Regular employees who elect to demote under this provision shall be placed on the step nearest their present salary within the salary grade of the classification to which they are demoting provided such step shall not exceed present salary.

Sec. 1403 Reassignment:

A. An employee not expected to be laid off may in lieu of reassignment elect to be laid off and be placed on the Departmental Reinstatement List if both of the following conditions exist:

1. The employee is being reassigned to a position previously occupied by an employee who was laid off within twenty (20) working days of the effective date of the reassignment; and

2. The new work location is more than forty (40) miles from the employee's current work location or the employee's home, whichever is closer;

An employee who chooses to be laid off and have his/her name placed on the Departmental Reinstatement List under this section shall notify the agency/department head in writing of the decision at least three (3) working days prior to the effective date of reassignment. Such layoff shall be on the same date as the reassignment would have been effective.

Sec. 1404 Employment Counseling and Referral: Prior to the effective date of layoff, every employee given notice of layoff for a period of time longer than one (1) pay period, may schedule an employment counseling session with the Human Resources Department for assistance in determining other employment opportunities within the County for which the employee may qualify.

A. Only employees who have either been given layoff notices or are currently on a Departmental Reinstatement List shall be referred first to any agency/department requesting a recruitment for classifications from which the employees were laid off.

B. Employees who meet the minimum qualifications and have either been laid off or have been given layoff notices shall be referred first to agency/departments requesting recruitments for all equal or lower classifications.

C. Agency/departments are required to notify Human Resources in writing why these candidates are unacceptable before outside candidates will be referred.

D. Employees who exercise their option under Section 1402(E) of this Resolution or who have accepted any regular County position following notice of layoff will not be eligible for subsections A or B of this Section however, the employee will remain on the Departmental Reinstatement List in accordance with the provisions of Section 1405 of this Resolution.

Sec. 1405 Departmental Reinstatement List:

A. The name of every regular employee who is laid off, transfers, or demotes in the same Department to a formerly held classification for longer than one (1) pay period due to a reduction in force, or who is laid off in lieu of reassignment under subsection (C) above, shall be placed on the Departmental Reinstatement Lists for all classifications of a currently equal or lower salary grade in which the employee ever held regular status, provided the Department is allocated any positions of such classifications.

B. Any vacancy to be filled within a Department shall be offered first to individuals named on the Departmental Reinstatement List based on merit and ability, as determined by the Department Head or designee. In the event that two or more employees have relatively equal merit and ability the position shall be offered in order of greatest seniority for the classification of the position to be filled.

C. An employee's name shall be removed from Departmental Reinstatement Lists, for specific classifications, for any of the following reasons:

1. The expiration of two (2) years from the date of placement on the list.

2. Failure to report to work within seven (7) days of mailing of a certified letter containing a notice of reinstatement to a position which is less than forty (40) miles from the last work location or the employee's home, whichever is closer.

3. Failure to respond within seven (7) days of mailing of a certified letter regarding availability for employment. It shall be the responsibility of the employee to notify their agency/department head, in writing, of the employee's current mailing address.

4. Request in writing to be removed from the list.

Sec. 1406 Status on Reinstatement: Reinstatement is defined as recall by the same Department, from a Departmental Reinstatement List, into a regular position. Upon reinstatement, the employee shall be entitled to:

A. Restoration of all sick leave credited to the employee's account on the date of layoff that have not been paid into a post-employment account.

B. Continuation of seniority.

C. Credit for all service prior to layoff for the purpose of determining the rate of accrual of Annual Leave or vacation.

D. Placement on the salary grade at the previously held step prior to layoff or reduction, or the step which is nearest the employee's current pay rate, whichever is higher, with the employee's hours in a step being the same number of hours which the employee had at the time of layoff.

Sec. 1407 Reemployment:

A. Status on Reemployment: Reemployment is defined as being employed by the same or other agency/department into a regular position, only while on a Departmental Reinstatement List, other than that from which the employee had reinstatement rights to. If reemployed while the employee's name is current on any Departmental Reinstatement List, the employee shall be entitled to:

1. Restoration of all sick leave credited to the employee's account on the date of layoff that have not been paid into a post-employment account.

2. Continuation of seniority shall be credited to the employee upon successful completion of the applicable probationary period.

3. Credit for all service prior to layoff for the purpose of determining the rate of Annual Leave accrual or vacation accrual.

ARTICLE 14A
MANDATORY FURLOUGH

Sec. 1401A Scope and Implementation: The mandatory furlough will be effective when authorized by the County Executive Officer and may be terminated at any time by the County Executive Officer. When implemented in an agency/department, the mandatory furlough is applicable to all employees covered by this Resolution within that agency/department.

Sec. 1402A Length of Furloughs: Employees shall furlough the number of hours or days established for the agency/department by the County Executive Officer or designee during each fiscal year.

Sec. 1403A Scheduling: The agency/department head shall work with the County Executive Officer to determine how the mandatory furlough will be implemented in accordance with the budgetary and operational needs of the agency/department. Part-time employees shall furlough on a pro-rata basis.

