

RESOLUTION 2000-13

RESOLUTION OF THE CITY OF SAN BERNARDINO ESTABLISHING A MANAGEMENT AND CONFIDENTIAL EMPLOYEE COMPENSATION AND BENEFITS PLAN AND RESCINDING RESOLUTION NUMBERS 89-129, 97-77, 97-352, 97-357, 1999-197, AND 1999-198.

WHEREAS, it is necessary to codify the compensation and benefits granted to management and confidential employees;

NOW THEREFORE, BE IT RESOLVED THAT:

SECTION 1. The Mayor and Common Council hereby establish a Management and Confidential Employee Compensation and Benefits Plan which defines the wages and benefits of those employees whose positions are a part of the Management/Confidential Group and are represented by the San Bernardino Management/Confidential Association (Association).

SECTION 2. The Management/Confidential Employee Compensation and Benefits Plan (Plan) shall be as follows:

A. Classifications

All Classifications listed in Resolution 6413, Sections 12 and 14 shall be covered by this Plan. Attachment "A" lists those classifications as of the adoption of this resolution.

B. Compensation

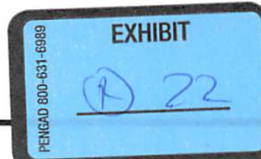
1. Safety Classifications shall have their salaries determined in accordance with Charter Section 186.

2. Effective 1/1/00, all non-safety employees will receive a 2% salary increase.

3. The City will award a contract and pay for a class and compensation study for all non-safety employees. After the study is completed (target date is 5/1/00), the City agrees to discuss implementation of the study by 9/1/00.

4. Annually, all non-safety management and confidential employees who have not yet reached top step, may receive an increase ranging from 0% to 5%, based upon performance evaluations, if given, completed within the previous evaluation period. The evaluation period is six months for employees initially hired at Step 1, and twelve months between all other steps.

5. Elected officials, the Civil Service Board, Library Board and Water Board may



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5 determine whether or not to conduct evaluations in writing. Regardless of whether or not written
6 evaluations are given, elected officials, the Civil Service Board, Library Board and the Water Board
7 may give Step increases not to exceed 5%.

8 6. All other management and confidential employees shall be evaluated in writing.

9 a. Evaluation of department heads and heads of divisions within the City
10 Administrator's Office will be performed by the City Administrator and reviewed by
11 the Mayor.

12 b. Evaluation of other management/confidential employees will be performed
13 by the department head, or division head. In the case of divisions within the City
14 Administrator's Office, the division head will perform the evaluation of the
15 management/confidential employees in that division and may be reviewed by the City
16 Administrator. Evaluation forms for these employees will be provided by the Human
17 Resources Department.

18 7. Recommendations for increases shall be submitted to payroll on a form provided by
19 Finance at least 30 days prior to the expiration of the evaluation period.

20 a. Recommendations for salary advancement of a department head, or division
21 head within the Office of the City Administrator, shall be submitted by the City
22 Administrator.

23 b. Recommendations for salary advancement of the Civil Service Chief
24 Examiner shall be submitted by the Civil Service Board.

25 c. Recommendations for salary advancement of the City Librarian shall be
26 submitted by the Library Board.

27 d. Recommendations for salary advancement of employees of elected officials,
28 with the exception of the Council Office, shall be approved and submitted by the
Elected Official.

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5 e. Recommendations for salary advancement within the Council Office shall be
6 submitted by the Council Committee.

7 f. Recommendations for advancement of all other management/confidential
8 employees shall be submitted by their respective department heads.

9 **C. Insurance (Medical, Dental, & Vision)**

10 The City's contribution to the Plan for each employee shall be an amount equal to the
11 monthly premium for the available PERS family medical plan, and city sponsored family dental and
12 vision plans having the highest premiums. The City's contribution will be frozen at the above
13 amount effective 9/1/00. Available PERS medical plans include those plans in which active
14 employees may enroll. This contribution may be used to purchase City sponsored medical, dental,
15 vision and life insurance.

