

RESOLUTION NO. 4012

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD AMENDING
THE CITY OF SOLEDAD'S COMPENSATION AND BENEFIT PLAN FOR FISCAL
YEAR 2006-07**

WHEREAS, at the November 15, 2006 City Council meeting, the Council approved the "Compensation and Benefit Plan for FY 2006-07 which included management; and

WHEREAS, on January 17, 2007, Council approved the amended "Compensation and Benefit Plan for Employees of the City of Soledad", which included changes to the salary range of certain classifications; and

WHEREAS, as a result, the Lieutenant received a 12.5% salary increase effective January 1, 2007 placing the position at range 66; and

WHEREAS, on April 18, 2007 City Council meeting, the Council directed Staff to prepare the necessary documents to provide salary and benefits adjustment for the SPOA and SPSA; and

WHEREAS, on May 2, 2007, the City Council directed Staff to amend the Compensation and Benefit Plan to provide the same salary increase for the Lieutenant position in order to prevent compaction and continued Resolution No. 3990 (Budget Amendment) to incorporate the salary cost of the Lieutenant position; and

WHEREAS, Exhibit A and Exhibit I of the City's Compensation and Benefit Plan must be amended to include that for the Lieutenant position the SPSA salary schedule will be used; and

WHEREAS, the range that best fit the proposed salary increase is Range 65; and

WHEREAS, funding for the changes will be adopted through an amendment of \$41,283 being allocated from General Funds Reserves to the Adopted FY 2006-07 Budget.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the City Council of the City of Soledad hereby approves the amended "Compensation and Benefit Plan for Employees of the City of Soledad" in the form attached hereto as Exhibit "A," and by this reference, incorporated herein.

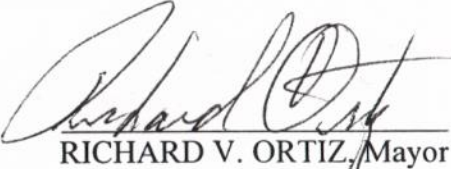
PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 6th day of June 2007, by the following vote:

AYES, and in favor thereof, Councilmembers: Martha Camacho, Juan Saavedra, Mayor Richard Ortiz

NOES, Councilmembers: Christopher Bourke, Patricia Stephens

ABSENT, Councilmember: None

ABSTAIN, Councilmembers: None


RICHARD V. ORTIZ, Mayor

ATTEST:



NOELIA F. CHAPA, City Clerk

Exhibit "A"

CITY OF SOLEDAD COMPENSATION AND BENEFIT PLAN FOR FISCAL YEAR 2006-07

Pursuant to the provisions of Section 2.24.030 of the Municipal Code and the Memorandum of Understanding (MOU) with the City's recognized bargaining units, CALPRO, SPSA and the SPOA which each expiring on June 30, 2008 (via Resolution No. 3652, MOU dated August 17, 2005 and Resolution No. 3908 and 3909 dated November 15, 2006, respectively), the following compensation and benefits plan is established for all employees of the City. This Plan shall remain in effect until amended by the further action by the City Council.

In accordance with the CALPRO MOU for FY 2005-2008, CALPRO members, will be entitled to a recruitment and retention increase effective in the pay period in which the Council approves the contract for-Fiscal Year-2006-07 (i.e., second year wage increase effective January 1, 2007 and a CPI increase effective July 1, 2007). Management, mid-management except sergeant, confidential except investigator and fire members will be entitled to the same for Fiscal Year 2006-07. In addition, a "Pay for Performance Plan for Management" is in effect. SPOA/SPSA members, shall be entitled to a 12% wage increase effective July 1, 2006 and another 12% wage increase effective July 1, 2007. The MOU's for CALPRO, SPSA and SPOA are incorporated as a part of this document. This plan does not include the position of City Manager, which is a position appointed directly by the City Council, with compensation and benefits established pursuant to a separate contract.

The City Council approves a retention/recruitment wage adjustment effective-January 1, 2007 for all employees except sworn police and sergeant ranging from 5% to 17.5% as outlined in Exhibit I. In addition to the third year pay plan increase, the Chief of Police's salary will be increased by an additional 5%.

Section 1. COMPENSATION PLAN FOR ALL EMPLOYEES

A. Employee Complement, Classifications and Pay Ranges

The total number of employee positions shall be authorized by the City Council through the Annual Pay and Classification Plan. Included will be identification of all Regular full time and regular part time sworn or civilian employees, as well as all seasonal or temporary part time employees. The Annual Pay and Classification Plan shall also authorize the City's job classification titles (Exhibit I) and corresponding pay ranges and merit step schedules (Exhibit II). The Annual Pay and Classification Plan shall be set forth in Exhibit III.