Sec. 1404A Additional Mandatory Furloughs: In the event the County Executive Officer determines that additional mandatory furloughs, beyond the number of hours or days originally established, are required for the agency/department then the affected employees shall be given two (2) pay periods notice of the additional furlough requirements and the reasons therefore, except when the additional furlough requirements are in response to a fiscal emergency that makes providing two pay periods notice impossible or impractical (e.g. external funding is cut off).

Sec. 1405A Voluntary Furloughs: Employees will be permitted to take additional voluntary furlough time beyond the mandatory furlough required herein in accordance with Board of Supervisors Policy C-31. As indicated in Policy C-31, supervisors and managers are encouraged to approve these requests unless operational needs preclude them from doing so. However, voluntary furloughs will not be granted if they will result in the need for another employee to work overtime to perform the duties that would otherwise be completed by the furloughed employee or otherwise result in net loss of County revenue.

Sec. 1406A Credit for Voluntary Furlough Hours: In the event a mandatory furlough is implemented, an employee who has taken a voluntary furlough pursuant to Board of Supervisors Policy C-31 adopted 12/23/08 shall be credited the hours taken under the voluntary furlough program towards the hours required by the mandatory furlough program.

Office closure: If, as part of its mandatory furlough plan, an agency/department closes its office(s) on specified days, making it impossible for an employee who has already fulfilled his/her furlough obligation for the calendar year to report to work on those days, then the employee shall either make alternative work arrangements with the agency/department for the period of the closure or use accrued leave, other than sick leave, to cover the period of the closure.

Sec. 1407A Restrictions: Except as indicated below, no annual leave, vacation, extra vacation, sick leave, overtime, compensatory time off, or other banked leave may be used to offset mandatory furlough time.

Employees may not perform County work while on a mandatory furlough or work additional hours during the workweek in which the mandatory furlough falls to make up for the mandatory furlough time. The mandatory furlough time will not count as hours worked under the *Fair Labor Standards Act* (FLSA) or be counted towards qualification for overtime under the provisions of this Resolution.

Employees will not be permitted to be in their work areas or to perform their official duties during the period of mandatory furlough. Supervisors may not direct employees to work and employees are not to perform work for the County on their own during the period of mandatory furlough.

Supervisors shall not permit an employee, and employees shall not seek or volunteer to work overtime in a week in which mandatory furlough time is taken. Permitting an employee to earn overtime during a week in which the employee takes mandatory furlough hours would reduce the savings achieved by the mandatory furlough.

Employees who are exempt from the overtime provisions of the FLSA will lose their exemption during any week in which they take a budget-required furlough and for which their pay is accordingly reduced (i.e. mandatory furlough but not voluntary furlough). These employees must report their actual hours of work during the week of furlough. Exempt employee shall refrain from working any additional hours during the remainder of the furlough week beyond their normal work day in order to avoid the payment of overtime for that week and/or the recapture of time that otherwise would be furloughed.

If required by the operational needs of the department, the employee's agency/department head or designee may revoke a previously scheduled mandatory furlough and the employee will be rescheduled to take the mandatory furlough at some other time prior to June 30th of the same fiscal year.

Sec. 1408A <u>Retirement</u>: Employees who submit a letter of intent to retire from the County during any fiscal year in which mandatory furloughs have been authorized will still be required to furlough but may use any banked leave, except sick leave, to receive payment for their mandatory furlough hours. None of these leave hours paid for this purpose will be considered in determining eligibility for overtime.

Should any employee who submits such a notice not retire during the fiscal year identified in the letter of intent then an additional amount of paid leave equal to the amount of paid leave that was used to cover the mandatory furlough time during that fiscal year will be deducted from the employee's leave balances at the end of the fiscal year. In the event the employee has insufficient leave to cover this deduction then the amount will be deducted from the employee's leave accruals in the following fiscal year(s) or from the employee's final paycheck should the employee fail to restore the leave balances prior to his/her departure from the County.

Sec. 1409A <u>Holidays</u>: Mandatory furlough hours taken before or after a paid holiday will not affect payment for the holiday unless the employee specifically requests to voluntarily furlough the holiday as well. Additionally an employee, subject to department approval, may take mandatory furlough hours adjacent to other forms of paid leave.

Sec. 1410A <u>Benefits</u>: Employees subject to mandatory furlough will be allowed to maintain the same level of County contributions for flexible credit allowance, as well as continuation of their other employee benefit plans. They will retain their work status for benefit purposes. Mandatory furlough hours will have no effect on the following benefits:

- Flexible benefit allowance
- Medical/dental/vision/life insurance eligibility and coverage
- Rate of differential and premium pay that is included in the compensation base for pension calculation, except to the extent that they are based on the actual number of hours worked. This includes bilingual pay, shift differentials, etc.

Mandatory furlough hours will not cause a break in service or a reduction in employees' service credit for the purposes of seniority, probationary period, or anniversary date/merit salary adjustment.

Mandatory furlough participants who are required to take a block of time off in excess of a full pay period will need to arrange payment of the normal required employee contributions for benefit plans during the relevant pay period(s).

