

**Before the Board of Supervisors in and for the  
County of Monterey, State of California**

Resolution No.: \_\_\_\_\_ PPPR Control No. 17-015 )  
 )  
Adopts a Resolution to amend Personnel Policies and Practices Resolution No. 98-394 to )  
amend Section A. 30.12 Annual Leave on Class Change to Representation Unit with )  
Lower Accrual Cap. )

WHEREAS on August 23, 2011, the Board of Supervisors approved amending the Personnel Policies and Practices Resolution (PPPR) No. 98-394 to add Section A.30.12 Annual Leave on Class Change to Representation Unit with Lower Accrual Cap; and

WHEREAS, the Board report and the PPPR language differed on whether the demotion was voluntary or involuntary; and

WHEREAS, it is recommended to broaden the language to include when an employee is demoted (voluntarily or involuntarily) or promoted; and

WHEREAS, the action requires the Personnel Policies and Practices Resolution No. 98-394 to be amended; NOW, THEREFORE,

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

1. Section A. 30.12 Annual Leave on Class Change to Representation Unit with Lower Accrual Cap of the Personnel Policies and Practices Resolution No. 98-394 is amended as indicated below.

A.30.12 Annual Leave and Vacation Accrual on Class Change to Employee/Bargaining Unit with Lesser Annual Leave or Vacation Accrual Cap

Effective January 1, 2017, when an Employee is:

a) Demoted, promoted or reclassified; or the classification to which he/she is currently assigned is moved into a different representation unit,

AND

b) The annual leave or vacation accrual cap assigned to the new class or representation unit differs from and is of overall lesser value than the annual leave or vacation accrual cap assigned to his/her former class or representation unit;

The employee may elect to:

Annual Leave:

1) Request a one-time cash out of the annual leave available on the effective date of the specified personnel action subject to the conditions provided. Employees will have sixty (60) days to exercise this option from the effective date of the specified personnel action. The maximum amount that may be cashed out shall not exceed 40 (forty) hours below the accrual maximum assigned to the new class and shall be paid at the employee's rate of pay prior to the specified personnel action. Any remaining balance shall be retained in a legacy annual leave bucket separate from vacation and

sick leave. The legacy annual leave bucket may be used at the election of the employee and in the same manner as vacation or sick leave. This legacy annual leave bucket shall be a closed bucket; meaning that no additional hours may be added and can only be cashed out when the employee separates from employment in the same manner as other accruals.

OR

2) Do nothing. If the employee chooses not to cash out any annual leave, the entire annual leave balance will be retained in a legacy annual leave bucket separate from vacation and sick leave. The legacy annual leave bucket may be used at the election of the employee and in the same manner as vacation or sick leave. The legacy annual leave bucket shall be a closed bucket; meaning that no additional hours may be added and can only be cashed out when the employee separates from employment in the same manner as other accruals.

Where a benefit such as the sick leave bank requires the exhaustion of all accruals as a condition of eligibility, the legacy annual leave bucket shall be treated as other accruals.

Vacation:

1) Request a one-time cash out of the vacation leave available on the effective date of the specified personnel action subject to the conditions provided. Employees will have sixty (60) days to exercise this option from the effective date of the specified personnel action. The maximum amount that may be cashed out pursuant to this provision shall not exceed 40 (forty) hours below the accrual maximum assigned to the new class and shall be paid at the employee's rate of pay prior to the specified personnel action.

PASSED AND ADOPTED on this \_\_\_\_ day of \_\_\_\_\_, 2017, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, 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\_\_\_ for the meeting on \_\_\_\_\_.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors,  
County of Monterey, State of California

By \_\_\_\_\_,  
Deputy