B. Employee Performance Evaluation and Merit Increase Policy

With approval from the City Manager, and when recommended by an employee's Department Manager or Supervisor, an employee following a positive evaluation of job performance and in accordance with the provisions of Section 2.24.090 of the Municipal Code, shall be eligible for a merit increase in pay, in accordance with the provisions of the range and step schedule hereunto referred to in the Annual Pay and Classification Plan.

Management employees who have reached the top step of their range and having met defined performance measures are eligible for a one time annual merit pay, typically from 0-5% of base salary.

Section 2. OVERTIME COMPENSATION

*** *Management***

Management shall not be entitled to overtime.

*** *Fire Captains, Fire Engineers and Firefighters***

Pursuant to "Fair Labor Standards Act" Section 207(k), overtime compensation will be paid based on hours worked in excess of 106 hours in a 14-day cycle. Time worked in excess of 106 hours in a 14 day period shall constitute overtime and is compensable at the rate of one and one half times the employee's regular rate of pay.

*** *Professional/Mid-Management, Investigator, and Confidential***

Any time worked in excess of the established forty (40) hour work week by an employee shall be considered overtime, for which the employee shall be paid at the rate of one and one-half (1-1/2) times his or her regular rate of pay. If the employee takes any leave off whether it is vacation, sick, administrative, compensatory, and holiday during the same 40 hour work week period of which overtime is earned; the overtime will be paid at the straight time rate. The use of compensatory time shall be subject to the requirements of the "Fair Labor Standards Act".

*** *Police Sergeants***

Pursuant to "Fair Labor Standards Act"-Section 207(k), overtime compensation will be paid based on hours worked in excess of 160 hours in a 28-day cycle. Time worked in excess of 160 hours in a 28-day period shall constitute overtime and is compensable at the rate of one and one half times the sergeant's regular rate of pay. Compensatory time off taken during a given 28-day period will be counted in calculating overtime hours.

*** *Sworn Police Officers***

Pursuant to the "Fair Labor Standards Act" Section 207(k), overtime compensation will be paid based on hours worked in excess of 160 hours in a 28-day cycle. Time worked in excess of 160 hours in a 28-day period shall constitute overtime and is compensable at the rate of one and one half times the officer's regular rate of pay. For purposes of computing overtime, compensatory time off taken during a 28-day cycle shall be treated as work time. Court time shall be compensable at the overtime rate when it is determined the 160 hours has been met within the present work cycle.

*** *Classified***

Any time worked in excess of the established forty (40) hour work week by an employee shall be considered overtime, for which the employee shall be paid at the rate of one and one-half (1-1/2) times his or her regular rate of pay. If the employee takes any leave off whether it is vacation, sick, administrative, compensatory, during the same 40 hour work week period of which overtime is earned; the overtime will be paid at the straight time rate. Council approved holidays, except floating holidays, will be considered work days for purposes of calculating overtime. The use of compensatory time shall be subject to the requirements of the "Fair Labor Standards Act."

For the Maintenance Worker position(s) that are assigned to work in the park systems, and any other duties assigned and the Utility Operator position(s) assigned to work at the wastewater and water systems, and any other duties assigned shall be paid by the City one and one-half (1-1/2) times the employee's regular rate of pay for scheduled mandatory work outside the regular working hours, regardless of the hours worked within the work week.

Section 3. OTHER COMPENSATION

A. Call Back Pay

*** *Management***

Management shall not be entitled to Call Back Pay.

*** *Professional/Mid-Management, Confidential, Fire Engineer and Firefighter***

Classifications above shall not be entitled to Call Back Pay.

*** *Classified***

Call Back Pay will be paid at one and one half (1-1/2) times the employees regular rate of pay at a minimum of two (2) hours, except in those cases when the call back period continues into the regularly scheduled shift whereupon straight pay will commence with the start of the regular shift. Call out time shall be computed from the time the employee reports to work to the time he or she leaves work except as provided above.

*** *Sworn Police Officers and Sergeants***

Sworn officers and sergeants called back to work on a scheduled day off or for an emergency, will be paid at one and one half (1½) times the employees regular rate of pay at a minimum of three (3) hours except in those cases when the call back period continues into the regularly scheduled shift whereupon straight pay will commence with the start of the regular shift. Court appearances shall be considered as call back. For court call back, time will be paid at one and one half (1-1/2) times the employees regular rate of pay at a minimum of four (4) hours except in those cases when the call back period continues into the regularly scheduled shift whereupon straight pay will commence with the start of the regular shift.

