

*Before the Board of Supervisors
County of Monterey, State of California*

Resolution No.: 23-326

PPPR Control No. 23-030

- a. Amend Personnel Policies and Practices Resolution (PPPR))
No. 98-394 to modify Section A.5.7 Temporary Working Out)
of Class Assignment;)
- b. Amend Personnel Policies and Practices Resolution (PPPR))
No. 98-394 to modify Section A.7 Salary and Status Upon)
Reemployment,)
- c. Amend Personnel Policies and Practices Resolution (PPPR))
No. 98-394 to modify A.9.19 Longevity Pay;)
- d. Amend Personnel Policies and Practices Resolution (PPPR))
No. 98-394 to modify A.25 Annual Leave and/or Vacation,)
A.30.2 Accrual Rate Limit and add Section A.30.16 Annual)
Leave Accrual Rate for Employees in an At-Will)
Appointment;)
- e. Amend Personnel Policies and Practices Resolution (PPPR))
No. 98-394 to modify Section A.12.4 Chief of Service)
Premium Pay and add Section A.12.9 Physician Medical)
Director Premium Pay;)
- f. Amend Personnel Policies and Practices Resolution (PPPR))
No. 98-394 to modify Section A.30.15 Suspension of)
Vacation/Annual Leave Accrual Rate Limit During)
Proclaimed Local Emergency/Disaster;)
- g. Direct the Human Resources Department to implement the)
changes)

WHEREAS, the Human Resources Department recommends amendments to the Personnel Policies and Practices Resolution No.98.394 Section A.5.7 Temporary Working Out of Class Assignment to standardize the provision with the remaining employee groups who have the same or substantially similar provision in their Memorandum of Understands (MOUs); and

WHEREAS, the Human Resources Department recommends modifying Personnel Policies and Practices Resolution No.98.394 Section A.9.19 Longevity Pay to ensure eligible employees are not losing credit for their past years of service with the County due to a break in County employment/service; and

WHEREAS, the Human Resources Department recommends modifying Personnel Policies and Practices Resolution No.98.394 Sections A.25 Annual Leave and/or Vacation, A.30.2 Accrual Rate Limit and adding Section A.30.16 Annual Leave Accrual Rate for Employees in an At-Will Appointment as a tool to help the County of Monterey attract experienced employees from other public agencies by offering employees who are hired with previous years of service with California Counties and Cities 50% credit towards their accrual rate for their combined years of service; and

WHEREAS, the Human Resources Department recommends modifying Personnel Policies and Practices Resolution No.98.394 A.12.4 Chief of Service Premium Pay to update the title of the provision to Physician Chief of Service Premium Pay; and

WHEREAS, the Human Resources Department recommends adding Personnel Policies and Practices Resolution No.98.394 Section A.12.9 Physician Medical Director Premium Pay to compensate physicians assigned to the role of Medical Director; and

WHEREAS, The Human Resources Department recommends modifying Personnel Policies and Practices Resolution No.98.394 to extend the grace period in the existing provision from six (6) months to twelve (12) months for employees to be brought below their accrual rate limits once a declared emergency is lifted; and

WHEREAS, the actions require the Personnel Policies and Practices Resolution No.98-394 to amended;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors in and for the County of Monterey as follows:

1. Section A.5.7 Temporary Working Out of Class Assignment of Personnel Policies and Practices Resolution No.98-394 is amended as indicated below:

A.5.7 Temporary Working Out of Class Assignment

Effective April 1, 2023, when an employee is temporarily assigned to and performs significantly all of the duties of a higher allocated position in a classification whose salary range is at least five percent (5%) higher than the range of the employee's regular classification, that employee shall be compensated at the step in the higher classification that provides an increase to the assigned employee of at least five percent (5%). Such assignment shall not change the unit designation or other benefits of the assigned employee. The assignment must be for over ten (10) consecutive working days. Such additional compensation shall begin on the first day of the pay period following the assignment to the duties of the higher position. If the assignment begins on the first Monday of the pay period, the additional compensation shall be effective the beginning of that pay period.

For working out of classification the employee shall be compensated at the step in the higher classification that provides an increase to the assigned employee of at least five percent (5%). As such, if the 5% does not result in the employee reaching at least the first step of the higher salary range, the employee will be placed at the first step of the higher salary range.

At one hundred eighty (180) days, the working out of classification assignment will be reviewed to determine whether it is appropriate for this person to continue working out of classification.

Employees working out of classification or who are removed from Working out of Classification duty as a result of poor performance shall not be subject to unsatisfactory performance evaluation for their participation in said assignment. Participating employees removed from such assignment as a result of unsatisfactory performance shall instead be returned to their official job classification and duties. Failure to successfully complete a Working out of Classification assignment, as a result of performance, shall not have an impact on employee's official job classification or duties.

