

EXHIBIT A

**COMPENSATION AND BENEFIT PLAN
FOR THE
CITY OF NEWARK
CONFIDENTIAL EMPLOYEE GROUP**

JULY 1, 2015

THROUGH

JUNE 30, 2017

Adopted: June 25, 2015

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COMPENSATION AND BENEFIT PLAN FOR THE CONFIDENTIAL EMPLOYEE GROUP

I. TERM

This plan shall be in effect from July 1, 2015 through June 30, 2017.

II. COMPENSATION

A. General Salary Increase

The salary ranges for all classifications shall be increased as follows:

- a. Effective July 1, 2015, salary increase shall be two percent (2%)
- b. Effective January 1, 2016, salary increase shall be two percent (2%)
- c. Effective July 1, 2016, salary increase shall be three percent (3%)

The total compensation salary ranges shall be as set forth in Attachment A.

- B. With approval of the employee's department head and the City Manager, full-time Confidential Group Employees may elect to participate in a voluntary 9/76 work schedule as set forth in Attachment D. As a result of the reduction from a 40 hour to a 38 hour workweek, the employee's bi-monthly pay will be reduced 5%.

C. Salary Computation:

1. Hourly equivalent of base monthly salary = base monthly salary x .0057692 (.0057692 represents the monthly salary divided by the average hours worked in a month).
2. Hourly equivalent of base salary at time and one-half = straight time times 1.5.

III. HEALTH AND WELFARE PROGRAMS

- A. The contribution by the City toward monthly premiums for health and welfare programs of Confidential employees shall be the Minimum Employer Contribution as determined by CalPERS for employers under the Public Employees' Medical and Hospital Care Act (PEMHCA). For 2015, this amount is \$122 per month. For 2016, the amount is \$125 per month. In the event that an employee elects to waive participation in the Program,

the amount will be paid to the employee. The employee shall execute a waiver in the event the employee elects not to participate in the PERS Health Benefit Program or cancel participation after enrollment.

The City agrees to maintain a cafeteria plan under Section 125 of the Internal Revenue Code (IRC). The cafeteria plan allows employees to voluntarily reduce salary in an amount equal to the actual premiums for the PERS Health Plan, the City-administered dental insurance plans and/or the City-administered vision plan as a before-tax conversion of salary. Administration of the Flexible Benefit Plan shall be pursuant to Section 125 of the Internal Revenue Code.

In addition to the City's direct PEMHCA contribution of the Minimum Employer Contribution, effective July 1, 2015, the City shall provide regular full-time employees an additional \$128 per month for each eligible Confidential employee to the City's cafeteria plan. This amount will be prorated for regular part-time employees (e.g., a regular part-time employee scheduled to work 20 hours per week will receive \$64 per month). The \$128 monthly contribution or prorated amount may be used by eligible employees to pay for employer offered benefits including medical, dental, and/or vision insurance. In the event that the cost for the selected employer offered medical, dental or vision insurance exceeds \$128 per month, the balance will be paid by the employee through automatic payroll deduction (pre-tax if it is elected by the employee), as provided by IRC Section 125. Effective January 1, 2016, the City shall provide regular full-time employees an additional \$122 per month (for a total additional amount of \$250 per month). This amount will be prorated for regular part-time employees. Effective January 1, 2017, the City shall provide regular full-time employees an additional \$50 per month (for a total additional amount of \$300). This amount will be prorated for regular part-time employees.

Employees may "cashout" any money not used for the purchase of employer offered benefits under the cafeteria plan. Any "cashout" will be paid to the employee in taxable compensation subject to the following limits:

- Effective July 1, 2015, the maximum "cashout" amount an employee may receive per month is the Minimum Employer Contribution (\$122 monthly in 2015) plus an additional \$128 per month for a total of \$250 per month. Effective January 1, 2016, the maximum "cashout" amount an employee may receive per month is the Minimum Employer Contribution (\$125 per month in 2016) plus a total additional amount of \$250 per month for a total of \$375 per month in 2016. Effective January 1, 2017, the total

maximum "cashout" amount an employee may receive is the Minimum Employer Contribution (to be determined) plus a total additional amount of \$300.

- B. All regular full time employees in the Confidential Group are eligible for an allowance of up to \$100 per month towards the cost of health care premiums, long-term disability premiums, or reimbursement for medical, dental, vision, and prescription expenses. All regular part-time employees in the Confidential Group are eligible for an allowance of up to \$75 for 30-35 hour employees and up to \$50 for 20-25 hour employees. This allowance will be reported as taxable income and provided to employees based on the following criteria:
1. Reimbursement for health care premiums will be paid on a monthly basis up to a maximum of \$100 per month for full time employees, up to a maximum of \$75 for regular part-time 30-35 hour employees and up to a maximum of \$50 for regular part-time 20-25 hour employees.
 2. Reimbursement for health care expenses may be requested on a quarterly basis by submitting receipt or other evidence of payment for expenses not covered by health care insurance to the Human Resources Department during the last week of each quarter. The minimum reimbursement allowance will be \$33.00 and the maximum quarter reimbursement allowance is \$300.00 for full time employees, \$225 for regular part-time 30-35 hour employees and \$150 for regular part-time 20-25 hour employees.
 3. An employee must be in a paid status (on the payroll) in order to receive reimbursement for health care premiums, long-term disability premiums, or health care expenses. During a leave of absence without pay, an employee is not eligible to receive the health care benefit. However, upon return from the leave of absence without pay, an eligible employee may receive reimbursement for health care premiums or health care expenses that would have been paid if the employee had continued working provided the employee returns to work within six months of the effective date of the leave of absence without pay.
 4. Employees appointed to a classification covered by this Compensation Plan will be eligible for the health and welfare benefit on the first of the month coincident to or immediately following appointment.

