

City of
SACRAMENTO

**Personnel Resolution Covering
Unrepresented Officers and Employees**

January 9, 2024

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ARTICLE 1 – GENERAL ADMINISTRATIVE PROVISIONS

1.1 APPOINTING AUTHORITY

- a. For the City of Sacramento, appointing authority is vested with the Mayor, City Council members, and Charter Officers. Subject to applicable Rules and Regulations of the Civil Service Board, Council-adopted resolutions, and administrative policy instructions, appointing authority provides for the ability to hire City employees.
- b. The Appointing Authority has the authority, subject to the approved Budget Resolution and administrative policy, to:
 - (1) Allocate full-time equivalent positions to specific job classifications and to establish rates of pay for incumbents in those classifications;
 - (2) Change the number of exempt management positions under their administrative jurisdiction, so long as their total exempt management salary budget does not increase;
 - (3) Adjust the salary of individual exempt positions, so long as the total exempt salary budget for each department does not increase; and
 - (4) Grant performance-based salary adjustments to unrepresented officers and employees consistent with employee appraisal procedures. Salary adjustments shall not apply to non-career employees.

1.2 APPLICABILITY

The terms of this Resolution apply to unrepresented employees of the City unless superseded by an employment contract approved by the City Council. This Resolution does not apply to any employee appointed as a retired annuitant.

1.3 TYPE OF APPOINTMENTS

- a. Nothing in this Resolution shall create an express or implied covenant or contract or create a property right or tenure for any person appointed to unrepresented classifications covered by this Resolution. All unrepresented employees serve at the pleasure of the Appointing Authority. Consequently, just cause need not be established to impose discipline, and employees covered by this resolution have no rights to appeal the imposition of discipline.
- b. This Personnel Resolution covers all unrepresented officers and employees of the City of Sacramento appointed or incumbent to any

position in the Executive Management, Executive Management Support, Mayor/Council Support, and Non-Career units as defined by the [Employer-Employee Relations Policy](#). This Personnel Resolution applies to these positions whether the employee is considered full-time, part-time, seasonal, or appointed on a limited-term basis.

1.4 STAFF AIDE POSITIONS

The Director of Human Resources must approve the use of the title of Staff Aide. Staff Aide may be used only in very limited situations, such as when a classification is needed either pending establishment of a new classification or a position is funded for a limited time and no appropriate classification exists. An employee may be appointed to the Staff Aide classification for a maximum of twelve (12) months. The salary for any Staff Aide position shall be established by the Director of Human Resources.

1.5 CITY SERVICE

City service for purposes of calculating benefits shall be calculated using each employee's cumulative career employment with the City. For career part-time employees, City service shall be prorated. The use of prior employment for calculating the City service for rehired employees shall not create a right to retroactive benefits. This provision shall not apply to non-career employees. Non-career employees do not accrue Classification or City Service.

ARTICLE 2 – HOURS OF EMPLOYMENT AND OVERTIME

2.1 HOURS OF EMPLOYMENT

- a. The normal work period for employees shall begin at 12:01 a.m. Saturday and end at 12:00 midnight the following Friday.
- b. The normal work week for full-time employees, who are covered by the overtime provisions of the Fair Labor Standards Act (FLSA), shall consist of forty (40) hours of work during the normal work period.
- c. The normal work week shall not apply to employees exempt from the overtime provisions of FLSA. These employees are expected to work any amount of time required to perform the duties of their positions.
- d. The normal work week for part-time employees shall be determined by the Appointing Authority.

2.2 VOLUNTARY WORK FURLOUGH/REDUCED WORKWEEK PROGRAM

The City's [Voluntary Work Furlough/Reduced Workweek Program](#) shall be available to unrepresented full-time employees on the same terms as apply to

represented employees. The benefit plan for eligible employees shall not be reduced or prorated by participation in such work reductions.

2.3 OVERTIME FOR ELIGIBLE CAREER EMPLOYEES

- a. All overtime shall be calculated and paid consistent with FLSA requirements. Overtime compensation shall be paid by cash payment or compensating time off (CTO) as determined by the Appointing Authority.
- b. Employees may accrue up to one hundred and twenty (120) hours of CTO.
- c. The use of accrued CTO shall be at the discretion of the Appointing Authority. Employees who request use of accrued CTO shall be permitted to use such time within a reasonable period after making the request if the use of CTO does not unduly disrupt the operations of the work unit.
- d. Upon termination from City service, employees shall be paid for any unused CTO hours at the rate of pay at the time of separation.

2.4 OVERTIME FOR ELIGIBLE NON-CAREER EMPLOYEES

- a. All overtime for non-career employees shall be calculated and paid consistent with FLSA requirements. Non-career employees shall be compensated for overtime with pay at one and one-half (1-1/2) times the regular rate of pay in cash payment.
- b. The Appointing Authority may establish a flexible work schedule consisting of more than an eight (8) hour day in a forty (40) hour work week.

2.5 TELECOMMUTING PROGRAM

Executive Management Support employees may participate, at the discretion of the Appointing Authority, in the City's Telecommuting Program.

2.6 ALTERNATIVE WORK SCHEDULE PROGRAM

Employees may participate, at the sole discretion of the Appointing Authority, in Alternative Work Schedule Program such as 9/80 or 4/10 schedules. Employee participation in Alternative Work Schedule Program shall be dependent on employee performance and shall not disrupt department operations.

ARTICLE 3 – FRINGE BENEFIT PLAN/HEALTH AND WELFARE

The fringe benefit plan described in this Article shall be available to full-time Executive Management, Mayor/Council Support, and Executive Management Support employees. The City shall administer a Cafeteria Plan (Plan) for employees consistent with Internal Revenue Code Section 125. The details of Plan eligibility and operational requirements

are set forth in Plan documents. The City shall make contributions as defined in Section 3.1. For employees that elect to participate in a City-sponsored health plan, one-half (1/2) of the City contribution will be made to eligible employees on each of the first two (2) paychecks (Eligible Paycheck) in each month.

