

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

Resolution No.: -----

PPPR Control No. 20-0008

HRM Control No. 20-0005

- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to modify Section A.1.11.4 Step Eligible Dates – "Acting" Appointments effective January 1, 2020; and )
- b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to modify Sections 1.1.10 Confidential (Z Unit) and Supervisors Assistants (Unit P) Salary Adjustments, A.25 Vacation and A.27 Sick Leave to convert the Vacation and Sick Leave provisions for Unit P and Z to Annual Leave; and )
- c. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to add Section A.30.15 Suspension of Vacation/Annual Leave Accrual Rate Limit During Proclaimed Local Emergency/Disaster; and )
- d. Direct the Human Resources Department to incorporate the changes in the Personnel Policies and Practices Resolution No.98-394. )
- e. Direct the Human Resources Department and Auditor-Controller's Office to implement the changes in the Advantage HRM/Payroll system. )

WHEREAS, the Human Resources Director proposed to amend Personnel Policies and Practices Resolution No.98-394 Section A.1.11.4 Step Eligible Dates – "Acting" Appointments may allow for all days served in an "acting" capacity, when directly appointed to the non-elected Unit Y regular position, to count towards the date of appointment to the position and the bi-annual step advance date; and

WHEREAS, the Human Resources Director proposed to modify Sections 1.1.10 Confidential (Z Unit) and Supervisors Assistants (Unit P) Salary Adjustments, A.25 Vacation and A.27 Sick Leave to convert the Vacation and Sick Leave provisions for Units P and Z to Annual Leave; and

WHEREAS, the Human Resources Director proposed to add Section A.30.15 Suspension of Vacation/Annual Leave Accrual Rate Limit During Proclaimed Local Emergency/Disaster to temporarily suspend an employee's maximum accrual amount for employees who are unable to take time off because they are required to work during a proclaimed local emergency; and

WHEREAS, these actions require 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.1.11.4 Step Eligible Dates – "Acting" Appointments of the Personnel Policies and Practices Resolution (PPPR) No. 98-394 is amended as indicated below:

A.1.11.4 "Acting" Appointments

Employees serving in an "acting" capacity shall not be eligible for a step advancement during the duration of the "acting" appointment.

When an employee is permanently appointed to a position in which he/she held an "acting" appointment without a break in service, he/she shall receive a minimum five percent (5%) increase in salary over the salary received in the class held prior to the "acting" appointment, in accordance with this Resolution. The salary used in computing the five percent (5%) increase shall be determined by including any step advancements he/she would have received in the class held prior to the "acting" appointment.

Upon approval of the Appointing Authority, the date of appointment for an employee who is appointed to a position in which he/she held an "acting" appointment without a break in service, may be effective the date the "acting" assignment began.

The new step advancement date of an employee who has served in a class in an "acting" capacity pursuant to the section of the Personnel Policies and Practices Resolution titled "Appointments" for a period of four (4) pay periods or more may be adjusted, as follows, upon approval of the County Administrative Officer, if said employee is appointed without a break in service on a permanent basis to the class in which he/she served in an "acting" capacity:

The NEW date of eligibility for step advancement may be adjusted by the number of days that the employee has served in an "acting" capacity. Said adjustment shall provide for the employee becoming eligible for step advancement on an earlier date than he/she otherwise would.

2. Sections 1.1.10 Confidential (Z Unit) and Supervisors Assistants (Unit P) Salary Adjustments, A.25 Vacation and A.27 Sick Leave of the Personnel Policies and Practices Resolution (PPPR) No. 98-394 are amended as indicated below:

A.1.10 Confidential (Z Unit) and Board of Supervisors Executive Assistants (Unit P) Salary Adjustments, Benefits and Leave Provisions

All classifications assigned to employee Units P and Z shall receive the same general benefits (including but not limited to annual leave and cash out of annual leave provisions) and salary adjustments (including step increases), in accordance with those negotiated by the Supervisory (F) and General (J) Units (Unit P follows Unit J, and Unit Z follows Unit J except for supervisory classifications which follow Unit F) . Natividad employees in Unit Z classifications shall receive Paid Time Off in accordance with the applicable Memorandum of Understanding.

#### A.25 ANNUAL LEAVE AND/OR VACATION

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 Units P and Z shall receive the same annual leave and cash out of annual leave provisions as those negotiated by the Supervisory (F) and General (J) Units.

Units 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.25.1 Vacation Accrual Rates

No vacation shall be credited for leaves of absence without pay exceeding one-half (1/2) of the employee's normally scheduled working days.

#### A.25.3 Vacation Accrual Limit (Deleted)

#### A.25.6 Annual Leave and/or Vacation Pay Off

A permanent seasonal employee in the Agricultural Commissioner's Office who is placed on seasonal leave of absence at the end of the season shall be paid all annual leave or vacation hours accrued during the season. Such payment for annual leave or vacation hours will be processed during the pay period in which a payroll adjustment is received.