5. When an employee is terminated or in an unpaid leave status, the health and welfare benefit shall be paid on a monthly pro-rata basis if the employee qualified for the Health Benefit. To qualify for pro-rata pay, the employee must serve 50 percent of the working days in the pro-rated month to qualify for full benefit described in Section III, C. 1.
- C. The City will explore alternatives to the CalPERS health program, in the interest of offering comprehensive and competitively priced health insurance alternatives to employees.
- D. The City shall continue to offer the State Disability Insurance (SDI) program. Employees shall pay any costs associated with the SDI program.
- E. The City shall provide \$20,000 term life insurance coverage for all Confidential employees.

IV. ACTING / SPECIAL ASSIGNMENT PAY

- A. Employees may be assigned to perform the duties of a regular position in a higher classification on a temporary basis. Such assignments shall be termed "acting assignments" and shall be made subject to the following conditions:
 1. Acting assignments shall be made by the department head only, with City Manager approval, and shall be made with written notification to the acting employee.
 2. Acting assignments shall be made only in those instances where the acting employee is required to perform all or substantially all of the duties and responsibilities of the higher level position for which the employee is acting.
 3. Confidential employees will be eligible for premium pay of 5% over base salary while acting in a higher classification when assigned and prescribed by the department head, with City Manager approval.
 4. For a planned absence, acting pay shall be effective the date the employee assumes the duties of the higher position, provided he/she is designated in writing by the department head either before or after the employee begins the acting assignment.

5. For an unplanned absence, acting pay shall be paid effective five consecutive working days from the absence, provided that the employee is designated in writing by the department head to the acting assignment. Nothing in this section shall preclude the temporary assignment of an employee to perform some of the duties of a higher classification for the purpose of providing training in the work of the higher classification. Such temporary training assignment shall not constitute acting assignment within the meaning of this section.

It is understood that the provisions of this section shall not be interpreted as requiring the City to fill each temporary vacancy by an acting assignment.

- B. The City agrees to pay regular full-time employees bilingual assignment pay of \$75.00 per month. Regular part-time employees scheduled to work 30-35 hour per week will receive bilingual assignment pay of \$56 per month and regular part-time employees scheduled to work 20-25 hours per week will receive bilingual assignment pay of \$38 per month. Eligibility for bilingual assignment pay shall be based on the provisions outlined in Administrative Regulation 0522.

V. PRORATION OF HOLIDAY, GENERAL, AND BEREAVEMENT LEAVE ACCRUALS FOR REGULAR PART-TIME EMPLOYEES (RPT)

Regular part-time employees will receive prorated holiday, general, and bereavement leave accruals based on the actual hours worked or budgeted to work. For example, an RPT employee who works 35 hours per week will receive 7 hours of pay per holiday. An RPT employee who works 24 hours per week will receive 4.8 hours of pay per holiday. If actual hours worked differ from hours budgeted to work, the lesser number of hours will be used as the basis for proration.

VI. HOLIDAYS

The following days shall be recognized as municipal holidays for pay purposes for regular full-time and regular part-time employees represented by the Confidential Employee Group:

- January 1, New Year's Day
- Third Monday in January, Martin Luther King, Jr. Day
- Third Monday in February, Presidents Day
- Last Monday in May, Memorial Day
- July 4, Independence Day

- First Monday in September, Labor Day
- November 11, Veterans Day
- Thanksgiving Day
- Friday following Thanksgiving Day
- Last work day before Christmas
- December 25, Christmas Day
- Employee's Birthday, to be taken within the fiscal year of the employee's birthday, subject to department head approval
- Floating Holiday, to be scheduled subject to department head approval

An employee must be employed in a classification covered by this Resolution on his/her birth date to be eligible for the birthday holiday during that fiscal year.

When any day recognized as a holiday by the City falls on a Sunday, the following Monday shall be considered the holiday. When any day recognized as a holiday by the City falls on a Saturday, the preceding Friday shall be considered the holiday.

The floating holiday must be scheduled and used during the fiscal year. If an employee's hire date falls between July 1 and December 31, the employee will be eligible for the floating holiday during the current fiscal year. If an employee's hire date falls between January 1 and June 30, the employee will be eligible for the floating holiday beginning July 1, in the next fiscal year.

Holidays shall not be carried over from one fiscal year to another. Upon separation, any unused holiday cannot be converted to cash.

