

**Meeting Date:** 05/14/2014

**Report Type:** Discussion

**Compensation  
Commission**

915 I Street, 1<sup>st</sup> Floor

[www.CityofSacramento.org](http://www.CityofSacramento.org)

**Title:** Annual Review and Potential Consideration of Adjustments to the Compensation of the Mayor and City Council and City Boards and Commissions

**Location:** Citywide

**Issue:** The City Charter requires the Compensation Commission to meet at least once per year and establish the compensation for the Mayor, members of the City Council and the public members of City Boards and Commissions. Compensation for the Mayor and City Council should be reasonable and consistent with other cities similar in size and structure.

**Recommendation:** Review and consider passing a Resolution establishing compensation of the Mayor and City Council, and public members of City Boards and Commissions for Fiscal Year 2013/14.

**Contact:** Mark Prestwich, Special Projects Manager, (916) 808-5380, City Manager's Office

**Presenter:** Mark Prestwich, Special Projects Manager, (916) 808-5380, City Manager's Office

**Attachments:**

- 01 Description/Analysis
- 02 Background
- 03 Council Member Compensation Survey
- 04 Mayor Compensation Survey
- 05 Boards and Commission Compensation Summary
- 06 Draft Resolution Establishing Compensation for Fiscal Year 2013/14

Submitted By:  
Adobe  
Signature:

Approved By:  
Adobe  
Signature:

Mark Prestwich

## **Attachment 01 – Description/Analysis**

**Policy Considerations:** Section 29 of the Sacramento City Charter requires the Compensation Commission establish compensation for the Mayor, members of the City Council, and the public members of City Boards and Commissions. Compensation for the Mayor and City Council should be reasonable and consistent with other cities similar in size and structure.

**Economic Impacts:** Compensation figures established by the Compensation Commission will be incorporated into the City's Fiscal Year 2013/14 budget.

**Environmental Considerations:** Not applicable

**Sustainability:** Not applicable

**Commission/Committee Action:** The Compensation Commission is required to meet at least once annually to establish compensation for the Mayor, members of the City Council and public members of City Boards and Commissions.

**Rationale for Recommendation:** The City Charter requires the Charter meet at least annually to establish compensation for the Mayor, members of the City Council and public members of City Boards and Commissions.

**Financial Considerations:** Per the Compensation Commission's request, a City budget update is presented annually to the Commission.

**Local Business Enterprise (LBE):** Not applicable.

## Attachment 02 – Background

In June 2004, the Commission established a formal process to guide the compensation-setting process noting:

- The Commission will conduct annual review of the Mayor and Council Member pay for possible adjustment.
- Adjustments should be considered annually to avoid a large ‘catch-up’ adjustment every few years.
- Salary adjustments provided to city charter officers, exempt management and represented employees shall be communicated to Commission members.
- Eight cities were selected as “benchmark cities” and reaffirmed by the Compensation Commission in 2012 because of their similar size and governmental structure including:
  - Aurora, Colorado
  - Austin, Texas
  - Cincinnati, Ohio
  - Kansas City, Missouri
  - Long Beach, California
  - Riverside, California
  - San Jose, California
  - Stockton, California
- Benchmark cities’ compensation data shall be provided to the Commission annually.
- Adjustments to the Mayor and Councilmember compensation shall align with the City’s July 1 through June 30 fiscal year.
- Mayor and Council Member benefits were to be aligned with city charter officers.

In 2012, the Compensation Commission requested a comprehensive compensation survey of the benchmark cities including all forms of compensation. The Commission also required the Mayor and Council Members to begin paying the 7% employee share required by the California Public Employee Retirement System.

The City provided the following contractually-obligated base wage increases to the City’s bargaining units in fiscal year 2013/14 as follows:

<b>Employee Unit</b>	<b>FY 2013/14 Base Wage Adjustment</b>
Executive Management	2.0%
Mid-Managers Union	2.0%
Police Union	0.0%
Fire Union	0.0%
Plumbers Union	0.0%
Building Trades Union	0.0%
Machinists Union	0.0%
Engineers Union	0.0%
Painters Union	0.0%