Eligible employees shall receive a City contribution for each Eligible Paycheck on which the employee is paid for forty (40) or more hours. Employees who are paid less than forty (40) hours on an Eligible Paycheck may continue elected coverage limited to the City's medical, dental, and vision plans for up to six (6) months or the period of time permitted by Consolidated Omnibus Budget Reconciliation Act (COBRA), whichever is greater, by personal remittance or other arrangement for payment of the full premiums of any insurance elected to be continued.

The City shall make the contributions provided in Section 3.1 on either a 100% or 50% basis for full-time, part-time, and non-career (+1,040) employees. Except as provided herein, the City contribution shall be applied toward the premiums for City-sponsored medical, dental, and vision insurance plans for eligible employees and qualified dependents, if any. The amount of the City contribution for each of the first two (2) paychecks of each month shall be based on the number of hours for which the employee was paid in that bi-weekly pay period: 64 or more hours paid = 100% contribution; 40-63.9 hours paid = 50% contribution.

3.1 HEALTH AND WELFARE CONTRIBUTION (CITY CONTRIBUTION)

a. Employee Only

The City contribution for a full-time employee enrolled in a City-sponsored medical plan for employee only shall be up to a maximum of \$838.00 per month.

Effective the pay period beginning December 30, 2023, for full-time employees enrolled in a City-sponsored medical plan for employee only, the City contribution shall be \$955.00 per month.

b. Employee Plus One (1) Dependent

The City contribution for a full-time employee enrolled in a City-sponsored medical plan for employee plus one (1) dependent shall be \$1,333.00 per month.

Effective the pay period beginning December 30, 2023, for full-time employees enrolled in a City-sponsored medical plan for employee plus one (1) dependent, the City contribution shall be \$1,520.00 per month.

c. Employee Plus Two (2) or More Dependents

The City contribution for a full-time employee enrolled in a City-sponsored medical plan for employee plus two (2) or more dependents shall be

\$1,777.00 per month.

Effective the pay period beginning December 30, 2023, for full-time employees enrolled in a City-sponsored medical plan for employee plus two (2) or more dependents, the City contribution shall be \$2,026.00 per month.

- d. For employees enrolled in an Account-Based Health Plan (ABHP), as defined by the City, the contributions shall be as specified above. To the extent that the premium for the ABHP is less than the monthly City contribution, any excess City contribution shall be credited to the employee's Health Savings Account (HSA), to the extent allowed by law.
- e. Full-time employees not enrolled in a City-sponsored medical plan shall receive up to \$747.00 per month to purchase City-sponsored dental and vision coverage.
- f. Employees who are eligible to receive the City contribution who do not provide proof of other group medical coverage or do not enroll in City medical coverage within thirty (30) days of being eligible for the City's contribution shall be enrolled in the lowest cost traditional HMO medical plan for employee only coverage.
- g. Employees shall not receive any unused portion of the City contribution as cash.
- h. In addition to the City contribution received above, the City Manager, City Attorney, City Auditor, City Clerk, and City Treasurer shall receive three percent (3%) of base salary to apply to optional benefits.

3.2 COVERED DEPENDENTS

- a. Funds used to pay the health insurance premium cost for a domestic partner and/or a domestic partner's dependent children shall be in accordance with Federal and State tax laws.
- b. An employee who has a domestic partner and is registered with the Secretary of State of the State of California may cover the domestic partner and/or the domestic partner's children, under the employee's City-sponsored medical, dental, or vision plan. Employees with registered State of California domestic partners shall receive the City contributions as specified in Section 3.1.
- c. The following eligible dependents qualify to be enrolled on a City medical, dental, or vision plan: lawfully married spouse or registered domestic partner; children up to age 26 who are an employee's natural child, stepchild, adopted child, or the natural or adopted child of an employee's spouse or registered domestic partner; children up to age 26 who are

placed under the legal guardianship of an employee, the employee's spouse, or employee's registered domestic partner; children up to the age of 26 in which the City has received notice of a Qualified Domestic Relations Order of required coverage; and disabled unmarried children over the age of 26 who reside with the employee. The definition of dependent child for purposes of medical insurance shall also be in accordance with the Patient Protection and Affordable Care Act.

- d. An employee covered as a dependent of another City employee may not enroll in a City medical plan but may enroll in a City dental or vision plan.

3.3 LIFE INSURANCE

- a. City-paid basic life insurance shall be:

<u>Group</u>	<u>Amount</u>
Executive Management, Executive Management Support and Mayor Council Support	\$50,000
City Attorney, City Auditor, City Clerk and City Treasurer	\$100,000
City Manager	\$150,000

- b. Optional Employee-Paid Insurance:

Executive Management, Mayor/Council Support, and Executive Management Support employees may purchase, at their expense, City-sponsored supplemental life insurance subject to limitations specified by the insurance carrier.

3.4 LONG TERM DISABILITY

Executive Management and Mayor/Council Support employees shall receive City-paid long-term disability insurance.

3.5 FLEXIBLE SPENDING ACCOUNTS

The City offers a Flexible Spending Account program to employees as permitted by Internal Revenue Code and associated Regulations.

3.6 DEFERRED COMPENSATION PLAN

Executive Management, Mayor/Council Support, and Executive Management Support career employees may participate in the City's Deferred Compensation 457(b) Plan (Plan) to the extent allowed by law and the Plan documents.

Each participant in the Plan shall contribute one dollar and fifty cents (\$1.50) per month from their Plan balance to the Plan's administrative allowance account.

3.7 SECTION 401(A) MONEY PURCHASE PLAN

The City's established Internal Revenue Code (IRC) Section 401(a) Plan shall be made available to eligible employees and participation for eligible employees shall be mandatory. The Plan shall conform to all IRC requirements. Contributions to the Plan shall be as follows:

- a. For Executive Management and Mayor/Council Support regular employees the City shall contribute four percent (4%) of salary and the employee shall contribute five percent (5%) of salary.
- b. For Executive Management Support regular employees, the City shall contribute two percent (2%) of salary and the employee shall contribute two percent (2%) of salary.
- c. The 401(a) Plan shall conform to all IRC requirements. Vesting of City funds occurs with enrollment consistent with the Internal Revenue Code, and the 401(a) plan documents.