Regular full-time employees will receive eight (8) hours of pay for each holiday that falls on a scheduled workday.

With the continuation of the 9/80 bi-weekly work schedule, Closed Holiday Credits and debits will be calculated for each employee by Payroll and will be funded in the employee's Floating Holiday Bank on July 1, 2013 for the 2013-2014 fiscal year and on July 1, 2014 for the 2014-2015 fiscal year. Closed Holiday Credits are subject to all the benefits and restrictions of a Floating Holiday. They have no cash value and cannot be carried over from one fiscal year to the next fiscal year. If the employee separates from service before the end of the fiscal year, no further adjustments in the Closed Holiday Credits will be made.

If the employee does not have any accrued leave available to be charged for the additional hour(s) for the holiday, the employee shall be charged with leave without pay.

Regular part-time employees will receive pro-ration of holidays in accordance with Section V. above and as listed below:

<u>Work Schedule</u>	<u>Holiday Pay</u>
30-35 work hours	6-7 hours per holiday
20-25 work hours	4-5 hours per holiday

The regular part-time employee's Closed Holiday Credits will be determined by Payroll in the same manner as the full-time employee. The Closed Holiday Credits are prorated according to the actual hours worked or budgeted to work. If actual hours worked differ from hours budgeted to work, the lesser number of hours will be used as the basis for proration.

VII. BEREAVEMENT LEAVE

Regular full-time employees may be granted up to a maximum of forty (40) hours of bereavement leave where there has been a death of a husband, wife, registered domestic partner, son, daughter, stepson, stepdaughter, sister, brother, mother, stepmother, father, stepfather, grandparent, grandchild, grandparent-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, or daughter-in-law of an employee.

Regular part-time employees shall be eligible for prorated bereavement leave in accordance with Section V. above and as listed below:

<u>Work Schedule</u>	<u>Prorated Bereavement Leave</u>
30-35 work hours	up to a maximum of 30-35 hours
20-25 work hours	up to a maximum of 20-25 hours

VIII. GENERAL LEAVE

The General Leave Plan shall provide compensated leave for those eligible employees who are absent from duty because of illness, death in the family not covered under bereavement leave, medical or dental care appointments, family care, personal reasons or who utilize the time off as vacation. The General Leave Plan is attached to the Compensation and Benefit Plan as Attachment B.

IX. CONFIDENTIAL LEAVE

All regular full-time employees may be granted a maximum of twenty (20) hours of confidential leave with pay each fiscal year. These hours may be allocated to each employee by the employee's direct supervisor with approval by the City Manager.

All part-time employees may be granted confidential leave proportionally to the assigned work hours as allocated by the employee's direct supervisor with approval by the City Manager.

X. RETIREMENT BENEFITS

A. Classic Members

1. All regular full-time and regular part-time confidential employees who were appointed prior to January 1, 2013 and all "Classic Members" (as defined by CalPERS) are referred herein either as "Classic Members" or as "Classic".
2. Classic Members shall be provided the 2.5% at 55 formula in accordance with Government Code Section 21354.4 and the Public Employees' Pension Reform Act of 2013. In addition, Classic Members shall be provided with single year highest compensation, pre-retirement optional settlement level 2 death benefit, military service credit for prior service, and the indexed level 1959 survivor benefit options of the CalPERS pension plan.
3. All Classic Members will contribute the employee contribution rate of eight percent (8%) for the 2.5% at 55 retirement benefit.
4. Additional Contribution Towards Employer Rate
 - a. In addition, if the CalPERS Miscellaneous Plan employer actuarial rate for the 2.5% at 55 formula exceeds 10.00% to a maximum of 16.936%, all Classic Members will contribute a percentage of salary towards the employer rate sufficient to equally share in the cost with the City. In the event that the employer rate for Classic Members exceeds 16.936%, the City shall be responsible for any increase above 16.936%. In subsequent years of the pay plan, if the rate over 10.00% decreases the percentage of salary that Classic Members contribute towards the employer rate will be reduced by the above formula. Employer rate reductions below 10% will not be shared under the above formula.

- b. The following is for illustrative purposes only:

If the CalPERS Miscellaneous Plan 2.5% at 55 formula employer actuarial rate increased from 10.00% to 13.00%, each Classic Member would contribute 1.50% of his/her salary to pay towards the employer rate for the retirement benefit. The City would then be responsible for matching 1.50%. If during the subsequent years of this pay plan, the rate decreased from 13.00% to 11.00%, each Classic Member would contribute .50% of his/her salary towards the employer rate to pay for the retirement benefit.

B. PEPRA Members

1. Regular full-time and regular part-time confidential employees who were appointed on or after January 1, 2013 and who are "PEPRA Members" (as defined by CalPERS) will contribute half the normal cost of the 2.0% at 62 plan as required by the Public Employees' Pension Reform Act of 2013.
2. Additional Contribution Towards Employer Rate
 - a. In addition, PEPRA Members will contribute the same percentage for the employer rate as Classic Members pay (currently 3.468%) for a current total of 9.718%.
 - b. The following is for illustrative purposes only:

If Classic Members pay 3.468% of the employer rate, PEPRA Members will pay a total of 3.468% of the employer rate. If the employee rate for PEPRA Members is 6.25%, in this example PEPRA Members would pay the 6.25% employee rate plus an additional 3.468% towards the employer rate for a total of 9.718%.
3. The City shall provide the single highest year compensation option to Classic members. The City shall provide the three-year average compensation requirement to PEPRA members.