2. Section A.7 Salary and Status Upon Reemployment of Personnel Policies and Practices Resolution No.98-394 is amended as indicated below:

A.7 SALARY AND STATUS UPON REEMPLOYMENT

A permanent employee who has passed their initial probationary period and who separated from County employment in good standing shall have the right to be considered for reemployment under this article for a period of two (2) years. In addition, an employee who has over one (1) year of service in a permanent position but who has not completed an initial probationary period because they were promoted to a higher class, within the same class family prior to the completion of their initial probationary period, may also be considered for reemployment under this section upon approval of the Director of Human Resources. Pursuant to the NMC HR MOU Regarding Delegation of HR Functions, the NMC Chief Executive Officer may approve such action for employees employed by Natividad Medical Center.

A person may be reemployed in the same class, or lower-level class in the same series, in which they previously held permanent status and from which they separated in good standing within two (2) years of such separation, upon recommendation of the appointing authority and approval of the Director of Human Resources. Pursuant to the NMC HR MOU Regarding Delegation of HR Functions, the NMC Chief Executive Officer may approve such action for employees employed by Natividad Medical Center. An employee reemployed under the provisions of this section may upon recommendation of the appointing authority and approval of the Director of Human Resources, be appointed to the same or a lower step of the salary step of the salary range of the class which they occupied at the effective date of resignation, or, at any step in a lower paid class in the same class series which does not exceed the employee's salary in effect at the time of resignation. An employee reemployed under this provision will receive the leave accrual rate in place at the time of separation. Pursuant to the NMC HR MOU Regarding Delegation of HR Functions, the NMC Chief Executive Officer may approve such action for employees employed by Natividad Medical Center. Eligibility for step advancement shall be based upon the date of an employee's reemployment.

3. Section A.9.19 Longevity Pay of Personnel Policies and Practices Resolution No.98-394 is amended as indicated below:

A.9.19 Longevity Pay

A.9.19.1 Unit Y Longevity Pay

Effective January 28, 2023, employees (excluding temporary employees) in Unit Y shall be eligible to receive longevity premium pay based upon the total length of service with the County. The longevity schedule shall be as follow:

Ten (10) years of service shall receive a premium pay of two and a half percent (2.5%) of their base wage.

Fifteen (15) years of service shall receive a premium pay of three and a half percent (3.5%) of their base wage.

Twenty (20) years of service shall receive a premium pay of five and a half percent (5.5%) of their base wage.

The Longevity premium pay will be reported in accordance with PERS regulations Section 571A.

A.9.19.2 Unit ZX Longevity Pay

Effective December 31, 2022, full-time employees (excluding temporary employees) in Unit ZX shall be eligible to receive longevity premium pay based upon the total length of service with the County. The longevity schedule shall be as follows:

Ten (10) years of service shall receive a premium pay of two and a half percent (2.5%) of their base wage.

Fifteen (15) years of service shall receive a premium pay of three and a half percent (3.5%) of their base wage.

Twenty (20) years of service shall receive a premium pay of five and a half percent (5.5%) of their base wage.

The Longevity premium pay will be reported in accordance with PERS regulations Section 571A.

4. Sections A.25 Annual Leave and/or Vacation, A.30.2 Accrual Rate Limit, and A.30.16 Annual Leave Accrual Rate for Employees in an At-Will Appointment of Personnel Policies and Practices Resolution No.98-394 are amended as indicated below:

A.25 ANNUAL LEAVE AND/OR VACATION

Effective August 26, 2023, employees who are hired with previous years of service with California Counties and Cities shall receive 50% credit for their combined years of service with other counties and cities in the State of California upon receiving official verification from the County(ies) or City(ies).

For employees without MOU provisions covering annual leave and/or vacation and, in accordance with Section A.1.10 Confidential (Z Unit) and Board of Supervisors Executive Assistants (Unit P) Salary Adjustments, Benefits and Leave Provisions, employees in classifications assigned to Unit P and Z shall receive the same annual leave and cash out of annual leave provisions as those negotiated by Supervisory (F) and General (J) Units.

Unit P and Z employees not in Annual Leave, shall convert to Annual Leave effective the beginning of the pay period after Board of Supervisors approval of this provision. All current vacation accruals shall roll into Annual Leave and these employees shall no longer accrue vacation accruals.

