

SALARY AND BENEFITS
RESOLUTION
FOR UNREPRESENTED EMPLOYEES

Amended
December 11, 2001



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TABLE OF CONTENTS

SECTION 1	<u>TITLE AND EFFECTIVE DATE</u>	1
101.	TITLE	1
102.	EFFECTIVE DATE	1
103.	CHANGES AND MODIFICATIONS	1
SECTION 2	<u>APPLICABILITY</u>	2
SECTION 3	<u>DEFINITION OF TERMS</u>	3
301.	ACTUAL SERVICE	3
302.	ALLOCATED POSITION	3
303.	ANNIVERSARY DATE	3
304.	APPOINTING AUTHORITY	3
305.	BASE HOURLY RATE	3
306.	BOARD	3
307.	CIVIL SERVICE	3
308.	COMPENSATORY TIME OFF	3
309.	CONFIDENTIAL EMPLOYEE	3
310.	ELECTED OFFICIAL'S PERSONAL STAFF	3
311.	CONTINUOUS SERVICE	3
312.	COUNTY OFFICER	4
313.	COUNTY SERVICE	4
314.	DEMOTION	4
315.	DEPARTMENT	4
316.	DEPARTMENT HEAD	4
317.	EXECUTIVE MANAGEMENT EMPLOYEE	4
318.	EXEMPT EMPLOYEE	4
319.	EXTRA HELP EMPLOYEE	4
320.	FULL-TIME EMPLOYEE	4
321.	FULL-TIME WORK	4
322.	HOLIDAYS	5
323.	MANAGEMENT EMPLOYEE	5
324.	NON-CIVIL SERVICE	5
325.	NON-EXEMPT EMPLOYEE	5
326.	PART-TIME EMPLOYEE	5
327.	PAY PERIOD	5
328.	PAY STATUS	5
329.	PROMOTION	5

330.	PROVISIONAL EMPLOYEES	5
331.	RECLASSIFICATION	6
332.	REGULAR EMPLOYEE.....	6
333.	SATISFACTORY SERVICE.....	6
334.	VETERAN	6
SECTION 4	<u>FEEES AND REIMBURSEMENTS</u>	7
SECTION 5	<u>ALLOCATION OF POSITIONS</u>	8
501.	AUTHORIZED PERSONNEL.....	8
502.	UNDERFILL POSITION	8
503.	OVERFILL POSITION.....	8
SECTION 6	<u>ADMINISTRATION OF SALARY SCHEDULE</u>	9
601.	STANDARD SALARY RANGES	9
602.	FULL TIME, PART-TIME, AND EXTRA HELP EMPLOYEES	9
603.	SALARY STEP UPON EMPLOYMENT.....	10
604.	SALARY STEP.....	11
605.	SALARY STEP ON PROMOTION	13
606.	SALARY ON DEMOTION	13
607.	SALARY ON TRANSFER.....	14
608.	CHANGES IN SALARY RANGES.....	14
609.	SALARY STEP ON RECLASSIFICATION	15
610.	SALARY PROVISIONS UPON RESTORATION	15
611.	BOARD AUTHORITY TO SPECIFY	15
612.	PAYROLL RECORDS	16
613.	PAY DATE.....	16
SECTION 7	<u>DESIGNATED SALARIES</u>	17
701.	SALARIES - UNREPRESENTED EMPLOYEES	17
702.	SALARIES/COMPENSATION - BOARD OF SUPERVISORS	17
703.	SALARIES/COMPENSATION - ELECTED OFFICIALS	17
704.	SALARIES - SHERIFF MANAGEMENT CLASSE	17
SECTION 8	<u>HOLIDAYS</u>	19
801.	SCHEDULED HOLIDAYS	19
802.	DAY OBSERVED	20
803.	COMPENSATION FOR HOLIDAYS	20
804.	LIMITATIONS	20
SECTION 9	<u>VACATIONS</u>	21
901.	VACATIONS	21
902.	ACCRUAL RATES AND MAXIMUM ACCUMULATION	21
903.	ACCRUAL RATES AND MAXIMUM ACCUMULATION - DEPARTMENT	

	HEADS	21
904.	PROVISIONS.....	22
905.	VACATION SCHEDULING.....	22
906.	DONATION OF VACATION	22
907.	EXCLUSION	23
SECTION 10	<u>SICK LEAVE</u>	24
1001.	ACCRUAL.....	24
1002.	ELIGIBILITY.....	24
1003.	USAGE	24
1004.	EXCEPTION TO USE OF SICK LEAVE	24
1005.	INTEGRATION WITH OTHER BENEFITS	24
1006.	ADMINISTRATION OF SICK LEAVE	25
1007.	INCAPACITY TO PERFORM DUTIES.....	25
1008.	FITNESS FOR DUTY EXAMINATION	25
1009.	PAYMENT FOR UNUSED SICK LEAVE.....	26
1010.	EXCLUSIONS	26
SECTION 11	<u>MANAGEMENT AND SUPERVISORY LEAVE</u>	27
1101.	MANAGEMENT LEAVE	27
1102.	SUPERVISORY LEAVE.....	27
1103.	SPECIAL LEAVE.....	27
1104.	SPECIAL LEAVE FOR EXEMPT CONFIDENTIAL EMPLOYEES	28
SECTION 12	<u>OTHER PAID LEAVES</u>	29
1201.	JURY DUTY.....	29
1202.	COURT APPEARANCES	29
1203.	LEAVE OF ABSENCE WITH PAY	29
1204.	WORKERS' COMPENSATION FOLLOW-UP DOCTOR VISITS	30
SECTION 13	<u>LEAVE WITHOUT PAY</u>	31
SECTION 14	<u>SPECIAL PAYS</u>	32
1401.	PERS CONTRIBUTION	32
1402.	LONGEVITY PAY.....	32
1403.	TAHOE EMPLOYMENT DIFFERENTIAL	33
1404.	MILEAGE REIMBURSEMENT.....	34
1405.	DEPUTY DISTRICT ATTORNEY ON-CALL PAY	34
1406.	MENTAL HEALTH MEDICAL DIRECTOR/PSYCHIATRIST ON-CALL PAY.....	34
1407.	ON-CALL DUTY AND CALL-BACK PAY FOR EXTRA HELP EMPLOYEES.....	35
1408.	ACTING PAY ASSIGNMENTS	36
1409.	UNIFORMS - SHERIFF'S MANAGEMENT CLASSES	36

1410.	VEHICLE ASSIGNMENT - DEPARTMENT HEADS	37
1411.	SHIFT DIFFERENTIAL	37
1412.	BILINGUAL DIFFERENTIAL	37
1413.	SURVIVORS BENEFITS	37
1414.	AFTER HOURS SOCIAL WORKERS	38
1415.	DEFERRED COMPENSATION CONTRIBUTION	38
1416.	EDUCATION INCENTIVE	38
1417.	BUILDING DEPARTMENT CERTIFICATION PROGRAM	38
1418.	CERTIFIED PUBLIC ACCOUNTANT (CPA) INCENTIVE	40
1419.	PROJECT/TEAM LEADER DIFFERENTIAL	40
1420.	PERS SAFETY RETIREMENT	40
SECTION 15	<u>INSURANCE PLANS</u>	41
1501.	OPTIONAL BENEFITS PLAN	41
1502.	COUNTY MEDICAL/DENTAL PLAN	42
1503.	VISION CARE	43
1504.	LIFE INSURANCE	43
1505.	LONG-TERM DISABILITY	43
1506.	PLAN DOCUMENTS OR CONTRACTS CONTROL	43
1507.	STATE DISABILITY INSURANCE	44
1508.	TEMPORARY DISABILITY INDEMNITY	44
1509.	RETIREE HEALTH CONTRIBUTION	44
1510.	SALARY CONTINUATION, WORKERS COMPENSATION; WELFARE FRAUD INVESTIGATORS	46
SECTION 16	<u>ANNUAL MEDICAL EXAMS: DEPARTMENT HEADS</u>	48
SECTION 17	<u>TUITION REIMBURSEMENT</u>	49
1701.	EMPLOYEE-REQUESTED COURSES	49
1702.	COUNTY-REQUIRED TRAINING	49
SECTION 18	<u>HOURS OF WORK AND OVERTIME</u>	51
1801.	WORK SCHEDULES	51
1802.	OVERTIME - EXEMPT EMPLOYEES	51
1803.	OVERTIME AUTHORIZED FOR NON-EXEMPT EMPLOYEES	52
1804.	OVERTIME DEFINED - NON EXEMPT EMPLOYEES	52
1805.	ACCUMULATION AND USE OF COMPENSATORY TIME OFF	53
1806.	PAYOFF OF COMPENSATORY TIME OFF (CTO) UPON PROMOTION TO MANAGEMENT	53
1807.	REST PERIODS	53
1808.	MEAL PERIODS	53
SECTION 19	<u>CLOSURE OF COUNTY BUILDINGS POLICY</u>	54

SECTION 20 PROBATIONARY PERIODS: UNREPRESENTED EMPLOYEES...55

SECTION 1 **TITLE AND EFFECTIVE DATE**

101. TITLE

This Resolution shall be known as the El Dorado County Salary and Benefits Resolution for Unrepresented Employees.

102. EFFECTIVE DATE

Except as specified otherwise herein, the original effective date of this Resolution was July 1, 1989. Any prior or existing Resolutions or policies governing the terms and conditions of employment specified herein and contrary to these provisions, were superseded upon the original effective date of this Resolution.

The Provisions of this Resolution may be superseded in whole or in part by Resolutions adopted by the Board of Supervisors of El Dorado County. Each such superseding Resolution shall be effective on the first day of the County pay period next succeeding its adoption unless such Resolution provides otherwise.

Upon adoption by the Board of Supervisors as previously amended, this Resolution is hereby amended effective December 12, 2000.

103. CHANGES AND MODIFICATIONS

This Resolution does not constitute an employment contract and is subject to revision by the Board of Supervisors in its discretion in any manner provided for by law and shall not limit the ability of the Board of Supervisors to take any action with regard to the employment relationship with Unrepresented employees which is not inconsistent with County Civil Service or established law.

SECTION 2 APPLICABILITY

The provisions of this Resolution shall apply to both employees with civil service and employees not covered by civil service status in the County of El Dorado. Other than Section 4 and Section 5, this Resolution applies only to "Unrepresented employees" and elected officials as specified in Appendix A.

"Unrepresented employees" shall mean those employees or classes which are not represented by a Recognized Employee Organization. For purposes of this Resolution, this shall include all Unrepresented Management and Unrepresented Confidential employees who occupy classifications listed in Appendix A, as amended, and Extra Help employees who are in classifications listed in Appendix A, or in classifications which are represented by a Recognized Employee Organization, but where the Recognized Employee Organization has not been granted formal recognition for representing Extra Help employees.

"Unrepresented Management employees" include employees in classifications listed in Appendix A, i.e., elected and appointed department heads (including classes designated as executive management), and administrative management; elected officials, as specified in Appendix A, shall be governed by the same provisions as Unrepresented Administrative Management employees unless otherwise specified herein. "Unrepresented Confidential employees" include employees in classifications listed in Appendix A as Confidential. For purposes of this Resolution, Unrepresented Attorneys as defined in Appendix A shall be treated, for benefits purposes only, as Unrepresented Administrative Management employees.