Sec. 1411A FMLA/CFRA/PDL Leave: Employees on FMLA/CFRA/PDL qualifying leave on a day (or days) they have been scheduled for mandatory furlough will be required to substitute mandatory furlough hours (unpaid leave) for paid leave on that day (or days) during the FMLA/CFRA/PDL leave.

Sec. 1412A Military Leave: Employees on paid military leave will not be scheduled for mandatory furloughs during such leave but will participate in the mandatory furlough at all other times during the fiscal year.

Sec. 1413A Payroll Issues: A special time entry code will be established to capture all mandatory furlough hours taken off, and to facilitate continuation of seniority, health and retirement benefit accruals, contributions, and payments. Employer taxes and withholdings will be calculated based on the actual hours worked and benefits received.

Participation in the mandatory furlough will reduce the employee's immediate take home pay. In scheduling mandatory furlough times the department head or designee should attempt to ensure that employees will continue to receive adequate wages to cover their normal payroll deductions (e.g., tax withholdings, deferred compensation contributions, RSA dues, life insurance, etc.).

Employees who are exempt from the overtime provisions of the FLSA will lose their exemption during any week in which they furlough. In these furlough weeks these employees shall accurately report the hours worked each day on their timesheet for that week.

Sec. 1414A Workload: The County acknowledges and recognizes that as a result of the mandatory furlough less work may be performed and that certain delays and/or reductions in service may result. Work expectations shall be commensurate with the reduced schedule.

ARTICLE 15
SPECIAL ADJUSTMENTS & DIFFERENTIALS

Sec. 1501 Special Medical Care Assignments:

A. Critical Care: Any Assistant Director of Nursing Services shall be entitled to a salary differential of $2.00 per hour above their regular rate of pay when assigned in the following critical care areas:

Emergency Room/Trauma Services
Intensive Care Unit
Labor and Delivery
Neonatal Intensive Care Unit
Operating Room
PACU
PCU
Pediatrics
Pediatrics Intensive Care Unit
Psychiatry

No critical care differential will be paid for working in the critical care area (as herein defined) unless proof of certificate, as required, is on file with the Human Resources Officer at the Riverside County Regional Medical Center. Newly hired employees must have or obtain required certification prior to receiving any critical care differential. The Nursing Office, Human Resources Officer, and/or Staff Development Office will advise all Registered Nurses working in critical care areas as to their status of certification. This shall include certificates needed and names, dates, time(s), and places when courses will be given.

B. Psychiatrist - Mental Health Medical Program: In accordance with Sections 621 and 522 of Title 9, California Administrative Code, when the Program Chief, Mental Health Service position is vacant, or if occupied by a non-medical incumbent, the Mental Health Director may assign medical program responsibility for all those acts of diagnosis, treatment, or prescribing or ordering of drugs which may only be performed by a licensed physician to the incumbent of a Psychiatrist position who shall then be compensated at an hourly rate which is 10.2% above his/her regular rate of pay while performing these services.

C. Any Staff Psychiatrist I, II, III, or IV shall be entitled to a salary differential of $2.40 per hour worked above their regular rate of pay when assigned to the Emergency Treatment Services Facility, Inpatient Treatment Facility or Detention Health Facility.

D. Any Staff Psychiatrist I, II, III, or IV shall be entitled to a maximum premium of $500.00 for each evening shift in the Emergency Treatment Services Facility on a pro-rata basis for each hour worked.

E. Engineering, Survey, Architect Licensure: The incumbent of a professional engineering position who is not required by the classification plan to be registered, but who is registered as a Professional Engineer by the State of California, shall be compensated at the rates applicable to the salary grade which is two (2) steps higher than that specified for such position, at the option of the employee's department head.

F. RUHS Incentive: Qualifying classifications may be eligible to receive up to $50,000 annually as incentive pay for exceptional performance, provided the Riverside University Health System meets revenue or budget projections and has available funds for this incentive (as determined by the County Executive Officer). The parameters of the incentive shall include, but are not limited to: productivity, quality, and citizenship measures. These parameters will be developed by the Riverside University Health System and submitted to the Assistant CEO/Human Resources Director prior to each calendar year. Once the parameters are approved by the Assistant CEO/Human Resources Director, the parameters will be provided to eligible employees. Eligibility for the incentive may be granted on a quarterly basis (up to a maximum of $12,500 per quarter) based on the approved formula. A list of eligible employees who the Riverside University Health System determined has exceeded performance will be submitted to the Assistant CEO/Human Resources Director for review and final approval of the incentive. The incentive payment shall be processed no later than the second full pay period following each quarter. Incentive pay is not guaranteed to employees, nor shall it be considered a part of base salary, and shall not be calculated into any other component of compensation.

The job classifications qualifying for this incentive will be determined at the recommendation of the Chief Medical Officer and with the approval of the Assistant County Executive Officer – Health Systems and the Assistant CEO/Human Resources Director.