## Attachment 3 - Council Member Compensation Survey January 1, 2014

Benchmark Cities	2013 Salary	2013 Salary	% Change	Auto Allowance	Tech Allowance	Expense Allowance	Total
Aurora, CO	\$ 12,879	\$ 13,071	1.5%	\$ 9,126	\$ -	\$ 2,700	\$ 24,897
Austin, TX	\$ 65,956	\$ 66,955	1.5%	\$ 5,400	\$ -	\$ -	\$ 72,355
Cincinnati, OH	\$ 60,646	\$ 60,646	0.0%	\$ -	\$ -	\$ -	\$ 60,646
Kansas City, MO	\$ 61,569	\$ 61,569	0.0%	\$ -	\$ -	\$ -	\$ 61,569
Long Beach, CA	\$ 33,027	\$ 33,654	1.9%	\$ 5,400	\$ -	\$ -	\$ 39,054
Riverside, CA	\$ 39,408	\$ 39,408	0.0%	\$ 4,200	\$ -	\$ -	\$ 43,608
San Jose, CA	\$ 81,000	\$ 81,000	0.0%	\$ 4,200	\$ 1,000	\$ -	\$ 86,200
Stockton, CA	\$ 23,927	\$ 23,927	0.0%	\$ -	\$ -	\$ -	\$ 23,927
<b>Average</b>	<b>\$ 47,302</b>	<b>\$ 47,529</b>	<b>0.5%</b>	<b>\$ 3,541</b>	<b>\$ 125</b>	<b>\$ 338</b>	<b>\$ 51,532</b>
<b>Sacramento</b>	<b>\$ 60,816</b>			<b>\$ 4,800</b>	<b>\$ 1,200</b>	<b>\$ 2,500</b>	<b>\$ 69,316</b>

Benchmark Cities	Eligible for Retirement Plan?	Receive Medical/Dental Benefits?	Eligible for Long Term Disability Insurance?	Eligible for Basic Life Insurance?	Receive City-Paid 401(a)?	Full-Time or Part-Time?	Eligible for Retiree Medical Contribution?	Compensation Methodology
Aurora, CO	Yes	Yes	Yes	2x Salary	No	Part	No	Charter set base salary of \$40,000 for Mayor and \$8,293 for Council Members in 1996; adjusted annually by CPI or the average increase/decrease given to all city employees, whichever is less.
Austin, TX	No	Yes	Yes	Yes	No	Full	No	Salaries established by Council per ordinance (generally late spring but no set date).
Cincinnati, OH	Yes	Yes	No	1x Salary	No	Part	No	Charter provides that the Mayor shall receive annual salary in an amount equal to twice that of the Council Members; Charter sets annual salary of Council Members at an amount equal to 3/4 of that of County Commissioners.
Kansas City, MO	Yes	Yes	Yes	1x Salary	No	Part	No	Annual pay ordinance approved by Mayor and Council (May 1st).
Long Beach, CA	Yes	Yes	No	\$65,000	No	Part	Same as Mayor	Charter set Mayor's base salary at \$67,500 in 1988; it is adjusted annually on July 1 by CPI. Charter sets Council Member pay at 25% of Mayor's.
Riverside, CA	Yes	Yes	Voluntary	2x Salary	No	Full	No	Charter now requires that Council consider their compensation in January of odd number years for adjustment; no increase above 5%.
San Jose, CA	Yes	Yes	Voluntary	2x Salary	No	Full	No	Salary-setting Commission meets in odd-numbered years and makes recommendation to City Council; Council may adopt a lesser but not greater amount (Eff. June 26, 2011).
Stockton, CA	Option / 457	No	No	No	No	Part	No	Salary-setting Commission meets every other year to make a recommendation to the City Council on salary and fringe benefits.

<b>Sacramento</b>	<b>Yes</b>	<b>Yes, up to \$14,400/year</b>	<b>Yes \$127.68/year</b>	<b>\$100,000 Policy \$144/year</b>	<b>Match up to \$2,432</b>	<b>Part</b>	<b>Varies. \$0 to \$365/month.</b>	<b>Set by Compensation Commission</b>
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## Attachment 4 - Mayor Compensation Survey January 1, 2014

Benchmark Cities	2013 Salary	2014 Salary	% Change	Auto Allowance	Tech Allowance	Expense Allowance	Total
Aurora, CO	\$ 55,549	\$ 56,378	1.5%	\$ 9,126	\$ -	\$ 4,320	\$ 69,824
Austin, TX	\$ 77,688	\$ 78,852	1.5%	\$ 5,400	\$ -	\$ -	\$ 84,253
Cincinnati, OH	\$ 121,291	\$ 121,291	0.0%	\$ -	\$ -	\$ -	\$ 121,291
Kansas City, MO	\$ 123,156	\$ 123,156	0.0%	\$ 800	\$ -	\$ -	\$ 123,956
Long Beach, CA	\$ 132,106	\$ 134,616	1.9%	\$ 5,400	\$ -	\$ -	\$ 140,016
Riverside, CA	\$ 78,828	\$ 78,828	0.0%	\$ 6,000	\$ -	\$ -	\$ 84,828
San Jose, CA	\$ 105,019	\$ 105,019	0.0%	\$ 4,200	\$ 1,000	\$ -	\$ 110,219
Stockton, CA	\$ 82,089	\$ 104,790	27.7%	\$ -	\$ -	\$ -	\$ 104,790
<b>Average</b>	<b>\$ 96,966</b>	<b>\$ 100,366</b>	<b>3.5%</b>	<b>\$ 3,866</b>	<b>\$ 125</b>	<b>\$ 540</b>	<b>\$ 104,897</b>
<b>Sacramento</b>	<b>\$ 115,550</b>			<b>\$ 7,200</b>	<b>\$ 2,000</b>	<b>\$ 5,000</b>	<b>\$ 129,750</b>