3.8 LONGEVITY PAY

Employee eligibility for longevity pay shall be determined as provided under [Section 108 of the City Charter](#). The amount to be paid annually on the second check in July after twenty (20) years of City service shall be one hundred dollars (\$100), and after twenty-five (25) years of City service, an additional two hundred dollars (\$200), for a total of three hundred dollars (\$300). Longevity pay is provided for in the City Charter and not through this Resolution. In the event changes are made to the City Charter, those changes shall supersede the provisions of this Resolution.

Longevity Pay as provided in this Section shall be reported to CalPERS in a manner consistent with CalPERS rules for reporting special compensation.

ARTICLE 4 – RETIREMENT

4.1 RETIREES OR SURVIVOR DEPENDENTS

Eligible City retirees or eligible survivor dependents shall receive City retiree insurance contributions for medical, dental, and vision insurance benefits from the City as follows:

- a. The maximum City contribution towards the purchase of medical, dental, or vision insurance for retirees is up to \$300 per month for the retiree. A retiree with one (1) or more dependent(s) enrolled on the retiree's medical plan shall receive up to an additional \$65 per month, for a total maximum monthly City contribution up to \$365. Retirees shall not receive any unused portion of the City contribution as cash.

b. Retiree Insurance Contributions for Employees Retiring on or after July 1, 1992

- (1) Employees retiring with thirty (30) or more years of City service shall be eligible for up to the City's maximum retiree health insurance contribution identified in subsection 4.1(a) above on the date of retirement without regard to age.
- (2) Employees retiring with a minimum of twenty (20) full years of City service but less than thirty (30) full years of City service who are at least fifty (50) years of age shall receive up to one hundred percent (100%) of the City's maximum retiree insurance contribution identified in subsection 4.1(a) above.
- (3) Employees retiring with a minimum of fifteen (15) full years of City service but less than twenty (20) full years of City service who are at least fifty (50) years of age shall receive up to seventy-five percent (75%) of the City's maximum retiree insurance contribution identified in subsection 4.1(a) above.
- (4) Employees retiring with a minimum of ten (10) full years of City service but less than fifteen (15) full years of City service who are at least fifty (50) years of age shall receive up to fifty percent (50%) of the City's maximum retiree insurance contribution identified in subsection 4.1(a) above.
- (5) There shall be no City retiree insurance contribution for retirees with less than ten (10) full years of City service.
- (6) An employee who does not retire from the Sacramento City Employee Retirement System or CalPERS within one-hundred twenty (120) days from the date of separation from City service shall not be eligible for the City's retiree insurance contribution and may not enroll in a City medical, dental, or vision plan.

c. Pre-Medicare Retirees

Pre-Medicare retirees who are not eligible for Medicare benefits may elect to participate in a City-sponsored medical plan or purchase a non-City medical plan. A retiree who elects to purchase a medical plan not sponsored by the City shall only be eligible to enroll in a City medical plan if the retiree enrolls with an effective date of coverage which is within two (2) years from the date their prior City medical coverage terminated.

d. Medicare Retirees

In order for Medicare eligible retirees to maintain eligibility for the City retiree health insurance contribution, each eligible retiree and eligible

dependents must enroll in Medicare Parts A and B upon being eligible for such benefits. Medicare retirees may elect to participate in a City-sponsored Medicare medical plan or purchase an individual Medicare plan.

Medicare retirees who have enrolled in Parts A and B after becoming eligible for such benefits may elect to participate in a City-sponsored Medicare plan without restriction to the amount of time that the retiree has waived a City-sponsored medical plan. Medicare retirees may only enroll eligible dependents on their City-sponsored Medicare medical plan, if the eligible dependents have enrolled in Parts A and B. Non-Medicare dependents may be enrolled as long as the retiree has been enrolled on a City non-Medicare plan within two (2) years of the effective date of coverage for enrollment of the non-Medicare dependent.

Medicare retirees who are eligible for Medicare Parts A and B who elect to purchase an individual medical plan shall only be reimbursed the cost of the individual premium associated with a Medicare Advantage, Medicare Supplemental, and/or Medicare Prescription Drug plan up to the City contribution identified in subsection 4.1(a), above.

e. Retiree Insurance Contribution Exclusion

Retirees who participate in another group medical plan as an employee or dependent spouse shall not be eligible for the City contribution identified in Section 4.1(a) above.

f. Industrial Disability or Death in Line of Duty Survivors

Retirees who receive industrial disability pensions or death in-line-of-duty survivor benefits will be eligible for up to one hundred percent (100%) of the City's applicable maximum retiree insurance contribution regardless of years of service.

g. Survivor Dependents Benefits

Survivor dependents of eligible retirees shall be entitled to continue receiving the retiree insurance contribution. The benefit to survivor dependents shall be calculated as provided in Article 4.1(b).

h. Limitation Clause

No employee or retiree shall have any rights provided by this Section 4.1 after June 28, 2024.

i. Elimination of Retirees or Survivor Dependents Benefits

No employee hired, reemployed, or rehired on or after July 20, 2012, shall

be eligible for any benefits provided by this Section 4.1. Employees transferring to unrepresented classifications after July 20, 2012, shall be ineligible for any benefits by this Section, unless the transferring employee was eligible for retiree or survivor dependent benefits at the time of transfer.

4.2 PERS RETIREMENT PLAN AND CONTRIBUTION

a. Member Contribution to PERS Retirement Plan – Classic Members

(1) Miscellaneous

Executive Management, Mayor/Council Support, Executive Management Support, and Charter Officers shall pay eight percent (8%) of salary to the PERS retirement plan. The City will seek to amend the PERS contract to reflect a new cost-share agreement in which miscellaneous classic members shall, from the date of the amendment, pay the seven percent (7%) employee contribution and one percentage point (1%) of the employer contribution through PERS cost-share. If this PERS cost-share is not approved by a vote of the unrepresented unit miscellaneous employees, the one percent (1%) cost-share will remain in the City's account. Classic members in miscellaneous classifications shall qualify for the 2% at 55 benefit formula based upon the highest twelve (12) consecutive months of compensation.

