



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: RES 23-157

August 22, 2023

Introduced: 8/11/2023

Current Status: Agenda Ready

Version: 2

Matter Type: BoS Resolution

Adopt a Resolution to:

- 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.

RECOMMENDATION:

It is recommended the Board of Supervisors consider adopting a Resolution to:

- 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.

SUMMARY/DISCUSSION:

The Human Resources Department recommends the Board of Supervisors consider approving the amendments to the Personnel Policies and Practices Resolution (PPPR) No. 98-394 as indicated in Attachment A.

Temporary Working Out of Class

A temporary working out of class assignment is when the employee is temporarily assigned to perform the majority of the duties of a higher allocated position. Currently, PPPR Section A.5.7 Temporary Working Out of Class Assignment has two separate provisions for Working Out of Class. One provision is specific to safety and attorney employees and the other is specific to unrepresented employees. The provision for unrepresented employees mirrors the language found in the Service Employee International Union (SEIU) Local 521 Memorandum of Understanding (MOU). The provision for safety and attorney employees is limited to Bargaining Units A, B, C, D and E and excludes the newly recognized safety Units AOS and BOSS who are represented by County Patrol Association (COMPAs). Rather than adding the COMPAs units to the existing safety and attorney employee PPPR provision, the Human Resources Department recommends the language be standardized and apply the same working out of class provision to these employees as that applicable to unrepresented and SEIU Local 521 employees.

The proposed amendments would standardize the following language for Safety and Attorney employee groups:

- Change the duration of the assignment period from twenty (20) to ten (10) consecutive working days.
- Would allow for temporary working out of class assignments to occur due to a vacancy and not just for vacation, sick leave, leave of absence, or disciplinary suspension.

Furthermore, the proposed amendments would expand the provision for unrepresented employees to apply to all employees who do not have applicable Working Out of Class provisions in their corresponding MOUs.

Calculation of Leaves Accruals Upon Reemployment

PPPR Section A.7 Salary and Status Upon Reemployment indicates that former employees who passed their initial probationary period and separated in good standing may be reemployed in the position they previously held within two (2) years of separating from the County. Employees who are reemployed under the current provision are treated as a new employee for purposes of benefits and their leave accrual rate. This provision essentially negates all previously accrued County years of service and employees receive the same accrual rate as a newly hired employee. The Human Resources Department has collaborated with the County Administrative Office to recommend updating PPPR sections A.7 Salary and Status Upon Reemployment to allow for an employee who is reemployed under this provision to receive the leave accrual rate in place at time of separation.

Calculation of County Service for Longevity Pay

PPPR Section A.9.19 Longevity Pay states that employees who separate from the County for a period longer than four (4) pay periods will also lose credit towards longevity pay for all prior County service. The proposed amendments to PPPR Section A.9.19 Longevity Pay would ensure eligible employees are not losing credit for their past years of service with the County due to a break in County employment/service.

Calculation of Accruals for New Hires with Previous Years of Service with Other Jurisdictions

Similar to other public agencies, the County of Monterey has seen an increase in recruitment and retention challenges. In the current competitive job market, the County finds itself in constant competition for highly sought-after candidates who possess knowledge, skills, and abilities for various difficult-to-fill positions. The County has existing employee incentive programs such as employment bonus (sign-on bonus), employee referral bonus and relocation/moving allowance aimed at equipping departments with effective recruitment and retention tools. The proposed amendments to modify Sections 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 would help the County attract experienced employees from other public agencies by providing 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.

Physician Chief of Service and Physician Medical Director Premium Pay

Hospital operations require that employed physicians be assigned additional roles within a specified service line or a hospital unit when necessary in order to provide a medical level of care and decision making, an in-depth knowledge and understanding of unit operations and its interaction with other hospital units, or to meet a regulatory requirement (e.g., Title XXII requires that the Intensive Care Unit be led by a physician Medical Director). These roles are assigned by the Hospital Chief Executive Officer, under recommendation of the Hospital Chief Medical Officer.