Benchmark Cities	Eligible for Retirement Plan?	Receive Medical/Dental Benefits?	Eligible for Long Term Disability Insurance?	Eligible for Basic Life Insurance?	Receive City-Paid 401(a)?	Full-Time or Part-Time?	Eligible for Retiree Medical Contribution?	Compensation Methodology
Aurora, CO	Yes	Yes	Yes	2x Salary	No	Full	No	Charter set base salary of \$40,000 for Mayor and \$8,293 for Council Members in 1996; adjusted annually by CPI or the average increase/decrease given to all city employees, whichever is less.
Austin, TX	No	Yes	Yes	Yes	No	Full	No	Salaries established by Council per ordinance (generally late spring but no set date).
Cincinnati, OH	Yes	Yes	No	1x Salary	No	Full	No	Charter provides that the Mayor shall receive annual salary in an amount equal to twice that of the Council Members; Charter sets annual salary of Council Members at an amount equal to 3/4 of that of County Commissioners.
Kansas City, MO	Yes	Yes	Yes	1x Salary	No	Full	No	Annual pay ordinance approved by Mayor and Council (May 1st).
Long Beach, CA	Yes	Yes	Yes	3x Salary	No	Full	Yes. Amount equal to 50 hours of compensation for each year of elected service under one of two options: a) Convert to a cash equivalent value for continued payment by the City of the health premium, or b) Convert to a cash equivalent value for purchasing additional service credits.	Charter set Mayor's base salary at \$67,500 in 1988; it is adjusted annually on July 1 by CPI. Charter sets Council Member pay at 25% of Mayor's.
Riverside, CA	Yes	Yes	Voluntary	2x Salary	No	Full	No	Charter now requires that Council consider their compensation in January of odd number years for adjustment; no increase above 5%.
San Jose, CA	Yes	Yes	Voluntary	2x Salary	No	Full	No	Salary-setting Commission meets in odd-numbered years and makes recommendation to City Council; Council may adopt a lesser but not greater amount (Eff. June 26, 2011).
Stockton, CA	Optional/457	Yes	No	No	No	Full	No	Salary-setting Commission meets every other year to make a recommendation to the City Council on salary and fringe benefits.

<b>Sacramento</b>	<b>Yes</b>	<b>Yes, up to \$14,400/year</b>	<b>Yes \$244.96/year</b>	<b>\$150,000 Policy \$216/year</b>	<b>Match up to \$4,620</b>	<b>Full</b>	<b>Varies. \$0 to \$365/month.</b>	<b>Set by Compensation Commission</b>
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## Attachment 5 - Boards and Commission Compensation Summary

### COMPENSATION OF CITY BOARDS AND COMMISSIONS

Boards/Commissions	Members	Meeting Frequency	Amount Per Meeting		Maximum Per Month	
			Current	FY 2014/15	Current	FY 2014/15
Administration, Investment & Fiscal Management Board	5	Monthly	\$50		\$100	
Animal Care Services Citizens Advisory Committee	7	Monthly	\$50		\$100	
Ann Land/Bertha Henschel Memorial Fund Commission	9	Quarterly	\$50		\$250	
Board of Plumbing Examiners	5	Quarterly	\$50		\$250	
<del>Building &amp; Fire Code Advisory and Appeals Board</del>	<del>5</del>	<del>As Needed</del>	<del>\$50</del>		<del>\$100</del>	
<b>Housing Code Advisory and Appeals Board</b>	<b>5</b>	<b>Monthly</b>	<b>\$50</b>		<b>\$250</b>	
Planning & Design Commission	13	2 x Month	\$100		\$250	
Civil Service Board	5	2 x Month	\$50		\$250	
Community Racial Profiling Commission	15	Quarterly	\$50		\$100	
Compensation Commission	5	Yearly	None		none	
<del>Electrical Code Advisory and Appeals Board</del>	<del>3</del>	<del>As Needed</del>	<del>\$50</del>		<del>\$100</del>	
Ethel Macleod Hart Advisory Committee	7	Quarterly	None		None	
Housing Code Advisory and Appeals Board	5	2 x Month	\$50		\$250	
<b>Measure U Citizens Oversight Committee</b>	<b>5</b>	<b>Yearly</b>	<b>None</b>		<b>None</b>	
<del>Mechanical &amp; Plumbing Code Advisory and Appeals Board</del>	<del>3</del>	<del>As Needed</del>	<del>\$50</del>		<del>\$100</del>	
<b>Construction Code Board of Appeals</b>	<b>5</b>	<b>Yearly</b>	<b>\$50</b>		<b>\$100</b>	
Old Sacramento Variance Appeals Board	3	As Needed	None		None	
Parks and Recreation Commission	11	Monthly	\$50		\$250	
Preservation Commission	7	Monthly	\$50		\$250	
Retirement Hearing Commission	5	Yearly	\$50		\$100	
Sacramento Disabilities Advisory Commission	9	2 x Month	\$50		\$100	
Sacramento Heritage, Inc. Board Of Directors	9	Monthly	None		None	
Sacramento Relocation Appeals Board	5	As Needed	Expenses		N/A	
Sacramento Youth Commission	22	Monthly	\$50		\$50	
Utilities Rate Advisory Commission	7	2x Month	\$50		\$150	
Sacramento Econ. Employment Dev. Corp.	5	As Needed	None		None	