ARTICLE 16
ALCOHOL AND DRUG ABUSE POLICY

The Board of Supervisors Policy C-10 was enacted to eliminate substance abuse and its effects in the workplace. The policy provides that employees shall not be under the influence of alcohol or drugs while on duty or on a standby or an on-call status; or consume alcohol or illicit drugs while on County property or at work locations or while on duty; or possess controlled substances or prescription drugs without a prescription while on duty. Employees shall not: manufacture, sell, provide, distribute, or dispense prescription drugs or controlled substances to any other employee or to any person while on duty unless authorized by law; or sell, provide, distribute, or dispense alcohol to any other employee while such employee is on duty.

Employees are expected to be familiar with and comply with Policy C-10, which is included in this Resolution by reference.

For cause, management may condition further employment on successful passage of a drug or alcohol test. A refusal to test shall be considered a positive result.

ARTICLE 17
FLEXIBLE BENEFIT PROGRAM AND OPTICAL INSURANCE

Sec. 1701 Flex Benefits Programs.

The County's monthly Flexible Benefit contribution for current, regular employees covered under the provisions of this Resolution who select a County medical plan shall be as follows:

GROUPS	SEMI-MONTHLY CONTRIBUTION	
All Groups	Eff. PP 25-13	$411.50

For subsequent years, commencing with the second pay period in November of each year, from 2012 through 2015, the semi-monthly premium shall increase by the percent increase in the Kaiser Family rate for the County, not to exceed a total flex benefit of $823.00 per month.

The County's monthly Flexible Benefit contribution for current, regular employees covered under the provisions of this Resolution who waive County medical plan but select another County benefit shall be as follows:

GROUPS	SEMI-MONTHLY CONTRIBUTION	
All Groups	Eff. PP 25-05	$267.00

To be eligible for the above contribution, an employee must participate in the Flexible Benefit Program and be in a paid status at least five (5) hours or be on an approved FMLA/CFRA/PDL leave during the pay period. The contribution will be paid in the first two pay dates of the month; no contribution is made in the third pay date of the month.

Flex for Part-Time Employees. Part-time regular employees hired after January 11, 1990, or current employees who become part-time regular employees, are eligible for the Flexible Benefit Program on the following basis:

Employees working 20 to 29 hours per week: 50% of the applicable County of Riverside Flexible Benefits Program contribution for full-time regular employees per month per employee.

Employees working 30 to 39 hours per week: 75% of the applicable County of Riverside Flexible Benefits Program contribution for full-time regular employees per month per employee.

Part time employees who work more or less than their designated status for a fiscal year quarter shall be re-characterized at the end of that quarter based on their actual pattern of work during that quarter.

A. Plan Selection Requirement. Employees whose last hire date is on or after November 13, 2003 will be required to select a medical health insurance plan as part of their Flexible Benefit election each year, and will not have the option of waiving all medical health insurance coverage unless the flexible benefit contribution by the County is also waived. Those who fail to either timely elect medical coverage or waive all participation in the flexible benefit plan will be placed in the lowest-priced employee-only PPO medical plan available.

B. Waiving Medical Coverage. Employees hired prior to November 13, 2003, may elect to not take medical health insurance coverage, if they provide evidence of group hospital and medical health plan coverage from their spouse or other sources and sign a statement that they are enrolled and covered under another group hospital and medical health plan. Evidence is defined as a dated certificate of coverage, plan enrollment card, policy, etc. Notice of waiver form showing other hospital and medical coverage shall be received by the Human Resources Department within sixty (60) days from date of hire, and annually during Open Enrollment.

While qualifying employees may waive medical health insurance coverage, one of the flexible benefit options must be taken (dental or Health Flexible Spending Account) to receive cash back.

C. Cash Back. If monies remain after deduction of elected benefits, said monies may be taken in cash back to the aggregate total of options selected and cash.

If monies remain after waiver of medical health insurance and deduction of other elected benefits, said monies may be taken as cash in the employee's pay.

Sec. 1702 Optical Insurance. The County provides an optical plan to employees covered under the provisions of this Resolution with no premium cost to the employee. Such optical plan is not part of the Flexible Benefits Program described under the provisions of this Article.

Sec. 1703 Retiree Health Contributions

A. The County shall contribute a monthly amount toward the payment of premiums for a Riverside County-sponsored medical and hospital health plan for eligible retirees and their dependents. To be eligible, the following conditions must be met:

- You must retire (begin receiving your pension) within 120 days from the date you separate from employment with the County of Riverside;
- You must receive a retirement allowance from CalPERS;
- You must have been eligible for enrollment in a County-sponsored health plan on the date of separation from the County of Riverside.

An eligible retiree who chooses not to enroll in a medical plan when first retired may elect coverage at any subsequent open enrollment, and receive County contributions toward such coverage.

B. Monthly retiree health contributions for retirees who meet the eligibility conditions listed above are as follows:

1. For employees who retire prior to November 1, 2005, the County shall contribute $128.00 per month toward premiums

for a Riverside County-sponsored health plan in which the retiree is enrolled.

2. For employees who retire on or after November 1, 2005, the County shall contribute $256.00 per month toward premiums for a Riverside County-sponsored health plan in which the retiree is enrolled.