XI. WORKING HOURS

A. Work Schedule

Regular full-time Confidential employees shall work 40 hours per week on weekdays on a 9/80 work schedule with alternating Fridays off.

Regular part-time Confidential employees work schedules shall be determined by the Department Head and designated at 30-35 hours per week or 20-25 hours per week.

B. Flex Time

Flex time hours will be subject to prior approval of the Department Head.

C. Alternate Work Schedule

Alternatives to the 9/80 work schedule (including the voluntary 9/76 work schedule as described in Attachment D) will be subject to the approval of the City Manager and Department Head.

D. Holiday Work Schedule

1. City offices will be closed for business during the December holiday season. Non-essential employees, as determined by the City Manager, will participate in a four-day furlough. Employees in the Confidential Employee Group will be allowed to use accrued general leave, floating holiday, birthday holiday and/or comp time during the furlough.
2. Eligible employees on leave of absence without pay due to the furlough shall be paid holiday pay for holidays occurring during the furlough. Employees on an approved leave of absence without pay that started before December 10 and extends through or beyond December 31 will not be affected by the furlough and will not be eligible for holiday pay.
3. Employees who elect a leave of absence without pay for the furlough may request up to a four-day salary advance. Repayment of a salary advance for the furlough may be spread over a period of time provided that:
 - a. There is two weeks advance notice to payroll, and

- b. The salary advance for a given fiscal year is fully repaid by May 31 of that fiscal year, and
 - c. Repayments begin no later than January 1 of the fiscal year.
4. Salary advances for regular part-time employees shall be as follows: Schedules of 20-25 hours may receive an advance of 16 hours pay and schedules of 30-35 hours may receive an advance of 24 hours pay.

XII. OVERTIME

Work performed by full-time employees in excess of the forty (40) hour work week shall be classed as overtime work. Work performed by regular part-time employees in excess of the forty (40) hour workweek shall be classed as overtime work.

Confidential employees shall be compensated for authorized overtime at time and one-half the hourly rate in the form of pay or compensatory time off up to a maximum of sixty (60) hours. An employee who has accrued the maximum number of compensatory hours shall receive overtime pay for any additional overtime hours.

A. Unscheduled Overtime - Call Back Pay

An employee who has been notified less than 24 hours in advance to return to work on overtime shall receive, upon reporting, a minimum of two (2) hours work at the overtime rate, or if two (2) hours work is not furnished, a minimum of two hours pay at the overtime rate. If two (2) hours of work is not furnished and the employee is released then called back and returns to work within the same two (2) hour time period, only one minimum shall apply.

An employee who has been notified less than 24 hours in advance to return to work on overtime between 6:00 p.m. and 6:00 a.m., holidays, or scheduled days off, shall receive, upon reporting, a minimum of three (3) hours work at the overtime rate or if three (3) hours work is not furnished, a minimum of three (3) hours pay at the overtime rate. If three (3) hours of work is not furnished and the employee is released then called back and returns to work within the same (3) three hour period, only one minimum shall apply.

XIII. EDUCATIONAL REIMBURSEMENT

A. Job-related Training

1. The City Manager with a recommendation from the Department Head may authorize reimbursement up to 100% of the cost for professional courses and programs that are directly related to the employee's job or which will prepare the employee for advancement or acceptance of greater responsibility. A certificate of completion or a passing course grade must be attained for reimbursement.

B. Plan and Agreement for a College Degree Program

1. In addition to job-related training, the City Manager with a recommendation from the Department Head may authorize reimbursement for up to \$10,000.00 of the cost for tuition fees and required text books for a college degree program directly related to the employee's job which will prepare the employee for advancement or acceptance of greater responsibility provided that the employee attains a course grade of "C" or a passing grade as defined by the degree program if that requirement is higher than a "C" grade.
2. If an employee receives more than \$5,000.00 dollars during his/her term of employment with the City of Newark in a college degree program, the employee is required to sign an Educational Reimbursement Plan Agreement in order to qualify for and to participate in the Educational Reimbursement College Degree Program. The employee is then subject to the Educational Reimbursement Plan and Agreement for a College Degree Program as follows:
 - a. Employee will maintain employment with the City of Newark for a period of five years after completion of the last class taken under the Education Reimbursement Plan; and
 - b. In the event that employee leaves the City of Newark and does not complete the five year employment period, employee warrants that he/she will reimburse to the City all money paid (up to \$10,000) under the Educational Reimbursement Plan as follows:
 - i. 100% of money paid if the employee voluntarily leaves city employment in the first year after completion of the last class taken under the Educational Reimbursement Plan.

