

RESOLUTION NO. 46-2016
DECEMBER 15, 2016

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CAMBRIA COMMUNITY SERVICES DISTRICT
AUTHORIZING AMENDMENTS TO THE PAYMENT AND COMPENSATION
PLAN FOR MANAGEMENT AND CONFIDENTIAL EMPLOYEES

WHEREAS, the Board of Directors of the Cambria Community Services District entered into labor negotiations with the Management and Confidential Employees (MCE); and


WHEREAS, an agreement was reached between the CCSD and MCE with regard to salary and benefits, commencing January 1, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Cambria Community Services District hereby approves the amendments to the Payment and Compensation Plan for Management and Confidential Employees as set forth in Exhibits A, B, and C which are attached hereto and incorporated herein by this reference.

PASSED AND ADOPTED THIS 15th day of December, 2016.

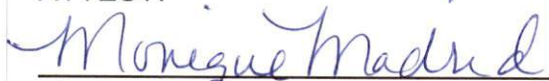

_____, President
Board of Directors

APPROVED AS TO FORM:



Timothy J. Carmel
District Counsel

ATTEST:



Monique Madrid
District Clerk

**EXHIBIT A to Resolution 46-2016 Amending
Payment and Compensation Plan Commencing January 1, 2017**

This exhibit shall represent the changes made to the Payment and Compensation Plan, commencing January 1, 2017.

Article 3 – Fringe Benefits

3.3 Sick Leave

- A. Each full-time employee will earn sick leave from the date of employment, at the rate of 3.70 hours per biweekly pay period (96 hours/year). Regular part-time employees shall receive sick leave pay on a pro rata basis according to hours worked. This does not apply to temporary employees. Unused sick leave may be accumulated without limit. Employees may use up to one-half of one year's annual accrual (e.g., 48 hours for full-time employees) for family sick leave purposes.
- B. Sick leave may be used for such things as: personal illness or injury; required attendance of an employee upon a sick or injured spouse, child or other immediate family member residing with the employee; medical or dental appointments to the extent that such appointments cannot be scheduled outside the work day. An employee may be granted sick leave only in the case of actual sickness as defined herein. No employee who is on sick leave shall engage in work or other activities which would negatively affect the employee's ability to return to work and to perform the duties assigned.
- C. Sick Leave Requests. An employee requesting sick leave shall notify his/her immediate supervisor or the Department Head no later than one (1) hour before the time their work shift begins or immediately when taken ill during work hours. Failure to do so without good reason, as determined by the Administrative Services Officer, Department Head, or their designee, may result in that day of absence being treated as leave of absence without pay. The employee, or the employee's designee, will first attempt to personally notify the employee's immediate supervisor or Department Head before utilizing voicemail, e-mail, and/or text message to make the sick leave request.
- D. Physician's Certificate Requirements. In the event that an employee has requested or taken sick leave for three (3) or more workdays, the District may require the employee to immediately, or as soon as possible, provide a physician's certificate as to the illness or injury, duration, the treatment recommended for it, and/or an approval of the employee's intended return to work. However, the District may require such certification regarding sick

leave use at any time, including when the District has reason to believe that sick leave is being abused. The General Manager or the General Manager's authorized representative may terminate or withhold said benefits if the employee fails to furnish satisfactory or non-falsified proof of illness or accident.