ARTICLE 18
DISCRIMINATION COMPLAINT PROCEDURE

The County has established a strong commitment to prohibit and to prevent unlawful harassment and/or discrimination in employment, and has set forth a procedure for investigating and resolving internal complaints in Board of Supervisors Policy C-25, which policy is included in this Resolution by reference.

ARTICLE 19
VOLUNTARY TIME-BANK

Sec. 1901 Procedure. Any agency/department considering establishing a Time-Bank for its eligible employees shall follow the guidelines below:

A. Definition of eligible employees. Only employees in budgeted ("regular") positions are eligible to participate in the Riverside County Voluntary Time-bank Policy.

B. Definition of catastrophic illness or injury. Catastrophic illness or injury is a severe illness or injury which is expected to completely and totally incapacitate the employee for at least two (2) weeks and which creates a financial hardship because the employee has exhausted all accumulated leave at the time the application is submitted. Catastrophic illness or injury is further defined as a debilitating illness or injury of an immediate family member (i.e., the spouse, son, daughter, step-son, step-daughter, foster-son, foster-daughter, parents, grandparents, brother or sister of the employee, registered domestic partner, or child of a registered domestic partner) that results in the employee being required to take time off from work for at least two (2) weeks to care for the family member creating a financial hardship because the employee has exhausted all accumulated leave at the time the application is submitted.

C. Conditions and procedures under which a Time-Bank for catastrophic illness/injury may be established.

1. The Human Resources Department will establish and maintain all Time-Banks.

2. Only the agency/department head, upon concurrence from the Human Resources Director, may request establishment of a Time-Bank for an employee within the agency/ department who is suffering a financial hardship due to a catastrophic illness or injury.

3. When the agency/department head has determined that an employee would benefit from the establishment of a Time-Bank, the agency/department head will contact the employee to determine if the employee desires to participate in a Time-Bank program. If the employee desires to participate in the Time-Bank program, the agency/ department head will contact the Human Resources Department and recommend the establishment of the program.

4. The Time-Bank will be established on behalf of an individual employee. The bank will accept donations of leave from one or more donors.

5. The Time-Bank will be operated by the Human Resources Department. The agency/department head will take actions to help ensure that individual employee decisions to donate or not donate to a Time-Bank are kept confidential and that employees are not pressured to participate.

6. On establishing a Time-Bank program, the Human Resources Department should ensure that only credits that are necessary are donated. Human Resources will apply donated credits to the recipient's Annual Leave or vacation balance on a pay period by pay period basis to mitigate the recipient being in an absent without pay (AWOP) status.

D. Conditions under which leave credits may be donated to a Time-Bank.

1. Any employee may donate Annual Leave, vacation, or holiday accrual. Sick leave and compensatory time may not be donated.

2. Donations of Annual Leave, vacation, or holiday accrual must be in increments of eight (8) hours and drawn from one bank only.

3. The donation of leave hours that have been added to the recipient's leave balance are irreversible. Should the person receiving the donation that has been applied not use all donated leave for the catastrophic illness/injury, any balance will remain with that person or will be credited to them upon separation.

4. An employee may not donate leave hours which would reduce his/her accrued leave balances of Annual Leave, vacation, holiday accrual, compensatory time, or sick leave to less than 168 hours.

5. Donated leave that has been added to the recipient's balance shall be changed to its cash value and then credited to the recipient in equivalent hours at the recipient's base hourly rate of Annual Leave or vacation leave. Donated leave will only be applied to the recipient's Annual leave or vacation leave after the recipient has exhausted their available leave balances.

6. Employees will use a provided form to submit donations directly to the Human Resources Department. Adjustment to donors and recipient's paid leave balances will be made.

E. Conditions under which leave credits in a Time-Bank may be used.

1. Only the employee for whom the Time-Bank has been established may receive leave credits from the Time-Bank. Such leave credits shall be added to the employee's Annual Leave or vacation balance.

2. The affected employees will provide verification of their (or immediate family member's) illness or injury on an <u>Attending Physician's Statement to Support Leave or Return from Leave</u> while using time donated under this program.

3. The use of donated credits may be for a maximum of twelve (12) continuous months for any one catastrophic illness request.

F. Steps to be taken by the agency/department to establish a Time-Bank program.

An agency/department head who decides that the agency/department will participate in a Time-Bank program will arrange with the Human Resources Department for the establishment of the Time-Bank for the individual. The procedure to be followed must include:

1. Receipt of written approval from the employee to announce the need for a Time-Bank transfer.

2. Notify the Human Resources Department of the need for the program and coordinate the program's establishment.

3. Require that employee donations be made directly to the Human Resources Department to ensure that employee's decision to donate or not donate is kept confidential.

The Human Resources Department will:

1. Establish, operate, and maintain all approved Time-Banks to ensure compliance with these procedures.

2. Receive from the employee benefiting from the Time-Bank proof of eligibility and a signed agreement allowing publication of the employee's situation.

3. Determined qualification, under the standards above, for the establishment of a Time-Bank.

4. The employee benefiting from the Time-Bank and the Human Resources Department will agree on the content of the publicity.