- ii. 80% of money paid if the employee voluntarily leaves city employment in the second year after completion of the last class taken under the Educational Reimbursement Plan.
- iii. 60% of money paid if the employee voluntarily leaves city employment in the third year after completion of the last class taken under the Educational Reimbursement Plan.
- iv. 40% of money paid if the employee voluntarily leaves city employment in the fourth year after completion of the last class taken under the Educational Reimbursement Plan.
- v. 20% of money paid if the employee voluntarily leaves city employment in the fifth year after completion of the last class taken under the Educational Reimbursement Plan.
- vi. After five years following completion of the last class taken under the Educational Reimbursement Plan, employee owes no further monetary obligation to the City of Newark for participation in the Educational Reimbursement Plan.

3. To qualify for the Educational Reimbursement College Degree Program, degree program courses must be received from an accredited institution as identified on the U.S. Department of Education's List of Nationally Recognized Accrediting Agencies or the Council for Higher Education Accreditation's (CHEA) List of Participating and Recognized Organizations.

- C. It is the intent of this policy that all employees, though eligible for reimbursement of expenses, shall carry out their educational programs on their own personal time. In the event that some activity of the educational program is to take place during the employee's duty hours, it shall be the responsibility of the employee to make the necessary arrangements for personal time off.

In this regard, the employee may make whatever arrangements are possible; however, the needs of the Department shall be of primary consideration in these situations.

This policy is not intended to serve as a directive to employees to conduct personal education programs beyond the programs required and/or provided by the City. The course work referred to here is that which is undertaken voluntarily by the employee and not subject to remuneration under provisions of the Fair Labor Standards Act.

XIV. IMPLEMENTATION OF SECTION 414(h)(2) OF THE UNITED STATES INTERNAL REVENUE CODE

A. Pick-up of Employee Contributions

1. Pursuant to the provisions of this Agreement, the City shall make employee contributions on behalf of employees, and such contributions shall be treated as employer contributions in determining tax treatment under the Internal Revenue Code of the United States. Such contributions are being made by the City in lieu of employee contributions.
2. Employee contributions made under paragraph 1 shall be paid from the same source of funds as used in paying the wages to affected employees.
3. Employee contributions made by the City under paragraph 1 shall be treated for all purposes other than taxation in the same manner and to the same extent as employee contributions made prior to the effective date of this Agreement.
4. The employee does not have the option to receive the City's contributed amounts paid pursuant to this Agreement directly instead of having them paid to the retirement system.

B. Wage Adjustment

Notwithstanding any provision in the current agreement to the contrary, the wages of employees shall be reduced by the amount of employee contributions made by the City pursuant to the provisions hereof.

C. Limitations to Operability.

Section XIV. shall be operative only as long as the City of Newark pick-up of employee retirement contributions continues to be excludable from gross income of the employee under the provisions of the Internal Revenue Code.

DATED: July 1, 2015

NEWARK CONFIDENTIAL GROUP

CITY OF NEWARK

By: _____
Rebecca Blair, Representative
Confidential Group

By: _____
John Becker
City Manager

ATTACHMENT A

**COMPENSATION BASE FOR
REGULAR FULL-TIME/PART-TIME CLASSIFICATIONS**

Confidential Employee Group

July 1, 2015
MONTHLY SALARY*

Classification		Step 1	Step 2	Step 3	Step 4	Step 5
Accounting Technician - Confidential	Monthly	\$5,714	\$5,970	\$6,237	\$6,511	\$6,810
	Hourly	\$32.97	\$34.44	\$35.98	\$37.56	\$39.29
Administrative Assistant	Monthly	\$5,696	\$5,976	\$6,273	\$6,583	\$6,917
	Hourly	\$32.86	\$34.48	\$36.19	\$37.98	\$39.91
Executive Assistant	Monthly	\$6,332	\$6,643	\$6,974	\$7,320	\$7,682
	Hourly	\$36.53	\$38.32	\$40.23	\$42.23	\$44.32
Human Resources Technician	Monthly	\$5,817	\$6,102	\$6,407	\$6,722	\$7,060
	Hourly	\$33.56	\$35.20	\$36.96	\$38.78	\$40.73

January 1, 2016
MONTHLY SALARY*

Classification		Step 1	Step 2	Step 3	Step 4	Step 5
Accounting Technician - Confidential	Monthly	\$5,828	\$6,089	\$6,362	\$6,641	\$6,946
	Hourly	\$33.62	\$35.13	\$36.70	\$38.31	\$40.07
Administrative Assistant	Monthly	\$5,810	\$6,096	\$6,398	\$6,715	\$7,055
	Hourly	\$33.52	\$35.17	\$36.91	\$38.74	\$40.70
Executive Assistant	Monthly	\$6,459	\$6,776	\$7,113	\$7,466	\$7,836
	Hourly	\$37.26	\$39.09	\$41.04	\$43.07	\$45.21
Human Resources Technician	Monthly	\$5,933	\$6,224	\$6,535	\$6,856	\$7,201
	Hourly	\$34.23	\$35.91	\$37.70	\$39.55	\$41.54