Note: Changes are noted in bold (additions) and strikout (deletions)

**RESOLUTION 2014-001**

**Adopted on May 14, 2014**

**RESOLUTION OF THE COMPENSATION COMMISSION OF THE CITY OF  
SACRAMENTO ESTABLISHING THE COMPENSATION OF  
THE MAYOR AND CITY COUNCIL AND PUBLIC MEMBERS OF CITY  
BOARDS AND COMMISSIONS FOR FISCAL YEAR 2014-15**

**BACKGROUND**

- A. Charter Section 29 provides for a Compensation Commission whose function shall be to establish the compensation for the Mayor, members of the City Council and the public members of City Boards and Commissions.
- B. The Compensation Commission shall set compensation for the Mayor and members of the City Council that is reasonable and consistent with other cities similar in size and structure.
- C. Eight cities were selected as “benchmark cities” in 2004 and reaffirmed in 2012 by the Compensation Commission because of their similar size and governmental structure.
- D. The Compensation Commission has reviewed current Mayor and City Council compensation data provided by the benchmark cities, employee salary adjustments in the prior fiscal year, and current compensation levels of public members of City Boards and Commissions.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE  
COMPENSATION COMMISSION RESOLVES AS FOLLOWS:**

Section 1. General provisions:

The salary of the Mayor shall be adjusted by \_\_\_% effective July 1, 2014.

The salary of the City Council shall be adjusted by \_\_\_% effective July 1, 2014.

The fringe health and welfare contribution for the Mayor and City Council shall be aligned with those provided Charter Officers per Article 3.1.c(1) of the 2013 Personnel Resolution Covering Unrepresented Officers and Employees.

The City's contribution for the 401(a) Retirement Savings Plan shall be aligned with those provided Executive Management (includes Charter Officers) per Article 3.4.a of the 2013 Personnel Resolution Covering Unrepresented Officers and Employees.

Section 2. The Mayor shall be compensated as follows:

- Annual Salary: \$\_\_\_\_\_
- Expense Allowance: \$5,000
- Technology Allowance: \$2,000
- Auto Allowance: \$7,200
- Medical: Up to \$14,400 depending on plan effective January 1, 2013
- Life Insurance: \$150,000 policy (\$216/year)
- A 3% contribution for Medical, Retirement or Deferred Compensation consistent with the Health & Welfare benefits received by Charter Officers
  - Retirement, insurance plans or deferred compensation
- 401(a) Retirement Savings Plan: 4% of salary (requires 5% match) consistent with the contributions by Charter Officers
- City-paid Long Term Disability Insurance

Section 3. The members of the City Council shall be compensated as follows:

- Annual Salary: \$\_\_\_\_\_
- Expense Allowance: \$2,500
- Technology Allowance: \$1,200
- Auto Allowance: \$4,800
- Medical: Up to \$14,400 depending on plan effective January 1, 2013
- Life Insurance: \$100,000 policy (\$144/year)
- A 3% contribution for Medical, Retirement or Deferred Compensation consistent with the Health & Welfare benefits received by Charter Officers
  - Retirement, insurance plans or deferred compensation
- 401(a) Retirement Savings Plan: 4% salary (requires 5% match) consistent with the contributions by Charter Officers
- City-paid Long Term Disability Insurance

Section 4. Public members of City Boards and Commissions shall be compensated pursuant to Exhibit A to this Resolution.

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Approved by the Compensation Commission on May 14, 2014.