SECTION 3 **DEFINITION OF TERMS**

301. **ACTUAL SERVICE** for the purposes of determining the amount of sick leave and vacation earned by an employee shall mean the number of hours worked in an allocated position within a biweekly pay period or while absent from work with pay but shall not include compensatory time earned or overtime.
302. **ALLOCATED POSITION** shall mean a position within a classification established by the Personnel Allocation Resolution and funded through the County's budget process.
303. **ANNIVERSARY DATE** of an employee shall be the first day of the bi-weekly pay period following their employment date or their previously established anniversary date for employees hired before January 1, 1971.
304. **APPOINTING AUTHORITY** shall mean the board, officer, or person having the power by lawfully delegated authority to make appointment to or removal from positions in County service. Unless otherwise specified by law, Department Heads shall have delegated to them the authority to appoint and terminate employees in classifications within their department.
305. **BASE HOURLY RATE** shall mean the hourly rate corresponding to the salary step in the salary range of the classification to which the employee is appointed.
306. **BOARD** when used alone means the Board of Supervisors of El Dorado County.
307. **CIVIL SERVICE** means those positions in County service which are designated by the Board of Supervisors as subject to the provisions of Civil Service Ordinance Chapter 2.60.
308. **COMPENSATORY TIME OFF** means time off with pay which an employee accrues instead of cash compensation.
309. **CONFIDENTIAL EMPLOYEE** means, for purposes of this Resolution, an Unrepresented employee who occupies a classification listed in Appendix A as Unrepresented Confidential.
310. **ELECTED OFFICIAL'S PERSONAL STAFF** means, employees who are selected and appointed by the elected official, serve at the elected official's pleasure, and are not subject to the County's civil service system. These employees are also exempt from the overtime provisions of the Fair Labor Standards Act. These employees accrue the same benefits as Unrepresented Confidential employees.
311. **CONTINUOUS SERVICE** means, for the purposes of this Resolution only, that service commencing with the employee's anniversary date and continuing until

broken by resignation or dismissal from County service for the purpose of determining eligibility for sick leave allowance, eligibility for longevity advances, vacation eligibility and accruals, and eligibility for merit step advancement. Service as an Extra Help, CETA, Provisional employee or Reserve Deputy shall not count toward continuous service.

- 312. **COUNTY OFFICER** means those officers enumerated in Section 24000 of the Government Code.
- 313. **COUNTY SERVICE** means all positions in all departments as herein defined that are subject to control and regulation of the Board of Supervisors.
- 314. **DEMOTION** means the movement of an employee to another position in a class where the top step of the salary range is at least 5% lower than the top step of the employee's current class, or the movement to a lower salary step within the employee's salary range.
- 315. **DEPARTMENT** means any of those offices, departments, or organizational units of County government.
- 316. **DEPARTMENT HEAD** shall mean an officer enumerated in Government Code 24000 or otherwise designated by the Board of Supervisors to serve as the administrative head of a department.
- 317. **EXECUTIVE MANAGEMENT EMPLOYEE** means, for the purposes of this Resolution, an Unrepresented Administrative Management employee who has been designated to have responsibility for advising the Board of Supervisors on multi-department organizational and operational issues and County-wide Board policy issues. Employees in classes designated as Executive Management receive the same benefits as appointed department heads unless specifically stated otherwise herein.
- 318. **EXEMPT EMPLOYEE** means an employee who has been designated by the County to be elective, executive, administrative, professional or other category specifically exempted from the overtime pay requirements of the Fair Labor Standards Act and interpretive and administrative regulations.
- 319. **EXTRA HELP EMPLOYEE** means a person who is hired for temporary, sporadic, seasonal, etc. employment by the County and who has not been appointed as a result of a competitive process to an allocated position.
- 320. **FULL-TIME EMPLOYEE** means an employee who is appointed to an allocated position which requires full-time work as defined herein.
- 321. **FULL-TIME WORK** shall normally mean eight (8) hours per day and five (5) days

per calendar week, provided, however, that at the discretion of the Board of Supervisors or the Chief Administrative Officer, specific departments may be authorized to utilize a ten (10) hour per day, four (4) day per week work schedule or other approved alternate work schedule.

322. **HOLIDAYS** means those days enumerated in this Resolution applicable to the individual employee.
323. **MANAGEMENT EMPLOYEE** means for purposes of this Resolution an Unrepresented employee who occupies a classification listed in Appendix A, including department heads, elected officials and administrative management. Management employees are responsible for formulation, administration or managing the implementation of County policies or programs.
324. **NON-CIVIL SERVICE** means the performance of duties by employees in a position or capacity to which civil service status does not attach and who are exempted by the El Dorado County Ordinance 2.60, Section 2.60.060 or those involving:
- The rendering of professional, scientific, technical or expert contract services;
 - Services of a temporary or extra help nature;
 - Services, which by reason of unusual or special employment conditions are contracted for on a special flat rate or fee basis.
325. **NON-EXEMPT EMPLOYEE** means an employee designated by the County to be in a category other than professional, administrative, elective or executive or other related capacity and subject to the overtime pay requirements of the FLSA and interpretive and administrative regulations.
326. **PART-TIME EMPLOYEE** means an employee who is appointed to an allocated position which requires a total number of hours to be worked which is less than full-time work.
327. **PAY PERIOD** means 14 designated calendar days which includes the normal eighty (80) hour bi-weekly pay cycle.
328. **PAY STATUS** means whenever an employee is at work, absent on a paid holiday, absent on leave with pay, or absent on authorized compensatory time off.
329. **PROMOTION** means the change of an employee to a position in a class allocated to a salary range where the top step is at least 5% higher than the top step of the class which the employee formerly occupied.
330. **PROVISIONAL EMPLOYEES** are categorized as Extra Help employees who have

worked in excess of 1000 hours during one (1) year from date of hire and whose continued employment has been approved by the Chief Administrative Officer in accordance with policy. Provisional status employees shall be compensated in the same manner as extra help employees except that they shall receive PERS Retirement and Health/Dental Insurance benefits only.

- 331. **RECLASSIFICATION** means the act of changing the allocation of a position by raising it to a higher class or reducing it to a lower class on the basis of significant changes which have occurred over time and are reflected in the nature, difficulty or responsibility of duties performed in the position.
- 332. **REGULAR EMPLOYEE** means a person who has been appointed to an allocated position as a result of a competitive recruitment process, or in accordance with law. Extra help, provisional, and/or contract employees are not regular employees.
- 333. **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 Human Resources Department.
- 334. **VETERAN** means a person satisfying the definition specified in the Military and Veterans Code.

SECTION 4 FEES AND REIMBURSEMENTS

REIMBURSEMENTS - Unless otherwise provided by law or Board Resolution, all fees and commissions, but not including mileage or travel reimbursements received by any County officer or employee, shall be paid into the County Treasury.

SECTION 5 ALLOCATION OF POSITIONS

501. AUTHORIZED PERSONNEL

Except as otherwise provided for by law, the Board of Supervisors shall, by Resolution, specify the number and classification of all positions authorized for each department of the County.

Such positions shall be designated as full-time equivalents; the department head may designate a full-time position to be utilized as part-time within budgetary constraints. 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 services as a County employee whose employment is not authorized by the Authorized Personnel Allocation Resolution, or otherwise as provided for by law.

The Clerk of the Board shall immediately forward to the County Auditor and Chief Administrative Officer a copy of the Authorized Personnel Allocation 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 utilize as many people as he/she shall deem proper to serve without compensation for their services.

502. UNDERFILL POSITION

With approval of the Director of Human Resources and the Chief Administrative Officer, an appointing authority may underfill a vacant position with another position in a class which is at the same or lower salary range and which is in the same or closely related class series.

503. OVERFILL POSITION

A position that:

- A) Is vacated or to be vacated through retirement or other separation of an employee; or
- B) Is occupied by an employee who is receiving compensation pursuant to Section 4850 of the California Labor Code; or
- C) Is occupied by a person on an extended leave of absence, with the approval of the Chief Administrative Officer and the Director of Human Resources. In such cases the position may be filled by another employee as an overfill position for the period of time prior to the date of separation, or for the duration of the unused leave or overtime which is paid to the employee upon separation, or for the period of the leave of absence of the employee.

SECTION 6 ADMINISTRATION OF SALARY SCHEDULE

601. STANDARD SALARY RANGES

Unless as otherwise required by law or policy, a standard salary schedule consisting of either flat rates or five steps of hourly and equivalent monthly salary rates in dollars for employees in full-time positions shall be established by Resolution of the Board of Supervisors. Monthly salary rates are listed for the purpose of convenience in quotation of monthly salaries. Computations for purposes of paying employees shall be on the basis of hourly rates.

Except as otherwise provided by law or ordinance, officers and employees shall receive the hourly rate provided in the salary range that has been adopted by the Board of Supervisors by Resolution or Ordinance for their respective classifications of positions. Employees who are exempt under FLSA shall receive a salary as specified in Section 1802.

602. FULL TIME, PART-TIME, AND EXTRA HELP EMPLOYEES

A) **Full-Time Employees** - A full-time employee shall receive the full amount of salary based upon the step in the range for the classification to which the employee is assigned by his/her appointment, if the total hours in pay status for the biweekly pay period as shown equals or is greater than eighty (80) hours. A full-time employee who is not in pay status for 80 hours for a particular biweekly pay period as shown in the Payroll Time Report shall be entitled only to the total hours in pay status as shown by the Payroll Time Report.

B) **Part-Time Employees** - A part-time employee shall receive that portion of the salary based upon the step in the range for his/her classification to which the employee is assigned and the number of hours in pay status in the pay period.

Part-time employees shall earn vacation with pay and accrue sick leave and holiday pay on a prorata basis based upon the number of hours in pay status in the pay period. In other respects, the provisions of this Resolution applicable to full-time employees shall apply to part-time employees unless specifically defined otherwise herein.

C) **Extra Help Employees** - 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. Unless otherwise specified, Extra Help employees shall only be paid the flat rate salary step for their classification or the first step hourly rate in the salary range listed for the classification to which he/she is appointed, unless specifically authorized by the Chief Administrative Officer and Director of Human Resources. Extra Help employees shall not be entitled to accrue sick leave, vacation, or be paid

for absence for temporary military duty or holiday pay and shall not be eligible to participate in the retirement system unless specified by law. Extra Help employees cannot achieve Civil Service Status regardless of the number of hours worked or services performed.

603. **SALARY STEP UPON EMPLOYMENT**

- A) **INITIAL STEP PLACEMENT** - Except as specified below, the entrance salary for a new employee entering County service shall be the first step of the salary range for the class to which the employee is appointed.

In exceptional cases after reasonable effort has been made to obtain employees for a particular class, employment of individuals who possess special qualifications higher than the minimum qualification prescribed for the particular class may be authorized at a higher step upon recommendation of the appointing authority in accordance with Section 603.B.

- B) **ADVANCED STEP HIRING OF NEW EMPLOYEES** - A department head or appointing authority may hire a new employee (does not include promotions or transfers) at up to the third step of the salary range of the employee's classification. The department head shall only hire at an advanced step if the candidate possesses exceptional skills or qualifications that would be highly beneficial to the County or department, or if due to the difficult nature of the recruitment, few qualified candidates were available and it is necessary to hire at an advanced step in order to obtain a person to fill the vacancy. The department head shall file a written justification of reasons for any advance step hiring with the Department of Human Resources.

- C) **SALARY UPON REEMPLOYMENT** - A full-time or part-time employee who resigns in good standing and is reappointed in the same or closely related class within the same classification series within two (2) years of resignation, shall be eligible, with the approval of the appointing authority, to be reappointed at any step up to and including the step received prior to resignation. If the appointing authority wishes to rehire the employee at a step which exceeds the step paid at the time of resignation, approval shall be required consistent with the Early Salary Range Step Advancement Policy. For purposes of vacation accrual and longevity pay, such an employee shall receive credit for the amount of prior service in effect at the time of resignation and shall be restored to the place on the vacation accrual and longevity pay table in effect at the time of resignation.