July 1, 2016
MONTHLY SALARY*

Classification		Step 1	Step 2	Step 3	Step 4	Step 5
Accounting Technician - Confidential	Monthly	\$6,003	\$6,272	\$6,553	\$6,840	\$7,154
	Hourly	\$34.63	\$36.18	\$37.81	\$39.46	\$41.27
Administrative Assistant	Monthly	\$5,984	\$6,279	\$6,590	\$6,916	\$7,267
	Hourly	\$34.52	\$36.22	\$38.02	\$39.90	\$41.92
Executive Assistant	Monthly	\$6,653	\$6,979	\$7,326	\$7,690	\$8,071
	Hourly	\$38.38	\$40.26	\$42.27	\$44.37	\$46.56
Human Resources Technician	Monthly	\$6,111	\$6,411	\$6,731	\$7,062	\$7,417
	Hourly	\$35.26	\$36.99	\$38.83	\$40.74	\$42.79

* Monthly salaries are based on a 40-hour workweek.

Regular full-time Confidential employees on the Voluntary 9/76 Work Schedule (Attachment D) shall work 38 hours per week on weekdays for a 76 hour bi-weekly period. The reduction in the workweek from 40 hours to 38 hours results in a 5% reduction in pay.

ATTACHMENT B

GENERAL LEAVE PLAN FOR CONFIDENTIAL EMPLOYEE GROUP

I. DEFINITION

General Leave is compensated leave for those eligible employees who are absent from duty because of illness, death in the family, medical or dental care appointments, family care, personal reasons or who utilize the time off as vacation.

II. APPLICABILITY

The General Leave Plan shall apply to regular full time employees in the Confidential Employee Group. Regular part-time employees in the Confidential Group shall be eligible for prorated general leave based on actual hours worked or budgeted to work. For example, an RPT employee with one year of City service who works 35 hours per week will receive 161 hours of general leave per year. An RPT employee who works 24 hours per week will receive 110.4 hours of general leave per year. If actual hours worked differ from hours budgeted to work, the lesser number of hours will be used as the basis for proration.

For payroll implementation, hours/accruals in excess of those based on a 20 or 30 hour workweek will be reimbursed to RPT employees on a quarterly basis until the process is automated.

III. GENERAL LEAVE CREDITS

- A. Eligible Confidential employees shall be entitled to the following annual accrual in accordance with Section II above.

<u>Years of Annual Completed Service</u>	<u>Annual Leave Accrual Full Time</u>	<u>RPT 30-35</u>	<u>RPT 20-25</u>
1 through 9	184 hrs (23 days)	138-161 hrs	92-115 hrs
10 through 14	224 hrs (28 days)	168-196 hrs	112-140 hrs
15 through 19	240 hrs (30 days)	180-210 hrs	120-150 hrs
20 or more	264 hrs (33 days)	198-231 hrs	132-165 hrs

- B. General Leave shall be accrued in working hours on a semi-monthly basis.
- C. General Leave credits are not earned during periods of unpaid leave. During an absence without pay which extends more than fourteen (14) calendar days during a calendar month, the employee shall not accrue General Leave credits.

D. General Leave During First Year: Beginning on the 90th day of employment, regular employees shall be eligible to earn General Leave credits. Upon the completion of said period of service, regular full time employees shall be credited with 46 working hours of General Leave and shall thereafter accrue General Leave at the rate of 7.6667 hours semi-monthly for the remainder of the first year and as provided in Item A, Section III, above.

Beginning on the 90th day of employment, regular part-time employees shall be credited with prorated general leave in accordance with Section II above and shall thereafter accrue prorated General Leave as provided in Item A, Section III above.

E. Maximum Accumulation: General Leave credits may be accumulated according to the following schedule:

<u>Years of Service</u>	<u>FT Max. accrual</u>	<u>RPT 30-35</u>	<u>RPT 20-25</u>
1 - 9	368 hours (46 days)	276-322 hrs	184-230 hrs
10 - 14	448 hours (56 days)	336-392 hrs	224-280 hrs
15 - 19	480 hours (60 days)	360-420 hrs	240-300 hrs
20 or more	528 hours (66 days)	396-462 hrs	264-330 hrs

When maximum accrual limits have been reached, excess General Leave credits earned shall be transferred to the Rollover Leave bank on a quarterly basis. Rollover Leave may be used in order to provide security against an employee's extended illness and may not be used for retirement service credit.

Exceptions to the maximum accrual limits may be approved by the City Manager under special circumstances. Requests to exceed maximum accrual limits must be submitted through the Department Head to the City Manager prior to reaching maximum accrual.

IV. GENERAL LEAVE IMPLEMENTATION

At the time an employee becomes eligible for General Leave, any unused leave credits shall be transitioned to General Leave as follows:

A. Vacation Leave Credits: All unused vacation leave credits shall be converted to General Leave credits on an hour-for-hour basis.

- B. Sick Leave Credits: All unused sick leave credits shall be maintained in a sick leave bank to be used in accordance with the provisions of the General Leave Plan. Accrued time in the sick leave bank shall not be compensated for in any manner except as used for sick leave or retirement service credit.
- C. At time of conversion to General Leave, if vacation credits exceed General Leave accrual limit, a plan shall be developed to reduce converted vacation leave credits to the General Leave accrual limits within six months. A longer period to reduce converted vacation leave credits may be approved by the City Manager under special circumstances.

