

*City of*  
**SACRAMENTO**

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**Personnel Resolution Covering  
Unrepresented Officers and Employees**

December 10, 2019

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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The terms of this Resolution applies to unrepresented employees of the City unless superseded by an employment contract approved by the City Council.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 is not required for discipline, and there are no appeal rights.
- 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 classification of Staff Aide may be used 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 range 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 employment with the City. For a part-time employee, City service shall be prorated. This use of prior employment for calculating the City service for rehired employees shall not create a right to retroactive benefits.

### **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 workweek 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 applicable 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. The City may cash out those CTO hours accumulated in excess of eighty (80) hours at any time provided that the use of such time off has not been previously approved.
- 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 below shall be available to full-time Executive Management, Mayor/Council Support, and Executive Management Support employees. The Appointing Authority, on a case-by-case basis, shall establish the fringe benefit plan

for employees who are less than full-time, not to exceed the fringe benefit plan for comparable full-time employees.

### 3.1 HEALTH AND WELFARE CONTRIBUTION (CITY CONTRIBUTION)

- a. The City shall administer a Cafeteria Plan (Plan) for employees consistent with Section 125 of the United States Internal Revenue Code (IRC). The details of Plan eligibility and operational requirements are set forth in the Plan documents.
- b. Employee Only
  - (1) The City contribution for a full-time employee enrolled in a City-sponsored medical plan for employee only shall be \$747.00 per month.
  - (2) Effective December 21, 2019, for full-time employees enrolled in a City-sponsored medical plan for employee only, the City contribution shall be up to a maximum of \$829.46 per month.
- c. Employee Plus One (1) Dependent
  - (1) The City contribution for a full-time employee enrolled in a City-sponsored medical plan for employee plus one (1) dependent shall be \$1,193.00 per month.
  - (2) Effective December 21, 2019, for full-time employees enrolled in a City-sponsored medical plan for employee plus one (1) dependent, the City contribution shall be \$1318.38 per month.
- d. Employee Plus Two (2) or More Dependents
  - (1) 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 \$1,587.00 per month.
  - (2) Effective December 21, 2019, for a full-time employee enrolled in a City-sponsored medical plan for employee plus two (2) dependents, the City contribution shall be up to a maximum of \$1758.00 per month.
- e. 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.

- f. Full-time employees not enrolled in a City-sponsored medical plan shall receive up to \$747 per month to purchase City-sponsored dental and vision coverage.
- g. Eligible part-time employees shall receive the City contribution at a prorated amount consistent with represented employees.
- h. 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.
- i. Employees shall not receive any unused portion of the City contribution as cash.
- j. 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. The City shall contribute \$1,193 for an employee enrolled with one (1) dependent; and \$1,587 for an employee enrolled with two (2) or more dependents.
- 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. Insurance Over \$50,000

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

### 3.7 SECTION 401(A) MONEY PURCHASE PLAN

The City's established IRC Section 401(a) Plan contributions are as follows:

- a. For Executive Management and Mayor/Council Support 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 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.

## 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 \$300 per month for the retiree. A retiree with one (1) or more dependent(s) enrolled on the retiree's medical plan shall receive an additional \$65 per month, for a total maximum monthly contribution of \$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 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 service but less than twenty (20) full years of 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 service but less than fifteen (15) full years of 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. Retirees Enrolled in a Non-City Sponsored Health Plan

Retirees may elect to participate in a City-sponsored health plan or purchase an individual plan. A retiree who participates in a health plan not sponsored by the City for two consecutive plan years shall not be eligible to reenroll in a City-sponsored health plan except in the event of closure or repeal of the Patient Protection and Affordable Care Act.

d. Medicare Supplement

In order to maintain eligibility for the City retiree health insurance contribution, each eligible retiree and dependent shall enroll in Medicare Parts A and B immediately after becoming eligible for such benefits.

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 outlined 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 entitled 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 continue to receive the retiree insurance contribution of up to \$300 for the survivor only or up to \$365 for the survivor and an eligible dependent. Eligible dependent, as used in this Section, is defined as a dependent who was eligible to be enrolled on the retiree's benefit plan at the time of the retiree's death.

h. Limitation Clause

No employee or retiree shall have any rights provided by this Section 4.1 after June 22, 2018.

i. Elimination of Retirees or Survivor Dependents Benefits

No employee hired 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. 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 as reimbursement 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 as reimbursement 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 and Student Trainee (Paramedic Intern) 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 Cadet, Police 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.

**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.

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 year at the rate of forty (40) minutes per pay period. The employee shall accrue floating

holiday credit for each pay period for which the employee is paid twenty (20) or more hours of salary.