A full time or part time employee who resigns in good standing and is re-employed by the County within two (2) years of resignation in a classification in a different class series or a higher class from which the employee resigned shall, for purposes of vacation accrual and longevity pay, receive credit for the amount of prior service in effect at the time of resignation and shall be restored to the place on the vacation accrual and longevity pay table in effect at the time

of resignation.

For purposes of vacation accrual and longevity pay, such an employee shall receive credit for the amount of prior service in effect at the time of resignation and shall be restored to the place on the vacation accrual and longevity pay table in effect at the time of resignation.

- D) **APPOINTMENT OF EXTRA HELP TO AN ALLOCATED POSITION** - An Extra Help employee who is appointed a full-time or part-time position in the same class in which the employee was Extra Help shall receive the same step of the range the employee received in Extra Help capacity. Time as an Extra Help employee shall not count toward eligibility for salary step increases under Section 604.

604. **SALARY STEP PLAN**

Eligibility for salary step movement shall be based upon time in classification and based upon merit, at the sole discretion of the appointing authority, and with no right to appeal. Extra help and provisional employees are not eligible for merit salary step movement.

A) **Salary Step Movement - Appointed Department Heads**

Appointed Department Heads hired at Step 1 of the salary range shall be eligible for advancement to up to Step 3 after completion of 13 full pay periods and upon the discretion of the Chief Administrative Officer. Appointed Department Heads who were hired above Step 1 in accordance with Section 603.B, or have advanced beyond Step 1, may be advanced up to 2 steps in the range, reduced to a lower step in the range, or not changed from the current step upon the discretion of the Chief Administrative Officer, with concurrence of the Board of Supervisors, after 26 full pay periods at the current step. The anniversary date for purposes of salary step movement shall be the date of entry into any step above Step 1.

B) **Salary Step Movement - Executive Management, Administrative Management, and Confidential Employees**

Executive Management, Administrative Management, and Confidential employees hired at Step 1 shall be eligible for advancement to Step 2 after completion of 13 full pay periods of satisfactory performance at Step 1, and upon the approval of the appointing authority. Executive Management, Administrative Management and Confidential employees at Step 2 or higher shall be eligible for advancement to the next step in the range after completion of 26 full pay periods of satisfactory performance in the current step, and upon the approval of the appointing authority.

C) **Early Step Advancement - Executive Management, Administrative**

Management and Confidential Employees

Second and Third Steps: Notwithstanding Section 604.B, a department head may advance Executive Management, Administrative Management and Confidential employees from the second step to the third step of the salary range of the employee's classification after the employee has completed at least six months of service in the prior step of the salary range of that classification. If the department head has made the following determinations in writing to the Department of Human Resources:

- (1) That the employee's performance and abilities are outstanding, as documented in an attached performance evaluation;
- (2) That they are functioning as fully qualified and advanced level employees;
- (3) That the amount of the additional salary and benefit cost are available in the department's budget for the balance of the fiscal year (department's calculations to accompany the estimate);
- (4) That should the County's financial condition require reductions in departmental appropriations during the fiscal year, the department agrees to identify departmental savings that will offset the added cost of the early step advancement.

Fourth and Fifth Steps: A department head may recommend to the Chief Administrative Officer or his or her designee that an Executive Management, Administrative Management, or Confidential employee be advanced from the third step of the salary range to the fourth step or from the fourth step of the salary range to the fifth step of the salary range after the employee has completed at least six (6) months of service at that step. The department head must submit justification to the Chief Administrative Officer which clearly demonstrates that the employee's skills, knowledge, and ability as evidenced by significant achievement of County-wide importance and/or their continuing outstanding performance is such that it places them clearly above the level of their fellow employees. The request should include the same salary and benefit cost estimation and financial condition disclaimer as provided in Subsections (3) and (4) above.

- D) Procedure - All merit salary step advancements under Section 604.B must be initiated by the department head on a Payroll/Personnel Form accompanied by an employee evaluation filed with the Director of Human Resources prior to the proposed effective date of the merit salary step advancement. Salary step advancements shall be effective on the first day of the biweekly pay period following completion of the required period of service. The Director of Human Resources shall notify the County Auditor of every approved merit salary step advancement.

- E) **Anniversary Date** - Changes in an employee's salary because of promotion or upward reclassification, will set a new anniversary date for that employee. The salary anniversary date for an employee shall not be affected by a transfer or downward reclassification. Changes in salary ranges for a classification as defined in Section 608 will not set a new salary anniversary date for employees.

605. **SALARY STEP ON PROMOTION**

- A) **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 salary 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.

The employee's anniversary date for future merit salary step increases shall be based upon the effective date of the promotion.

If a promotion occurs on the same day a salary step increase is due and approved, the salary step increase shall be computed first and subsequently the increase due to promotion.

- B) **Advanced Salary Upon Promotion** - Upon promotion of an employee from a position for which the County pays the full contribution or a portion of the employee contribution to PERS to a position for which the employee pays the employee contribution to PERS, such employee shall be placed at a salary step in the higher salary range which is closest to and provides an increase in compensation of no less than 5% above the combined former salary step and employee-paid PERS contribution. In no case shall the salary step placement exceed the top step of the new range.

Notwithstanding the above, upon promotion of a full-time or part-time employee to a management or confidential position, the appointing authority may recommend to the Chief Administrative Officer that the person being promoted shall receive one additional step beyond which the employee is entitled, but which in no way exceeds the top of the range.

606. **SALARY ON DEMOTION**

- A) **Salary upon Voluntary Demotion to Another Position or Class** - 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 salary step within the lower range which is closest to, but not exceeding the salary received before the demotion. The employee's eligibility for salary step advancement shall not change as a result of demotion.

- B) **Salary Upon Demotion During Probation** - A full-time or part-time employee who, during the employee's probationary period, is demoted to a class which the employee formerly occupied in good standing during the same period of continuous service, shall have the employee's salary reduced to the salary the employee would have received if the employee had remained in the lower class. The employee's eligibility for salary step advancement shall be determined as if the employee had remained in the lower class throughout the employee's period of service in the higher class.

- C) **Salary Upon Involuntary Demotion To A Lower Class** - A full-time or part-time employee, to whom the circumstances described in Section 606.A or 606.B above do not apply, who is demoted involuntarily to a position of a class which is allocated to a lower salary range than the class from which the employee is demoted, shall have the employee's salary reduced to the salary step in the lower range for the new class which is closest to but not exceeding the salary step received before the demotion. The employee's eligibility for salary step advancement shall not change as a result of demotion.

- D) **Demotion Within a Salary Range** - Except for Department Heads, an employee may only be demoted to a lower salary step within a salary range as a disciplinary action in accordance with County rules and regulations. The employee's eligibility for salary step advancement shall be based on the effectual date of the promotion in accordance with Section 604.C.

607. **SALARY ON TRANSFER**

A full-time or part-time employee may transfer from one allocated position in one class to another allocated position in the same class, or in another closely related class at the same salary range, or a class which has a salary range the top step of which is within five percent of the top step of the range of the previously occupied class. In such case an employee shall be paid at the salary step in the salary range for the new class which is the closest to, but not exceeding the salary step the employee 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.

608. **CHANGES IN SALARY RANGES**

Whenever the salary range for a class is revised, each incumbent in a position to

which the revised salary range applies shall remain at the step held in the previous range, unless otherwise specifically provided by the Board of Supervisors.

609. **SALARY STEP ON RECLASSIFICATION**

The salary of an incumbent in a position which is reclassified shall be determined as follows:

- A) **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 step and anniversary date of the employee shall not change.
- B) **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 step of the employee shall be governed by Section 605, Salary on Promotion.
- C) **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 as but does not exceed the salary he/she was receiving prior to reclassification and his/her anniversary date shall not change. If the salary step of the employee is greater than the maximum step of the new range, the salary step 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, the employee will be placed on the top step and will become eligible for cost of living increases granted to incumbents of that classification.

610. **SALARY PROVISIONS UPON RESTORATION**

An employee who has been laid off or voluntarily demoted as a result of layoff and subsequently restored in their former classification within a two (2) year period from the date of his/her layoff or voluntary demotion, shall receive the following considerations and benefits:

- A) All sick leave credited to the employee's account when laid off shall be restored, unless the employee received compensation for such sick leave at the time of the layoff.
- B) All prior service shall be credited for the purpose of determining sick leave and vacation earning rates, longevity pay increases, and time in step.
- C) The employee shall be placed on the step of the salary range that was held at the time of the layoff.

611. **BOARD AUTHORITY TO SPECIFY COMPENSATION**

Notwithstanding anything herein to the contrary, the Board of Supervisors may, by resolution or directive and 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.

Notwithstanding anything in this resolution to the contrary, when in the judgment of the Board of Supervisors, it becomes necessary or desirable to provide additional compensation to an employee, the Board of Supervisors may, by minute order or written document filed with the Clerk of the Board, so authorize additional compensation for such employee(s).

612. **PAYROLL RECORDS**

The office of the County Auditor and Department of Human Resources 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.

613. **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 also a holiday) following the close of the biweekly pay period.

SECTION 7 DESIGNATED SALARIES

701. SALARIES - UNREPRESENTED EMPLOYEES

The Board of Supervisors shall establish, by Resolution, the salary ranges or flat step salaries for Unrepresented classifications, except as provided in Sections 702, 703 and 704 below. The salary range for Unrepresented employees in classifications which are not represented by a recognized employee organization are listed in the Salary Table as adopted and amended by Board action.

The salary ranges for full-time or part-time Unrepresented Management and Confidential employees shall be effective as specified in amending resolutions. The salary ranges or flat step salaries for Unrepresented Extra Help shall be effective the first day of the first pay period after the Board of Supervisors adopts an amending Resolution.

The salary ranges for Extra Help employees in classifications which are represented by a recognized employee organization are listed in the Salary Table implementing the respective Memorandum of Understanding. The effective date of those salary range increases shall be specified in the respective Memorandum of Understanding.

702. SALARIES/COMPENSATION - BOARD OF SUPERVISORS

The Board of Supervisors shall establish by ordinance such salary compensation and/or benefits for members of the Board of Supervisors of El Dorado County.

703. SALARIES/COMPENSATION - ELECTED OFFICIALS

The salary for elected department heads shall be established by Resolution.

Not longer than every four years in March of the year prior to the filing deadline for election to office, the Department of Human Resources will conduct a salary survey and provide information to the Board of Supervisors with a salary recommendation for each elected department head based upon external and internal comparison data. Elected department heads shall be entitled to benefits and entitlements provided as specified in this Salary and Benefits Resolution.

704. SALARIES - SHERIFF MANAGEMENT CLASSES

Salaries for the classes of Sheriff's Captain, Sheriff's Lieutenant, Undersheriff, and Sheriff or other Unrepresented classes, affected by Measure N, Charter Section 504, shall be set in accordance with Measure N, Charter Section 504, for each calendar year under the following method:

If January 1 falls in the first week of a bi-weekly payroll period, the salaries for the calendar year just beginning shall be effective with the first of that payroll period.

If January 1 falls in the second week of a bi-weekly payroll period, the new salaries shall begin at the start of the payroll period which follows the one in which January 1 is contained.

In addition, the classifications of Chief Investigator (D.A.) and Sheriff's Director of Administrative Services shall maintain approved internal salary relationships with classes cited above in this Section 704.

SECTION 8 HOLIDAYS

801. SCHEDULED HOLIDAYS

Except as may be declared by the Superior Court for employees of the Superior Court, the County shall designate specific days as County holidays. Paid holidays shall be authorized for only full-time and part-time employees.