(2) Police Safety

Executive Management Police Safety employees shall pay twelve percent (12%) of salary to the PERS retirement plan. The City will seek to amend the PERS contract to reflect a new cost-share agreement in which Executive Management Police Safety classic members shall, from the date of the amendment, pay the nine percent (9%) employee contribution and three percentage points (3%) of the employer contribution through PERS cost-share. If this PERS cost-share is not approved by a vote of the unrepresented Executive Management Police Safety unit employees, the three percent (3%) cost-share will remain in the City's account. Classic members in Executive Management Police Safety classifications shall qualify for the 3% at 50 benefit formula based upon the highest twelve (12) consecutive months of compensation.

(3) Fire Safety

Executive Management Fire Safety employees shall pay twelve percent (12%) of the employer's contribution to the PERS retirement plan. The City shall pay up to nine percent (9%) of the member contribution to the PERS retirement plan on behalf of fire

safety employees. The City's payments to the member contribution shall be reported to PERS as additional compensation for the purpose of retirement benefit calculations to the extent allowed by law (pay and report). If necessary, the contract with PERS shall be amended to reflect the proper allocation of funds. Classic members of Executive Management Fire Safety classifications shall qualify for the 3% at 55 benefit formula based upon the highest twelve (12) consecutive months of compensation.

b. Member Contribution to PERS Retirement Plan – New Members

(1) Miscellaneous

Executive Management, Mayor/Council Support, Executive Management Support, and Charter Officers hired after December 31, 2012, shall be members in the PERS on terms consistent with Public Employees' Pension Reform Act (PEPRA). New members in miscellaneous classifications shall qualify for the 2% at 62 benefit formula, shall contribute 50% of the total normal cost of the PERS retirement plan, and retirement shall be based upon the highest thirty-six (36) consecutive months of compensation.

(2) Safety

Executive Management Safety employees hired after December 31, 2012, shall be members in the PERS on terms consistent with PEPRA. New members in safety classifications shall qualify for the 2.7% at 57 benefit formula, shall contribute 50% of the total normal cost of the PERS retirement plan, and retirement shall be based upon the highest thirty-six (36) consecutive months of compensation.

ARTICLE 5 – CHARTER OFFICERS

5.1 CHARTER OFFICER SALARIES

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

5.2 EXPENSE ALLOWANCE

The City will pay to the City Manager a sum of \$400 per month for City expenses for which no vouchers need be furnished. The City will pay to the City Attorney, City Auditor, City Clerk, and City Treasurer a sum of \$350 per month for City expenses for which no vouchers need be furnished.

ARTICLE 6 – NON-CAREER EMPLOYEES

6.1 NON-CAREER BENEFITS

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

6.2 CITY HEALTH AND WELFARE CONTRIBUTION

- a. Employees in the classification of Fire Recruit shall receive the same City monthly health and welfare contribution amount as provided for the classification of Firefighter in the applicable Memorandum of Understanding.
- b. Employees in the classification of Police Officer Recruit and Community Service Officer (Limited-Term) shall receive the same City monthly health and welfare contribution amount as provided for the classification of Police Officer in the applicable Memorandum of Understanding.
- c. Employees in the classification of Dispatcher Recruit shall receive the same City health and welfare contribution amount as provided for the non-supervisory Dispatcher classification in the applicable Memorandum of Understanding.
- d. Non-Career employees under this Section are not eligible to receive any unused portion of the City contribution as cash.

6.3 POOL SAFETY CLASSIFICATIONS

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

a. Certification Fee Reimbursements

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

b. Recruitment Incentive

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

c. Retention Incentive

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

6.4 GENERAL INTERN CLASSIFICATION

Individuals holding the classification of General Intern may be eligible for additional compensation for qualifying work. Additional compensation in the amounts described below is authorized solely for the purpose of recruiting and retaining qualified interns. General Interns may be paid additional compensation as follows:

a. General Interns

(1) Recruitment Incentive

Upon successful completion of eighty (80) hours of work, the City may pay eligible General Interns a lump sum amount of \$250.

(2) Retention Incentive

Upon successful completion of three hundred and twenty (320) hours of work, the City may pay eligible General Interns a lump sum amount of \$500.

b. General Interns in the City Attorney's Office

(1) Recruitment Incentive

Upon successful completion of eighty (80) hours of work, the City may pay eligible General Interns working in the City Attorney's Office a lump sum amount of \$500.

(2) Retention Incentive

Upon successful completion of four hundred (400) hours of work, the City may pay eligible General Interns working in the City Attorney's Office a lump sum amount of \$1,500.

6.5 TUITION REIMBURSEMENT

Employees in the classification of Student Trainee, who are in the Police Officer hiring pipeline, may be eligible for tuition reimbursement pursuant to Section 8.3.

ARTICLE 7 – LEAVES

7.1 ACCRUAL OF LEAVE HOURS OVER 24 PAY PERIODS

Unless provided otherwise in this Article, leave hours shall accrue over 24 pay periods per year, during the first two (2) pay periods of each month.

7.2 VACATION

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

<u>Length of Service</u>	<u>Annual Vacation Allowance</u>
1 to 5 years	10 days/80 hours
5 years and 1 day to 15 years	15 days/120 hours
more than 15 years	20 days/160 hours

- b. Vacation allowance administration shall be in accordance with the Rules and Regulations of the Civil Service Board, unless an exception is authorized by the City Manager under appropriate circumstances. For Charter Officers, exceptions to the rules for vacation allowance administration shall be authorized by the Mayor or the Mayor’s designee. Employees may accumulate a maximum of four hundred and eighty (480) vacation hours. Once the maximum is reached, there shall be no further vacation accrual until the balance falls below four hundred and eighty (480) hours.
- c. Employees who are eligible to receive a cash payment in-lieu of vacation leave, as provided for in Article 8 Section 107(d) of the Sacramento City Charter, may make an irrevocable election to receive such payment by foregoing the same number of vacation hours in the calendar year following election. Notification of the election must be made to the Payroll Division, Department of Finance, in writing by November 30. The in-lieu payment will be made to the employee on the last paycheck in March of the calendar year following the election. If the employee electing the in-lieu payment separates from City employment for any purpose before receiving the in-lieu payment, the employee forfeits any right to receive the payment, but will instead have their vacation leave balances credited with the amount of hours that would have accrued from January 1 to the last day of employment.