- E. Abuse of Sick Leave. An employee is subject to disciplinary action for abuse of sick leave which is defined as a claim of entitlement to sick leave when the employee does not meet the requirements of sick leave as defined above, when they engage in work or other activities which negatively affect their ability to return to work, or when they furnish falsified proof of illness or accident.
- F. Excessive Use of Sick Leave. Excessive use of unprotected sick leave may be considered in establishing the performance rating. Unprotected sick leave is sick leave which is not used in connection with Family Sick Leave, a reasonable accommodation for a disability, or any other leave that is provided under the law for which sick leave may be used. Excessive use of sick leave, tardiness, and failing to use the call-in procedures when absent or tardy can negatively impact the performance of your job or affect others in the performance of their job. Examples of excess use may include whether an employee's sick leave use indicates a pattern of use on or around specific days of the week, the number of absences compared to other employees, whether absenteeism is limited to a finite time period or whether it continues over time, the basis for the absenteeism and the significance of the impact on the performance of the employee's job or of others.
- G. Upon termination of a full-time or regular part-time employee in good standing, (i.e., resignation/retirement, excluding disciplinary termination and resignation/retirement in lieu of disciplinary termination), he/she will be paid for 50% of accumulated but unused sick leave, up to a maximum accrual of 720 hours. Therefore, the maximum that will be paid is $50\% \times 720 \text{ hours} = 360 \text{ hours}$.
- H. Employees may voluntarily transfer up to forty (40) hours of unused sick leave per fiscal year in one (1) hour increments to a "sick leave bank" under the conditions established herein. The sick leave transfer shall be on an hour for hour basis and subject to the following conditions:
 - 1. The employee donating the sick leave must have a minimum of eighty (80) hours of accrued sick leave available after the donation. No transfers of sick leave shall be allowed when the donating employee is terminated, separated or retires from the District within nine (9) months after the donation. All transfers to the "sick leave bank" shall be non-

reversible and donations shall be processed on the District's Personnel Action Form in the same manner as any other leave request.

2. Employees eligible to receive sick leave hours from the "sick leave bank" must have been employed by the District for a minimum of eighteen (18) months, have exhausted all paid leave and are suffering from a long term illness or injury that will result in the loss of work for a period of at least twenty (20) consecutive working days. These "sick leave bank" provisions shall extend to the required attendance of an employee for the care of a spouse, child or other immediate family member residing with the employee. The General Manager shall review, approve, modify or deny requests for use of the "sick leave bank" based on the employee request and the criteria established in this section.
 3. Employees utilizing the "sick leave bank" may integrate these benefits with the provisions of Section 3.8 of this Payment and Compensation Plan for State Disability Insurance, as well as Worker's Compensation, provided, however, that the total compensation from these sources combined shall not exceed the employee's base salary.
 4. The District reserves the right to request additional information on the nature of the injury or illness and/or require verification from a medical doctor regarding the diagnosis prior to making an eligibility determination.
 5. The maximum sick leave available for use by an eligible employee during any twelve (12) month period shall be the lesser of 1,056 hours or the amount of sick leave available in the "sick leave bank." Allocation of hours from the "sick leave bank" shall commence on the date that all other leave of the requesting employee is exhausted. Subsequent eligibility by additional employees for use of the "sick leave bank" shall result in the concurrent use of available hours in the "sick leave bank."
- I. A sick leave incentive plan shall be established effective January 1, 1997, which will provide for the conversion of twenty four (24) hours of sick leave to vacation or pay if no sick leave is used by an employee during the calendar year. The employee must request the conversion during the month of January for the previous calendar year. Failure to request the conversion during January will result in ineligibility for conversion for the previous calendar year. All requests for conversion are non-reversible and shall require prior approval by the General Manager.

3.5 Health Insurance

- A. Effective January 1, 2017 the District will pay 85% of the premiums for employee and dependent coverage for the Blue Shield Access Plus plan available to District employees offered through the PERS system. The District payment is inclusive of the PERS minimum health contribution (currently \$115/mo). The balance of the total District contribution is a cafeteria like plan contribution. In the event an employee elects a higher cost coverage, the employee shall pay the increased cost for that plan. District premium payments apply to retirees and their dependents as applied to active employees and their dependents for employees/retirees hired before October 1, 2012.
- B. Employees hired after October 1, 2012 shall be eligible to receive retiree health contributions in an amount equal to the PERS minimum health contribution only.
- C. In the event legislation is passed allowing for local PERS agencies to reduce contributions for retiree health insurance coverage, all employees retiring after the effective date of such legislation shall be provided health insurance coverage at the same ratio as current employees. Employees retiring prior to such legislation shall have insurance coverage as currently provided.
- D. If the legal requirements of the Affordable Care Act have an impact on District rights and obligations regarding health benefits for District employees, the District shall have the right to reopen Article 30 – Health Benefits, in order to meet and confer over such impacts.

3.6 Dental Insurance

A Dental Insurance policy will be provided for each MCE member and his/her dependents. The District shall continue to pay 90% of the premiums for employee and dependent coverage for the lowest cost plan.