The following days shall be the official County holidays:

- January 1 - New Year's Day
- January (Third Monday) - Martin Luther King Jr.'s Birthday
- #February 12 - Lincoln's Birthday*
- February (Third Monday) - Washington's Birthday
- May (Last Monday) - Memorial Day
- July 4 - Independence Day
- September (First Monday) - Labor Day
- #October (Second Monday) - Columbus Day*
- November 11 - Veterans Day
- November - Thanksgiving Day
- November - Friday after Thanksgiving
- December 24 - Christmas Eve * (When Christmas Day falls on a Thursday, the day after Christmas shall be observed as a holiday in lieu of Christmas Eve).
- December 25 - Christmas Day

In addition to which, every day appointed by the President or Governor, upon concurrence by the County Board of Supervisors, for a public fast, Thanksgiving, or holiday shall also be considered as a holiday for purposes herein.

* For Court employees, in accordance with Government Code Section 6700, December 24 is not a designated holiday. In lieu of the designated holiday on December 24, each full-time Court employee shall, effective the first full pay period in January, receive an 8 hour floating holiday per calendar year which may be taken off on a day mutually agreeable to the employee and the appointing authority. Each part-time employee shall be entitled to a prorated number of hours as defined in 803 below.

Floating Holidays - In Lieu of Lincoln's Birthday and Columbus Day

Except for Court employees, regular employees shall be entitled to up to sixteen (16) hours of floating holiday time. This time will be credited in pay period 01 of each year. Floating holidays shall be taken at a time agreeable to both the employee and the appointing authority. Part-time employees shall receive this holiday time on a prorated basis.

Lincoln's Birthday and Columbus Day will not be considered holidays for payroll purposes. Floating holiday time must be used by the last day of pay period 26 of each year and is not subject to the payoff provisions. Any unused floating holiday time will be lost.

802. **DAY OBSERVED**

If a holiday falls on a Sunday, the following Monday shall be observed as the holiday in lieu thereof. If a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday in lieu thereof.

All full-time and part-time employees who are on an irregular work week schedule shall be entitled to the same number of paid holiday hours as those employees on a regular work week schedule. If an employee works a non-standard (rather than Monday through Friday) work schedule, their first day off shall be treated as if it was a Saturday and their second day off as if it was a Sunday.

803. **COMPENSATION FOR HOLIDAYS**

Full-time and part-time employees shall receive holiday pay for all authorized holidays at their current hourly rate, not to exceed eight (8) hours for any one (1) day, provided they are in a pay status on both their regularly scheduled work days immediately preceding and following the holiday. Part-time employees shall be entitled to receive holiday pay in proportion to the percentage of full-time hours worked during the biweekly pay period which includes a holiday.

Excluding Unrepresented Management employees, a full-time or part-time Confidential employee who is required to work on a holiday shall be compensated at the overtime rate.

Overtime shall be compensated in cash or in compensatory time off (CTO), as per overtime provisions in addition to holiday pay as defined in this Section 803.

Extra-Help employees in the classifications of Mental Health Worker I/II, Psychiatric Technician I/II and Mental Health Professional - Extra Help shall be paid at the rate of time and one-half for hours actually worked on New Years Day, Thanksgiving Day and Christmas Day.

804. **LIMITATIONS**

The following provisions as to administration of holidays shall apply to all full-time and part-time employees:

- A new employee whose first working day is the day after a paid holiday shall not be paid for that holiday;
- 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 entitled to holiday pay for that holiday.

Extra Help employees are not covered by holiday provisions herein. However, an Extra Help employee who is appointed to an allocated part-time or full-time position on the day following a holiday in accordance with Sections 801 and 802, and who was in pay status on the regularly scheduled workday before and after the holiday, shall be

entitled to receive holiday pay for the respective holiday.

SECTION 9 VACATIONS

901. VACATIONS

For purposes of this section, one year shall be equivalent to twenty-six (26) biweekly pay periods of continuous service.

902. ACCRUAL RATES AND MAXIMUM ACCUMULATION

Excluding Department Heads and Elected Officials, every full-time and part-time Management and Confidential employee shall accrue and accumulate vacation leave with pay as follows:

Each employee with less than four years continuous service shall accrue vacation credit at the rate of .03875 an hour for each full hour in pay status. (Equal to 3.1 hours for full-time in a full pay period.) In no case shall an employee with less than four years continuous service accumulate more than 240 hours vacation leave.

Each full-time and part-time employee with over four years continuous service shall accrue vacation credit at the rate of .05875 hour for each full hour in pay status. (Equal to 4.7 hours per full-time in a pay period.) In no case shall an employee with more than four years continuous service accumulate more than 320 hours vacation leave.

Each full-time and part-time employee with over eleven years continuous service shall accrue vacation credit at the rate of .07750 hour for each full hour in pay status. (Equal to 6.2 hours per full time in a pay period.) In no case shall an employee with more than eleven years continuous service accumulate more than 320 hours vacation leave.

903. ACCRUAL RATES AND MAXIMUM ACCUMULATION - DEPARTMENT HEADS AND SHERIFF'S MANAGEMENT CLASSES

Appointed Department Heads and the Undersheriff, excluding Elected Officials, shall accumulate vacation leave with pay as follows:

- A) **Under four years employment:** .05875 per hour in pay status (4.7 hours earned per full pay period paid). Maximum accumulation of 320 hours.
- B) **Between the fourth and eleventh years:** .0775 per hour in pay status (6.2 hours earned per full pay period paid). Maximum accumulation of 360 hours.
- C) **Over eleven years:** .0963 per hour in pay status (7.7 hours earned per full pay period paid). Maximum accumulation of 360 hours.

Effective August 14, 1999 and subject to verification by the Department of Human Resources, employment time for purposes of vacation accrual for elected and appointed Department Heads shall include total service with the County of El Dorado and prior related professional service with any city or county.

At the beginning of each quarter, Department Heads shall be paid for any vacation which is accrued above the 360 hour maximum.

904. **PROVISIONS**

Vacation leave shall be accrued from each eligible full-time or part-time employee's date of hire. Employees shall be entitled to use accrued vacation leave upon completion of two (2) full pay periods of continuous service. Upon termination of an employee's employment, for any cause, the employee shall be paid for any unused vacation hours accumulated, up to the maximum amount permitted to be accumulated. No employee shall receive any payment in lieu of vacation while remaining a County employee.

905. **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.

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, the employee shall be permitted to accumulate the unused portion to the employee's credit, provided that the employee shall not have a total vacation credit of more than the maximum allowed herein.

All requests for vacation must be approved by the employee's department head or designee. 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.

It shall be the responsibility of the department head to require vacation leave be taken in order to avoid excessive accumulation or forfeiture.

906. **DONATION OF VACATION**

An employee may donate accumulated vacation time to another employee who has exhausted his or her sick leave and vacation leave due to an extended or catastrophic illness or serious medical condition of the employee, or member of the employee's immediate family (child, spouse, parent, or person for which the employee has been designated as legal guardian). An employee may also donate vacation time, pursuant to the form above, in the event of the death of an employee. Such donations shall be made on a form prescribed by the County Auditor and shall be in four (4) hour increments. The hours donated will be deducted from the donating employee's accumulated balance and credited to the accumulation vacation account of the employee receiving the donation. If the donation of hours is accepted, the accepting employee shall be responsible for payment of any applicable taxes. County shall withhold any amounts authorized or required by law.

907.

EXCLUSION

Elected Officials and Extra Help employees shall not be subject to the provision of this Section 9.

Extra Help, CETA, or other employment time shall not count towards the required continuous service for vacation benefits.

SECTION 10 SICK LEAVE

1001. **ACCRUAL**

Every full-time or part-time Management and Confidential employee, except for Elected Officials, shall accrue sick leave at the rate of .04625 per hour in pay status, calculated on the basis of actual service (3.7 hours earned per full pay period paid).

1002. **ELIGIBILITY**

A full-time or part-time Management or Confidential employee shall not be entitled to use accrued sick leave with pay until the employee has two (2) full bi-weekly pay periods of continuous service with the County.

1003. **USAGE**

Employees are entitled to use accrued sick leave, with the approval of the department head, to a maximum of the time accrued, for the following conditions:

- A) The employee's illness, injury, disability, or exposure to contagious disease which incapacitates him/her from performance of duties.
- B) The employee's receipt of required medical, dental or optical care or consultation.
- C) The employee's care of a member of the immediate family, as defined by law, i.e., Family Medical Leave Act, California Family Rights Act, who is ill or disabled.
- D) The employee's preparation for or attendance at the funeral of a member of the immediate family. Immediate family means parent, spouse, son, daughter, sibling, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents or grandchildren by blood or marriage or person for which the employee has been designated legal guardian.

1004. **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.

1005. **INTEGRATION WITH OTHER BENEFITS**

- A) **Workers' Compensation** - A full-time or part-time Management or Confidential 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 the employee's accumulated leave balances as when added to the

employee's disability indemnity will total the employee's full pay.

- B) **State Disability Insurance** - A full-time or part-time Management or Confidential employee of the County who is entitled to receive State Disability Insurance may elect to take only that portion of the employee's accumulated leave balances as when added to his/her S.D.I. will equal one hundred (100) percent of the total base salary. It is the employee's responsibility to file for State Disability and make all arrangements with the Auditor's Office for leave integration.

1006. **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 information 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.

Departments may require a prescribed affidavit or medical report form. When an employee is absent for longer than fifteen (15) consecutive working days, the employee will be required to submit a statement from the employee's physician releasing the employee for normal duty.

When an employee has been determined to have used sick leave for illegitimate purposes, the County may recover such funds.

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.

1007. **INCAPACITY TO PERFORM DUTIES**

If the appointing authority has reasonable cause to believe that an employee is not capable of properly performing the duties of the position, the appointing authority may require the employee to absent himself/herself from work until the incapacity is remedied. During such absence the employee may utilize any accumulated paid leaves.

1008. **FITNESS FOR DUTY EXAMINATION**

An appointing authority who has reasonable cause to believe that an employee is not capable of properly performing the duties of the position, may require an employee to submit to a fitness-for-duty examination.

1009. **PAYMENT FOR UNUSED SICK LEAVE**

In order to receive payment for unused sick leave at the time of retirement, lay-off or voluntary separation, an Unrepresented Management (except appointed department heads who retire prior to completion of five years of service) or Confidential employee must have five or more years of County service.

- A) **Management Employees** - Unrepresented Management employees shall be entitled to receive a payoff of their unused sick leave up to a maximum of 504 hours. Payment shall be made at the employee's last hourly rate of pay.
- B) **Confidential Employees** - Confidential Employees shall be entitled to receive a payoff of their unused sick leave as follows:
 - (1) Employees with OVER 5 YEARS of Service shall receive 20% of their unused sick leave paid.
 - (2) Employees with OVER 10 YEARS of Service shall receive 40% of their unused sick leave paid.
 - (3) Employees with OVER 15 YEARS of Service shall receive 70% of their unused sick leave paid.
 - (4) Employees with OVER 20 YEARS of Service shall receive 100% of their unused sick leave paid.

The maximum number of hours paid shall not exceed 500. The employee's last hourly rate of pay shall be used in computing the payment.

- C) **Death** - In the event an employee dies while in active service with the County, their sick leave pay-off will be made in accordance with these provisions of Section 1009.

1010. **EXCLUSIONS**

Extra Help and Elected Officials are excluded from the provisions of this Section 10.

SECTION 11 MANAGEMENT AND SUPERVISORY LEAVE

1101. MANAGEMENT LEAVE

A) Excluding Department Heads and Elected Officials, Unrepresented full-time Administrative Management employees shall receive up to eighty (80) hours of management leave in pay period 01 of each year. Unrepresented Administrative Management employees shall be eligible to receive payment for up to forty (40) hours of unused management leave during the year. In lieu of receiving eighty (80) hours of management leave as specified above, Unrepresented Administrative Management employees may elect to receive fifty-six (56) hours of management leave for the upcoming year. Unrepresented Administrative Management employees who elect the fifty-six (56) hours of management leave must contact the Auditor's Office by the end of pay period 25. Unrepresented Administrative Management employees who do not contact the Auditor's Office by the end of pay period 25 shall receive eighty (80) hours of management leave as specified above.