B. Graveyard Shift

*** *Sworn Police Officers, Sergeants***

Assignment to the "graveyard shift" (7 pm to 7 am) shall be mandatory for all sworn police officers and sergeants. As far as practical, and subject to the rights of Management to make duty assignments as circumstances may require, assignment to a graveyard shift shall be on a rotation basis in order to distribute such duty assignment equitably among such officers. Each December, the City shall pay each officer who has been scheduled to work at least 36 graveyard shifts during the year, the sum of \$250.

C. Health Club Membership

*** *Sworn Police Officers, Sergeants***

To ensure that all officers **and sergeants** meet the physical agility test requirements established in the City's job description and specified for all sworn officers, the City will provide an additional stipend of \$15 per month for health club membership. The stipend is at the discretion of the City Manager upon submittal of a signed annual membership contract or a receipt for such membership.

D. Medical and Physical Agility Examination

*** Sworn Police Officers, Sergeants**

The City requires all sworn officers and sergeants to submit to an annual medical examination and an annual physical agility test. The medical examination shall test for tuberculosis, which is to be completed no later than the officers' annual anniversary. The Police Chief will administer the annual agility test. The test will be undertaken as on-duty time.

Each sworn officer and sergeant, who successfully passes the annual physical agility test, shall receive a one-time stipend of \$150. Sworn Officers and sergeants failing the test will not be eligible for the stipend until the following year.

Section 4. COMPENSATORY TIME-OFF

*** Management**

Management shall not be entitled to compensatory time off.

*** Professional/Mid-Management, Fire Engineer, Firefighter, Confidential, Investigator and Classified**

Employees who work overtime may select and be credited with cash compensation at the rate of one and one-half (1-1/2) times their regular rate of pay for each such hour of overtime worked. With the approval of the Department Manager, an employee may be credited with compensatory time off at the rate of one and one-half times for each hour of said overtime. Use of compensatory time off shall not interfere with the normal operation of the City. Use of compensatory time off shall not be denied by the Department Manager without reasonable cause. Compensatory time-off may be accumulated to a maximum of 48 hours.

Any employee working overtime such that the overtime worked if converted to compensatory time off would put his or her cumulative total at over 48 hours may only convert up to the 48 hours maximum and the remaining overtime will be compensated at the normal overtime rate. For purposes of computing overtime in any such week, anytime off during a week shall be treated as a non-work time.

For Fire Personnel, compensatory time will be earned after exceeding the maximum hours set under FLSA 207K plan.

*** Sworn Police Officers, Sergeants**

Employees who work overtime may select and be credited with cash compensation at the rate of one and one-half (1-1/2) times their regular rate of pay for each such hour of overtime worked. With the approval of the Police Chief, an employee may be credited with compensatory time off at the rate of one and one-half times for each hour of said overtime.

Use of compensatory time off shall not interfere with the normal operation of the City. Use of compensatory time off shall not be denied by the Police Chief without reasonable cause. Sworn Police Officers and Sergeants may accumulate a maximum of eighty (80) hours of compensatory time. The use of compensatory time shall be subject to the requirements of the "Fair Labor Standards Act". A sworn police officer may elect to cash in a maximum of 40 accumulated compensatory hours once a year with approval of the City Manager. Sworn Officers must notify Police Chief prior to preparation of the annual budget of his/her intention of cashing in the 40 hours.

Section 5. BENEFIT PLANS

A. Retirement Plan

In addition to the compensation provided for in Sections 2 and 3 all regular full time employees shall be added to the roll of employees covered by the City's retirement plans on the first entry date provided for in said plan.

**** Management, Professional/Mid Management, Confidential and Classified***

The City shall enroll each employee in this classification in the Public Employees Retirement System and each employee is entitled to the benefits offered by said system. The approved PERS plan is 2% @ 60. The City shall pay the employers share to said plan, and 3.5% of the employees 7% normal contribution. Employee shall contribute through payroll deduction 3.5% of his or her salary to the plan. As a component of the "Pay for Performance Plan for Management Personnel", the City will pick up the remaining 3.5% of the management employees contribution over the next two years. Specifically, the City will pick up 1.5% in FY 2006-07 and the remaining 2% in FY 2007-08.

