taken.
- c. It shall be the responsibility of the department head to require vacation leave be taken in order to avoid excessive accumulation or forfeiture.
- d. Elected officials shall not be subject to these provisions.

**303. ATTENDANCE** Employees of the County are expected to report to their work site and perform their assigned duties on a sustained, regular and punctual basis. The only exceptions to this requirement shall be those authorized leaves as prescribed in this policy and as approved by the employee's supervisor.

**304. SICK LEAVE** Sick leave is provided by the County to employees who, due to illness or injury, are unable to report and perform their assigned duties. Sick leave may also be requested by the employee to use in the following circumstances: medical, dental or optical appointments; absence due to death in the family as prescribed in these rules. A sufficient amount of sick leave should be accrued so that employees will not suffer undue economic hardships in the event of catastrophic or major illness or injury.

The minimum amount of sick leave that can be charged to the employee's sick leave account is six minutes.

### *304.1 Accumulation*

- a. Every regular employee shall accumulate sick leave at the rate of .04625 hour per hour worked plus vacation taken, sick leave taken, workers' compensation taken, and compensating time taken. No maximum accumulation is imposed. No regular employee shall be entitled to sick leave with pay until he/she has 13 biweekly pay periods of continuous service with the County, since his/her initial anniversary date.

- b. Elected officials, extra help and contractual employees shall not be covered by sick leave.

#### *304.2 Death in Family & Family Illness*

Employees may use a portion of their yearly sick leave for illness or death of family members as provided for in the respective Memorandum of Understanding applicable to the individual employee.

#### *304.3 Exception to Use of Sick Leave*

No County employee shall be entitled to sick leave when absent from duty for any of the following reasons:

- a. Disability arising from any sickness or injury purposely self-inflicted or caused by the employee's willful misconduct.
- b. Sickness or disability while on leave of absence with or without pay other than the employee's regular vacation or regular paid holidays.

#### *304.4 Integration with Other Benefits*

##### a. Workers' Compensation

A regular employee of the County who is entitled to receive temporary disability indemnity under the California Labor Code (Workers' Compensation) may elect to take only that portion of his/her accumulated sick leave or his/her earned vacation as when added to his/her disability indemnity will total his/her full pay. Such election must be made by filing with the Risk Manager prior to the end of the biweekly pay period a request to integrate these benefits.

##### b. State Disability Insurance

A regular employee of the County who is entitled to receive State Disability Insurance may elect to take only that portion of his/her accumulated sick leave or his/her earned vacation as when added to his/her S.D.I. will equal seventy-five (75) percent of his/her total base salary. It is the employee's responsibility to file for State Disability and make all arrangements with the Auditor's Office for sick leave and vacation integration.

#### *304.5 Administration of Sick Leave*

Each department head is charged with the responsibility of administering sick leave within their department. Employees upon return to work may be required to submit a sick leave request form or record of sick leave use to his/her department head for approval. Departments may request such information as reasonable in order to aid in the determination of whether the sick leave use is legitimate. A department head may require a physician's statement or acceptable substitute from an employee who applies for sick leave, or make whatever reasonable investigation into the circumstances that appears warranted before taking action on a sick leave request.

- a. Department may require a prescribed affidavit or medical report form. When an employee is absent for longer than the (10) consecutive working days, the employee may be required to submit a statement from his/her physician releasing the employee for normal duty.

- b. When an employee has been determined to have used sick leave for illegitimate purposes, the County may recover such funds.
- c. When medical documentation is submitted by the employee as proof of illness, the department head may request the County's Medical Officer to review such medical documentation and provide to the department head, based on the available medical evidence and his/her knowledge of the physical and mental requirements of the employee's occupation, his/her opinion as to whether the employee's illness or injury was sufficient as to justify the employee's absence from the work site.
- d. Each department head shall maintain complete and current records of sick leave and vacation time accumulated and taken by each employee.

*304.6 Fitness for Duty Examination*

An employee who cannot perform his/her duties on a sustained, regular, punctual basis may be required to submit to a fitness-for-duty examination.

*304.7 Recovery of Sick Leave*

If benefits are payable under this section because of an injury to the employee and such injury is the approximate consequence of the wrongful act of another, and the employee recovers damages for the time lost, he/she shall not receive sick leave pay under this section for the same time, or having received the same, prior to the recovery of damages, he/she shall repay the County for any amount paid therefore under this section. The repaid sick leave shall be credited back to the employee's sick leave accumulation account.

*304.8 Payment for Unused Sick Leave*

The County shall pay regular employees for their annual sick leave accumulations subject to requirements, provisions and limitations in the Memorandum of Understanding applicable to the individual employee.

**305. LEAVE OF ABSENCE WITHOUT PAY** In addition to provisions in the Personnel Management Resolution governing leave of absences, the following shall apply:

- a. Employees who are granted a leave of absence without pay shall have the option to exhaust any accumulated vacation time or to leave such vacation time in their accumulated account.
- b. Employees requesting a leave of absence due to illness or disability shall use any accumulated sick leave prior to the requested beginning date of such leave.
- c. An employee on leave of absence without pay due to illness or injury for a period of ten (10) days or more may be required by their department head to present a statement by the employee's physician releasing the employee for normal duty prior to returning to work.
- d. The County does not provide fringe benefits to employees on leave of absence. Employees may at their own expense continue to participate in the County health, dental and vision insurance programs. Employees may also make arrangements with the County Auditor's Office for payment of any other payroll deductions the employee desires. Such payments must be made

to the Auditor's Office in advance of their due dates. The County will not make the payment and then attempt to collect from the employee.