## **ATTACHMENTS**

Exhibit A – Compensation of Boards and Commissions

Exhibit B – 2013 Personnel Resolution Covering Unrepresented Officers and Employees

Exhibit A - Compensation of Boards and Commissions

**COMPENSATION OF CITY BOARDS AND COMMISSIONS**

Boards/Commissions	Members	Meeting Frequency	Amount Per Meeting		Maximum Per Month	
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Board of Plumbing Examiners	5	Quarterly	\$50		\$250	
<del>Building &amp; Fire Code Advisory and Appeals Board</del>	<del>5</del>	<del>As Needed</del>	<del>\$50</del>		<del>\$100</del>	
<b>Housing Code Advisory and Appeals Board</b>	<b>5</b>	<b>Monthly</b>	<b>\$50</b>		<b>\$250</b>	
Planning & Design Commission	13	2 x Month	\$100		\$250	
Civil Service Board	5	2 x Month	\$50		\$250	
Community Racial Profiling Commission	15	Quarterly	\$50		\$100	
Compensation Commission	5	Yearly	None		none	
<del>Electrical Code Advisory and Appeals Board</del>	<del>3</del>	<del>As Needed</del>	<del>\$50</del>		<del>\$100</del>	
Ethel Macleod Hart Advisory Committee	7	Quarterly	None		None	
Housing Code Advisory and Appeals Board	5	2 x Month	\$50		\$250	
<b>Measure U Citizens Oversight Committee</b>	<b>5</b>	<b>Yearly</b>	<b>None</b>		<b>None</b>	
<del>Mechanical &amp; Plumbing Code Advisory and Appeals Board</del>	<del>3</del>	<del>As Needed</del>	<del>\$50</del>		<del>\$100</del>	
<b>Construction Code Board of Appeals</b>	<b>5</b>	<b>Yearly</b>	<b>\$50</b>		<b>\$100</b>	
Old Sacramento Variance Appeals Board	3	As Needed	None		None	
Parks and Recreation Commission	11	Monthly	\$50		\$250	
Preservation Commission	7	Monthly	\$50		\$250	
Retirement Hearing Commission	5	Yearly	\$50		\$100	
Sacramento Disabilities Advisory Commission	9	2 x Month	\$50		\$100	
Sacramento Heritage, Inc. Board Of Directors	9	Monthly	None		None	
Sacramento Relocation Appeals Board	5	As Needed	Expenses		N/A	
Sacramento Youth Commission	22	Monthly	\$50		\$50	
Utilities Rate Advisory Commission	7	2x Month	\$50		\$150	
Sacramento Econ. Employment Dev. Corp.	5	As Needed	None		None	

Note: Changes are noted in bold (additions) and strikout (deletions)

**PERSONNEL RESOLUTION**

**COVERING**

**UNREPRESENTED OFFICERS AND EMPLOYEES**

**August 13, 2013**

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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.

### **1.2 APPLICABILITY**

The terms of this Resolution shall apply to all unrepresented employees of the City unless superseded by an employment contract with Charter Officers, and to elected officials where applicable. Sacramento Area Flood Control Agency (SAFCA) unrepresented personnel shall maintain the benefits contained in the July 2, 2011 Resolution Covering Unrepresented Officers and Employees.

### **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,

and Mayor/Council Support 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 defined as the effective date of most recent appointment to the employee's first exempt or permanent career position, or as the effective date of appointment to the employee's first full-time position (or positions) which immediately preceded an appointment to an exempt or permanent career position, whichever is greater.

### **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 seven (7) day 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 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 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 applicable 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 MODIFIED/ALTERNATIVE DUTY POLICY

The City's Modified/Alternative Duty Policy shall be applicable to eligible employees who have been injured on-the-job.

## 2.6 TELEWORK PROGRAM

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

## 2.7 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. The fringe benefit plan for Executive Management, Mayor/Council Support, and Executive Management Support employees shall be as outlined in this Article.

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

- a. The City shall administer a Cafeteria Plan benefits program for employees consistent with the Internal Revenue Code Section 125.
- b. Account-Based Health Plan (ABHP)
  - (1) Employees who enroll in an ABHP no later than December 31, 2013, shall have a Health Savings Account (HSA) credited with a one-time City contribution of \$2,000 on or before January 31, 2014.
  - (2) To the extent that the premium for the ABHP is less than the applicable City contributions outlined below, any remaining City contribution shall be credited to the employee's HSA.
- c. Effective January 1, 2014, the City contribution for a full-time employee enrolled in a City-sponsored health plan for employee only, shall be fixed at an amount equal to one-hundred percent (100%) of the lowest cost City non-ABHP health plan plus the lowest cost dental plan available in the plan year 2014.
- d. Effective January 1, 2014, the City contribution for a full-time employee enrolled in a City-sponsored health plan for employee plus one (1) dependent, shall be fixed at an amount equal to \$850 per month plus fifty percent (50%) of any increase in the 2014 lowest cost City non-ABHP health plan plus the lowest cost dental plan.
- e. Effective January 1, 2014, the City contribution for a full-time employee enrolled in a City-sponsored health plan for employee plus two (2) or more dependents, shall be fixed at an amount equal to \$1,200 per month plus fifty percent (50%) of any increase in the 2014 lowest cost City non-ABHP health plan plus the lowest cost dental plan.
- f. All City contributions shall be fixed at rates indicated above as of January 1, 2014.
- g. Part-time employees shall be prorated.