**** Chief of Police, Lieutenant, Investigator, Fire Chief, Fire Captain, Fire Engineer and Firefighter***

The City shall enroll each employee in this classification in the Public Employees' Retirement System (PERS) under the "2% at-modified formula" offered by said system. The City shall pay the employers share to said plan, and 3.5% of the employees 7% normal contribution. Employee shall contribute through payroll deduction 3.5% of his or her salary to the plan. As a component of the "Pay for Performance Plan for Management Personnel", the City will pick up the remaining 3.5% of the management employees contribution over the next two years. Specifically, the City will pick up 1.5% in FY 2006-07 and the remaining 2% in FY 2007-08.

**** Sworn Police Officers, Sergeants***

The City shall enroll each employee in this classification in the Public Employees' Retirement System (PERS) under the "2% at 55 modified formula" offered by said system. The City will pay all of the employer's contribution and all of employees 7% contribution to PERS.

B. Health Insurance Plan

In addition to compensation's provided all employees shall be added to the roll of employees covered by the City's health, eye care and dental plan on the first entry date provided for in said plan. This is contingent upon, an employee being approved and deemed physically eligible for coverage for insurance purposes. Upon said approval, an employee may be enrolled in said health, eye care and dental plan as provided by the City.

**** Management, Professional/Mid Management, Investigator, Confidential and Classified***

The City shall contribute the full cost of coverage under said plan for the employee. The City will also pay up to \$250 per month towards the cost of said employee's dependents under said plan. If the employee has no dependents, the City shall contribute to the employee as other income 5.5% of salary or \$95.00, whichever is less, for the retirement plan in lieu of health, eye, and dental benefits for dependents. For Management employees, the City will pay the full cost of dependent care.

*** Sworn Police Officers, Sergeants**

The City shall contribute the full cost of coverage under said plan for the employee. The City will pay 100% of the cost of said employee's dependents under said plan.

Section 6. OTHER BENEFITS

A. Uniform Maintenance Allowance

In addition to compensation provided the City may provide uniforms or additional compensation for uniform allowance. The City Manager shall designate all employee job classifications that may be eligible.

*** Classified**

For those employee classifications in the public works, parks, and utility operations, the City shall provide a uniform for daily wear and is responsible for maintenance of said uniform. In addition, the City shall provide an annual reimbursement of up to \$100 for the purchase of safety shoes by each of the employees in the public works, parks, and utility operations.

*** Chief of Police, Sergeants, Lieutenant, Fire Chief, Fire Engineer, Firefighter, Fire Captain and Sworn Police Officers**

The aforementioned classifications shall receive the sum of sixty (\$60) dollars per month for uniform maintenance allowance. The City shall provide Sworn Police Officers on an annual basis, with uniforms, including footwear, for daily wear. Sworn Police Officers shall turn in used uniforms to the Police Chief at the time of replacement, or at the time of separation from service. The City will also furnish each Reserve Officer with one uniform from this source.

B. Incentive Pay Programs

*** Classified (CALPRO)**

In addition to compensation, certain classifications or positions authorized by the City Manager, will receive a total of \$60 for each eligible incentive, up to a maximum of 4 incentives or \$240 per month. The City will pay employees a Bilingual Premium of \$65 a month. The City will pay no more than two (2) employees currently receiving a bilingual premium \$100 per month when assigned to both interpret and translate and who demonstrate a high level of both oral and written bilingual proficiency as measured by appropriate skill tests.

- * Professional Secretary Certification
- * City Clerk Certification
- * Professional Notary Public Certification,
- * Water Operator II or III Certificate (only for Utility Operator Classifications and unless required in job description)
- * Wastewater Operator II or III Certificate (only for Utility Operator Classifications and unless required in job description)
- * Pesticide Operators License (unless required in job description)
- * Associate of Arts Degree
- * Bachelors of Arts/Science Degree
- * Master of Arts/Science Degree

*** Confidential**

In addition to compensation, the Secretary to the City Manager, as authorized by the City Manager, may receive a total of \$60 for obtaining a Professional Notary Public certificate.

*** Sworn Police Officers (SPOA)**

In addition to compensation, sworn police officers who qualify, will receive \$55, unless otherwise indicated

below, for each eligible incentive, up to a maximum of 6 incentives. The City will pay employees designated as Field Training Officers a premium of \$100 a month.