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 budgeted authorized position (BAP) for which the employee fills at the rate of twenty (20) minutes accrual for employees who are working in a 0.5 up to a 0.79 BAP and at a rate of forty (40) minutes accrual for employees who are in a 0.8 BAP or higher.

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 fiscal year. Such time will be posted the first pay period in July. Management employees appointed after July 1 of a fiscal year shall be entitled to a prorated share of eighty (80) hours of management leave time based upon the number of full months remaining in that fiscal year. Management leave time shall be useable upon being credited, subject to the approval of the immediate supervisor.
- c. Management leave time shall not accumulate from fiscal year to fiscal year, and any management leave time not used or cashed out in the fiscal year in which it was awarded shall be forfeited. Budgeted full-time career employees may cash out up to forty (40) hours of management leave time one-time per fiscal year. There shall be no cash out of management leave time upon separation.
- d. 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. Effective July 1, 2020, 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.
- d. Executive Management Support employees who are employed in classifications within Unit 22 on August 28, 2019, and remain employed in a classification within Unit 22 on July 1, 2020, shall receive a one-time payment of \$3,000 to be paid on the July 14, 2020, paycheck.

## 7.6 SICK LEAVE

### a. Accrual and Usage

- (1) A full-time employee shall accrue sick leave credits at the rate of eight (8) hours per 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) An employee in active service of the City, eligible to accumulate sick leave credits, may in January of each year receive a cash payment for twenty-five percent (25%) of the unused portion of sick leave credits accumulated during the preceding calendar year from January 1 through December 31, provided the employee shall have to his/her credit on December 31 immediately preceding the date for payment, a total of at least four hundred and eighty (480) hours accumulated. The employee shall be paid for such percentage of sick leave accumulation at the rate of pay that the employee was receiving on January 1 of each year in which payment is made. The amount of time for which an employee is paid shall be deducted from the employee's total accumulation. An employee electing to receive this cash payment must notify the Department of Finance, Accounting Division, in writing, of such election no later than December 15 of the year that the sick leave credit was earned.

### b. Sick Leave Cash Out

#### (1) PERS

- i. PERS members hired prior to January 1, 2005, with more than twenty (20) years of City service, are eligible to cash out sick leave and/or convert sick leave to PERS service credit upon separation for reasons of retirement, resignation, layoff or death as follows:
  1. 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;
  2. In the alternative, eligible employees may utilize any or all of their total sick leave credits accrued as of the

date of their retirement, resignation, layoff, or death and apply the sick leave to service credit pursuant to the PERS contract with the City. If the employee converts less than the full balance of sick leave to service credit, the employee may receive a cash payment equal to thirty-three and one-third percent (33-1/3%) of the remaining sick leave credits after conversion to PERS.

- ii. PERS members hired on or after January 1, 2005, shall not be eligible for payment of any portion of accumulated sick leave credits, though upon termination of employment for retirement employees may apply their sick leave balances to service credit pursuant to the PERS contract with the City.
- iii. 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 Parental Leave 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 he/she 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, he/she 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 Catastrophic Leave 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 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 employees 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.

## ARTICLE 8 – REIMBURSEMENTS AND ALLOWANCES

### 8.1 TRANSPORTATION AND PARKING ALLOWANCES

- a. Reimbursement for Use of Privately-Owned Vehicles
  - (1) Charter Officers 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 POLICE AND FIRE UNIFORM ALLOWANCE

- a. Safety management personnel employed in the Police Department shall receive a uniform allowance equal to, and on the same terms and conditions as, the uniform allowance granted to sworn employees in the Police Department Unit.
- b. Safety management personnel employed in the Fire Department shall receive a uniform allowance equal to, and on the same terms and conditions as, the uniform allowance granted to employees in the Fire Department Unit.

## 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 existing policy for education reimbursement. In addition, the department may authorize tuition reimbursement for training through other approved sources. 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 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, 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 his or her capacity as a former City employee shall receive a court appearance fee if the employee reports at the time specified for his or her

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 SALARY RANGE ADJUSTMENTS FOR DESIGNATED CLASSIFICATIONS

The top of the salary range for employees in the following unrepresented classifications shall be adjusted by the same percentage, and on the same dates, as salary step adjustments received by comparable job classifications represented by the Sacramento City Exempt Employees Association (SCXEA):

- Administrative Analyst (City Manager's Office)
- Executive Assistant (City Manager's Office)
- Executive Assistant (Mayor/Council)
- Labor Relations Analyst
- Office of Public Safety and Accountability Analyst
- Office of Public Safety and Accountability Specialist
- Principal Budget Analyst (Finance/Budget)
- Staff Assistant (Mayor/Council)

The City retains sole discretion to determine which job classifications represented by the SCXEA are comparable to those listed above.