

RESOLUTION NO. 2017-108

**A RESOLUTION OF THE SAN BENITO COUNTY BOARD OF SUPERVISORS
REGARDING COMPENSATION AND BENEFITS FOR UNREPRESENTED
EMPLOYEE GROUPS**

WHEREAS, Confidential Management, Confidential Employees and Unrepresented Employees are classifications not represented by any employee organization or bargaining group under the Meyers-Milias Brown Act; and,

WHEREAS, the San Benito County Board of Supervisors is desirous of providing the employees in these job classes with equitable compensation and benefits with regard to other county employees.

THEREFORE, BE IT RESOLVED, the San Benito County Board of Supervisors approves those compensation and benefit adjustments to these classifications as set forth in Attachment "A".

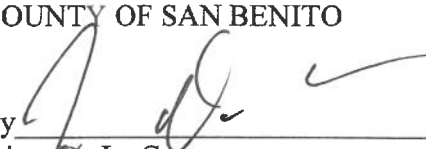
PASSED AND ADOPTED by the Board of Supervisors of the County of San Benito, State of California, at the meeting of said Board on this 24th day of October, 2017 by the following vote:

AYES: De La Cruz, Botelho, Medina, Rivas, Muenzer

NOES: None

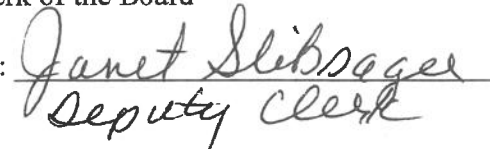
ABSENT OR NOT VOTING: None

COUNTY OF SAN BENITO

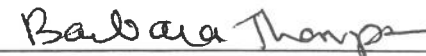
By 
Jaime De La Cruz
Chair, Board of Supervisors

ATTEST:
Chase Graves
Clerk of the Board

By:


Janet Sliksagee
Deputy Clerk

APPROVED AS TO LEGAL FORM:
San Benito County Counsel's Office


Barbara Thompson
Assistant County Counsel

ATTACHMENT "A"

For the period of October 1, 2017 through September 30, 2019, or future action by the Board of Supervisors

1. GENERAL SALARY INCREASES:

A. Salary Increases:

1. A 3.5% increase effective the October 8, 2017 pay period which will be paid on October 27th, 2017.
2. A 0.5% increase effective the first full pay period in April 2018.
3. A 3.0% increase effective the first full pay period in October 2018.

B. Signing Bonus:

1. \$1,200.00 signing bonus effective as of October 8, 2017 pay period which will be paid on October 27th, 2017.
2. \$1,000.00 signing bonus effective the first full pay period in October 2018.

Only those employees in paid status during the period in which the signing bonus is processed are eligible for the signing bonus. The signing bonus is subject to any required state or federal deductions.

2. RETENTION/LONGEVITY PAY:

Existing employees that have the following tenure in regular, full-time positions with the County of San Benito shall receive additional compensation as follows:

- Effective the first pay period following completion of the 20th year of service, 2.5% of base salary.
- Effective the first pay period following completion of the 25th year of service a total of 5.0% of base salary.
- Effective the first pay period following completion of the 30th year of service a total of 7.5% of base salary.

3. G STEP

Employees will be eligible to move from Steps A through G. Following the effective date of this agreement, employees who are not already at Step G are eligible to Step G after completing twelve (12) months at F step. This provision is not retroactive.

4. FROZEN VACATION AND VACATION ACCURAL LIMITS.

Previous Board action establishing a frozen vacation bank and vacation accrual limits remains unchanged.

5. RESERVED.

6. OFFICE CLOSURE DAYS.

Employee shall be paid for the following closure days for December 2017: December 26, 27, 28, and 29 for a total of 4 days in addition to the paid holidays of Christmas and New Year's Day. There shall be no change in admin time use for Christmas Eve.

Employees shall be paid for the following closure days for December 2018: December 26, 27, and 28 for a total of 3 days in addition to the paid holidays of Christmas and New Year's Day. There shall be no change in admin time use for Christmas Eve.