- h. In addition to the City contribution received above, the City Manager, City Attorney, 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 the domestic partner and/or the domestic partner's dependent children shall be in accordance with Federal and State tax laws.
- b. An employee who has a domestic partner, and has a notarized City provided affidavit, may cover the domestic partner under the employee's City-sponsored health plan. The employee will pay for the premium cost for the domestic partner coverage after tax.
- c. 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 health plan. The City shall contribute \$850 for an employee enrolled with one (1) dependent; and \$1,200 for an employee enrolled with two (2) or more dependents. Effective January 1, 2014, employees with domestic partners shall receive the City contributions as specified in Section 3.1.
- d. The definition of dependent child for purposes of health, insurance shall be as determined under the Patient Protection and Affordable Care Act. The definition of dependent child for purposes of dental and vision insurance shall be outlined in certificates of coverage and related insurance contracts. As of the date of this Resolution, that definition includes an adult child up to age 26, grandchild living in the employee grandparent's home, disabled children, step-children, adopted children, wards and foster children provided they qualify as the subscriber's or subscriber's lawful spouse's dependent under IRS rules and regulations.

### 3.3 CASH-BACK LIMITS

- a. The cash-back of City dollars from the IRS Section 125 Plan shall be limited to \$200 per month for employees hired before July 27, 2012, who waive enrollment in City-sponsored group health plans.
- b. New employees or employees who are not receiving the cash-back as of July 27, 2012, shall not be eligible for the cash-back option.
- c. Employees transferring to classifications in an unrepresented unit who are enrolled in cash-back at the time of transfer may maintain the cash back option as long as they continuously waive City-sponsored health insurance and comply with other program requirements.

- d. Part-time employees working less than 30 hours per week shall be prorated.

3.4 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 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 in the amount of up to three (3) times annual salary subject to limitations specified by the insurance carrier.

3.5 LONG TERM DISABILITY

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

3.6 FLEXIBLE SPENDING ACCOUNTS

The City offers a Flexible Spending Account (FSA) program to employees as permitted by Internal Revenue Service Regulations.

3.7 DEFERRED COMPENSATION PLAN

Executive Management, Mayor/Council Support, and Executive Management Support employees may participate in the City's Deferred Compensation 457 Plan to the extent allowed by law and the 457 plan document.

3.8 SECTION 401(A) MONEY PURCHASE PLAN

- a. The City's established IRS Section 401(a) Plan is available as follows:
  - (1) For Executive Management, excluding the Administrative Analyst (City Manager's Office), and Mayor/Council Support employees, the City will contribute four percent (4%) of salary and the employee shall contribute five percent (5%) of salary.

- (2) Effective June 29, 2013, for Administrative Analyst (City Manager's Office), the City will contribute two percent (2%) of salary and the employee shall contribute two percent (2%) of salary.
- (3) For Executive Management Support employees, the City will contribute two percent (2%) of salary with a zero percent (0%) employee contribution.
- (4) The 401(a) Plan shall conform to all IRS requirements. Vesting of City funds occurs with enrollment consistent with IRS and 401(a) provider rules and regulations.

### 3.9 LONGEVITY PAY

Employee eligibility for longevity pay shall be determined as provided under Section 108 of the City Charter. 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 health, dental, and vision insurance benefits from the City as follows:

- a. The maximum City contribution towards the purchase of health insurance for retirees is \$300 per month for the retiree or \$365 for a retiree with dependent(s).
- 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 the City's maximum retiree health insurance contribution identified in subsection (a) above on the date of retirement without regard to age.
  - (2) Employees retiring with a minimum of twenty (20) full years of service but less than thirty (30) full years of service who are at least fifty (50) years of age shall receive one hundred percent (100%) of the City's maximum retiree insurance contribution identified in subsection (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 seventy-five percent (75%) of the City's maximum retiree insurance contribution identified in subsection (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 fifty percent (50%) of the City's maximum retiree insurance contribution identified in subsection (a) above.
- (5) There shall be no eligibility for the City's retiree insurance contribution if the employee elects to take a deferred retirement.
- (6) There shall be no City retiree insurance contribution for retirees with less than ten (10) full years of City service.