16 **D. Retired Employees Medical Insurance**

17 The City shall contribute a maximum of \$16.00 per month per retired employee to be used
18 exclusively for the purchase of a PERS medical insurance benefit.

19 **E. Long Term Disability Insurance**

20 The City shall provide long term disability insurance for employees. Subject to the usual
21 provisions and exclusions of such insurance plans, the coverage shall be for 60% of salary after 60
22 calendar day elimination period, for a maximum period of two years. An employee shall not be
23 required to exhaust his or her sick leave to receive benefits.

24 **F. Life and AD&D Insurance**

25 The City shall provide Term Life and Accidental Death and Dismemberment Insurance of
26 \$50,000 for Management employees and \$25,000 for Confidential employees.

27 **G. Department Head Allowance**

28 A Department Head is entitled to an allowance of \$50.00 per month to cover various work
related expenses. The allowance shall not accumulate from month to month. Sums provided

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5 hereunder shall be on a reimbursement basis under a system to be developed by the City
6 Administrator.

7 **H. Uniform Allowance**

8 **Police**

9 a. Once each fiscal year, each Police Safety Management member shall receive
10 an annual uniform allowance of \$500 to be paid in a lump sum amount during the
11 first pay period of March.

12 b. New employees must wait until the first pay period of March to receive their
13 annual uniform allowance.

14 **Fire**

15 a. The City shall furnish and replace as needed the following items:

16 Four (4) work shirts;

17 Three (3) pairs of work trousers;

18 Safety boots or shoes

19 **I. PERS**

20 **Non-safety employees:**

21 1. Any non-safety employees hired on or after January 1, 1998, the City will pay five
22 percent (5%) of the members' contribution to PERS credited to the employee's account as a fringe
23 benefit. Upon said employees completing five (5) years of service, the City will pay two percent
24 (2%) additional of the members' contribution to PERS credited to the employee's account as a fringe
25 benefit on the first pay period of the sixth year of service.

26 2. The City agrees to implement the 2% @ 55 retirement benefit effective 6/30/2001
27 with the City paying the increased cost for this benefit.

28 3. City will amend the PERS contract to allow employees to buy back previous eligible
time, tax deferred, after the employee contacts PERS and obtains their approval.

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5 4. As of August 1, 1998, the City contracted with PERS to provide Section 21574,
6 Fourth Level of 1959 Survivor Benefits. All associated costs of this benefit will be borne by the
7 employee.

8 **Safety Employees:**

9 1. For Safety Employees, the City will pay the 9% employee contribution to PERS
10 through December 31, 1999.

11 2. The City agrees to pay the employer contribution for the 4th level of 1959 survivor's
12 benefit for Fire Management Employees.

13 3. As of January 1, 2000, the City shall increase the base salary of all employees covered
14 by this agreement by converting the nine percent (9%) Employer Paid Member Contribution (EPMC)
15 to base salary. This base salary is "compensation earnable" as defined in Section 20636 (c) of the
16 California Government Code and shall be reported to the Public Employees Retirement System
17 (PERS). Employees will then assume responsibility for payment of the nine percent (9%) employee
18 retirement contribution to PERS and all associated costs for the conversion of the EPMC to base
19 salary. The City shall designate such payment as an Employer Pick-Up as defined under the
20 provisions of Section 414(h)(2) of the Internal Revenue Code (26 USC 414(h)(2)). The employee
21 contribution to PERS shall be made through automatic payroll deductions from the base salary in
22 accordance with PERS regulations.

23 For purposes of determining overtime compensation and other salary payments, including
24 but not limited to, payoff sick leave, vacation accruals, holiday accruals and comp time balances, the
25 aforementioned nine percent (9%) base salary increase shall not be considered.