Unrepresented full-time Department Heads shall receive ninety-six (96) hours per year of management leave in Pay Period 01 of each year for which they may receive payment for any unused portion during the year.

Unrepresented part-time Management employees shall receive a prorated share of management leave based upon their ongoing work schedule. Elected Officials shall not be eligible for the provisions of this Section 11.

Unrepresented Management employees hired after July 1 of each year shall receive half the designated entitlement of management leave.

Payment for any unused management leave may be requested only during the pay periods which include March 31, June 15, September 30, and the last pay period of each year, in eight (8) hour increments up to the maximum allowable, with appropriate notification to the Auditor's Department. Any eligible employee who does not use the full entitlement of management leave by pay period 26 of each year may be paid, up to the maximum allowable, at the base hourly rate for any remaining unused management leave. Any unused hours remaining over the maximum allowable will be lost. Such leave shall not be carried over from one year to another.

1102. SUPERVISORY LEAVE

Unrepresented Confidential supervisory employees will receive up to sixteen (16) hours of supervisory leave in pay period 01 of each year. Eligible employees will receive up to eight (8) hours of supervisory leave the first pay period in July 1999. Part time supervisory employees shall receive this leave time on a prorated basis. Unused supervisory leave does not accrue from year to year and must be used by the last day in pay period 26 of each year. An employee may not cash out unused supervisory leave.

1103. SPECIAL LEAVE

Effective December 15, 2001, except as specified in Section 1104 below, each full-time Unrepresented Confidential employee will receive up to thirty-two (32) hours of additional leave in pay period 01 of each year. Part-time employees shall receive this special leave time on a prorated basis. Unused special leave does not accrue from year to year and must be used by the last day in pay period 26 of each year. An employee shall not be entitled to payment for any unused leave under this section.

1104. SPECIAL LEAVE FOR EXEMPT CONFIDENTIAL EMPLOYEES

- A) Effective December 15, 2001, Unrepresented Confidential employees who are designated as exempt employees under the Fair Labor Standards Act and who are not entitled to overtime compensation shall receive fifty-six (56) hours of leave in pay period 01 of each year in lieu of Special Leave provided under Section 1103. Part-time employees in this category shall receive a prorated share of this leave based upon their ongoing work schedule.

Unrepresented Confidential exempt employees hired after July 1 of each year shall receive half the designated entitlement of this leave.

Such leave shall not be carried over from one calendar year to another. Under this Section 1104, payment for unused leave during the year may be requested only during the pay periods which include March 31, June 15, September 30, and the last pay period of each year in eight (8) hour increments with appropriate notification to the Auditor's Department. Any eligible employee who does not use the full entitlement of leave under this section by pay period 26 of each year may be paid at the base hourly rate for any remaining unused leave.

SECTION 12 OTHER PAID LEAVES

1201. **JURY DUTY**

Any Unrepresented Management or Confidential 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 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.

1202. **COURT APPEARANCES**

- A) **On Duty Time** - Any Unrepresented Management or Confidential employee who shall be called as a witness arising out of and in the course of the employee's County employment or prior employment, shall be deemed to be on duty and there shall be no loss of salary, but any witness fees received by him 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.
- B) **Off Duty Time** - Any Unrepresented Management or Confidential employee who shall be called as a witness arising out of and in the course of the employee's County employment during the employee's off duty hours shall be compensated for the time spent, or shall be compensated for a two hour minimum, whichever is greater.
- C) **Private Litigation** - Any Unrepresented Management or Confidential 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 Civil Procedures for witnesses.

1203. **LEAVE OF ABSENCE WITH PAY**

The appointing authority, with the approval of the Chief Administrative Officer, may place an Unrepresented Management or Confidential 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 with approval of the Chief Administrative Officer. 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.

1204. **WORKERS' COMPENSATION FOLLOW-UP DOCTOR VISITS**

Employees who return to work and are receiving Workers' Compensation benefits and have follow-up doctor appointments related to their Workers' Compensation injury/illness, may use County-paid time for these doctor visits. Eligibility for use of County-paid time for these doctor visits is limited to up to 48 hours.

SECTION 13 LEAVE WITHOUT PAY

LEAVE OF ABSENCE WITHOUT PAY

In addition to provisions in the Personnel Management Resolution governing leave of absences, the following shall apply:

Unrepresented Management or Confidential 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.

Unrepresented Management or Confidential employees requesting a leave of absence due to illness or disability may use any accumulated sick leave prior to the requested beginning date of such leave.

Unrepresented Management or Confidential employees 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.

Authorized leave without pay shall not extend an employee's date of eligibility for longevity pay increases and vacation accrual rates. An employee's eligibility for merit salary step increase shall be extended commensurately for each full pay period an employee is on authorized leave without pay except as provided by law.

SECTION 14 SPECIAL PAYS

1401. PERS CONTRIBUTION

- A) **Department Heads** - Department Head employees shall pay the full 7% of employee contribution to PERS or 9% for Department Heads in the PERS Safety Unit. The 7% or 9% employee contribution to PERS shall be made pursuant to IRS Section 414(h).
- B) **Administrative Management Employees** - Except as otherwise specified, the County shall pay the entire employee's PERS contribution; 7% of gross pay for Administrative Management employees or 9% of gross pay for Administrative Management employees in the PERS Safety Unit.
- C) **Confidential Employees** - The County shall continue to pay the employee's entire PERS contribution (7% of the gross pay) for Unrepresented Confidential employees.
- D) **Sheriff's and District Attorney Management Classifications** - Sheriff's and District Attorney Management employees (Safety) in the classifications of Sheriff, Undersheriff, Sheriff's Captain, Sheriff's Lieutenant, and Chief Investigator (D.A.) shall pay the full employee portion of PERS contribution (9%).

1402. LONGEVITY PAY

- A) **Management Employees** - A regular full-time or part-time Unrepresented Management employee or Elected Department Head shall, for all hours in pay status, be paid longevity pay for continuous service with the County as follows:

10 years	5.0% of base salary
After 15 years	10.0% of base salary*
After 20 years	13.0% of base salary*
After 25 years	15.0% of base salary*
After 30 years	16.0% of base salary*

*Represents total amount of longevity granted; amount shown is not cumulative.

For Unrepresented Administrative Management employees, longevity pay increases shall be based upon continuous service with the County in an allocated position and shall be effective on the first day of the biweekly pay period following completion of the required period of service.

Effective August 14, 1999 and subject to verification by the Department of Human Resources, longevity pay entitlements for Elected and Appointed Department Heads shall be based upon total service with the County of El Dorado and prior related professional service with any city or county.

- B) The Sheriff and employees in Sheriff's Management classes may receive longevity pay pursuant to Section 1402.A or may receive certificate pay as follows:

Intermediate POST certificate	5% of base salary
Advanced POST certificate	10.0% of base salary*
Supervisory POST certificate	12.0% of base salary*
Management POST certificate	13.0% of base salary*
Executive POST certificate	15.0% of base salary*

*Represents total amount of certificate pay granted; amount shown is not cumulative.

During the month of January 2002, the Sheriff and employees in Sheriff's management classes shall be eligible to make a one-time change from their current selection of either longevity pay or certificate pay. Additionally, within thirty (30) days after promotion into a management classification, an employee shall make a one-time selection to receive either longevity pay or certificate pay. Once the Sheriff or employee selects longevity pay pursuant to 1402.A or certificate pay pursuant to 1401.B, no further change may be made.

- C) Confidential Employees - A regular full-time or part-time Unrepresented Confidential employee shall, for all hours in pay status exclusive of overtime, be paid longevity pay for continuous service with the County as follows:

After 10 years	2.5% of base salary
After 15 years	5.0% of base salary*
After 20 years	7.5% of base salary*

Effective the beginning of the first full pay period in January 2003, longevity pay shall be granted for continuous service with the County as follows:

After 10 years	5% of base salary
After 15 years	7.5% of base salary*
After 20 years	10% of base salary*

* Represents total amount of longevity granted; amount shown is not cumulative.

Longevity pay increases shall be based upon continuous service with the County in an allocated position and shall be effective on the first day of the biweekly pay period following completion of the required period of service.

1403. TAHOE EMPLOYMENT DIFFERENTIAL

Except for Elected Officials, Unrepresented full-time Management and Confidential employees whose primary work location is in the Tahoe Basin shall receive a total of forty-six dollars and fifteen cents (\$46.15) bi-weekly; Unrepresented part-time Management and Confidential employees shall receive a bi-weekly total of twenty-three dollars and eight cents (\$23.08). Effective the beginning of the first full pay period in January 2001, the Tahoe differential premium shall increase to a total of \$69.23 per biweekly pay period. Unrepresented part-time management confidential employees shall receive a biweekly

total of \$34.62. Effective the beginning of the first full pay period in January 2002, the Tahoe differential premium shall increase to a total of \$80.77 per pay period. Effective the beginning of the first full pay period in January 2003, the Tahoe differential premium shall increase to a total of \$92.30 per pay period. Employees working twenty (20) hours or less in a week shall receive half this amount. Extra Help employees shall not be eligible for the provisions of this Section 1403.

This differential shall only apply when an eligible employee is in paid status for a majority of their assigned hours in a pay period.

1404. MILEAGE REIMBURSEMENT

An employee who is required to use the employee's personal vehicle for County business shall be reimbursed at the federal rate as determined by the Internal Revenue Service.

1405. DEPUTY DISTRICT ATTORNEY ON-CALL PAY

The District Attorney may assign an employee in the classes of Deputy District Attorney II/III/IV, Assistant District Attorney, or Chief Assistant District Attorney to be in an "on call" status in order to provide immediate legal advice and search and arrest warrants to law enforcement officers investigating complex criminal cases.

"On-call" is an assigned duty outside the normal work week assignment during which an employee must remain where the employee can be contacted by telephone or pager and is ready to immediately respond to perform an essential service for the department.

An employee in the classes defined above who is assigned on-call duty shall be compensated at the rate of \$196.80 per weekly assignment of such duty.

1406. MENTAL HEALTH MEDICAL DIRECTOR/PSYCHIATRIST ON-CALL PAY

A) The Mental Health Director may assign an employee in the class of Mental Health Medical Director or extra help Psychiatrist or Psychiatric Clinician extra help to be in an "on-call" (i.e., medical backup) status to provide emergency psychiatric services. When so assigned, an employee shall receive two (2) hours of pay at the Psychiatric Clinician X Help rate for each on-call shift so assigned. An on-call (medical backup) shift shall include all hours within a 24-hour period in which the employee is assigned to be medical backup.

B) On weekends and/or holidays, an employee assigned to a 24-hour on-call shift and who returns to the Psychiatric Health Facility to make "rounds" shall, in addition to the above, receive an additional two (2) hours of pay at the Psychiatric Clinician X Help rate.

C) This provision codifies the historical pay practice of the Mental Health Department.

D) Effective July 1, 2000 when authorized by the Mental Health Director, an employee in the class of Mental Health Medical Director who is required to return to the

Psychiatric Health Facility shall, in addition to the on-call (medical backup) pay specified in A above, receive two (2) hours pay and receive pay for any additional hours actually worked over two (2) hours for which the employee is continuously engaged in work for which the employee is called back. Such pay shall be at the Psychiatric Clinician X Help rate.