c. Retiree Insurance Contribution for Persons in Deferred Retirement Status as of January 1, 1991

- (1) Employees who elected a deferred retirement prior to January 1, 1991, and who retired on or after July 1, 1992, and before June 28, 2013 shall be eligible for the City's retiree insurance contribution as follows:
  - i. A retiree with at least ten (10) full years of City service, and who is at least 50 years of age, shall be eligible for fifty percent (50%) of the City's maximum retiree insurance contribution as identified in subsection (a) above.
  - ii. A retiree with twenty (20) full years or more of City service, and who is at least fifty (50) years of age, shall be eligible for one hundred percent (100%) of the City's retiree insurance contribution as identified in subsection (a) above.

d. Employees who elected a deferred retirement prior to January 1, 1991, and did not retire on or before June 28, 2013, shall not be eligible for the City's retiree insurance contribution.

e. Industrial Disability or Death in Line of Duty Survivors

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

f. Survivor Dependents Benefits

Survivor dependents of eligible employees or retirees shall be entitled to

the same benefit amount, as the employee was eligible to at the time of death.

g. Medicare Supplement

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

h. Limitation Clause

No employee or retiree shall have any rights provided by this Section 4.1 after June 27, 2014.

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 seven percent (7%) of the member contribution to the PERS retirement plan. Classic members in miscellaneous classifications shall qualify for the 2% at 55 benefit formula and retirement shall be based upon the highest twelve (12) consecutive months of compensation.

(2) Police Safety

Executive Management Police Safety employees shall pay nine percent (9%) of the member contribution to the PERS retirement plan. Classic members in Executive Management Police Safety classifications shall qualify for the 3% at 50 benefit formula and retirement shall be based upon the highest twelve (12) consecutive months of compensation.

(3) Fire Safety

Executive Management Fire Safety employees shall pay the 9.81% value of the employer share of the PERS contribution. For Fire

Safety employees the City shall pay up to nine percent (9%) of the member contribution to the PERS retirement plan on behalf of the Fire Safety employees. Such payments shall be reported to PERS as additional compensation for the purpose of retirement benefit calculations. Classic members of Executive Management Fire Safety classifications shall qualify for the 3% at 55 benefit formula and retirement shall be 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 and, 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 sworn classifications shall qualify for the 2.7% at 57 benefit formula and, 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 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 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 who work less than thirty (30) hours per week 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 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 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 Memorandum of Understanding.
- d. Non-Career employees under this Section are not eligible for cash back.

### 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, the accrual of 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>	<u>Annual Vacation Allowance for Fire Safety Management Employees</u>
1 to 5 years	10 days/80 hours	112 hours
5 years and 1 day to 15 years	15 days/120 hours	168 hours
more than 15 years	20 days/160 hours	224 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. Employees may accumulate a maximum of four hundred and eighty (480) vacation hours, except Fire Safety Management employees may accumulate a maximum of six hundred and seventy two (672) hours. Once the maximum is reached, there shall be no further vacation accrual until the balance falls below four hundred and eighty (480) hours or six hundred and seventy two (672) for Fire Safety Management.

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	Last Monday in March
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 work 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 one (1) floating holiday 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 a single eight (8) hour floating holiday per year. 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 ten (10) minutes accrual for employees who are working in a 0.5 up to a 0.79 BAP and at a rate of twenty (20) 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. Except for the eight (8) hour carry-over, all accumulated floating holiday time not used by the end of the pay period, which includes January 8 shall be paid to the employee in cash at the straight-time rate on the payday covering that pay period.
- iii. An employee terminating for any reason or going on a leave of absence without pay for a period exceeding ninety (90) days shall be paid for all accrued floating holiday time at the straight-time rate.

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.

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 in the fiscal year in which

it was awarded shall be forfeited. There shall be no cash out of management leave time.

## 7.5 ADMINISTRATIVE LEAVE TIME

- a. Executive Management Support employees shall be credited with twenty (20) 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 twenty (20) hours 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.

## 7.6 SICK LEAVE

### a. Accrual and Usage

- (1) A full-time employee shall accrue sick leave credits at the rate of 8 hours per month which may be used by the employee in the event of illness or injury which is not job-related. A permanent part-time employee shall earn sick leave on a prorated basis.
- (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;
  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.

(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.

- (3) No employee whose services are terminated by reason of discharge for cause shall be eligible to utilize accrued sick leave credits for payment or for the conversion to PERS service credit.

- 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 LEAVE

Pursuant to the City's Parental Leave Policy, 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 for 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.