- \$100 per month for Bilingual Pay (based on successful passing of an oral and written test). Count as one incentive
- School Resource Officer as assigned by the Police Chief
- Medical Responder (proof of certification is required)
- Certificate in Substance Abuse Detection and with a written recommendation to the City Manager from the Police Chief
- Field Training Officer duty assignment as assigned by Police Chief.
- Educational and Post Certifications shall be considered progressive and only one incentive is allowed at a time. A POST Intermediate Certificate or an Associates Degree is worth two and one half percent of the employee's base rate of pay per month. A POST Advanced Certificate or a Bachelors Degree is worth five percent of the employee's base rate of pay per month.

Assignments for sworn police officers as outlined above shall be made by the City from among qualified officers. Such assignments will be rotated among qualified sworn officers at a minimum of nine (9) to twelve (12) month basis.

*** Sergeants (SPSA)**

In addition to compensation, sworn sergeants who qualify, will receive \$55 per month, unless otherwise indicated below, for each eligible incentive, up to a maximum of 3 incentives,

- \$100 per month for Bilingual Pay (based on successful passing of an oral and written test). Count as one incentive.
- Certificate in Substance Abuse Detection and with a written recommendation to the City Manager from the Police Chief
- Medical Responder (proof of certification is required)
- Educational and Post Certifications shall be considered progressive and only one incentive is allowed at a time. A POST Intermediate Certificate or an Associates Degree is worth two and one half percent of the employee's base rate of pay per month. A POST Advanced Certificate or a Bachelors Degree is worth five percent of the employee's base rate of pay per month.
- \$100 per month for a POST Supervisory Certificate for police sergeants with at least two years of service at the rank of Sergeant and an above satisfactory performance rating

C. Deferred Compensation

The City shall make a Deferred Compensation Plan available to all employees. Participation in the deferred compensation plan shall be strictly voluntary.

D. Life Insurance, Long Term Disability and Accidental Death and Dismemberment

**** Management, Professional/Mid-Management, Sworn, Investigator, Confidential and Classified***

In addition to benefits provided, all employees shall be added to the roll of employees covered by the City's Life, A D & D and LTD insurance. The current rate of 60% of an employee's annual salary will be designated for long term disability insurance annually for each employee. City shall also provide life insurance at a rate of 1.5 times each employee's annual salary.

Section 7. TYPES OF EMPLOYEE LEAVE

A. Vacation

1. Regular Full Time Employee Vacation Leave

Each regular, full-time employee of the City shall be entitled to a vacation each year based upon his or her hire date and length of service as follows:

- Six Months to 36 Months

After continuous service of more than six (6) months, but not more than thirty-six (36) months, up to ten (10) working days of vacation will be earned each year, computed from the date of hiring at the rate of 6.67 hours per month. Upon employment and continuous service of not more than thirty-six (36) months, Management employees will earn up to ten (15) working days of vacation each year, computed from the date of hiring at the rate of 10 hours per month.

- 37 Months to 120 Months

For continuous service of thirty-seven (37) months, but not more than one hundred and twenty (120) months, up to fifteen working days vacation will be earned each year, computed at the rate of ten (10) hours per month. For continuous service of thirty-seven (37) months, but not more than one hundred and twenty (120) months, Management employees will earn up to twenty (20) working days of vacation each year, computed from the date of hiring at the rate of 13.33 hours per month.

- 121 Months to 180 Months

For continuous service of more than one hundred and twenty-one (121) months, but not more than one hundred and eighty (180) months, up to seventeen (17) working days vacation will be earned each year, computed at the rate of 11.333 hours per month. For continuous service of more than one hundred and twenty-one (121) months, but not more than one hundred and eighty (180) months, Management employees will earn up to twenty two (22) working days of vacation each year, computed from the date of hiring at the rate of 14.67 hours per month.

- 181 Months and Over

For continuous service of more than one hundred and eighty-one (181) months, up to twenty (20) working days vacation will be earned each year, computed at the rate of 13.333 hours per month. For continuous service of more than one hundred and eighty-one (181) months, Management employees will earn up to twenty five (25) working days of vacation each year, computed from the date of hiring at the rate of 16.67 hours per month.

2. Regular Part Time Employee Vacation Leave

Each regular, part-time employee of the City, except contractors retained by the City under a professional services agreement, whether paid a salary, hourly, or a daily wage, shall be entitled to a vacation each year on the same basis, and are subject to the same minimum requirement for continuous service, except that the number of days and maximum accumulation of vacation time shall be proportionately reduced so that, for example, a one-third-time employee shall be entitled to one-third of the vacation of a full-time employee with equivalent service and a one-half-time employee shall be entitled to one-half of the vacation of a full-time employee with equivalent service.