3.11 Retirement

- A. The District provides a Retirement Program for all regular employees working half-time or more. The Retirement Program may be provided through contract with the California Public Employees Retirement System (P.E.R.S.), as is currently provided and may be integrated with Federal Social Security Program, as is currently provided. The District shall provide the PERS 3% @ 60 retirement plan for covered employees hired prior to October 1, 2012, including single highest year computation and credit for unused sick leave. The District shall provide the PERS 2% @ 60 retirement plan for covered employees hired on or after October 1, 2012 up through December 31, 2012, including the 36 highest consecutive

months' final compensation provision. All covered employees hired on or after January 1, 2013 who are defined as "new members" under PEPRA will be covered by the 2% @ 62 retirement plan and the 36 highest consecutive months' final compensation provision.

- B. All employees shall pay 100% of the PERS employee contribution. Employees receiving the 3% @ 60 retirement plan currently pay the entire 8% employee contribution and employees receiving the 2% @ 60 retirement plan currently pay the entire 7% employee contribution, as determined by statute and CalPERS. All covered employees hired on or after January 1, 2013 who are defined as "new members" under PEPRA will pay 50% of the total normal cost of the retirement benefit, as determined by CalPERS.

3.13 Family Medical Leave

Employees shall be eligible for benefits under the California Family Rights Act or Federal Family Medical Leave Act pursuant to state and federal law. Leaves of absence will run concurrently with the CFRA or FMLA when applicable.

4.11 Other Allowances

A. Operations and Maintenance Unit

1. The District shall provide employees in the Operations and Maintenance Unit a boot or safety shoe allowance of \$150 per year. This allowance shall be paid in single payment in July of each year upon presentation of receipt for boots or safety shoes.
2. Employees in the Operations and Maintenance Unit shall receive a clothing allowance of \$250 payable in July.
3. Employees shall maintain their uniforms and other clothing on the job in neat and clean condition. The employee shall replace worn or damaged clothing items at their own cost with the exception of coveralls or other job specialty clothing.
4. In addition, the District may, at its sole discretion following inspection of the previous year's clothing, provide the following articles of clothing once annually:

5 long sleeve shirts
5 short sleeve shirts
1 jacket
plus hats as needed

Employees shall be required to wear these items while on duty.

5. Prescription Safety Glasses. The District agrees to provide each employee a maximum allowance of up to one-hundred fifty hundred dollars (\$150) per fiscal year for medically required prescription safety glasses. Employees will purchase approved prescription safety glasses from a vendor of their choice and submit a request for reimbursement. Upon reimbursement by the District, the employee shall maintain and wear such prescription safety glasses when performing his/her duties with the District.
6. Bilingual Premium Pay.
 - a. The District, in its discretion, may designate a certain number of employees who will be called upon to speak, translate, read or write in Spanish as part of his/her regular duties. Such circumstance(s) will not be interpreted as the employee working out of his/her classification.
 - b. The General Manager, or his/her designee, within his/her discretion, will determine the number of employees assigned and which eligible employees will be offered and/or retain a bilingual designation.
 - c. Eligible employees, as defined below, who receive a bilingual assignment will receive bilingual premium pay in the amount of twenty-five (\$25) dollars per pay period for all pay periods actually worked.
 - i. Employees must pass a proficiency test as determined appropriate by the District. The proficiency test may measure, among other skills, an employee's ability to communicate, read, or write, fluently, directly, and accurately in both English and Spanish.
 - ii. The District, in its discretion, may re-test employees' proficiency to determine continued eligibility for a bilingual designation.

Exhibit B to Resolution 46-2016

Addendum 1 to the Payment and Compensation Plan

BETWEEN

**THE CAMBRIA COMMUNITY SERVICES DISTRICT (CCSD) AND CAMBRIA
MANAGEMENT AND CONFIDENTIAL EMPLOYEE (MCE) GROUP (collectively
“Parties”)**

The CCSD Board of Directors met in Closed Session on November 17, 2016 to discuss various items related to compensation for the MCE employees. As a result, the Parties enter into this amendment to the Payment and Compensation plan effective only on the Parties referenced herein. Effective January 1, 2017 which shall remain in effect unless agreed to otherwise in writing. Authority is given to the General Manager to provide the following additional compensation and benefits when appropriate in order to successfully attract and retain qualified employees.