## 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 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 PLAN

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 PERSONAL TIME OFF FOR EXECUTIVE MANAGEMENT SUPPORT EMPLOYEES

### a. Accrual for Non-Exempt Executive Management Support Employees

In addition to the floating holidays specified in Section 7.3, each non-exempt Executive Management Support employee shall receive the equivalent of twenty-four (24) hours of annual paid personal time off on an accrual basis as follows:

- (1) Each full-time employee shall accrue personal time off credit at the rate of one hour per pay period. The employee shall accrue such credit for each pay period for which the employee is paid twenty (20) or more hours of salary.
- (2) A part-time employee, including an employee in a work sharing program, or a non-career (+1,040) employee shall accrue personal time off credit based on the budgeted authorized position (BAP) for which the employee fills at the rate of thirty (30) minutes accrual for employees who are working in a .5 up to a 0.79 BAP and at the rate of one (1) hour accrual for employees who are in a 0.8 BAP or higher.

### b. Accrual For Executive Management Support (Exempt) Employees

In addition to the floating holidays specified above, each Executive Management Support (Exempt) employee shall receive the equivalent of thirty-two (32) hours of annual paid personal time off on an accrual basis as follows:

- (1) Each full-time employee shall accrue personal time off credit at the rate of one (1) hour and twenty (20) minutes per pay period. The employee shall accrue such credit for each pay period for which the employee is paid twenty (20) or more hours of salary.
- (2) A part-time employee, including an employee in a work sharing program, or a non-career (+1,040) employee shall accrue personal time off credit based on the budgeted authorized position (BAP) for which the employee fills at the rate of forty (40) minutes accrual for employees who are working in a .5 up to a 0.79 BAP and at the rate of one (1) hour and twenty (20) minutes accrual for employees who are in a 0.8 BAP or higher.

### c. Non-Career

Non-career (-1,040) employees shall not receive personal time off benefits.

d. Administration

- (1) The scheduling of personal time off must be approved in advance by the Appointing Authority or designated representative.
- (2) An employee may carry-over from the preceding calendar year a maximum of eight (8) hours of personal time off. Except for the eight (8) hour carry-over, all accumulated floating holiday time not used by the end of the pay period, which includes January 8 shall be paid to the employee in cash at the straight-time rate on the payday covering that pay period.
- (3) An employee terminating for any reason or going on a leave of absence without pay for a period exceeding ninety (90) days shall be paid for all accrued floating holiday time at the straight-time rate.

7.13 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, parent, sibling, child, grandchild, or grandparent as defined herein. 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.

7.14 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.

7.15 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. The use personal leave awarded pursuant to this section shall not cause overtime.
- c. 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.

- d. 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 up to \$250 per month to Executive Management and Mayor/Council Support employees as 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. Employees receiving a vehicle allowance prior to August 8, 2013, may continue to receive the amount of that reimbursement, even if in excess of \$250.
- (2) The Charter Officers, City Auditor, and Department Directors shall receive up to \$500 monthly vehicle allowance and City-provided parking.
- (3) Executive Management and Mayor/Council Support employees shall receive City-provided parking. Executive Management Support employees are eligible for City-provided parking.
- (4) With the authorization of the Charter Officer, Executive Management Support employees may receive up to \$100 per month vehicle allowance with or without City-provided parking.
- (5) Employees receiving \$100 or less in monthly vehicle allowance may receive out-of-town travel reimbursement. Reimbursement for out-of-town travel 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 officials receiving the monthly vehicle allowance shall be insured against liability in persons and property, including wrongful death, in an amount no less than the minimum State of California required automobile coverage for bodily injury and property damage.

#### **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.

(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.

(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 vehicle allowance or City-paid parking as described in Section 8.1 are not entitled to 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 Parking Lot at a cost of seventy percent (70%) of the regular Memorial Parking Lot 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.
- c. Civilian managers of the Police Department shall receive a uniform allowance equal to the highest uniform allowance granted to the represented employees whom they manage.

8.3 TUITION REIMBURSEMENT

Employees will be reimbursed for the cost of tuition up to a maximum of \$1500.00 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 (CEU) 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 pay period 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 either a technology allowance or a City issued cellular phone in lieu of 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). At the discretion of the Appointing Authority, or as delegated by the City Manager to a department head, the City may provide a City issued cellular phone in lieu of a technology allowance. Use of City-provided cellular phones shall be discontinued upon receipt of the technology allowance by the employee.
- c. Upon approval of the technology allowance, the employee shall provide and maintain 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 inimical 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. 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.
- d. 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. .
- e. 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 employees personnel file.

- f. Authorization for off-duty employment may be revoked at the discretion of the Appointing Authority at any time.
- g. 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 (4) 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.