3. Limited Accumulation of Vacation Leave

When it is impractical for any reason to schedule any vacation within any year, vacations may be accumulated up to two (2) calendar years. Employees shall be paid for accumulated vacation leave at their regular rate of pay upon termination of employment.

B. Sick Leave

1. Accruing Sick Leave-Regular Full Time Employee

Every regular, full-time employee of the City who has been employed for at least six (6) full months is entitled to and shall be allowed one (1) day Sick Leave with pay for each month of service (computed from date of hiring), up to a maximum of ninety (90) days. Time off is dependent on bona fide illness, physical injury, or physical disability for the employee. Management employees shall not be required to serve a probationary period and shall accrue sick leave upon employment with the City

Use of Sick Leave shall be allowed only in the case of necessity and actual personal sickness and in accordance with City Policy #313, section IV or by state and federal law, disability, medical or dental treatment. The City Manager may require proof thereof by the certificate of a physician or surgeon duly licensed to practice medicine in the state, or by the declaration of the employee under penalty of perjury, or by other evidence satisfactory to the City Manager.

2. Accruing Sick Leave-Regular Part Time Employee

Each regular, part-time employee of the City, except contractors retained by the City under a professional services agreement, whether paid a salary, hourly, or a daily wage, shall be entitled to Sick Leave. Each year on the same basis as regular full time employees, a regular part time employee may accrue Sick Leave under the same minimum requirements for regular full time employees except that the number of days and maximum accumulation of Sick Leave time shall be proportionately reduced. An example is that, a one-third-time employee shall be entitled to one-third of the Sick Leave of a regular full-time employee. A one-half-time employee shall be entitled to one-half of the Sick Leave of a regular full-time employee.

3. Compensation for Sick Leave While On Disability

There shall be deducted from the compensation of a regular full time employee on Sick Leave, or on leave for physical injury or physical disability, any sum received by such employee by way of industrial or worker's compensation.

Sick leave or leave for disability or injury is not allowed when the disability results from self-inflicted sickness or injury or willful misconduct, or in the event the disability or injury is sustained while the employee is on leave of absence.

4. Sick Leave Buy Back

Upon an employee's resignation or retirement, the CITY shall compensate the Management, Professional/Mid-Management, Confidential, and Classified employees in good standing for a portion of their accumulated sick leave.

**** Management, Classified, Sworn Police Officers***

In case of resignation, each Management employee shall be compensated up to but not exceeding fifteen (15) days or 120 Hours of accumulated sick leave. Said compensation will be based on each individual employee's regular salary rate of pay. In case of retirement, each Management employee shall be compensated up to but not exceeding thirty (30) days or 240 hours. Retirement shall be defined as meeting service and age requirements necessary to qualify for pension payments Employees who are terminated are not considered in good standing.

**** Professional/Mid Management, Investigator, Fire Engineer, Firefighter and Confidential***

In case of resignation, each employee in this category shall be compensated up to, but not exceeding fifteen (15) days or 120 hours of accumulated sick leave. Said compensation will be based on each individual employee's regular salary rate of pay.

5. Sick Leave Reduction Incentive

**** Sworn Police Officers and Sergeants***

Each employee who in the course of each calendar year, uses four (4) eight hour days or less of sick or emergency leave, will have the option to convert 25% of the sick leave accumulated during that calendar year to regular pay at their current hourly rate. Sick leave so converted to pay shall be deducted from the cumulative total.

**** Classified, Management, Professional/ Mid-Management, Fire Engineer, Firefighter, Confidential and Investigator***

Each employee who in the course of each calendar year, uses four (4) days or less of sick or emergency leave, will have the option to convert 41.66% of the sick leave accumulated during that calendar year to regular pay at their current hourly rate. Sick leave so converted to pay shall be deducted from the cumulative total.

6. Sick Leave Bank Incentive

**** Management, Professional/Mid-Management, Confidential, Fire Engineer, Firefighter, Sworn Police Officers and Investigator***

With prior approval by the City Manager, an employee may voluntarily contribute up to a maximum of 45 accumulated sick leave days to another employee who may be in need due to an extended illness, when ill employee has utilized all of his/her accumulated sick, vacation, and comprehensive leave. The names of the employees participating shall remain confidential.