5. Publicize the establishment of the Time-Bank program. The notice will inform all employees of:

    a. The establishment of the voluntary program.
    b. Their opportunity to donate.
    c. How donations are submitted.

6. Notify the agency/department head immediately if the program cannot be established and the reason(s).

7. Immediately investigate any allegations of pressure or coercion in the solicitation of donations for the Time-Bank and take appropriate action.

ARTICLE 20
SALARY AND BENEFIT ADJUSTMENTS

The salary and benefit adjustments described below are applicable to all employees covered by this Resolution except for Elected Officials and attorney classifications now represented by a collective bargaining group.

A. Effective the first pay period in July 2012, all classifications covered by this Resolution shall receive one (1) additional step (approximately 2.71%) added to the top of their salary grade. Any employee who has been compensated at the top step of the salary grade for his/her classification for a year or more at the time of the addition, shall receive the one-step salary increase provided herein. For any employee who has not been compensated, at the top step of the salary grade for a year or more, the increase provided under this provision shall be treated in the same manner as other step increases and shall be granted, or denied, pursuant to the Step Increase provisions set forth in this Resolution.

B. Effective the first full pay period in July 2013, 2014 and 2015, employees who are covered in Groups 1 (excluding independent elected officials and Board of Supervisors Members), 2, 3, 4, 5 & 6 (Supervisor's Board Assistants and Supervisor's Board Legislative Assistants) shall receive a 2.0% wage increase. Effective the first full pay period of July 2013, 2014 and 2015, Groups 4, 5 and 6 shall receive one (1) additional step (approximately 2.71%) added to the top of their salary grade. Any employee who has been compensated at the top step of the salary grade for his/her classification for a year or more at the time of the addition, shall receive the one-step salary increase provided herein. For any employee who has not been compensated at the top step of the salary grade for a year or more, the increase provided under this provision shall be treated in the same manner as other step increases and shall be granted, or denied, pursuant to the Step Increase provisions set forth in this Resolution.

C. Board of Supervisors salary shall be established in accordance with Ordinance 780.

D. Independent Elected Officials shall receive salary and/or cost of living adjustments in accordance with Ordinance 781.

ARTICLE 21
SALARY AND FRINGE BENEFIT ADJUSTMENTS
LAW ENFORCEMENT EXECUTIVE MANAGEMENT

This Article provides salary and/or fringe benefit adjustments (as specified) for employees in an Undersheriff, Assistant Sheriff, Chief Deputy Sheriff, Chief Deputy Director, Sheriff's Administration, Correctional Chief Deputy, Chief District Attorney Investigator or Assistant Chief District Attorney Investigator classifications. Unless specifically provided herein, this Article is not intended to alter, amend, add to, or subtract from the existing wages, hours, and other terms and conditions of employment set forth for these employees in applicable County Ordinances, Resolutions, or minute orders.

Please refer to Article 17, Flexible Benefit and Optical Insurance for Law Enforcement Executive Management Flexible Benefit Adjustments.

Sec. 2101 Annual Leave: The provisions of Sections 2101 through 2105 are only applicable to employees in an Undersheriff, Assistant Sheriff, Chief Deputy Sheriff, Chief Deputy Director, Sheriff's Administration, Correctional Chief Deputy, Chief District Attorney Investigator, or Assistant Chief District Attorney Investigator classification.

A. Employees in the classifications described above shall neither accrue vacation and sick leave nor be granted administrative leave. They shall, instead, earn annual leave according to each biweekly pay period of service commencing with the employee's initial anniversary date assigned to an employee during his/her latest period of County employment according to the following schedule. Absence or time not worked and part-time employment shall cause said pay period's accrual of annual leave credits to be reduced on a pro-rata basis.

B. Accrual Rates:

MONTHS OF SERVICE	BI-WEEKLY ACCRUAL
(0 - < 36 months)	8.92 hours
(36 - < 108 months)	10.46 hours
(108 or more months)	12.00 hours

Effective July 12, 2012, job classifications in Article 21 will receive an additional 4 hours per pay period to their annual leave accrual. This additional leave accrual will expire at the end of the last pay period in June 2014.

Sec. 2102 Annual Usage: During the first twenty-six (26) pay periods of employment, employees shall be encouraged to use no less than forty (40) hours of annual leave and, thereafter, employees shall be encouraged to use no less than eighty (80) hours of annual leave in each succeeding twenty-six (26) pay periods of employment. While on annual leave, sick leave, holiday leave, or compensatory time off, an employee shall be compensated and receive benefits at the same rate as if he/she were on the job.

Sec. 2103 Maximum Accrual:

A. Employees in the classifications described in Section 2101 shall not accrue more than 2600 hours of annual leave.

It is the mutual responsibility of the employee and the agency/department head to assure that no employee shall exceed said maximum accrual.