26 **J. Education Reimbursement**

27 All Safety Management members shall be entitled to receive, in addition to their regular
28 salary and as may be appropriate, one of the levels of incentive payment as outlined below:

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4 **Fire**

- 5 1. As of January 1, 2000, a State Fire Officer Certification shall receive an
6 additional \$150 per month above base salary; or,
7 2. As of January 1, 2000, a State Chief Officer Certification or completion of
8 the National Fire Academy Executive Fire Officer Program shall receive an
9 additional \$250 per month above base salary.

10 **Police**

- 11 1. One Hundred dollars (\$100) additional compensation per month shall be paid
12 each member who has obtained a POST Intermediate Certificate;
13 2. One hundred fifty dollars (\$150) additional compensation per month shall be
14 paid each member who has obtained a POST Advanced Certificate;
15 3. One hundred seventy-five dollars (\$175) additional compensation per month
16 shall be paid each member who has obtained POST Supervisory Certificate;
17 4. Two hundred dollars (\$200) additional compensation per month shall be paid
18 each member who has obtained a POST Management Certificate.
19 5. Effective March 1, 2000, all certificate pays in Sections 1-4 above will be
20 increased by fifty dollars (\$50).
21 6. Effective January 1, 2001, all certificate pays in Sections 1-4 above will be
22 increased an additional fifty dollars (\$50) above the increase obtained in Section 5
23 above.

24 **K. Overtime**

25 Employees will receive overtime compensation in accordance with the Fair Labor Standards
26 Act (FLSA).

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5 **L. Administrative Leave**

6 All 40 hour/week FLSA exempt employees in lieu of monetary compensation shall be
7 assigned 56 hours of Administrative Leave and shift FLSA exempt employees shall be assigned 84
8 hours of such leave each July 1. Administrative Leave shall not be carried beyond the end of any
9 fiscal year and shall not be paid for at any time.

10 **M. Acting Pay**

11 1. The Mayor may assign an employee to discharge the duties of a higher classification
12 for additional compensation as provided herein, in the event of a vacancy or during the temporary
13 absence of an employee.

14 2. An employee assigned to acting duty in writing by the Mayor shall receive acting duty
15 pay as follows:

16 a. Non-safety Employees, acting in a higher position, below the level of
17 Department/Division Head, shall receive acting duty pay on the sixth consecutive
18 work day of each acting duty assignment. No acting duty pay will be paid for the
19 first five work days of each acting duty assignment except for an employee who has
20 served a twenty day demonstration period during the previous 24 months, as recorded
21 in the employee's official personnel and/or Civil Service record. The entire period
22 of the acting duty assignment at the higher classification, including the initial work
23 demonstration period, may not exceed 60 working days except by the mutual
24 agreement of the Mayor and Common Council and the employee.

25 b. Non-safety Employees acting as Department Head or Division Head shall be
26 eligible for acting duty pay on the first work day of each such assignment.

27 c. Safety employees' acting duty pay shall be governed by Charter Section 186.

28 3. Acting pay for non-safety employees shall be the first step of the salary range for the
acting position next above the employee's regular salary, which would provide the acting employee

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5 at least a 5% salary increase.

6 4. Upon any subsequent service of a non-safety employee who completed a prior acting
7 duty assignment in the same higher acting position, compensation at the higher rate shall commence
8 upon the first date of such subsequent service.

9 5. It is not the intent of this subsection to provide such compensation for vacation relief
10 or for limited, short-term absences.

11 **N. Annual Physical Exam**

12 An annual physical examination is available for all participants. The City shall pay for
13 medical fees for the physical examination of said employees. Reimbursement to the employee for
14 the examination shall not exceed \$175.00.

15 **O. Deferred Compensation**

16 The City shall execute an agreement with a carrier to provide a deferred compensation plan
17 for all participants provided the Association concurs with the selection of the carrier and the plan.