*** Classified**

With prior approval by the City Manager, an employee may voluntarily contribute up to a maximum of 45 accumulated sick leave days to another employee who may be in need due to an extended illness, when ill employee has utilized all of his/her accumulated sick, vacation, and comprehensive leave. The names of the employees participating shall remain confidential. Any donation of sick leave shall be deducted from that years calendar year sick leave accruals, as it applies to Section 18 (g) of the CALPRO contract. The adjusted sick leave will be the basis used to calculate the 41.66% conversion formula. Deduction shall not exclude benefits unless that employee has exceeded the leave requirement addressed in Section 18 (g) of the CALPRO contract. This section shall not affect any requirements in Section 13, of the CALPRO contract, nor cause any overtime loss due to the donation.

C. Emergency Family Leave

Every regular, full-time employee of the City shall be entitled to three (3) days of emergency family leave in case of illness of a close family member or hospitalization of a close family member. Such leave shall be deducted from the employees' sick leave.

The term "close family" means those closely related to the employee by blood, by adoption, or by marriage, and specifically include only the mother, the father, a grandparent, a son, a daughter, the husband, the wife, the brother and the sister of the employee, and the spouse of a son, daughter, brother or sister, mother-in-law and father-in-law.

D. Bereavement Leave

The City shall provide employees with bereavement leave as follows:

*** Management, Professional/Mid Management, Fire Engineer, Firefighter, Confidential, Investigator, and Classified**

Three (3) days or five (5) days, if travel is required over a 600 mile radius (300 miles one-way), paid leave is permitted in case of the death of an immediate family member, meaning spouse, a parent, grandparent, child, brother, sister, aunt, uncle, mother-in-law, father-in-law, brother-in-law or sister-in-law of an employee, step-mother, step-father, and spouse's grandparent.

*** Sworn Police Officers and Sergeants**

Four (4) days paid leave is permitted in case of the death of an immediate family member meaning those closely related to the officer by blood, by adoption, or by marriage, and specifically include on the mother, the father, a grandparent, mother or father in law, son, daughter, the husband, the wife, the brother or the sister of the officer, and the spouse of a son, daughter, brother or sister. Said leave is to be deducted from his or her sick leave.

E. Administrative Leave

The City shall grant Administrative Leave on an annual basis to employees within the Management and Professional/Mid Management units.

Said leave is in addition to any other leave such as sick, vacation, or compensatory leave which is earned independently by each employee based on time of service. Administrative Leave may not be accumulated and carried forward from one fiscal year to next fiscal year.

*** Management**

Management employees shall be entitled to three quarters (3/4) day or six (6) hours executive leave per calendar month, which shall be in lieu of any other form of compensation for overtime hours worked. This shall be in addition to the year for the incoming year. Balance of leave will be cleared at fiscal year end. City will not buy back leave.

*** Professional/ Mid Management**

Mid-Management employees shall be entitled to three eighths (3/8) day or three (3) hours per calendar month, to accumulate to a maximum of four and a half (4.5) days. Balance of leave will be cleared at fiscal year end. City will not buy back leave.

*** Sergeants**

Sergeants shall be entitled to one fourth (1/4) day per calendar month, to accumulate to a maximum of three days. Balance of leave will be cleared at fiscal year end. City will not buy back leave.

F. Holiday Leave

As a part of the annual budget process, the City Council shall adopt by resolution a list of legal holidays for each incoming calendar year. Said list will be included in the Annual Pay and Classification Plan and all MOU agreements.

*** Professional/Mid Management, Confidential, Fire Engineer, Firefighter and Investigator**

Under its management rights, the City may require employees to work on a designated holiday, in which case equivalent time off may be taken in lieu of pay for the eight-hours worked on a holiday shift. Said equivalent time off shall be taken within thirty (30) days after it is earned; provided, that if management cannot schedule such time off within said thirty (30) day period, the employee shall receive one day's pay at his or her regular pay rate, in lieu of holiday time off.

G. Miscellaneous Leave

*** Voting**

The City shall grant an employee time off to vote at any general, direct primary, or presidential primary election in accordance with the California Elections Code. Notification in advance must be made to each employee's Department Manager or Supervisor.

*** Jury Duty**

A regular full time employee who has been served with a summons to report for jury duty shall be granted a leave of absence with pay from his or her assigned duty until released by the court, provided the employee remits to the City all fees for such duty other than mileage and subsistence allowance within 30 days after the termination of his or her jury duty.

*** Subpoenas**

A regular full time employee who has been subpoenaed to appear as a witness on behalf of the State of California to any of its agencies, shall be granted a leave of absence with pay from his or her assigned duty until released by the Court, provided the employee remits to the City all fees for such duty other than mileage and subsistence allowance within 30 days after the termination of his or her jury duty.