1407. **ON-CALL DUTY AND CALL-BACK PAY FOR EXTRA HELP EMPLOYEES**

- A) **On-Call** - When warranted and in the interest of the County's operations, department heads or their designee may assign employees to "on-call" status.

"On-call Duty" is an assigned duty outside the normal work week assignment during which an employee must remain where he/she can be contacted by telephone and he/she is ready for immediate call-back to his department to perform an essential service.

An employee assigned on-call duty shall be compensated at the rate of \$1.20 per hour for each hour of such on-call time.

- B) **Call-Back Compensation for Extra Help Employees** - When an Extra Help employee returns to work because of a department request made after the employee has completed his/her normal work shift and left the work station, the employee shall be credited with two (2) hours of work plus any hours of work in excess of two (2) hours in which the employee is continuously engaged in work for which he/she was called back. This two hour minimum shall apply only when an employee is required to physically return to work (e.g., leave home or another off-duty location) in order to perform required duties.

An employee on on-call duty shall be entitled to the aforementioned two-hour minimum only once during a single on-call period or twice during a weekend on-call period.

There shall be no duplication or pyramiding of rates paid under this section. No employee shall be compensated for on-call duty and call-back duty simultaneously. Hours worked on call-back duty shall be deducted from the prescribed on-call duty to determine the appropriate on-call pay.

"Call-back" time shall be paid as straight time at the base hourly rate unless the hours actually worked exceed 40 hours in that workweek. In such case, an employee shall be paid at the rate of 1 ½ hours for each one (1) overtime hour worked.

Call-back provisions, including the two-hour minimum, shall not apply if an employee is called to work within one hour of their normal starting time. If an employee is called to work within the one hour prior to their normal starting time, they shall be compensated under overtime provisions.

1408. **ACTING PAY ASSIGNMENTS**

When a full-time or part-time Management or Confidential employee is assigned to work in a higher classification for which the compensation is greater than that to which the employee is regularly assigned, and the employee works in such assignment for more than 15 work days, the employee shall receive compensation for such work retroactive to the first day of the assignment at the rate of pay established for the higher classification pursuant to Section 605, Salary On Promotion, of this Resolution, under the following conditions:

- (1) The employee is assigned to a program, service or activity established by the Board of Supervisors which is reflected in an authorized position which has been classified and assigned to the Salary Schedule and listed in the County's Authorized Personnel Resolution and such authorized position has become vacant due to the temporary or permanent absence of the position's incumbent. A copy of the department head's written approval of this assignment must be submitted to the Director of Human Resources at the start of the assignment.
The nature of the departmental assignment is such that the employee in the lower classification becomes fully responsible for the duties of the position of the higher classification.
- (2) Notwithstanding (1) above, in an exceptional circumstance when a vacancy does not exist but an employee has been assigned to perform duties which exceed the scope of that employee's classification, and when determined and justified by the Chief Administrative Officer, in his sole discretion, an Unrepresented Management or Confidential employee will be entitled to pay for a higher classification in accordance with the other provisions of this Section 1408.
- (3) Employees selected for the assignment will normally be expected to meet the minimum qualifications for the higher classification.
- (4) Pay for work in a higher classification shall not be utilized as a substitute for regular promotional procedures provided in this agreement.
- (5) Higher pay assignments shall not exceed six (6) months except through reauthorization.
- (6) If approval is granted for pay for work in a higher classification and the assignment is terminated and later reapproved for the same employee within thirty (30) days, no additional waiting period will be required.
- (7) Allowable overtime pay, shift differentials, and/or work location differentials will be paid on the basis of the rate of pay for the higher class.

1409. **UNIFORMS - SHERIFF'S MANAGEMENT CLASSES**

Where required by the Sheriff to wear a uniform, employees in the classes of Undersheriff, Captain, Lieutenant, Correctional Lieutenant, Sheriff's Records Manager, and Manager of Public Safety Dispatch shall be paid a uniform allowance of \$700 per fiscal year to be paid as \$26.92 per pay period. The Sheriff shall be paid a uniform allowance of \$700 per fiscal year to be paid as \$26.92 per pay period.

Where required by the Sheriff to wear a uniform, employees in the classes of Assistant Coroner, and Sheriff's Director of Administrative Services shall be paid a uniform

allowance of \$700 per fiscal year to be paid as \$26.92 per pay period.

1410. VEHICLE ASSIGNMENT - DEPARTMENT HEADS

A vehicle may be assigned to a department head as designated by the Board of Supervisors.

1411. SHIFT DIFFERENTIAL

A Confidential employee who is assigned to work and actually works a regular shift that begins at or after 2 p.m. and prior to 10 p.m. shall receive an additional fifty cents (\$.50) per hour over their regular rate of pay for all hours actually worked and overtime hours actually worked during the shift.

A Confidential employee who is assigned to work and actually works a regular shift that begins at or after 10 p.m. and prior to 5 a.m. shall receive an additional seventy-five cents (\$.75) per hour over their regular rate of pay for all hours actually worked and overtime hours actually worked during the shift.

Extra Help employees in classifications which are represented by a recognized employee organization shall be entitled to receive shift differential in accordance with the provisions in the Memorandum of Understanding for the respective classification. Effective November 3, 2001, Extra help Snow Removal Workers shall be entitled to receive shift differential in accordance with the provisions of the Memorandum of Understanding for the Highway Maintenance II classification.

1412. BILINGUAL DIFFERENTIAL

When a department head designates in writing that an Unrepresented employee must utilize bilingual skill as a required component of the employee's job duties and necessary in the delivery of County services, the employee will be paid a bilingual differential of \$1.00 per hour for all hours in pay status excluding overtime. The bilingual differential shall be paid for bilingual proficiency in Spanish, Sign Language, or any language determined by the department head in writing as necessary to provide primary services to the public. In order to be eligible to receive such differential, an employee must demonstrate a language proficiency acceptable to the department head, as certified in writing to the Director of Human Resources. Written authorizations shall be reviewed periodically.

This differential shall only apply when an eligible employee is in paid status for a majority of their assigned hours in a pay period.

1413. SURVIVORS BENEFITS

For non-sworn Unrepresented employees, the County will provide Level III tier of the 1959 Survivor Benefits. For sworn law enforcement employees, the County will provide Level IV tier of the 1959 Survivors Benefits. Each employee shall contribute ninety-three cents (\$.93) per pay period plus any additional employee contribution required by PERS regulations.

1414. **AFTER HOURS SOCIAL WORKERS/MENTAL HEALTH CRISIS SPECIALISTS**
An Extra-Help or Provisional Social Worker III or Mental Health Crisis Specialist who is assigned by the appointing authority to be available by phone during the hours the department is closed in order to respond to emergency calls and perform call back duties as assigned, shall be entitled to receive for each workday a minimum of two hours at the base hourly rate, or pay for the actual hours worked, whichever is greater and \$1.20 for each hour on call in this assignment.

1415. **DEFERRED COMPENSATION CONTRIBUTION**
The County will make a contribution to deferred compensation (457 Plan) accounts on behalf of participating department heads in the amount of 10% of the amount contributed by the employee and the County during the prior calendar year not to exceed \$800.

Effective January, 2001, the County will make a dollar for dollar matching contribution to deferred compensation (457 Plan) accounts on behalf of participating Administrative Management employees in an amount not to exceed \$400 of the annual contribution by the employee during the prior calendar year.

In addition to that provided above, effective January 2003, the County will provide up to 2.5% of base salary to deferred compensation for unrepresented management employees and unrepresented attorneys. The methodology for implementation will be developed during the calendar year 2002.

A person who separates from employment with the County prior to the County making its contribution in January of each year shall receive a commensurate contribution to the employee's deferred compensation account based upon contributions made up to the date of separation and in accordance with the provisions set forth in this section.

1416. **EDUCATION INCENTIVE**
Eligible employees in the classification of Sheriff, Undersheriff, Sheriff's Captain, Sheriff's Lieutenant, Chief Investigator (D.A.) shall receive a maximum differential of 5% of base salary for possession of a four-year college degree (Bachelor of Arts and/or Bachelor of Sciences degree).

1417. **BUILDING DEPARTMENT CERTIFICATION PROGRAM**
A) The County shall provide a certification program for all eligible unrepresented Building Department employees. Compensation for possession of one or more valid certificates as specified below, provided, however, no employee may receive more than \$200 per month, for possession of any or all of the following certificates on a quarterly basis.

The titles of the certificates as well as the issuing organization and compensation are as follows:

ICBO	Building Inspector Certificate	\$25.00 or
ICBO	Combination Inspector Certificate	\$50.00
ICBO	Combination Dwelling Inspector Certificate	\$25.00
ICBO	Combination Light Commercial Inspector Certificate	\$50.00
IFCI	Uniform Fire Code Inspector Certificate	\$25.00
CEC	Energy Plans Examiner Certificate	\$25.00
ICBO or IAPMO	Plumbing Inspector Certificate	\$25.00
ICBO or IAPMO	Mechanical Inspector Certificate	\$25.00
ICBO	Electrical Inspector Certificate	\$25.00
ICBO	Plans Examiner Certificate	\$50.00
CABO	Building Official Certificate	\$75.00
ICBO	Reinforced Concrete Special Inspector Certificate	\$25.00
ICBO	Prestressed Concrete Special Inspector Certificate	\$10.00
ICBO	Structural Masonry Special Inspector Certificate	\$25.00
ICBO	Structural Steel/Welding Special Inspector Certificate	\$25.00
ICBO	Permit Technician	\$25.00
AACE	Code Enforcement Officer	\$25.00

Note: Dollar amounts represent monthly amounts for certification listed.

ICBO = International Conference of Building Officials

IAPMO= International Association of Plumbing and Mechanical Officials

IFCI = International Fire Code Institute

CEC = California Energy Commission

CABO = Council of American Building Officials

SCACEO = So. California Code Enforcement Official

AACE = American Association of Code Enforcement

- B) Proof of a valid certificate shall be accomplished by providing the actual certificate or an official notification letter from the certifying agency stating that the employee has successfully passed the examination for that certificate. Current employees shall not be eligible for retroactive payment of certification pay, but only shall become eligible for the additional compensation effective the first of the month in which acceptable

proof is submitted to the County.

- C) Eligibility for compensation under this program will cease on the date specified on the certificate or upon such date the issuing agency withdraws, decertifies, or terminates such certificate, unless proof of successful passage of the certification renewal examination is provided to the County. If compensation is terminated for any of the foregoing reasons, eligibility will be reinstated only upon proof of renewal of certification, and then only on the first of the month following the month in which the renewal certification is provided.

1418. **CERTIFIED PUBLIC ACCOUNTANT (CPA) INCENTIVE**

Persons elected to the office of Treasurer/Tax Collector or Auditor-Controller who are Certified Public Accountants shall receive a differential of ten percent (10%) of base salary for possession of such certification.

Effective December 29, 2001, an Unrepresented employee in the classes of Accountant, Senior Accountant, Accountant Auditor, Supervising Accountant, Auditor, Cost Accountant, Administrative Services Officer, Fiscal Administrative Manager, Accounting Division Manager or directly related classes which are charged with performing professional accounting responsibilities and who are Certified Public Accountants shall receive a differential of 10% of base salary for possessing such certification.

1419. **PROJECT/TEAM LEADER DIFFERENTIAL**

A Confidential employee in the class of Information Technology (IT) Analyst in the Information Services Department who is assigned responsibility to be a project/team leader shall be paid a 10% differential over the employee's base hourly rate for all pay status hours during the term of such assignment.

This differential shall only apply when an eligible employee is in paid status for a majority of their assigned hours in a pay period.