7.3 HOLIDAYS

a. Recognized Holidays

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

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

b. Eligibility

- (1) To be eligible for holiday pay, the employee must be in a paid work status the scheduled workday before and after the recognized holiday. Any payable leave time, such as vacation, and sick shall be considered hours worked for the purpose of holiday pay eligibility.
- (2) A part-time employee, including an employee in a work-sharing program, and non-career (+1,040) employee shall receive the recognized holiday benefit based upon the number of hours the employee was paid in that workweek as follows:

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

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

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

c. Holiday Observance

- (1) If an employee's scheduled days off are Saturday and Sunday during a standard City workweek in which a recognized holiday falls, the following shall apply:
 - i. If the recognized holiday falls on a Saturday, the preceding Friday shall be considered the employee's holiday.
 - ii. If the recognized holiday falls on a Sunday, the following Monday shall be considered the employee's holiday.
- (2) If an employee's schedule differs from the traditional Monday-Friday workweek in which a recognized holiday falls, the following shall apply:
 - i. The actual dates as listed above shall be considered as the employee's holiday.
 - ii. If the recognized holiday falls on the employee's scheduled day off, the employee shall receive holiday earned for the hours of the holiday benefit.

d. Floating Holidays

(1) Accrual

- i. In addition to the recognized holidays specified above, except as provided below, employees shall receive the equivalent of two (2) floating holidays per fiscal year on an accrual basis as follows:
 - 1. Each full-time Executive Management, Mayor/Council Support, and Executive Management Support employee shall accrue sixteen (16) hours of floating holiday per calendar year at the rate of forty (40) minutes on each of the first two (2) paychecks each month, as long as the employee is in paid status forty (40) or more hours of salary on the paycheck that the accrual would occur.
 - 2. A part-time Executive Management, Mayor/Council Support, or Executive Management Support employee, including an employee in a work sharing program, or a non-career (+1,040) employee shall

accrue floating holiday credit based on the number of hours for which the employee was paid in that bi-weekly pay period: 64 or more hours paid = 100% accrual [forty (40) minutes per each eligible paycheck]; 40-63.9 hours paid = 50% accrual [twenty (20) minutes per each eligible paycheck].

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

(2) Administration

- i. The scheduling of floating holiday time must be approved in advance by the Appointing Authority or designated representative.
- ii. An employee may carry-over from the preceding calendar year a maximum of eight (8) hours of floating holiday accrual. There shall be no cash out of floating holiday hours, either annually or upon separation.

e. Holiday Earned Accumulation

Employees may accumulate a maximum of eighty (80) hours of holiday earned hours. Once the maximum is reached, there shall be no further holiday earned until the balance falls below eighty (80) hours. Holiday earned may be taken by the employee at the discretion of the department head.

f. Closure of Operations on Half Holidays

The City may opt to close operations on Christmas Eve or New Year's Eve. If operations are closed on a designated half holiday, employees are expected to account for their time by using an appropriate form of paid leave or unpaid time off consistent with City policy.

7.4 MANAGEMENT LEAVE TIME

- a. Executive Management and Mayor/Council Support employees exempt from the overtime provisions of FLSA shall not accrue compensating time off or earn overtime pay for time worked in excess of eight (8) hours per day or forty (40) hours per week but shall be expected to devote as much time to their employment as may be necessary for the efficient operation of City government.
- b. Executive Management and Mayor/Council Support employees determined by the City to be exempt from the overtime provisions of the FLSA shall be credited with eighty (80) hours of management leave time

each calendar year, with the time posted to each employee's leave balances the first pay period in January. Executive Management and Mayor/Council Support employees appointed after January 1 of a calendar year shall be entitled to a pro rata share of eighty (80) hours of management leave time based upon the number of full months remaining in that calendar year. Management leave time shall be useable upon being credited, subject to the approval of the immediate supervisor.

Full-time career Executive Management and Mayor/Council Support employees who receive management leave time pursuant to this subparagraph shall have the option to receive a cash payment for up to forty (40) hours in lieu of the equivalent management leave accruals in the calendar year following the date the employee makes the election. The following rules shall govern this optional payment:

- (1) Any employee exercising such option shall be required to sign an appropriate form requesting payment in lieu of up to forty (40) hours of management leave time which shall be submitted to Payroll no later than November 30.
 - (2) Any employee exercising the option to receive cash in lieu of management leave time shall have the commensurate leave value debited from their leave balances when the payout is processed.
 - (3) The employee shall receive the in-lieu payment on the first paycheck in February of the year following the date of the election.
 - (4) Payment for up to forty (40) hours shall be calculated using the employee's hourly rate of pay on the date that the in-lieu payment is made.
- c. Management leave time shall not accumulate from year to year, and any management leave time not used or cashed out pursuant to the terms of this Section shall be forfeited on December 31 of the calendar year in which it was credited.
 - d. There shall be no cash out of management leave time upon separation.
 - e. Part-time Executive Management and Mayor/Council Support employees shall be credited with a prorated amount of management leave.

7.5 ADMINISTRATIVE LEAVE TIME

- a. Executive Management Support employees shall be credited with twenty-four (24) hours of administrative leave time each fiscal year. Such time will be posted in the first pay period in July. Executive Management Support employees hired after July 1 of a fiscal year shall be entitled to a prorated share of administrative leave time based upon the number of full months

remaining in that fiscal year. Administrative leave time shall be useable upon being credited, subject to the approval of the employee's immediate supervisor.

- b. Administrative leave time shall not accumulate from fiscal year to fiscal year, and any administrative leave time not used in the fiscal year in which it was awarded shall be forfeited. There shall be no cash out of administrative leave time.
- c. Part-time Executive Management Support employees shall be credited with a prorated amount of administrative leave.