*** Maternity Leave**

All maternity leave will be granted in accordance with the Family Medical Leave Act requirements and/or as specified in a specific memorandum of understanding.

*** Steward Leave**

Steward Leave will be granted in accordance to the specified language outlined in the respective CALPRO and SPOA Memorandum of Understanding (MOU).

Section 8. TRAVEL AND MEETING EXPENSE ALLOWANCE

The Management unit including the Police Chief, Assistant City Manager, Community Development Director, Finance/Personnel Officer, Economic Development Director, Fire Chief, Lieutenant, and Public Works Director shall receive a travel and meeting expense allowance of \$100 per calendar month. Such expense allowance is as reimbursement for out of pocket expenses incurred in the normal conduct of official City business.

Section 9. NEGOTIATED LABOR AGREEMENTS

In the event of any conflict or inconsistency between the provisions of any existing Memorandum of Understanding between the City and any recognized employee organization, and the provisions of this resolution, the provisions of the Memorandum of Understanding shall supersede.

Exhibit I

City of Soledad
Summary of FY 2006-07
Job Classifications

	<u>Range</u>	<u>Total # of Positions</u>
I. <u>Management (FLSA Exempt)</u>		
Assistant City Manager	81	1
Chief of Police	81	1
Public Works Director*	76/79	1
Economic Development Director	77	1
Community Development Director	77	1
Finance/Personnel Officer	74	1
Fire Chief	79	1
Lieutenant (Sworn) ***	65	1
II. <u>Professional/Mid-Management</u>		
Associate Engineer	63	1
Assistant Engineer	48	1
Sergeant (Sworn)	63	4
Fire Captain**	62	0
Utility Supervisor	60	1
Building Official	55	1
Public Works Inspector	46	1
Foreman	52	1
Economic Dev./Housing Prog. Spec.	52	1
Associate Planner	51	1
Accountant	61	1
Management Analyst	43	1
<u>Confidential</u>		
Secretary to the City Manager	41	1
Investigator ***	50	1
III. <u>Classified</u>		
Administrative Secretary	39	3
Accounting Assistant	38	2
Office Specialist	34	3
Office Assistant	28	2.5
Mechanic/Maintenance Worker	43	3
Maintenance Worker	38	7
Utility Operator	51	2
Utility Operator in Training	38	2
Utility Operator Interns	3	2
Code Enforcement Officer	40	1
Animal Control Officer	38	1
Para transit Driver	29	1
IV. <u>Sworn</u>		
Fire Engineer**	59	4
Firefighters	48	2
Part-Time Firefighters	14	12
Police Officer	48	16

*The Public Works Director position may be allowed a 7.5% increase to range 79, if the individual possess a California Civil Engineer's Certification.

**The positions of Fire Captain is not funded but approved.

*** The SPSA pay schedule will be utilized to calculate salary range of Lieutenant and Investigator.

**Exhibit II
City of Soledad**

**Summary of
FY 2006-07
Pay and Classification Plan**

Salary Merit Pay- Time Intervals

Policy: The steps of each salary range outlined in the City's Annual Pay and Classification Plan will be interpreted and applied as follows:

Step 1 - Payable during probationary period. The first step in an assigned range is normally the minimum rate at the initial hiring for a specific classification.

Step 2 - Payable after six (6) months of services and eighteen (18) months for Sworn Officers at the Step 1, and successful completion of probation.

Step 3 - Payable after one year of service at Step "2" and upon recommendation of the Department Manager based on a positive performance evaluation and an employee's demonstrated ability to meet and exceed job standards. Approval by the City Manager is required.

Step 4 - Payable after one year of service at Step "3" and upon recommendation of the Department Manager based on a positive performance evaluation and an employee's demonstrated ability to meet and exceed job standards. Approval by the City Manager is required.

Step 5 - Payable after one year of service at Step "4" and upon recommendation of the Department Manager based on a positive performance evaluation and an employee's demonstrated ability to meet and exceed job standards. Approval by the City Manager is required.

Note: Because it is sometimes difficult to secure qualified personnel at the normal hiring rate, or a person of unusually high qualifications is available, the City Manager may hire or promote at a higher range and step at his/her discretion. If the City Manager exercises his/her discretion to hire or promote a person at a step higher than that set forth in the "Salary Merit Pay-Time Intervals Plan", said person shall be eligible for a step increase upon successful completion of probationary period.