V. GENERAL LEAVE USAGE

Request and Approval: Department Heads are responsible for arranging leave schedules so that adequate personnel are available to carry on city work. The use of General Leave shall require approval of the Department Head or his/her designee and shall be governed by the current Personnel Rules dealing with leaves unless specifically covered by this Plan document. Whenever possible, General Leave requests must be approved in advance of the days to be taken as General Leave. The procedure for requesting the use of General Leave shall be as follows:

- A. General Leave (Non-medical): Any leave that can be reasonably forecast or anticipated such as vacation, care of children, personal business, etc. shall require prior approval of the Department Head, or the employee's supervisor. The time and amount of General Leave to be taken for non-medical purposes shall be determined by the Department Head with due regard for the wishes of the employee and particular regard for the needs of the City.
- B. General Leave (Medical): An unscheduled absence from work due to an employee's illness shall be referred to as General Leave for medical reasons. The Department Head may require an employee to furnish satisfactory evidence justifying the need to be absent from work for medical reasons. The provisions of A.R. 0513 on sick leave usage shall apply to employees using General Leave for medical reasons. The Department Head shall make the determination and final approval of unscheduled General Leave for medical reasons.
- C. An employee may request General Leave for an unanticipated absence from work (e.g. medical, car trouble, care of children, bereavement, etc.) by notifying his/her supervisor within one (1) hour after the time set for reporting to work on the first day of such leave and as often thereafter as directed by his/her supervisor. Final approval for an unanticipated,

unscheduled absence shall require Department Head approval. Failure to request an unscheduled leave in the manner described may result in lost work time charged as leave without pay or unauthorized leave of absence. Inappropriate use of unscheduled leave may be grounds for corrective action consistent with current practice.

- D. Any employee who is absent from work on an unscheduled leave shall not engage in work or other activities which will inhibit his/her ability to return to work at the earliest possible time.
- E. Medical examination by the City's examining physician may be requested by the Department Head after prolonged, serious, or repetitious illness, injury, or major surgery. An employee's return to duty following illness or injury is subject to the approval of the Department Head or City Manager based upon medical information supplied by the employee's physician and/or the City's physician.
- F. On-the-job Injury: An employee absent from work because of a temporary disability which is defined as industrial under the Workers' Compensation Act may charge General Leave credits (or unused sick leave, if approved by the City Manager) in an amount necessary to make up the difference between the employee's regular pay and the amount payable to the employee as temporary disability payments from the Workers' Compensation Insurance Plan of the City.
- G. Use of General Leave When Permanently Incapacitated: General Leave shall not be used to continue employment of any employee after it has been determined that such employee is permanently incapacitated from returning to employment and is eligible for disability retirement.
- H. Sick Leave Bank: A sick leave bank shall be established during the implementation of this program for each employee eligible for General Leave. When an employee becomes eligible for General Leave, any unused sick leave credits will be maintained in this account. Employees may transfer General Leave credits to their sick leave bank in accordance with Section VI of the General Leave Plan.
- I. Use of Sick Leave Bank:
 - 1. Upon approval of the City Manager, an employee whose absence is due to illness or injury for more than eight (8) cumulative work days during any fiscal year may use unused sick leave balances for absences due to further illness or injury prior to using further General Leave in that fiscal year.

2. Upon approval of the City Manager, an employee whose absence is due to illness or injury for more than five (5) consecutive work days for any one occurrence may use unused sick leave balances for absences due to further illness or injury for that particular medical condition prior to using further General Leave.
3. Upon approval of the City Manager, an employee who has exhausted all General Leave credits may be granted the use of unused sick leave balances for a medical purpose. The City Manager may impose up to a five (5) workday waiting period based upon a review of the employee's General Leave usage.

VI. GENERAL LEAVE CONVERSION TO PAY OR SICK LEAVE

- A. Buy-Back: Upon using one-half of General Leave credits accrued during the 12-month period from July 1 through June 30 of the prior fiscal year, a regular full-time employee may request to receive pay for up to a total of eighty (80) hours of General Leave per fiscal year (sixty (60) to seventy (70) hours for 30-35 hour employees and forty (40) to fifty (50) hours for 20-25 hour employees) in hourly increments at the current hourly salary rate. To be eligible for General Leave conversion to cash, an employee must have a minimum of 10 days (80 hours for full-time or prorated for RPT) of General Leave credits remaining after the conversion. Requests for General Leave buy-back may be made up to two times per fiscal year in October and/or April for payment on December 15 and/or June 15 or may be deferred into one of the City sponsored deferred compensation plans within IRS limitations.

VII. GENERAL LEAVE AT TERMINATION

- A. An eligible employee whose employment with the City terminates shall be paid for any unused General Leave. Payment for unused General Leave shall be made at the hourly rate of pay in effect for such employee at the time of separation.
- B. When termination is caused by the death of an employee, pay for unused General Leave shall be paid to the beneficiary the employee has designated. Such designation shall be in writing, signed by the employee and filed with the Human Resources Office. In the event an employee has not designated a beneficiary, the payment shall be made to the estate of the employee.