18 **P. Employee Assistance Program**

19 All participants shall be able to receive assistance and counseling in solving personal and
20 emotional problems through an Employee Assistance Program at City expense.

21 **Q. Vacation Leave**

22 1. All Participants shall accrue: Ten days of paid vacation upon the first day of the
23 second year of continuous full time employment with the City of San Bernardino. Thereafter,
24 vacation shall accrue each pay period prorated according to the number of days or shifts per year in
25 the following chart:

	40 hr/week	56 hr/week
<u>Completed years of Continuous Service</u>	<u>Employee days Per Year</u>	<u>Employee shifts Per Year</u>
1	10	5

26 SDE/ea [MgtConf.Res]

27 8

28 January 20, 2000

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4	5	15	7 ½
5	15	20	10
6	20	25	12 ½

7 *No vacation shall be granted if service is less than one (1) year.

8 1. Vacation credits may accrue and accumulate for a maximum of two years' total
9 accumulated vacation credits on a carry over basis from year to year. Vacations or portions thereof
10 from any one year so accrued may run consecutively with vacations or portions thereof of the next
11 succeeding year.

12 2. In the event an employee works less than 50% of the total normal work hours in a pay
13 period, he/she shall not be credited with any vacation leave for such pay period. Approved vacation,
14 sick, holiday, and Administrative Leave shall be considered as time worked for this item only.

15 3. When an employee resigns or otherwise leaves the service of the City, payment shall
16 be made to the employee for the earned portion of his vacation on the basis of the hourly rate of pay
17 being received by the employee on the date of separation.

18 **R. Tuition Costs**

19 All participants shall be reimbursed for selected tuition costs and text books for previously
20 approved job related courses which will increase the value of the employee to the City, provided that
21 the employee achieves a passing grade of "B" or better. The amount of reimbursement shall be the
22 equivalent of tuition costs for up to six units per quarter as charged by Cal State University, San
23 Bernardino, or up to one and one half times that amount if based on a semester.

24 **S. Sick Leave**

25 All participants shall be granted 6 working days of sick leave or ½ shift for shift employees
26 after 6 calendar months of continuous service. Thereafter, sick leave as herein provided shall accrue
27 at a rate of 8 hours per month, 4 hours per pay period or ½ shift per month for approximately 6.0
28 hours per pay period for shift employees. In the event an employee works less than fifty percent of

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5 the total normal work hours in the pay period, he/she shall not be credited with any sick leave for
6 such pay period. Approved vacation, sick leave, holiday or administrative leave shall be considered
7 as time worked for the purpose of computing sick leave benefits only. Whenever an employee uses
8 all allowable sick leave, further absences may be charged against accrued vacation or with
9 department head approval, the employee may take loss of pay rather than vacation.

10 1. Sick leave means the absence from duty of an employee because of illness or
11 injury, exposure to contagious disease, attendance upon a member of his/her
12 immediate family who is seriously ill and requires the care of or attendance of an
13 employee, or death in the immediate family of the employee. Immediate family
14 means: husband, wife, grandmother, grandfather, mother, father, sister, brother, son
15 or daughter, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law
16 or daughter-in-law.

17 2. Upon the Department Head's request, an employee must provide a physician's
18 statement to justify a sick leave of five consecutive days or 2 ½ shifts or longer. If
19 the department head finds with just cause that sick leave is being abused, the
20 employee may be required to submit a physician's statement after any absence.

21 3. No absence due to illness or injury in excess of five working days or 2 ½
22 shifts shall be approved except after the presentation of satisfactory evidence of
23 illness or injury; namely a certificate from a practicing physician or an authorized
24 practicing chiropractor approved by the City Administrator. The Mayor and
25 Common Council shall have the power to require that any person claiming the sick
26 leave benefits of this resolution be examined at any reasonable time or intervals by
27 the City's designated physician, and in the event of an adverse report to reject such
28 claim for sick leave, in whole or in part, and to terminate sick leave compensation.
In the event of the refusal of any person to submit to such examination after

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5 notification, the City Administrator may terminate sick leave compensation and reject
6 any claim therefor. The City Administrator shall have the right to require the
7 presentation of a certificate from a practicing physician stating that an employee is
8 physically or psychologically able to perform his/her work and duties satisfactorily
9 before permitting an employee who has been on sick leave to return to work.