B. Vacation Conversion: Effective February 11, 1999, accrued vacation banks (including extra vacation) for then current employees in one of the classifications described in Section 2101 were converted to Annual Leave on an hour-for-hour basis to a maximum of 2,400. Any regular employee who subsequently transfers or promotes into one of these classifications shall have his/her accrued vacation balance similarly converted to annual leave on an hour for hour basis at the time of such transfer/promotion.

C. Prior Sick Leave Accruals:

1. Effective February 11, 1999, current sick leave balances were frozen provided, however, that up to 50% of the sick leave balances was converted to annual leave. The combined maximum hours of sick leave so converted, when added to vacation hours converted under (B.) above, did not exceed the maximum accruals set forth in Sec. 2103 (A.) above. Any remaining sick leave hours may be used until the sick leave is exhausted or, upon retirement, disability retirement, or death of the employee, it may be paid as provided under the provisions of Section 708 of this Resolution.

2. Any regular employee who transfers or promotes into a classification described in Section 2101 of this Resolution shall, at the time of such transfer/promotion, have his/her

sick leave balance converted and/or frozen in the manner described in 2103 (C)(1).

Sec. 2104 Annual Leave Redemption: An employee may request to receive pay in lieu of up to forty (40) hours per calendar year of Annual Leave. Effective July 1, 2010, an employee may request to receive pay in lieu of up to eighty (80) hours (160 hours upon approval of the agency/department head) per calendar year of Annual Leave.

Sec. 2105 Other Provisions: Those provisions contained in Article 7 of this Resolution which are not specifically modified by Sections 2101 through 2104 above and are otherwise appropriate to this Article shall be included by reference.

Sec. 2106 Deferred Compensation:

A. Effective September 14, 2006, the County shall increase the contribution from \$20.00 to \$50.00 per biweekly pay period to a 401(a) money purchase plan for each enrolled regular employee in an Undersheriff, Assistant Sheriff, Chief Deputy Sheriff, Chief Deputy Director, Sheriff's Administration, Correctional Chief Deputy, Chief District Attorney Investigator, or Assistant Chief District Attorney Investigator classification.

B. Effective July 29, 2010, the County shall contribute \$50.00 per biweekly pay period to a 401(a) money purchase plan for each enrolled regular employee in the Correctional Chief Deputy classification.

For all employees identified in this section the \$50 per biweekly pay period contribution will be reduced to \$25 per biweekly pay period from June 4, 2009, to June 30, 2010.

Such repayment will only be made if the employee is still in the employ of the County on the date of the repayment.

Sec. 2107 P.O.S.T. Certificate Pay

Any Assistant Sheriff, Chief Deputy Sheriff, Chief District Attorney Investigator, or Asst. Chief District Attorney who proves that he/she possesses a valid Intermediate Certificate, but not an Advanced Certificate, issued to them by the Commission on Peace Officer Standards and Training of the State of California, shall be compensated at a rate applicable to the position which is 7.0% higher than otherwise specified for such position. If they prove that they possess a valid Advanced Certificate issued to them by said

Commission, whether or not they possess the Intermediate Certificate, they shall be compensated at a rate which is 12.0% higher than that specified for such position. The increase in P.O.S.T. pay is effective June 28, 2012.

The applicable rate for possession of the Intermediate Certificate shall be indicated in the Table and Index by the letter "A" following the classification title, and for the Advanced Certificate, by the letter "B", each with an appropriate code number, but in the departmental sections the basic position code number and classification title shall be deemed to include positions occupied by incumbents possessing either of said certificates.

Sec. 2108 Salary Adjustments

A. *Chief Deputy Sheriff (B)* and *Correctional Chief Deputy*

Effective June 28, 2012:

- 15% adjustment to pay for Chief Deputy Sheriff (B)
- 18% for Correctional Chief Deputy

A. *Assistant Sheriff (B)*

Effective June 28, 2012:

- 15% adjustment to pay

B. *Undersheriff*

Effective June 28, 2012:

- 7.5% adjustment to pay

C. Effective July 11, 2013, a 2% COLA and a top step (2.71%) shall be applied to the job classifications in Article 21.

D. Restoration of Step Increases: For all job classifications in Article 21, Effective July 12, 2012, the step increases will be restored at one (1) step only. Effective the first pay period in July 2013, the step increases will be restored to the customary two (2) steps.

E. For all job classifications in Article 21, any employee promoting from another bargaining unit wherein the employee has not taken or completed all or a portion of the 10% (one time) compensation reduction, shall complete temporary wage reductions of up to 3% per year until a total 10% reduction is completed.

Sec. 2109 Education Incentive

A. This incentive was discontinued because of a sunset clause on June 30, 2012. Effective July 12, 2012, the previous value of the Master's degree compensation level, five percent (5%), will be added to the base salary for the positions of Correctional Chief Deputy, Chief Deputy Sheriff (B), Chief Deputy Director, Sheriff's Administrative Services, Assistant Sheriff (B), and Undersheriff. This adjustment will not be permanent and will run concurrently with the Education Incentive premium in the current LEMU MOU (expires June 30, 2017).