**306. LEAVE OF ABSENCE WITH PAY** (Suspension with Pay) The appointing authority with the approval of the Chief Administrative Officer may place an employee on leave of absence with pay (suspended with pay) for a period not to exceed ten (10) working days. Such leave may be extended with justification for a period up to an additional ten (10) working days. This leave with pay (suspension with pay) shall be used when an employee is under investigation or for other necessary or emergent need such as when the employee's continued presence at the work site may be hazardous or disruptive.

**307. JURY DUTY** Any employee who shall be summoned for attendance to any court for jury duty during his/her normal working hours shall be deemed to be on duty and there shall be no loss in salary, but any jury fees received by him/her shall be paid forthwith to the Auditor/Controller to be deposited in the General Fund of the County, together with any mileage allowed if he/she shall use County transportation. Employees released from Jury Duty during their normal duty hours shall report back to their departments. Employees scheduled to work the evening or late night shift and who serve four (4) or more hours on jury duty, will not be required to report for duty on the evening or late night shift and shall be deemed to be on duty and there shall be no loss in salary, but any fees received shall be paid forthwith to the Auditor/Controller to be deposited in the General Fund of the County.

### **308. COURT APPEARANCES**

#### *308.1 On Duty Time*

Any employee who shall be called as a witness arising out of and in the course of his/her County employment, shall be deemed to be on duty and there shall be no loss of salary, but any witness fees received by him/her shall be paid forthwith to the County Auditor/Controller to be deposited in the General Fund of the County, together with any mileage allowed if he/she shall use County transportation. Employees released from witness duty during their normal duty hours shall report back to their department.

#### *308.2 Off Duty Time*

Any employee who shall be called as a witness arising out of and in the course of his/her County employment during his/her off duty hours shall be compensated for the time spent, or shall be compensated for a two hour minimum, whichever is greater.

#### *308.3 Private Litigation*

Any employee who shall be called as a witness in a private or civil matter unconnected with the course of their employment shall not be compensated by the County, excepting upon the approval of the department head, earned vacation or compensating time off may be utilized. It is the employee's responsibility to make arrangements for payment from the involved parties in accordance with the California Code of Procedures for witnesses.



**309. OVERTIME AND COMPENSATING TIME OFF** The County shall compensate regular employees for overtime worked subject to provisions, requirements and limitations of the Memorandum of Understanding applicable to the individual employee. The following shall apply to all employees:

*309.1 Reporting*

All work of an employee required by the employee's department head beyond the work period shall be designated as overtime and shall be reported in increments of not less than one-tenth of an hour.

*309.2 Board Policy*

It is the policy of the Board that overtime is discouraged; that each department head schedule and arrange the work of the department so that overtime is avoided and that all overtime be held to a minimum consistent with efficient performance of required functions.

*309.3 Attendance Sheet*

Total hours of overtime authorized and earned as well as all compensatory time off used shall be reported on attendance sheets. If payment for overtime is to be made, the hours for which payment is to be made shall be specified on the attendance sheet.

*309.4 Compensatory Time*

Compensatory time off may be accumulated to a maximum number of hours as per the Memorandum of Understanding applicable to the individual employee. Compensatory time off shall be administered in the same manner as vacation.

*309.5 Benefit Accumulations*

Overtime shall not be considered or be a basis for increasing vacation, sick leave or advancement of completion of probationary periods or salary step increases.

*309.6 Exemption*

Department heads shall not be entitled to nor subject to this section as per Board of Supervisors' direction.

**310. REST PERIODS** Employees shall be allowed rest periods of fifteen (15) minutes during each four (4) consecutive hours of work. Such rest periods shall be scheduled in accordance with the requirements of the individual department but shall generally occur near the middle of each four hour shift. Rest periods if not taken are lost and may not be accumulated to extend lunch hours or to shorten the work day. Neither shall any additional pay accrue to an employee who misses or loses a rest period.

**311. MEAL PERIOD** All employees will be allowed a meal period of not less than thirty (30) minutes, nor more than one (1) hour, scheduled approximately at the midpoint or middle of full work shift. Employees required to be at workstations for eight (8) or more consecutive hours shall have their meal during work hours. Combining meal periods, "banking" meal periods from day to day, saving to shorten workdays, or requesting compensatory time or overtime for work performed during meal periods shall not be authorized.

**312. WAIVER** In any case where by reason of unusual circumstances, rigid adherence to the foregoing principles relating to salary, adjustments or appointments would be discriminatory, unfair or detrimental to the best interest of the County, the Board of Supervisors by a 4/5 vote of the Board of Supervisors, after having received the recommendation of the Chairman of the Board of Supervisors and the Chief Administrative Officer thereon, may make such order relating thereto as in its opinion is not contrary to the general intent thereof and under all the circumstances is just and proper.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular Meeting of said Board, held on the 17 day of July, 1984, by the following vote of said Board:

**Ayes:** Robert E. Dorr, Patricia R. Lowe, W.P. Walker,  
Joseph V. Flynn, Thomas L. Stewart

**Noes:** None

**Absent:** None