7.6 SICK LEAVE

a. Accrual and Usage

- (1) A full-time employee shall accrue sick leave credits at the rate of four (4) hours on each of the first two (2) paychecks each month, which may be used by the employee in the event of illness or injury which is not job-related. Part-time career and non-career employees earn sick leave on a pro-rata basis per the [Rules and Regulations of the Civil Service Board](#) and/or California's Healthy Workplaces, Healthy Families Act of 2014.
- (2) Employees who have at least four hundred and eighty (480) hours of sick leave on November 1 in any calendar year may make an irrevocable election to forego the accrual of not more than twenty-four (24) hours of sick leave during the following calendar year and receive instead a cash payment for the number of sick leave hours designated in the election.
- (3) Notification of the irrevocable election must be made in writing to the Payroll Division, Department of Finance, between November 1 and November 30. The payment will be made on the last paycheck in May of the calendar year following the irrevocable election. Payment shall be made at the hourly rate of pay the employee is receiving at the time the payment is made.
- (4) If the employee electing the payment is separated from City employment before receiving the payment, the employee forfeits any right to the payment, but will instead have their sick leave balances credited with the sick leave hours the employee would have accrued from the January 1 following the date of election to the last day of employment.

b. Sick Leave Cash Out

(1) PERS

- i. PERS members hired, reemployed, or rehired prior to January 1, 2005, with more than twenty (20) years of continuous City service, are eligible to cash out sick leave upon separation for reasons of retirement, resignation, layoff or death as follows:

Eligible employees, or persons entitled by law to the possession of their estate, may receive a cash payment equal to thirty-three and one-third percent (33-1/3%) of the total sick leave credits accumulated (to the nearest full day) by the employee on the date of their retirement, resignation, layoff, or death at their current base rate of pay;

- ii. PERS members hired, reemployed, or rehired on or after January 1, 2005, shall not be eligible for cash out payment of any portion of accumulated sick leave credits.
- iii. PERS members may convert their sick leave balance to service credit pursuant to the PERS contract with the City upon separation of employment from the City for retirement, without regard to date of hire, reemployment, or rehire.
- iv. No employee whose services are terminated by reason of discharge for cause shall be eligible for payment of any portion of accumulated sick leave credits.

(2) SCERS

Upon retirement, SCERS members eligible to accumulate sick leave credits shall receive a cash payment representing the value of thirty-three and one-third percent (33-1/3%) of the sick leave credits (rounded to the nearest full day) accumulated to the date of retirement.

- c. Except as provided herein, no payments made or sick leave credits accumulated shall be construed or deemed to constitute retirement benefits payable to employees of the City.
- d. The Rules and Regulations of the Civil Service Board relating to the administration of sick leave privileges and benefits shall apply to all covered employees.

7.7 PARENTAL PAY

Pursuant to the City's [Leave Administration Policy](#), full-time employees who have completed at least three (3) years of full-time career City service from the most recent date of hire are eligible for parental pay of up to one hundred and sixty (160) hours of continuous time off. Part-time employees who have completed at least three (3) years of career City service from the most recent date of hire are eligible for parental pay of up to eighty (80) hours of continuous time off. Required career service must be completed preceding either:

- a. The birth of a child who resides with the employee and for whom the employee has physical and legal custody; or
- b. The adoption of a child under age four (4) who resides with the employee and for whom the employee has physical and legal custody.

7.8 INJURY-ON-DUTY

- a. Full-time career employees shall receive benefits for injuries suffered in the performance of their duties consistent with [Section 253 of the City Charter](#). In the event changes are made to the City Charter, those changes shall supersede the provisions of this Resolution. To the extent permitted by law, the City shall receive a credit for the benefits provided pursuant to Charter Section 253 against future workers' compensation benefits.
- b. If the employee qualifies for temporary disability benefits after exhausting the one-year leave of absence for workplace injuries described in Charter Section 253, the employee may use accrued leave balances to replace any loss of income. The employee may use full or partial days of leave pursuant to policy for this purpose, but in no event shall the cumulative amount received from temporary disability payments and the use of leave balances exceed the hourly rate of pay of the employee as of the date of injury.

7.9 COURT LEAVE

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

- b. If a swing shift or graveyard shift employee has served an amount of time that exceeds one-half of the employee's next scheduled shift in court or on jury duty, the employee will notify the supervisor in advance of the start time so they will be excused from the shift. If the employee is in court or on jury duty less than one-half the shift, the employee will be required to work.
- c. In lieu of the shift after service on court leave, a graveyard shift employee may request to take off the shift prior to court leave, provided that if the employee serves less than one-half of the shift, they will be required to use vacation or other leave accruals to cover the shift.
- d. To receive pay for work time lost, an employee must provide the City with a statement signed by an official of the court certifying the employee's service as a witness or juror or appearance in court for such purposes, the date or dates of attendance, the time released from attendance and the compensation paid exclusive of any transportation and subsistence allowance.
- e. The City reserves the right to require the employee to reimburse the City for all witness fees or jury remuneration received, less transportation and subsistence allowance.
- f. When a non-career employee is regularly scheduled to work and is ordered to appear in court or report for jury duty, such employee shall be entitled to court leave benefits in accordance with the above-stated procedure.

7.10 CATASTROPHIC LEAVE

Employees are entitled to catastrophic leave pursuant to, and consistent with, the City's [Leave Administration Policy](#).

7.11 SACRAMENTO HOUSING & REDEVELOPMENT AGENCY (SHRA) TRANSITION

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

- a. Eighty percent (80%) of sick leave balances after cash-out pursuant to Agency policy.
- b. Vacation balances up to one year of accrual at the employee's current rate on transition to the City.

7.12 BEREAVEMENT PAY

An employee may receive up to twenty-four (24) working hours of City bereavement pay for time taken off for the death of the employee's spouse, registered domestic partner, parent, sibling, child, grandchild, or grandparent. The employee may use sick leave as outlined in the [Rules and Regulations of the Civil Service Board](#) for additional time off or to attend to other death, bereavement, or funeral needs.

7.13 FAMILY AND MEDICAL LEAVE

Employees may be entitled to leave pursuant to the Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA), and/or Pregnancy Disability leave (PDL) consistent with the City's [Leave Administration Policy](#).