#### A.25.9 Vacation/Annual Leave/Paid Time Off Cash Out (Deleted)

#### A.25.9.1 Vacation/Annual/Paid Time Off Cash Out Eligibility (Deleted)

### A.27 SICK LEAVE

Current sick leave balances for Units P and Z shall be frozen at the amount credited to the employee effective the beginning of the pay period after Board of Supervisors approval. Sick leave may be used until the sick leave balance is exhausted. Unused sick leave may be paid off upon retirement pursuant to the provisions of Sections A.27.7 and A.27.8, (Sick Leave: Pay Off) of this Resolution. Sick leave may be used in the same manner as prescribed in this article of the Personnel Policies and Practices Resolution.

#### A.27.1 Miscellaneous Employees' Sick Leave (Deleted)

#### A.27.4 Bereavement Leave

Use of accrued sick leave with pay may be granted upon recommendation of the appointing authority up to a maximum of five (5) days per occurrence in the case of the death of a father, mother, brother, sister, spouse, child, foster child, grandparent, grandchild, eligible domestic partner, child of eligible domestic partner, father-in-law, mother-in-law, daughter-in-law, son-in-law, step parent, step daughter, step son, step brother or step sister.

#### A.27.6 Family Sick Leave

#### A.27.6.1 Confidential Unit's Family Sick Leave (Deleted)

#### A.27.6.1.A California Kin Care Law (Deleted)

#### A.27.6.2 Management and Executive Management Unit Family Sick Leave

Permanent and seasonal employees in Units X and Y may be granted use of accumulated sick leave by their appointment authority because of illness of the employee's father, mother, brother, sister, wife, husband, child, grandparent, or grandchild, eligible domestic partner or child of eligible domestic partner provided in the judgement of the appointing authority an emergency condition exists. In exceptional cases, such leave may be granted in the event of illness of an employee's father-in-law or mother-in-law, or father or mother of an employee's eligible domestic partner, when it can be demonstrated that a bona fide illness exists which

warrants the employee's personal attendance during her/his normally scheduled working hours.

The appointing authority may require a physician's certificate or other substantiating evidence that such illness of one of the above listed family members exist.

This provision shall be applied in accordance with the Family Medical Leave Act and all other applicable State and Federal Laws.

#### A.27.7 Sick Leave Pay Off

Officers and employees may convert up to seven hundred fifty (750) hours of their accumulated sick leave to cash at the rate of 100% subject to the following requirements and restrictions:

a) SERVICE RETIREMENT (miscellaneous and safety), the employee must be at least fifty (50) years of age and have a minimum of five (5) years service during which he or she was a member of the Public Employees Retirement System (P.E.R.S.) and in addition must either

1) Actually retire concurrently with his or her separation from County service by submitting a retirement application to P.E.R.S. or

2) Upon separation from county service concurrently withdraw his or her accumulated contribution from P.E.R.S.

b) DISABILITY RETIREMENT (miscellaneous and safety), employee must have a minimum of five (5) years service during which he or she was a member of the Public Employees Retirement System (P.E.R.S.) and retirement results from mental or physical incapacity to perform the duties of his or her job. Disability need not be job related.

c) INDUSTRIAL DISABILITY RETIREMENT (safety members only), employee's disability must be work-incurred or job related and retirement results from mental or physical incapacity to perform the duties of his or her job. No specific age or service time is required to qualify.

d) Payment shall be made under the provisions of paragraphs A, B and C above only after the County is notified and can confirm the employee's retirement or the withdrawal of his or her contributions.

e) In the event of the death of the employee, the payment shall be made to the person entitled to the employee's death benefit.

f) (Deleted)

g) (Deleted)

#### A.27.8 Sick Leave for Elected Officials

County employees who become County elective officers and who subsequently resume their status as regular County employees, or County appointive officers immediately upon completion of service as a County elective officer, shall have sick leave hours reinstated in

the amount accumulated at the time they assumed elected office. County elected officers whose services are terminated by death or who qualify for retirement and retire from the County pursuant to the provisions of the Public Employees' Retirement System or who, being qualified to retire, terminate their services with the County and contemporaneously withdraw their accumulated retirement contributions, after the County is notified of their retirement or withdrawal of their contributions, may convert up to seven hundred fifty (750) hours of sick leave they held at the time of their assumption of elected office at the rate of 100%. In the event that an officer's services are terminated by death, the payment shall be made to the person entitled to the officer's death benefit.

A.27.12 Modified Work Program for Exempt Employees (Deleted)

3. Section A.30.15 Suspension of Vacation/Annual Leave Accrual Rate Limit During Proclaimed Local Emergency/Disaster of the Personnel Policies and Practices Resolution (PPPR) No. 98-394 is added 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 PPPR 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 six (6) months following the termination of the proclaimed local emergency to use or lose the accruals over the threshold or allow employees a one-time cash out within sixty (60) days 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 six (6) month grace period upon the termination of the proclaimed local emergency.

4. The Human Resources Department is directed to incorporate the changes in the Personnel Policies and Practices Resolution No. 98-394.
5. The Human Resources Department and Auditor-Controller's Office are directed to implement the changes in the Advantage HRM/Payroll system.

PASSED AND ADOPTED on this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by the following vote, to wit:

AYES:

NOES:

ABSENT:

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 Minute Book \_\_\_\_\_, on \_\_\_\_\_.

Dated:

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

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