A.30.2 Accrual Rate Limit

- a. Eligible employees in Units X and Y shall accrue annual leave on the following basis:

<u>Years of Completed Continuous County Service</u>	<u>Annual Leave Accrual</u>
Up to two (2) years	23 days
More than two (2) years	25 days
More than six (6) years	27 days
More than ten (10) years	30 days
More than fifteen (15) years	32 days
More than eighteen (18) years	33 days
More than twenty (20) years	34 days
More than twenty-five (25) years	37 days

A maximum of eight hundred fifty (850) hours of annual leave may be accrued after which no further accrual shall be made until the employees' accrual is reduced to below eight hundred fifty (850) hours by the use of annual leave. Annual leave shall be earned on the basis of each biweekly pay period worked from the beginning of the biweekly pay period following the permanent appointment into a position in a class that is included in either Unit X or Y. Neither shall any annual leave be credited for any pay period during which an employee is on any non-paid status exceeding one-half (1/2) of the employee's normally scheduled working days.

b. Eligible employees in Unit XL shall accrue annual leave on the following basis:

<u>Years of Completed Continuous County Service</u>	<u>Annual Leave Accrual</u>
0 - 2 years	23 days
2 - 6 years	25 days

A maximum of three hundred sixty-eight (368) hours of annual leave may be accrued after which no further accrual shall be made until the employee's accrual is reduced to below three hundred sixty-eight (368) hours by the use of annual leave. Annual leave shall be earned on the basis of each bi-weekly pay period worked from the beginning of the bi-weekly pay period following the appointment into a Limited Term Assignment. Neither shall any annual leave be credited for any pay period during which an employee is on any non-paid status exceeding one-half (1/2) of the employee's normally scheduled working days.

c. Advanced Accrual Rate for New Hires with Previous Years of Service with California Counties and Cities:

Employees (excluding Unit XL) who are hired with previous years of service with California Counties and Cities shall receive 50% credit for their combined years of service with other counties and cities in the State of California upon receiving official verification from the County(ies) or City(ies).

A.30.16 Annual Leave Accrual Rate for Employees in an At-will Appointment

Effective January 1, 2023, at-will employees as defined in Section B.16 Service at the Pleasure of the Appointing Authority, who separate from County employment and are rehired into an At-will appointment will receive the leave accrual rate in place at the time of separation.

5. Sections A.12.4 Chief of Service Premium Pay and A.12.9 Physician Medical Director Premium Pay of Personnel Policies and Practices Resolution No.98-394 are amended as indicated below:

A.12.4 Physician Chief of Service Premium Pay

Employee Physicians at Natividad Medical Center, when designated by the NMC – Hospital Chief Executive Officer as Chief of Service, will receive a Physician Chief of Service pay premium equal to five percent (5%) of the employee's basic rate of pay while serving as Chief of Service. When employee is no longer designated as Chief of Service by the NMC – Hospital Chief Executive Officer, the premium pay will cease.

A.12.9 Physician Medical Director Premium Pay

Employee Physicians at Natividad Medical Center, when designated by the Hospital Chief Executive Officer as Medical Director of an inpatient unit at the hospital, will receive a Physician Medical Director pay premium equal to five percent (5%) of the employee's basic rate of pay while serving as Medical Director. When employee is no longer designated as Medical Director by the Hospital Chief Executive Officer, the premium pay will cease.

6. Section A.30.15 Suspension of Vacation/Annual Leave Accrual Rate Limit During Proclaimed Local Emergency/Disaster of Personnel Policies and Practices Resolution No.98-394 is amended as indicated below:

A.30.15 Suspension of Vacation/Annual Leave Accrual Rate Limit During Proclaimed Local Emergency/Disaster

Effective March 10, 2020, the County Administrative Officer or authorized designee may approve the temporary suspension of accrual rate limit for employees who are unable to take time off because they are required to work during a proclaimed local emergency.

An employee who has reached their corresponding accrual rate limit, as defined in the applicable Memorandum of Understanding (MOU) or PPR provisions, may request the temporary suspension of such accrual rate limit during a proclaimed Local Emergency/Disaster. Such request shall be processed in accordance with the Administrative Procedure established by the Director of Human Resources.

It is the intent of this policy that employees will be granted either a grace period of twelve (12) months following the termination of the proclaimed local emergency to use or lose the accruals over the threshold and/or allow employees a one-time cash out within sixty (60) days of the notification of the termination of such emergency not to exceed forty (40) hours below the corresponding accrual cap/maximum.

The Director of Human Resources will notify the Department Heads of the twelve (12) month grace period upon the termination of the proclaimed location emergency.

7. The Human Resources Department is directed to implement the actions.

PASSED AND ADOPTED on this 22nd day of August 2023, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez Askew, and Adams

NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting August 22, 2023.

Revised Date: December 20, 2023

File ID: RES 23-157

Agenda Item No.: 69

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Emmanuel H. Santos

Emmanuel H. Santos, Deputy