7.14 PERSONAL TIME OFF

- a. Full-time career employees who have completed ten (10) full years of City service shall be credited with twenty-four (24) hours of personal leave at the beginning of the first pay period in January of each year. Part-time career employees who have completed ten (10) full years of City service shall be credited with a prorated amount of time based on their regular schedule.
- b. Personal leave shall not accumulate from year to year and shall have no cash value. If an employee is unable to use all of the time by the end of the calendar year based on operational need, the Department may approve carry-over to the next year. In all other cases, the time shall be forfeited.
- c. Non-career employees are not eligible for personal leave benefits.

7.15 PAID CITY LEAVE (PCL)

- a. Employees who are employed in an unrepresented classification in Units 20, 21, or 22 and who are on payroll on April 9, 2022, shall receive a one-time leave bank contribution of thirty-five (35) hours of Paid City Leave. This paid City leave shall not expire, and shall have no cash value except as follows:
 - (1) Employees receiving the paid city leave contribution described in Section 7.15(a) may make an irrevocable election to receive a cash payment in lieu of using the leave. Notification of the election to receive this cash payment must be made to the Payroll Division, Department of Finance, in writing by November 30, 2022. Employees making the irrevocable election shall receive the payment on the paycheck representing the first pay period following their election at the straight time rate of pay they are receiving at

- the time of payment, less ordinary payroll deductions.
- (2) Upon separation from City service, employees with a balance of the paid city leave described in Section 7.15(a) shall receive a payment for the paid city leave balance at the straight time rate of pay they are receiving at the time of the payment, less ordinary payroll deductions.
- b. Employees who are employed in an unrepresented classification in Units 20, 21, or 22 and who are on payroll on October 31, 2022, shall receive a one-time leave bank contribution of thirty-five (35) hours of paid city leave that will become available for use on the first paycheck in January 2023. This leave shall not expire and shall have no cash value except as follows:
- (1) Employees receiving the paid city leave described in Section 7.15(b) may make an irrevocable election to receive a one-time cash payment by foregoing the thirty-five (35) hours of paid city leave in 2023. Notification of the election must be made to the Payroll Division, Department of Finance, in writing by November 30, 2022. This cash payment will be made to the employee on the last paycheck in March 2023. Payment shall be made at the straight time rate of pay the employee is receiving at the time payment is made, less ordinary payroll deductions. If the employee making the irrevocable election separates from City employment for any reason prior to December 31, 2022, the employee forfeits both the right to receive the cash payment and the thirty-five (35) hours of leave.
 - (2) Upon separation from City service, employees with a balance of the paid city leave described in Section 7.15(b) shall receive a payment for the paid city leave balance at the straight time rate of pay they are receiving at the time of the payment, less ordinary payroll deductions.
- c. The total maximum number of PCL an employee may receive is seventy (70) hours. Employees who promote or transfer to a classification covered by the Unrepresented Resolution and who previously received PCL hours while employed in a represented classification covered by a memorandum of understanding (MOU) that provided PCL, may carry over the balance of their remaining PCL hours, if any. However, under no circumstance will any employee be provided more than a total of seventy (70) PCL hours.

ARTICLE 8 – REIMBURSEMENTS AND ALLOWANCES

8.1 TRANSPORTATION AND PARKING ALLOWANCES

a. Reimbursement for Use of Privately-Owned Vehicles

- (1) Charter Officers or their designees may offer reimbursement for the use of privately-owned vehicles on City business or as compensation in lieu of the use of City vehicles on City business subject to the limits identified in this article. Employees receiving a vehicle allowance prior to August 8, 2013, may continue to receive the amount of that reimbursement, even if in excess of the limits set below:

Executive Team Members	\$500/month
Division Managers	\$250/month
Professional Level	\$0 - \$175/month
Support/Miscellaneous Staff	\$0 - \$100/month

- (2) Executive Management and Mayor/Council Support employees shall receive City-provided parking. Executive Management Support employees are eligible for City-provided parking.
- (3) Employees receiving less than \$250 in monthly vehicle allowance may receive out-of-town mileage reimbursement. Reimbursement for out-of-town mileage shall be at the general mileage reimbursement rate (minus 25 miles for individuals receiving a monthly vehicle allowance) or comparable coach airfare, whichever is lower.

- b. Any automobile operated on City business by any employee receiving a monthly vehicle allowance shall be insured against liability in persons and property, including wrongful death, in an amount at least equal to \$100,000 per person, \$300,000 per accident, and property damage limits at least equal to \$50,000 (100/300/50).

c. Monthly Bus Transportation Reimbursement

- (1) Sacramento Regional Transit District (SRTD)

Full-time Executive Management, Mayor/Council Support, and Executive Management Support employees who utilize SRTD for home-to-work transportation are eligible to receive an eighty percent (80%) City-paid SRTD monthly non-zone sticker pass in lieu of the City-paid parking and vehicle allowance. Part-time

employees shall be eligible for a fifty percent (50%) price discount on the monthly non-zone sticker pass. The employee must notify the Department of Finance, Revenue Division, prior to the first day of the month to obtain the monthly pass discount for that next month. Non-career employees shall not be eligible for the allowance. An employee who receives a reimbursement for use of a privately-owned vehicle shall not be eligible for benefits under this Section.

(2) Other Public Transportation

Eligible full-time employees, as described in Section 8.1(c)(1), who regularly utilize other public transportation regulated by the Public Utilities Commission or the equivalent for home-to-work commuting, are eligible for monthly transit pass reimbursement up to eighty percent (80%) of the cost in lieu of City-paid parking and vehicle allowance. Eligible part-time employees, as described above, shall be eligible for a fifty percent (50%) monthly reimbursement. The employee must present the required proof of purchase to the Department of Finance, Revenue Division, prior to the first day of the month to obtain reimbursement. The amount of monthly reimbursement shall not exceed \$120.00. An employee who receives a reimbursement for use of a privately-owned vehicle shall not be eligible for benefits under this Section.