Sec. 2110 Uniforms

Pursuant to California Code of Regulations 571(a) Uniform Allowance is compensation paid or the monetary value for the purchase, rental and/or maintenance of required clothing, including clothing made from specially designed protective fabrics, which is a ready substitute for personal attire the employee would otherwise have to acquire and maintain. This excludes items that are solely for personal health and safety such as protective vests, pistols, bullets, and safety shoes.

A. Uniform Allowance As Compensation Earnable for Classic Members:

1. Effective June 2, 2006, the benefits received pursuant to the provisions of this Article 21, Section 2110 shall be considered compensation earnable for CalPERS purposes for CalPERS classic members.

B. Uniform Allowance As Pensionable Compensation for New Members:

1. Employees hired on or after January 1, 2013 shall be considered new members under the Public Employees' Pension Reform Act (PEPRA) of 2013.

2. Effective January 1, 2013, the benefits received pursuant to this section shall be considered pensionable compensation for CALPERS purposes under regulations of the Public Employees' Pension Reform Act (PEPRA) of 2013.

ARTICLE 22
SALARY ADJUSTMENTS FOR MANAGEMENT ATTORNEYS AND UNREPRESENTED ATTORNEYS

74254	County Counsel
78517	Assistant County Counsel
78515	Principal Deputy County Counsel
78518	Chief Deputy County Counsel
78528	Chief Assistant District Attorney
78539	Assistant District Attorney
78535	Chief Deputy District Attorney
78536	Supervising Deputy District Attorney
74245	Public Defender
78557	Assistant Public Defender
78555	Supervising Deputy Public Defender
37490	Chief Deputy Child Support Attorney
37491	Supervising Deputy Child Support Attorney

Compensation Adjustments for Unrepresented Attorney Management

A. *Supervising Deputy District Attorney*

Effective July 12, 2012:
- 7.0% adjustment to pay

B. *Chief Deputy District Attorney*

Effective July 12, 2012:
- 9.0% adjustment to pay

C. *Assistant District Attorney and Chief Assistant District Attorney*

Effective July 12, 2012:
- 5.0% adjustment to pay

D. *Supervising Deputy Public Defender, Principal Deputy County Counsel, and Supervising Deputy Child Support Attorney*

Effective July 12, 2012:
- 7.0% adjustment to pay

E. *Chief Deputy Child Support Attorney*

Effective July 12, 2012:
- 9.0% adjustment to pay

F. *Assistant County Counsel*

Effective July 12, 2012:

- 5.0% adjustment to pay

G. *County Counsel*

Effective July 12, 2012:

- 7.0% adjustment to pay

H. Effective July 11, 2013, a 2% COLA and a top step (2.71%) shall be applied to the job classifications in Article 22.

I. Restoration of Step Increases: Effective July 12, 2012, the step increases shall be restored to the customary two (2) steps for all classifications in Article 22.

ARTICLE 23
SEPARABILITY

If any paragraph, sentence, clause, or phrase of this Resolution, for any reason, is held to be unconstitutional or invalid, such shall not affect the remaining portions of this Resolution, and the Board of Supervisors hereby declares it would have passed each paragraph, sentence, clause, and phrase thereof, irrespective of the fact that any one, or more than one sentence, clause, or phrase thereof be declared unconstitutional or invalid.

ARTICLE 24
SUPERSESSION

This resolution supersedes Resolution 2014-187 in its entirety.

Reference:

Minute Order 3.41 dated 06/23/98	Resolution 2005-372 dated 08/23/05	Resolution 2009-120 dated 04/07/09
Resolution 98-322 dated 10/13/98	Resolution 2005-475 dated 11/01/05	Resolution 2009-261 dated 07/21/09
Resolution 99-080 dated 03/09/99	Resolution 2006-323 dated 08/29/06	Resolution 2010-033 dated 06/08/10
Resolution 2000-044 dated 02/01/00	Resolution 2006-395 dated 10/03/06	Resolution 2010-200 dated 07/13/10
Resolution 2002-195 dated 06/04/02	Resolution 2006-466 dated 12/12/06	Resolution 2010-230 dated 07/27/10
Resolution 2002-240 dated 06/25/02	Resolution 2007-016 dated 01/09/07	Resolution 2011-278 dated 11/15/11
Resolution 2003-71 dated 02/18/03	Resolution 2007-318 dated 06/08/07	Resolution 2012-137 dated 06/12/12
Resolution 2003-228 dated 05/20/03	Resolution 2007-436 dated 09/18/07	Resolution 2012-177 dated 07/31/12
Resolution 2003-513 dated 12/09/03	Resolution 2007-542 dated 11/20/07	Resolution 2012-243 dated 11/27/12
Resolution 2004-235 dated 05/18/04	Resolution 2008-031 dated 01/08/08	Resolution 2014-152 dated 06/17/14
Resolution 2004-420 dated 10/19/04	Resolution 2008-245 dated 05/13/08	Resolution 2014-187 dated 11/04/14
Resolution 2004-520 dated 12/14/04	Resolution 2008-364 dated 07/29/08	Resolution 2015-245 dated TBD
Resolution 2005-280 dated 06/07/05	Resolution 2008-487 dated 11/18/08	

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