Essential departments that are unable to close during the above mentioned time period shall be given 4 floating days to use 2 weeks prior to December 24, 2017 or during the month of January 2018 and 3 floating days to use two weeks prior to December 24, 2018 or during the month of January 2019, at the employees' discretion, upon supervisory approval. No employee shall lose the float days as a result of denying time off requests. There shall be no change in admin time use for Christmas Eve and New Year's Eve.

Previous policies regarding Christmas Eve/New Years' Eve, Holidays/Floating Holidays are not changed.

7. BEREAVEMENT LEAVE

A. Individuals attending to a death in the immediate family shall be allowed up to five (5) days of bereavement leave. An immediate family member is defined as a spouse, registered domestic partner, mother, father, grandmother, grandfather, daughter, son, granddaughter, grandson, sister, or brother and step-relatives and in-laws of the same categories. Bereavement leave is in addition to an employee's accrued sick leave and vacation leave.

B. Department Heads have discretion to allow more than five (5) days when exceptional circumstances warrant additional leave. If approved, employees must use other accrued leave or take the additional days unpaid.

8. PERS RETIREMENT BENEFIT

A. "Classic" Employees. For employees hired prior to January 1, 2013, or were members of CalPERS or a retirement system that has reciprocity with CalPERS, the County shall continue to provide the 2% at 55 PERS retirement program for Miscellaneous Employee or the 3% at 55 PERS retirement program for Safety Employees. These employees shall contribute the full 7% towards the employee CalPERS miscellaneous contribution or the full 9% towards the employee CalPERS safety contribution.

B. "New" Employees. For employees hired on or after January 1, 2013, and prior to that date were not members of CalPERS or a retirement system that has reciprocity with CalPERS, the County shall provide the retirement program in conformance with the requirements of California Public Employees' Pension Reform Act of 2013 ("PEPRA"), Gov. Code § 7522 et seq., as may be amended (hereinafter "PEPRA Retirement Tier"). Employees will receive the 2% at 62 retirement benefit for miscellaneous employees and the 2.7% at 57 retirement benefit for safety employees.

Miscellaneous and Safety Employees shall contribute toward the PEPRA Tier an employee contribution in an amount equal to not less than fifty percent (50%) of the normal cost of the new tier (the amount CalPERS determines as the employee contribution for "new members" as defined by PEPRA during the term of this agreement), as determined by CalPERS on an annual basis or the amount of the contribution determined by the Board of Supervisors by Resolution in the future, whichever is greater.

9. SICK LEAVE

Sick Leave Accrual	
4.62 hours per pay period	2000 hours accrual limit

A. For employees hired on or after November 17, 2015, sick leave is forfeited upon resignation or termination, except that if the employee is retiring under the PERS, the employee can cash out 25% of their sick leave.

B. Employees hired on or before November 16, 2015 still have the option to cash-out 50% of sick leave at retirement, in accordance with the County Personnel Policies and Procedures. All other sick leave shall be as provided for in the County Personnel Policies and Procedures and shall remain unchanged for the term of this agreement.

10. RESERVED

11. MEDICAL INSURANCE. The County currently offers to eligible employees medical plans through CSAC-EIA.

- A. **Eligibility.** Employees occupying permanent full time positions, who work a minimum of 0.9 FTE or more, and their eligible dependents, shall be entitled to participate in the County-sponsored health plan consistent with plan eligibility requirements. Employees occupying permanent part-time positions, who work a minimum of twenty (20) hours, but less than 0.9 FTE per week, and their eligible dependents, shall be entitled to participate in the County-sponsored medical plans consistent with plan eligibility requirements.
- B. Permanent part-time employees hired on or before January 1, 2002 shall continue to receive the same County contribution to their health insurance premiums as full-time employees as listed below. However, permanent part-time employees

hired after January 1, 2002 shall pay a proportionate share of the gross monthly County contribution rounding to the nearest one-quarter time: i.e., either fifty percent (50%) or seventy-five percent (75%) of the gross monthly premium.

- C. In either case cited above, the County contribution shall be based on the date-of-hire and full-time equivalent designation of the position on the Schedule of Authorized Positions adopted by the Board of Supervisors, not on the specific number of hours worked.