(3) Downtown Parking Subsidy

i. Eligible full-time Executive Management Support employees, as described above, who work in the downtown area, shall receive a \$90.00 per month transportation allowance. Part-time Executive Management Support employees who work in the downtown area shall receive \$60.00 per month transportation allowance. Non-career employees shall not be eligible for the allowance.

ii. Employees who receive City-paid parking as described in Section 8.1 shall not be eligible for the downtown parking subsidy.

d. Discounted Parking Rates

Discounted parking will be available to Executive Management Support employees, on a first-come, first-serve basis, for parking spaces in the Memorial Garage at a cost of seventy percent (70%) of the regular Memorial Garage monthly rate. This means that the employee discounted rate is thirty percent (30%) off the full monthly rate.

e. City Vehicle Retention

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

8.2 FIRE UNIFORM ALLOWANCE

Safety management personnel employed in the Fire Department shall receive a uniform allowance of thirty-five dollars (\$35.00) bi-weekly for the purchase of regulation items of uniform that the Fire Department requires to be worn as a condition of employment.

8.3 TUITION REIMBURSEMENT

Employees will be reimbursed for the cost of tuition up to a maximum of \$1,500 per calendar year, pursuant to the City's Employee Educational Assistance Program, as amended. In addition, the employee's department may authorize tuition reimbursement for training through other approved sources. Except as provided in Section 6.5, non-career employees are not eligible for tuition reimbursement.

8.4 STATE OF CALIFORNIA BAR DUES

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

8.5 REQUIRED LICENSES AND CERTIFICATIONS

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

8.6 CONTINUING EDUCATION

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

8.7 BILINGUAL PAY

- a. The City may authorize bilingual pay when it is determined to be operationally necessary. The City shall determine what languages are appropriate for such pay and the number of employees to be certified. To be eligible for bilingual pay the employee must be determined to be verbally proficient and, if necessary for the assignment, proficient in the written language. The City will arrange the certification and testing process necessary to authorize the bilingual pay.
- b. Bilingual pay shall be paid at the rate of forty dollars (\$40) per month for any month in which the employee is certified. An employee who is receiving bilingual pay may be required to provide assistance to any City operations.

8.8 TECHNOLOGY ALLOWANCE

- a. If the City requires an employee in the Executive Management, Executive Management Support, or Mayor/Council Support unit to be generally accessible via technology device for the conduct of City-related business, the City shall provide a technology allowance in accordance with the provisions of this Section.
- b. Employees in the Executive Management, Executive Management Support, or Mayor/Council Support units may be authorized a monthly technology allowance of up to one hundred dollars (\$100).
- c. Upon approval of the technology allowance, the employee shall provide and maintain a personal cellular phone and service that is available to conduct City-related business. The employee shall provide, and the City may publish, the cellular phone number to designated individuals and organizations with whom the employee normally conducts City-related business.

8.9 NOTARY PAY

An Executive Management Support employee who is required to maintain, or who obtains for City benefit, a notary registration shall receive a monthly certification pay of thirty dollars (\$30).

ARTICLE 9 – MISCELLANEOUS

9.1 OFF-DUTY EMPLOYMENT OF EXEMPT EMPLOYEES

- a. Employees shall not engage in any other employment, work, profession, business, or enterprise that is inconsistent, incompatible, in conflict with or adversely affects the performance of their duties, or that is contrary to the

most effective performance of the mission of City management or the best interests of the City.

- b. Employees shall not accept any off-duty employment without the express consent, in advance, of the Appointing Authority or designated representative.
- c. Employees shall submit annual requests for approval for off-duty employment at the beginning of each fiscal year.
- d. An employee shall not work:
 - (1) In any employment, which will tend to bring discredit upon City management, or which is detrimental to City goals, or which will reduce an individual's efficiency or usefulness as a City employee.
 - (2) In any employment requiring an affiliation, membership, or allegiance tending to influence conduct in a manner inconsistent with the proper discharge of responsibilities to the City or the public interest.
 - (3) In any employment for any other municipality or political subdivision of the state or federal government (except with the express written authorization of the Appointing Authority).
 - (4) In any off-duty position while on sick leave or injured-on-duty status.
- e. An employee may request authorization for off-duty employment by forwarding a letter of request to the Appointing Authority. The letter should provide details concerning the type of employment, expected duration of employment, and the employer's name.
- f. The Appointing Authority will notify in writing to the employee of action taken on the request for off-duty employment. A copy of the letter will be retained in the employee's personnel file.
- g. Authorization for off-duty employment may be revoked at the discretion of the Appointing Authority at any time.
- h. Part-time, seasonal, or limited-term employees are not subject to the restrictions of this Section.

9.2 PAYROLL ERRORS

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

to the employee.

- b. In the event an employee received an overpayment, reimbursement to the City shall be mutually agreed to between the parties and shall be accomplished by:
- (1) Lump sum payment by the employee;
 - (2) A one-time deduction from useable vacation, compensating time off (CTO), or holiday credit balances equivalent to the overpayment at the employee's current hourly rate;
 - (3) A repayment schedule through payroll deduction; and/or
 - (4) Other means, as may be mutually agreed between the parties.

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

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

9.3 RETIREE COURT APPEARANCE FEES

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

9.4 OUT-OF-CLASSIFICATION PAY

- a. Unit 09

Temporary assignments to higher classifications shall be permitted only in those classifications where, in the judgment of the Department Head or designee, it is necessary to maintain proper and efficient departmental operations. An employee temporarily assigned to perform the duties of a

higher classification shall be compensated for the duration of the out-of-classification assignment by the payment of five percent (5.0%) of the base rate of pay the employee received prior to the out-of-classification assignment, or the salary provided for in Step 1, as applicable, of the higher classification, whichever is greater, but not to exceed top step of the higher classification. Departments shall establish internal tracking and approval systems for out-of-classification pay administration.

b. Units 20, 21, and 22

If a supervisor assigns an employee to perform the full range of duties of a higher classification, the employee shall receive out-of-classification pay up to a maximum of ten percent (10.0%) the employee's base rate of pay, but not more than the maximum salary of the higher classification. A department head may approve out-of-classification pay greater than ten percent (10.0%) with written justification and approval by the appropriate Charter Officer. Employees shall not receive out-of-classification pay in a department head's absence, unless the department head is on a leave of absence of at least ten (10) consecutive calendar days for a reason identified in the City's Leave Administration Policy, and the full range of responsibilities and decision-making authority of the department head has been delegated to the employee. Additionally, employees are not eligible for out-of-classification pay when their job specification states they may act in the absence of the department head.