10 4. In order to receive compensation while absent on sick leave, the employee
11 shall notify his/her immediate supervisor prior to or within four hours after the time
12 set for beginning his/her daily duties, or as may be specified by the Head of his/her
13 Department.

14 5. When absence is for more than one work day, the employee may be required
15 to file a physician's certificate or a personal affidavit with the Director of Human
16 Resources stating the cause of the absence.

17 6. Whenever an employee is compensated hereunder for sick leave or injury and
18 has not had a vacation at the end of the current calendar year, he/she shall be allowed
19 to take his/her vacation in the next calendar year.

20 7. Whenever, the term "service of the City" appears herein, it shall be deemed
21 to include all service to the City of San Bernardino, the San Bernardino Board of
22 Water Commissioners and the San Bernardino Free Public Library Board.

23 8. Sick leave may be accumulated without limit and approved time off with pay
24 for sick leave shall be considered as time worked for purposes of the accrual of sick
25 leave only. Sick leave shall not accumulate during periods of leave of absence
26 without pay. The words "working day" shall mean a normal day to which an
27 employee has been assigned to work.

28 9. Unused sick leave is payable upon resignation, retirement or death, except
 dismissal or resignation with prejudice at 50% of total accumulated hours. There is

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5 no cap or service requirement.

6 **T. Injury Leave**

7 All non-safety employees shall be granted industrial accident and illness absence with full
8 pay for each such accident or illness for the first 7 calendar days of their disability. Effective with
9 day 8 of the necessary absence for such illness, each employee shall be authorized, upon his/her
10 written request, to utilize any balance of his/her accumulated sick leave or vacation credits to
11 augment the amount of temporary disability compensation received to the extent that the total sum
12 received will result in a payment equal to his/her regular and normal compensation. The utilization
13 of sick leave for this purpose shall end with termination of the temporary disability or when the
14 accumulated sick leave credits have been exhausted, whichever occurs first.

15 When injury is sustained in the course and scope of employment with the City by a safety
16 employee, said employee shall be compensated under the provisions of the Workers' Compensation
17 Insurance and Safety Act of California and not under the provisions of this resolution; provided that
18 he/she shall be reimbursed pursuant to the provisions of California Labor Code Section 4850 during
19 the first 365 days of disability.

20 Safety employees who are receiving payments under Labor Code Section 4850 shall accrue
21 vacation, sick leave and holiday credits during such absence from duty.

22 When any employee is off duty on injury leave and has not had a vacation at the end of the
23 current year, he shall be allowed to take his vacation in the calendar year he returns to duty.

24 When an employee sustains what he/she believes to be an industrial injury or illness, the
25 employee shall notify the supervisor immediately, or as soon as possible. The employee shall
26 prepare and submit a report of injury or illness, and the supervisor shall prepare the supervisor's
27 report, and make distribution. In the event the employee is unable to prepare the report within 24
28 hours, the supervisor or a member of the division/department staff shall prepare the required report.
Benefits will not be paid, until the required reports have been filed with Human Resources, and a

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5 doctor's first report of injury or illness has been received. The employee has the right to be examined
6 and treated by a physician of their choice, within the required time, for the alleged injury or illness,
7 as required by the California Labor Code.

8 The City shall have the right to require the employee be examined by a physician designated
9 by the City, to assist in determining the length of time during which the employee will be unable to
10 perform the assigned duties, and if the disability is attributable to the injury involved.