1. County Contribution

The County's monthly contribution for any medical plan shall be up to the maximum amounts for Full time permanent employees as describe below:

<u>Employee Only</u>	<u>\$550.00</u>
<u>Employee Plus One</u>	<u>\$1,050.00</u>
<u>Family</u>	<u>\$1,315.00</u>

The County's contribution above shall be prorated for positions that are less than .90 FTE rounding to the nearest one-quarter time.

Any premium contributions required above the County's maximum monthly contribution shall be borne entirely by the employee.

To receive this contribution, all employees must maintain health care coverage through a County sponsored plan.

2. Employee Contribution

The County shall make a payroll deduction in the amount of the remainder of the premium required for the CSAC-EIA plans, or other approved County offered medical plan in which the employee and dependents are enrolled.

Premium Conversion. The County shall continue to provide employees with an option to pay their insurance premium contributions on a pre-tax basis, as allowed in the Internal Revenue Code.

- D. Employee Opt-Out of Medical Coverage.

Employees who are eligible to receive a "cash in lieu of" enrollment in the County's medical plan shall receive a taxable payment of \$150 monthly (pro-rated into biweekly installments of \$69.23). To be eligible for the cash incentive, the employee must work a full-time schedule in an authorized full-time position and change from any level of medical plan coverage to no coverage, or if a new employee, choose no coverage. Whenever the employee

changes to, or opts for, no coverage, the employee shall provide written proof of current alternate group coverage that is not an ACA or Covered California Plan and sign a waiver stating that he or she does have alternative coverage and that he or she understands that he or she will no longer receive coverage through a County-sponsored medical plan. If the employee later decides to re-enter a County-sponsored health plan, he or she must meet such requirements and conditions for approval as may be required by the medical plan provider or enroll during the annual open enrollment period for CSAC-EIA provided medical plans. Procedures for exercising this option and for re-entering the County-sponsored health plans shall be established by the County.

12. DENTAL INSURANCE:

Provision of dental insurance shall be the same as set forth in the SEIU MOU currently in effect.

13. RETIREE HEALTH INSURANCE:

A. Eligibility and Maximum County Contribution

Employees in the Unit who retire from the County of San Benito and are eligible for a pension through CalPERS may enroll in a CSAC-EIA medical plan within ninety (90) calendar days of the date of separation as a retiree from the County if consistent with plan eligibility.

To receive this contribution, all retirees must maintain health care coverage through a County sponsored plan and receive CalPERS retirement.

B. County Contribution for employees hired on or before November 17, 2015

The County will make the following maximum monthly premium contribution to a CSAC-EIA medical plan:

a. For pre-65 retirees who are not eligible for Medicare,

- i. Retiree Only: \$550**
- ii. Retiree Plus One: \$1050**
- iii. Retiree Plus Family: \$1315**

b. For Medicare eligible retirees or their eligible survivors (spouse and dependant children): the County will contribute 70% of the amount stated in paragraph B1a above.

c. The County's contribution is frozen at these rates and any changes to the County's contribution are subject to negotiations and final authorization by the Board of Supervisors.

C. Employees Hired after November 16, 2015

For the purposes of calculating the County's contribution towards medical plan premiums in the County's CSAC – EIA plan, employees hired after November 16, 2015 who retired

from the County shall only receive a County monthly contribution equal to the PEMHCA minimum.

14. OVERTIME EXEMPT STATUS FOR CERTAIN EMPLOYEES

Exempt Employees are exempt from the overtime provisions of the State and Federal Fair Labor Standards Acts (FLSA) and, therefore, are not entitled to any additional compensation for hours worked in excess of eight (8) hours per day or forty (40) hours per week. However, such employees shall deduct from paid leave any leave taken of more than four (4) hours in one day. However, at the discretion of the Department Head or designee, this requirement may be waived, in writing for a specified duration of time due to departmental operational needs.

It is expected that Exempt Employees will generally work forty (40) hours (if not more) per week and be present at their offices during regular business hours. Exempt employees will accurately report the number of hours worked (including any hours in excess of eight (8) hours per day or forty (40) hours per week), as well as the number of hours not worked due to any such partial day absence, in a format to be determined by the County. Exempt Employees should notify their supervisor prior to taking a partial day absence.

15. ALL OTHER RIGHTS/BENEFITS:

All other existing rights and benefits afforded the Employees shall remain in full force and effect. The procedures relating to “frozen” vacation for employees remains unchanged.