The Physician assigned as Chief of Service oversees all the practitioners in their Service Line with regards to their Medical Staff membership, privileges, and performance. This includes the appointment to Medical Staff, the credentialing for specific privileges, maintenance, and progression of the various statuses of membership, ongoing and focused evaluations, and reappointments. The role of Chief of Service requires in-depth knowledge and understanding of the statutory and regulatory environment in which the Medical Staff operates. NMC currently utilizes PPPR Section A.12.4 Chief of Service Premium Pay to compensate physicians assigned to this role and is recommending minor revisions to include updating the title of the provision to Physician Chief of Service Premium Pay.

The Physician assigned as Medical Director is responsible for coordinating functioning on the unit between practitioners and other unit staff to ensure operational effectiveness. This includes participation in the creation, adoption and implementation of operational policies and procedures on the designated unit. The role of Medical Director requires in-depth knowledge and understanding of

the operations of the unit and its interaction with other units within the hospital. NMC currently utilizes temporary special assignment pay for this ongoing need and is recommending adding PPPR Section A.12.9 Physician Medical Director Premium Pay to compensate physicians assigned to this role.

Physicians in Unit U at NMC are contracted to provide direct patient care in accordance with their licensure and board certification, as applicable. The additional roles of Physician Chief of Service and Physician Medical Director as described above are not included in a Unit U contract, as these roles may be changed at any time by the Hospital Chief Executive Officer based on the best interests of the hospital. As such, it is appropriate for a premium pay to be included in the PPPR, which would allow the pay to be added and deleted when the role is assigned and unassigned.

Grace Period Associated with the Suspension of Vacation/Annual Leave Accrual Rate Limit During Local Emergency

PPPR Section A.30.15 Suspension of Vacation/Annual Leave Accrual Rate Limit During Proclaimed Local Emergency/Disaster allows for the County Administrative Office to approve the suspension of the accrual rate limit for employees who are unable to take time off because they are required to work during a proclaimed local emergency.

This provision was utilized during the COVID-19 pandemic and approved for approximated 35 employees countywide. In accordance with the provision, when the COVID-19 local emergency expired in April 2023 the Auditor-Controller's Office performed a reconciliation of leave accruals for all employees with approved exemptions on file. The Human Resources Department has worked directly with each impacted department to identify whether each employee will either take time off to bring their accruals below the max, authorize a one-time cash out of hours or a combination of both. The existing provision also includes a six (6) month grace period, from when the local emergency is lifted, in which the employee must be brought below their accrual rate limit. In this case, that six (6) month grace period would expire in October 2023. Some departments have expressed concerns with six (6) months not being sufficient time to allow the employee to use the accrued leave without impacting direct services to the public.

The Human Resources Department recommends the proposed amendments to this provision as indicated in Attachment A to extend the grace period in the existing provision from six (6) months to twelve (12) months. This would give departments until April 2024 for employees to be brought below their accrual rate limits.

For the reasons listed above, the Human Resources Department recommends the Board approve the amendments to the Personnel Policies and Practice Resolution (PPPR) as indicated in Attachments A & B.

OTHER AGENCY INVOLVEMENT:

The Human Resources Department has conferred with the County Administrative Office and County Counsel regarding these recommendations. In addition, the Monterey County, Public Defenders, Prosecutors, County Counsel, Deputy Sheriffs, and Patrol Associations have been provided notices of

these recommendations.

FINANCING:

Any costs associated with this recommended action will be absorbed within the departments' budget.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action addresses the Board of Supervisors' Administration Strategic Initiative and demonstrates the County's commitment to meeting the Board's initiatives by attracting, recruiting, and retaining a diverse, talented work force that supports the mission of Monterey County.

- Economic Development
- X Administration
- X Health & Human Services
- Infrastructure
- Public Safety

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Attachments:

Attachment A - PPPR Amendment Redline

Attachment B - PPPR Amendment Clean

Resolution