1420. **PERS SAFETY RETIREMENT**

Effective as soon as feasible, but no sooner than March 2001 or later than June 30, 2001, the County will amend its contract with PERS to provide "3% at 55, Highest One-Year" Safety Retirement for eligible classes in the PERS "Safety Unit."

Effective June 30, 2003, the County will amend its contract with PERS to provide "3% at 50, Highest One-Year" Safety Retirement.

Implementation of the provisions defined above is pursuant to the rule, regulations, and requirements of PERS rules and Government Code. Implementation is also contingent upon agreement of implementation of these provisions by the other affected bargaining units which include "Safety Unit" employees.

SECTION 15 INSURANCE PLANS

1501. OPTIONAL BENEFITS PLAN

The County shall provide to each eligible full-time Unrepresented Management and Confidential employee a contribution of \$4,250 per fiscal year, prorated over 26 pay periods, toward the purchase of benefits included within the Optional Benefit Plan. Effective July 1, 2002, the County contribution shall be \$4,500 per fiscal year, prorated over 26 pay periods toward the purchase of benefits included within the Optional Benefit Plan. Unrepresented part-time Management and Confidential employees hired on or after January 1, 1990, shall be eligible for the prorata amounts of contribution specified in Section 1501.6. These benefits are specifically defined in the Optional Benefit Plan. Provisions generally include the following:

- A) **El Dorado County Health Care Account** - Eligible Management and Confidential employees may elect to receive medical and dental benefits under the County Optional Benefits Plan.
- B) **Supplemental Life Insurance** - An employee eligible under this section as defined in 1501 above may use the Optional Benefit Plan to purchase additional life insurance above that specified in Section 1502, subject to the provisions of the Optional Benefits Plan and respective life insurance plans.
- C) **Dependent Care** - An employee eligible under this section may use the Optional Benefit Plan for reimbursing dependent care expenses subject to the provisions of the Optional Benefit Plan.
- D) **Unreimbursed Health Care** - An employee eligible under this section may use the Optional Benefit Plan to establish an account for reimbursing uninsured health care expenses subject to the provisions of the Plan.
- E) **Cash** - An employee eligible under this section who has elected to receive the employee's optional benefit or portion thereof in cash, may receive cash, which is taxable income, subject to the provision of the Plan.
- F) **Part-time Employee** - An Unrepresented Management or Confidential part-time employee, who on December 31, 1989 is being provided with the full Optional Plan benefit as a full-time employee, shall continue to be eligible for the full Optional Benefit Plan benefit.

An Unrepresented Management or Confidential part-time employee who is hired on or after January 1, 1990, and whose regular work schedule as documented on the Payroll Personnel Form is between 64-79 hours per pay period, will be entitled to the same Optional Plan benefit for a full-time employee.

An Unrepresented Management or Confidential part-time employee who is hired on

or after January 1, 1990, and whose regular work schedule as documented on the Payroll Personnel Form is between 40-63 hours per pay period, will be entitled to receive 75% of the Optional Plan benefit for a full-time employee.

An Unrepresented Management or Confidential part-time employee who is hired on or after January 1, 1990, and whose regular work schedule as documented on the Payroll Personnel Form is between 34-39 hours per pay period, will be entitled to receive 50% of the Optional Plan benefit for a full-time employee.

An Unrepresented Management or Confidential part-time employee who is hired on or after January 1, 1990, and whose regular work schedule is less than 34 hours per pay period shall not be eligible for participation in the Optional Benefit Plan.

A part-time employee may work additional or fewer hours than the employee's "ongoing" work schedule without change to the level of entitlement based upon the number of hours initially set forth on the Payroll Personnel Form prorata contribution. The prorata entitlement level may only be changed by amending the Payroll Personnel Form which documents a change to the ongoing work schedule.

1502. **COUNTY MEDICAL/DENTAL PLAN**

Effective the beginning of the plan year in July 2002, for each eligible Unrepresented Management and Confidential employee, the County shall increase its contribution to the County's medical/dental plan by up to 7.5%. Any remaining cost shall be paid by the employee.

- A) **ADMINISTRATIVE PROCEDURES** - The County shall establish policies and procedures necessary to implement the Optional Benefit Plan.
- B) **CONTINUATION OF MEDICAL/DENTAL PLAN COVERAGE - MILITARY CALL UP** - An employee who is a member of the United States reserve armed forces or the National Guard and is called to or volunteers for active military duty in response to a call-up by the President of the United States as provided for by law, shall continue to be eligible for coverage under the applicable medical/dental plan, notwithstanding the employee's absence due to the call-up or ineligibility due to such absence. Coverage shall continue for a period up to one (1) year from the date the employee commences an approved military leave of absence, or until the employee returns from active duty, whichever occurs first. Such continuation of coverage is contingent upon being allowed under the respective health care plan of the employee.

The County shall continue the same level of its contributions for the employee absent on military leave and that employee's dependents as would apply to other employees in the same classification and bargaining unit. The employee will be responsible for any contribution toward dependant coverage specified in the M.O.U. Pursuant to these provisions, the employee absent on military leave shall not be required to use accumulated paid leave in order to be eligible for continuation of coverage and the County's contribution to the medical/dental plan.

Prior to being considered eligible for continued coverage under these provisions, an employee shall be required to provide documentary evidence, satisfactory to the County, of the employee's active duty status and shall also be required to notify the County in writing within ten (10) days of the employee's return to inactive duty status. Upon the employee's discharge from active duty status, the standard provisions of Article 10 of this Memorandum of Understanding shall apply with full force and effect.

C) **DEFINED BENEFIT PLAN** - The County Health/Dental Plan is a Defined Benefit Plan. The County shall provide the specified benefits regardless of the level of contribution by the County and its employees.

1503. **VISION CARE**

For Unrepresented Management and Confidential employees enrolled in the County Medical/Dental Plan, the County Plan will maintain a vision care component (\$25 deductible; exam every 12 months; lenses and frames every 24 months).

1504. **LIFE INSURANCE**

The County shall provide a group term life insurance plan for each Elected Official, Unrepresented Management and Confidential employee whose ongoing regular work schedule as designated on the Payroll Personnel Form is at least 60 hours of work per pay period in the following amounts:

Department Heads & Elected Officials	\$60,000
Administrative Management	\$40,000
Confidential	\$20,000

As soon as feasible, group term life insurance plan benefit for Unrepresented Confidential employees shall be increased from \$20,000 to \$30,000.

Accidental Death & Dismemberment coverage is included in this Plan.

1505. **LONG-TERM DISABILITY**

The County shall provide a long term disability plan for Elected Officials, Unrepresented Management, and Confidential full-time employees and part-time employees whose ongoing regular work schedule as designated on the Payroll Personnel Form is at least 60 hours of work per pay period according to the provision of the Long-term Disability Plan.

Effective January 1998, the County shall increase the maximum long term disability benefit to \$3,000 per month for eligible Confidential employees and \$4,000 per month for eligible Elected Officials and Unrepresented Management employees.

1506. **PLAN DOCUMENTS OR CONTRACTS CONTROL**

While mention may be made in this Resolution of various benefits and provisions of

benefit programs, specific details of benefits provided under the County Optional Benefit Plan, Life Insurance, Worker's Compensation, and Long-Term Disability Programs shall be governed solely by various plan documents or insurance contracts and/or policies maintained by the County.

1507. STATE DISABILITY INSURANCE

Except for Elected Officials, Extra Help employees, and Unrepresented Sheriff's Management classes otherwise entitled to Labor Code Section 4850, Unrepresented full-time and part-time Management and Confidential employees shall participate in the State Disability Insurance Program. The County shall allow employees to integrate their sick leave and/or vacation benefits with their SDI coverage to provide up to 100% of the employee gross base salary. The individual employee shall pay the cost of State Disability Insurance.

1508. TEMPORARY DISABILITY INDEMNITY

A part-time or full-time Unrepresented employee not entitled to the benefits of Labor Code Section 4850 who is absent from work by reasons of industrial injury, compensable by temporary disability indemnity, may elect to take as much of the employee's accumulated sick leave, vacation leave, or compensatory time off as, when added to the employee's disability indemnity, will result in payment to the employee of the employee's salary. An employee shall accrue vacation leave and sick leave only during such portion of absence from work due to industrial injury for which the employee uses previously earned vacation leave, sick leave or compensatory time off.

1509. RETIREE HEALTH CONTRIBUTION

A) Retirement Prior to July 1, 1999

- (1) After July 1, 1996 and prior to July 1, 1999, an unrepresented management employee or confidential employee who retired with a cumulative total of twenty (20) or more years of service with the County of El Dorado shall be eligible for four years of contributions, at the employee only rate, toward a County-sponsored health plan in which the employee was enrolled at the time of separation from County service.
- (2) In the period between July 1, 1996 and September 26, 1997, an elected or appointed department head who retired with a cumulative total of twelve (12) years of service with El Dorado County shall be eligible for four years of County contributions of \$150 per month toward a County-sponsored health plan in which the employee was enrolled at the time of separation from County service.
- (3) In the period between July 1, 1996 and September 26, 1997, each administrative management employee who retired with fourteen (14) years of service with El Dorado County shall be eligible for four years of County contributions of \$150 per month toward a County-sponsored health plan in which

the employee was enrolled at the time of separation from County service.

- (4) An elected department head who retired from El Dorado County after September 27, 1997 and prior to July 1, 1999 and who has a cumulative total of eight (8) years of service with El Dorado County, shall be eligible for four years of County contributions of \$150 per month toward a County-sponsored health plan in which the employee was enrolled at the time of separation from County service.
- (5) An appointed department head who retired from El Dorado County after September 27, 1997 and prior to July 1, 1999 and who has a cumulative total of ten (10) years of service with El Dorado County, shall be eligible for four years of County contributions of \$150 per month toward a County-sponsored health plan in which the employee was enrolled at the time of separation from County service.
- (6) Each administrative management employee who retired from El Dorado County after September 27, 1997 and prior to July 1, 1999 and who has twelve (12) years of service with El Dorado County, shall be eligible for four years of County contributions of \$150 per month toward a County-sponsored health plan in which the employee was enrolled at the time of separation from County service.

B) Retirement After July 1, 1999

- (1) Effective January 1, 2001 and subject to the provisions of the Retiree Health Benefits Contribution Plan Document and the provisions of Section C, an employee who retires from County service after July 1, 1999, and who has attained a cumulative total completed years of service (excluding extra help service and provisional) with El Dorado County as specified below, shall be entitled to the percentage monthly contribution of the "employee only" Blue Shield rate toward a County-Sponsored Health Plan as follows:

Level 3	20 years plus	67%
Level 2	15 - 19 years	50%
Level 1	12 - 14 years	33%

In lieu of the above and until June 20, 2001, an Unrepresented Management or Confidential retiring employee or elected official with 20 or more cumulative years of service with the County of El Dorado shall have a one-time irrevocable option to elect four (4) years of contributions, at the Blue Shield employee-only rate, toward a County-Sponsored Health Plan or Alternate County-Sponsored Health Plan in which the retiree is otherwise eligible to enroll. Retired employees have the option to include eligible dependents at additional cost.

- (2) An appointed department head who retires after July 1, 1999 and has attained ten cumulative total completed years of service (excluding extra help and provisional) and pursuant to the provisions of Section C shall be entitled to the percentage monthly contribution of the "employee only" Blue Shield rate toward a County-Sponsored Health Plan or Alternate County-Sponsored Health Plan in which the retiree is otherwise eligible to enroll as specified in Level 1 above.
- (3) An elected department head who retires after July 1, 1999 and has attained eight cumulative total completed years of service (excluding extra help and provisional) and pursuant to the provisions of Section C shall be entitled to the percentage monthly contribution of the "employee only" Blue Shield rate toward a County-Sponsored Health Plan or Alternate County-Sponsored Health Plan in which the retiree is otherwise eligible to enroll as specified in Level 1 above.
- (4) A member of the Board of Supervisors who retires after July 1, 2000 and has completed two full terms (eight years) of service (excluding extra help and provisional) and pursuant to the provisions of Section C shall be entitled to the percentage monthly contribution of the "employee only" Blue Shield rate toward a County-Sponsored Health Plan or Alternate County-Sponsored Health Plan in which the retiree is otherwise eligible to enroll as specified in Level 2 above.
- (5) Part-time employment (excluding extra help and provisional) shall be treated in accordance with the Retiree Health Benefits Contribution Plan Document.