The parties agree to the following:

1. Provide a phone and internet allowance. Authorize the General Manager to provide a monthly allowance up to \$100.
2. Accruals: Authorize the General Manager to provide an increase of accrual rates up to 2 weeks annually, i.e. vacation leave or administrative leave.
3. Relocation allowance: Authorize the General Manager to provide a relocation reimbursement allowance (with receipts.) Require an Agreement to commit to one year of service or repay the CCSD for the relocation allowance.
4. Travel reimbursement: Authorize the General Manager to provide a travel allowance in the form of reimbursement (with receipts) for interviewing purposes.
5. Working Out of Position: Allow the General Manager to authorize an increase in salary up to 10% for working out of position for a period not to exceed one year.
6. Education/Tuition reimbursement: Allow the General Manager to budget an annual amount to be dispersed to employees through a tuition reimbursement program. This amount would be determined through the budget process and would include a policy which would allow for a fair distribution of the funds.

It is further recommended that the following changes be added as an addendum to the Payment and Compensation and affect only the Management and Confidential Employees following a completion of an update to the Payment and Compensation Plan of all previously approved changes between the period of 2000 and 2016.

**CAMBRIA COMMUNITY SERVICES DISTRICT
MANAGEMENT AND CONFIDENTIAL EMPLOYEES
PROPOSED SALARY SCHEDULES 12/15/16**

EXISTING ANNUAL SALARY SCHEDULE EFFECTIVE JULY 1, 2015

<u>Position</u>	<u>STEP A</u>	<u>STEP B</u>	<u>STEP C</u>	<u>STEP D</u>	<u>STEP E</u>
Confidential Administrative Assistant	\$44,854	\$47,097	\$49,452	\$51,924	\$54,520
Facilities & Resources Supervisor	\$67,518	\$70,894	\$74,439	\$78,161	\$82,069
District Clerk/Admin Services Officer	\$95,729	\$100,515	\$105,541	\$110,818	\$116,359
District Engineer; Fire Chief	\$107,902	\$113,297	\$118,962	\$124,910	\$131,156
Finance Manager	\$107,902	\$113,297	\$118,962	\$124,910	\$131,156

(Note: the Finance Manager's salary was adopted November 17, 2016 and will not change)

PROPOSED ANNUAL SALARY SCHEDULE EFFECTIVE JANUARY 1, 2017

(This schedule is 5.5% higher than July 1, 2015)

<u>Position</u>	<u>STEP A</u>	<u>STEP B</u>	<u>STEP C</u>	<u>STEP D</u>	<u>STEP E</u>
Confidential Administrative Assistant	\$47,321	\$49,687	\$52,171	\$54,780	\$57,519
Facilities & Resources Supervisor	\$71,231	\$74,793	\$78,533	\$82,459	\$86,582
District Clerk/Admin Services Officer	\$100,994	\$106,044	\$111,346	\$116,913	\$122,759
District Engineer; Fire Chief	\$113,837	\$119,528	\$125,505	\$131,780	\$138,369
Finance Manager	\$107,902	\$113,297	\$118,962	\$124,910	\$131,156

(Note: the Finance Manager's salary was adopted November 17, 2016 and will not change)

PROPOSED ANNUAL SALARY SCHEDULE EFFECTIVE JULY 1, 2017

(This schedule is 11.0% higher than July 1, 2015)

<u>Position</u>	<u>STEP A</u>	<u>STEP B</u>	<u>STEP C</u>	<u>STEP D</u>	<u>STEP E</u>
Confidential Administrative Assistant	\$49,788	\$52,277	\$54,891	\$57,636	\$60,518
Facilities & Resources Supervisor	\$74,945	\$78,692	\$82,627	\$86,758	\$91,096
District Clerk/Admin Services Officer	\$106,259	\$111,572	\$117,151	\$123,008	\$129,159
District Engineer; Fire Chief	\$119,771	\$125,760	\$132,048	\$138,650	\$145,583
Finance Manager	\$107,902	\$113,297	\$118,962	\$124,910	\$131,156

(Note: the Finance Manager's salary was adopted November 17, 2016 and will not change)