11 Should there be a dispute between the physician selected by the City and the physician
12 selected by the employee, a third physician shall be mutually agreed upon between the employee and
13 the City to examine the employee, to assist in making necessary medical determinations.

14 **U. Reasonable Suspicion Testing**

15 1. Employees will participate in a reasonable suspicion testing program for drugs and
16 alcohol, following the Reasonable Suspicion Drug/Alcohol Testing procedure described in the City
17 of San Bernardino's policy on Drugs and Alcohol Testing of Employees with Commercial Drivers
18 Licenses.

19 2. The Fire Management employees agree to have Fire Management employees with
20 drivers licenses of (1) Class "B" FX with "X" endorsement, (2) with Commercial Drivers licenses
21 or (3) Class "C" drivers licenses participate in reasonable suspicion drug and alcohol testing, as
22 outlined in the Fire Safety Employees' MOU.

23 3. All supervisors will receive training consisting of at least six (6) hours on
24 identification of actions, appearance or conduct which are indicative of the use of drugs or alcohol.

25 4. A Supervisor must directly observe and document the behavior on a reasonable
26 suspicion checklist. Reasonable suspicion may not be based on hearsay.

27 **V. Leave of Absence Without Pay**

28 Leave of absence without pay is a temporary non-pay status and absence from duty granted
at the request of the employee. Leave of absence without pay may be granted by the Mayor and

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5 Common Council for a period not to exceed 6 months, upon the positive recommendation of the
6 department head and the City Administrator. Under justifiable conditions, said leave may be
7 extended by the Mayor and Common Council for additional periods. Leave of absence without pay
8 will be considered favorably if it is expected that the employee will return to duty and that at least
9 one of the following benefits will result: increased job ability, protection or improvement of the
10 employee's health, retention of a desirable employee, or furtherance of a program of interest to the
11 City. Examples of or conditions for which a leave of absence without pay may be granted are:

- 12 1. For an employee who is a disabled veteran requiring medical treatment;
- 13 2. For an employee who is temporarily mentally or physically unable to perform
14 his/her duties;
- 15 3. For an employee who files for or assumes elected office;
- 16 4. For maternity or paternity leave, upon the recommendation of the attending
17 physician;
- 18 5. For military leave when the employee has less than 1 year of service to
19 qualify for leave with pay.

20 An approved leave of absence without pay for less than 60 days in any calendar year will not
21 be considered a break in service. Leave in excess of 60 days shall result in the advancement of the
22 employee's anniversary date and compensation advancement date to such date as will account for
23 the total period of uncompensated time off. Failure to return to duty at the expiration of the
24 approved leave of absence without pay shall constitute an abandonment of the position pursuant to
25 Rule 507 of the Rules of the Civil Service Board and shall be prosecuted consistently therewith.

26 **W. No Pay Status**

27 If an employee does not have time reported to payroll during a pay period resulting in no
28 payroll check issued, they will be considered on no pay status. The Finance Department will bill the
employee for both the employee and employer portions of their Insurance Benefits. This will be in

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5 effect for any and all pay periods during the time employee is no pay status. Employees can
6 voluntarily cancel insurance benefits by contacting the Human Resource Department. If an employee
7 chooses to cancel their health benefits they will be subject to re-enrollment pursuant to PERS
8 guidelines. In circumstances in which either the Federal Family Leave Act or the State Medical and
9 Family Leave Act apply, the City shall adhere to the requirements of the Acts.

10 Notwithstanding any other provision of this section to the contrary, the City will continue its
11 contribution for health and life insurance premiums of an employee on no pay status or leave of
12 absence due to any injury or illness arising out of and in the course of his/her employment with the
13 City.