C) Miscellaneous Provisions

- (1) An unrepresented management employee or elected official who retires after September 27, 1997 may substitute up to 50% of the required County service required above with prior public service time with any county or city in the state of California.
- (2) County contributions for all bargaining units under this program shall not exceed 1.2% of total County payroll costs during any given fiscal year pursuant to the provisions of the Retiree Health Benefits Contribution Plan Document.

1510. SALARY CONTINUATION, WORKERS COMPENSATION; WELFARE FRAUD INVESTIGATORS

When an employee in the class of Chief Welfare Fraud Investigator is absent from duty because of disability caused by illness or injury arising out of, and in the course of, employment with the County which has been declared to be compensable under Workers Compensation Law, such employee shall be eligible to receive salary

compensation which, when added to temporary disability payment, equals 78% of the employee's gross salary. This salary continuation shall last for the period of disability, but not to exceed a maximum total of one year from the date of disability.

SECTION 16 ANNUAL MEDICAL EXAMS: DEPARTMENT HEADS

Each Unrepresented Department Head, including Elected Officials, shall be entitled to receive a complete annual medical examination.

After and in addition to reimbursement of costs through the employee's respective health plan, the County shall reimburse each Department Head for out of pocket expenses, not to exceed \$500 per fiscal year. Department heads shall submit appropriate documentation and receipts of payment to the Human Resources Department prior to May 30 of each fiscal year.

SECTION 17 TUITION REIMBURSEMENT

TUITION REIMBURSEMENT FOR ACCREDITED ACADEMIC COURSES

1701. EMPLOYEE-REQUESTED COURSES

- A) **Applicability** - This Section shall apply only to courses requested by the employee in accordance with the criteria set forth below and submitted on a form to be provided by the County.
- B) **Requirements for Partial Reimbursement of Tuition** - The requesting employee must be and have been in an allocated full-time or part-time position in the County for at least two (2) years prior to the start of the course in question.

The subject matter of the course must be directly related to the employee's present position or to a position within the normal line of promotion within County service for the employee's current classification.

The employee's attendance at the course will not interfere with the employee's normal duties, responsibilities, or work hours.

The employee agrees in writing to repay the County upon termination any tuition reimbursement received from the County within a twelve (12) month period prior to the employee's termination.

Requests for reimbursement shall be submitted to the County and approved prior to the commencement of the course in question.

- C) **Limitations** - In order for requests to be granted, funds for tuition reimbursement must be available for that purpose in the Departmental budget.

Reimbursement shall be available at the rate of fifty percent (50%) of actual costs of the tuition fee. (Does not include books, documents, other materials, mileage, travel costs, or other incidental expenses incurred by the employee.)

The County may limit its reimbursement to the actual amount not reimbursed to the employee by some other source if such amount is less than fifty percent (50%) of the tuition fee.

Nothing shall prohibit the County from placing a reasonable dollar limit on tuition reimbursement which may be received by an employee in one fiscal year.

To be eligible for reimbursement, the employee must present satisfactory proof of a final grade of "C" or better for the approved course and of the amount of tuition paid by the employee.

1702. COUNTY-REQUIRED TRAINING

Education or training required by the County as a condition of continued employment in the employee's present position shall be reimbursable at 100% or paid directly by the County and shall take place on County time if possible.

SECTION 18 HOURS OF WORK AND OVERTIME

1801. WORK SCHEDULES

The appointing authority shall fix the hours of work with due regard for the convenience of the public and the laws of the State and the County. The appointing authority shall assign Unrepresented Management and Confidential employees to a regular work schedule and may change that schedule at the appointing authority's discretion.

The appointing authority shall give Unrepresented Management and Confidential employees reasonable advance notice of any change in work schedule.

In no case may the work schedule of an employee who is eligible for overtime be changed during the work week when the purpose of such change is to avoid overtime compensation, unless agreed to by the employee.

Upon the recommendation of the department head, an alternate work schedule which differs from the standard work schedule of the department may, at the sole discretion of the Chief Administrative Officer, be approved provided that service to the public is not adversely affected.

1802. OVERTIME - EXEMPT EMPLOYEES

A. **Overtime - Unrepresented Management Employees** - Department Heads, and Administrative Management employees in classes listed in Appendix A have been designated by the County to be exempt within the meaning of the Fair Labor Standards Act. Employees in these categories shall be considered salaried employees and subject to the following provisions:

- (1) Employees, as designated above, will be paid a weekly salary.
- (2) Time off for illness, injury, and medical appointments will be charged to sick leave, if available.
- (3) Whole days off will be charged to vacation or management leave, if available.
- (4) Absences of a workday or more for personal reasons will be deducted from the weekly salary (vacation or management leave can be charged). With the approval of the appointing authority, absences of less than one work day will not be deducted from an employee's weekly salary.

Unrepresented Management employees shall work the necessary hours to perform their duties and responsibilities and shall not be entitled to receive overtime compensation. In lieu of overtime, employees in groups designated above shall be entitled to management leave as specified by Section 10.

B) **Overtime: Unrepresented Confidential Supervising Employees** - Employees who are designated Unrepresented Confidential employees in a

Supervisory class are exempt employees. However, such employees shall be eligible for overtime in accordance with the provision of 1803, et seq.

C) **Overtime: Supervisors' Assistants** - Employees in the class of Supervisors' Assistants and Executive Assistant to the Chief Administrative Officer have been designated by the County as Unrepresented Confidential employees, and, as Personal Staff of Elected Officials, exempt within the meaning of the Fair Labor Standards Act. Employees in this category shall be considered salaried employees and subject to the following provisions:

- (1) Employees, as designated above, will be paid a weekly salary.
- (2) Time off for illness, injury, and medical appointments will be charged to sick leave, if available.
- (3) Whole days off will be charged to vacation or Special Leave as specified in Section 1104.

Supervisors' Assistants may work a flexible schedule at the discretion of the respective appointing authority.

1803. **OVERTIME AUTHORIZED FOR NON-EXEMPT EMPLOYEES**

The Department Head or his/her designee may require and shall authorize the performance of any overtime work in advance of it being worked. If prior authorization is not feasible because of emergency conditions, a confirming authorization must be made on the next regular working day.

1804. **OVERTIME DEFINED - NON EXEMPT EMPLOYEES**

Overtime for non-exempt employees shall be defined as any authorized time worked beyond forty (40) hours in one work week. "Time worked" shall be defined to include all hours in pay status.

Notwithstanding other provisions of this Section 1804, Extra Help employees assigned to positions requiring continuous coverage on a twenty-four (24) hour per day, seven (7) days per week basis who are held over at the conclusion of their shift for more than thirty (30) minutes without twenty-four (24) hours advance notice will be paid time and one half from the time they are required/ordered to remain at work regardless of the number of hours actually worked during the work week.

All overtime shall be earned at the rate of one and one-half (1-1/2) hours for each one (1) overtime hour worked. Non-exempt regular employees shall be paid for overtime earned either in cash, or upon the employee's request and with the department's approval, as compensatory time off which is earned at the overtime rate. Non-exempt Extra Help employees shall be paid for overtime in cash. Overtime shall be paid at the employee's base hourly rate of pay or in accordance with the Fair Labor Standards Act.

Time worked as overtime shall not be used to earn fringe benefits or to serve out

probation or merit increase periods.

1805. **ACCUMULATION AND USE OF COMPENSATORY TIME OFF**

The maximum accumulation of Compensating Time Off (CTO) for eligible employees shall be 120 hours. Effective December 29, 2001, the maximum accumulation shall be 150 hours.

Use of accumulated CTO shall be a time mutually agreeable to the appointing authority and the employee.

Upon termination, any employee with accumulated CTO shall have it paid off at the base hourly rate at the time of termination.

1806. **PAYOFF OF COMPENSATORY TIME OFF (CTO) UPON PROMOTION TO MANAGEMENT**

When an employee is promoted from a non-management position to a management position, the employee must either be paid off for any compensatory time off which is on the books or, in lieu of payoff, request to use the accumulated CTO within six (6) months of the date of promotion. The request shall be made to the department head or designated manager. If the employee does not use the CTO within six months, the remaining CTO shall be paid off in cash. The rate at which the employee is to be paid off is the rate of pay in effect immediately prior to the promotion. Once an employee is promoted to a management position, the employee may no longer accrue CTO.

1807. **REST PERIODS**

Each appointing authority shall grant rest breaks to Unrepresented Confidential and Extra Help employees. 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.

1808. **MEAL PERIODS**

Unrepresented, Confidential, and Extra Help 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 work stations 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 work days or requesting compensatory time or overtime for work performed during meal periods shall not be authorized unless specifically authorized.

SECTION 19 CLOSURE OF COUNTY BUILDINGS POLICY

- A. The County Administrative Officer or his/her designee shall determine when County facilities shall be temporarily closed in an emergency as determined by the Chief Administrative Officer.
- B. Employees whose buildings have been temporarily closed may be re-assigned to work sites in the same geographic area.
- C. Regular County employees directed to not report to work or who are sent home from work due to the closure of their work site shall receive their regular pay for that scheduled shift.
- D. After the first day of closure of a County building, if the County is unable to re-open a work site, or is unable to obtain an alternative work site in the same geographical area, an employee will be compensated for that day(s) as if it were a holiday.
- E. Confidential Employees - During a temporary closure of County buildings, those regular employees who are still required to come to work as part of our essential services as defined by the County Administrative Officer, would receive overtime compensation at time and one half.
- F. Those employees who are on scheduled vacation or sick leave for that day(s) would also have the day(s) treated as a holiday and would not have their accrued leave balances charged.
- G. Should the closure of a County facility last longer than five (5) working days, the County reserves the right to reassign employees outside their geographical area. In the event of re-assignment outside the geographical area, the employee may at his/her request utilize accumulated vacation and/or compensatory time off in lieu of re-assignment unless the Chief Administrative Officer makes a finding that the employee's services are essential to the continued operation of the County. In the event the Chief Administrative Officer finds the employee's services are essential, the employee will be provided time and compensation for their commute.
- H. Geographical area is generally defined as:
 - (1) Tahoe Basin
 - (2) Western Slope

SECTION 20 PROBATIONARY PERIODS: UNREPRESENTED EMPLOYEES

Appointed department heads serve at the will and pleasure of the Board of Supervisors and, as employees exempt from Civil Service, do not serve probationary periods.

Administrative Management employees, Unrepresented Attorneys, and employees designated as Confidential serve a one year probationary period from the date of appointment to a specific classification.

An Unrepresented Employee who is subject to a probationary period and who is appointed after July 1, 1999 shall have his/her individual probationary period extended commensurately by each hour an employee is on authorized leave for more than ten (10) consecutive work days. Leaves include, but are not limited to, vacation, sick leave, compensatory time off, and leaves without pay, including leaves granted under the Family Medical Leave Act, California Family Rights Act, Pregnancy Disability Leave, Americans with Disabilities Act, and Workers' Compensation Laws.

Employees who request and receive a temporary modified duty assignment due to medical conditions such that they are not performing the essential job functions of their position shall have their probationary period extended for each hour of such modified duty assignment.