14 **X. Holidays**

15 All participants shall receive the following paid holidays:

- 16 ■ New Year's Day January 1
- 17 ■ Martin Luther King Day 3rd Monday in January
- 18 ■ President's Day 3rd Monday in February
- 19 ■ Memorial Day Last Monday in May
- 20 ■ Independence Day July 4
- 21 ■ Labor Day First Monday in September
- 22 ■ Veteran's Day November 11
- 23 ■ Thanksgiving 4th Thursday in November
- 24 ■ Day After Thanksgiving 4th or 5th Friday in November
- 25 ■ Christmas Eve December 24
- 26 ■ Christmas Day December 25
- 27 ■ New Year's Eve December 31
- 28 ■ Two (2) Floating Holidays (16 holiday hours)

Holidays listed above shall be allowed on a Monday, if any such holiday falls on Sunday, and

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5 shall be allowed on the preceding Friday, if such holiday falls on a Saturday, for all employees
6 except those covered by other provisions herein. If the Christmas and New Year holidays occur on
7 Mondays, these holidays and the holiday eves will be observed on Mondays and Tuesdays.

8 At the beginning of each calendar year, the City will determine how many of the above
9 holidays fall on a regularly scheduled day off. An employee working on a 9/80 or a 4/10 schedule
10 will accrue the equivalent number of hours of holiday time ("holiday account") with one (1) holiday
11 equivalent to eight (8) hours.

12 In lieu of the above, shift employees shall accrue 6 ½ shifts per calendar year, accrual at 6
13 hours per pay period.

14 Holidays earned in any 12 month period are not accumulative beyond the total number of
15 holidays allowed each year by this pay plan.

16 If a holiday falls on a nine - or ten - hour work day, the employee will be paid eight (8) hours
17 holiday pay. The employee may supplement the holiday with accrued vacation, holiday account
18 time, or no pay.

19 If new employees elect to "draw down" from the holiday account, the hours used will be
20 deducted from the 16 holiday account hours they receive upon the completion of six (6) months of
21 continuous service.

22 In the event of the employee's failure for any reason to take such holiday account hours
23 during the term of this Resolution, the employees shall be paid for his/her holiday account balance,
24 upon separation from the City.

25 **Y. Benefits Reopener**

26 It is intended that this plan not discriminate in favor of highly compensated employees or key
27 employees as to contributions and benefits, in compliance with the requirements of Section 89 of the
28 Tax Reform Act of 1986. If existing non-taxable fringe benefits are found to be taxable pursuant
to new law, regulations or interpretations, the City agrees to discuss implementation of alternate

2000-13

RESOLUTION OF THE CITY OF SAN BERNARDINO ESTABLISHING A MANAGEMENT AND CONFIDENTIAL EMPLOYEE COMPENSATION AND BENEFITS PLAN AND RESCINDING RESOLUTION NUMBERS 89-129, 97-77, 97-352, 97-357, 1999-197, AND 1999-198.

forms of compensating affected employees to minimize their tax liability.

SECTION 3. Resolution Numbers 89-129, 97-77, 97-352, 97-357, 1999-197, and 1999-198 are hereby rescinded in their entirety.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Mayor and Common Council of the City of San Bernardino at a joint regular meeting thereof, held on the 24th day of January, 2000, by the following vote, to wit:

COUNCIL MEMBERS:	AYES	NAYS	ABSTAIN	ABSENT
ESTRADA	<u>X</u>	_____	_____	_____
LIEN	<u>X</u>	_____	_____	_____
MCGINNIS	<u>X</u>	_____	_____	_____
SCHNETZ	<u>X</u>	_____	_____	_____
SUAREZ	<u>X</u>	_____	_____	_____
ANDERSON	<u>X</u>	_____	_____	_____
MILLER	<u>X</u>	_____	_____	_____

Rachel Clark
Rachel Clark, City Clerk

The foregoing Resolution is hereby approved this 25 day of January, 2000.

Gordon McGinnis
Gordon McGinnis
Mayor Pro Tem

Approved as to form and legal content:

JAMES F. PENMAN
City Attorney

By: James F. Penman
SDE:ca [MgtConf.Res]