VIII. HOLIDAYS DURING GENERAL LEAVE

When a day designated and observed by the City as a holiday occurs on a day on which an employee is taking General Leave, such employee shall not be charged as using General Leave for that day. The employee's compensation for that day shall be holiday pay.

ATTACHMENT C

RECREATION BENEFITS

- I. Employees and their spouses or registered domestic partners and up to 2 children living in the same household, 18 years of age and under, may use the gym, exercise equipment and aquatic facilities (excluding classes and facility rentals) at the Silliman Community Activity and Family Aquatic Center free of charge.

- II. Employees, their spouses or registered domestic partners, and their children 18 years of age and under, will receive resident rates for class registration and facility rentals.

ATTACHMENT D

VOLUNTARY 9/76 WORK SCHEDULE

Participation in the voluntary 9/76 bi-weekly work schedule program is at the discretion of the department head and the City Manager.

The election for a 9/76 bi-weekly work schedule is permanent and the position will be budgeted at 38 hours per week. This results in a corresponding five percent (5%) bi-monthly pay reduction. Any future change back to a 40 hour per week position requires approval from the department head and City Manager.

A 38 hour work week will continue to be considered full-time. Employee benefits, leave accruals, seniority and layoff displacement rights will continue to be based on a full-time work schedule.

For Confidential Group employees, any hours worked in excess of 40 hours per week will be paid at overtime rates or in compensatory time.

To request a 9/76 bi-weekly work schedule, employees should contact Human Resources for an Employee Request Form, complete the form and submit it to their supervisor or department head.

EXHIBIT A

CITY OF NEWARK

COMPENSATION AND BENEFIT PLAN

FOR

CITY OFFICIALS AND THE MANAGEMENT, SUPERVISORY,

AND PROFESSIONAL EMPLOYEE GROUP

JULY 1, 2015

THROUGH

JUNE 30, 2017

Adopted **June 25, 2015**

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COMPENSATION AND BENEFIT PLAN FOR CITY OFFICIALS AND THE MANAGEMENT, SUPERVISORY, & PROFESSIONAL EMPLOYEE GROUP

I. TERM

This plan shall be in effect from July 1, 2015 through June 30, 2017.

II. COMPENSATION

The classifications listed below of management, supervisory, and professional personnel including the City Manager and City Attorney shall be compensated pursuant to the Management, Supervisory, and Professional Pay Plan as set forth in Attachment A and Attachment B attached hereto and incorporated herein by this reference. The classifications that are participating in the Management, Supervisory, and Professional Pay Plan including the City Manager and City Attorney are those listed below:

Management, Supervisory, and Professional Compensation

<u>Classification</u>	<u>Range</u>
Accountant	9
Administrative Analyst	9
Assistant City Engineer	19
Assistant City Manager (Dept. Head)	24
Administrative Services Director (Dept. Head)	24
Assistant Engineer-Civil	9
Assistant Planner	8
Associate Civil Engineer	13
Associate Planner	10
Chief Building Official/City Architect	18
Child Care Supervisor	7
City Attorney (Exempt Service)	24
City Clerk	14
City Manager (Exempt Service)	28
Communications Supervisor	10
Community Affairs Officer	9
Community Development Director (Dept. Head)	24
Human Resources Director (Dept. Head)	24
Information Systems Manager	15
Junior Engineer - Civil	7
Maintenance Superintendent	16
Maintenance Supervisor	12
Planning Manager	15
Police Chief (Dept. Head)	24

Police Commander	19
Police Lieutenant	18
Public Works Director (Dept. Head)	24
Recreation and Community Services Director (Dept. Head)	24
Senior Accountant	12
Senior Administrative Analyst	12
Senior Center Supervisor	9
Senior Civil Engineer	15
Senior Planner	13
Senior Recreation Supervisor	12

Effective July 1, 2015, the total compensation salary ranges for management, supervisory, and professional classifications including the City Manager and City Attorney shall be increased two percent (2%) as set forth in Attachment B, attached hereto and incorporated herein by this reference.

Effective January 1, 2016, the total compensation salary ranges for management, supervisory, and professional classifications including the City Manager and City Attorney shall be increased two percent (2%) as set forth in Attachment B, attached hereto and incorporated herein by this reference.

Effective July 1, 2016, the total compensation salary ranges for management, supervisory, and professional classifications including the City Manager and City Attorney shall be increased three percent (3%) as set forth in Attachment B, attached hereto and incorporated herein by this reference.

Executive Management Team shall include the City Manager, the City Attorney and those classifications designated as Department Heads.

Salary Computation: Hourly equivalent of base monthly = base monthly salary x 0.0057692 (0.0057692 represents the monthly salary divided by the average number of hours worked in a month).

III. WORKING HOURS

- A. Full-time management, supervisory, and professional employees work 40 hours per week and as necessary. The Nine-Eighty (9/80) is the standard work schedule that equates to 40-hours per week in a two week period. Typically, an employee assigned to this work schedule will work 9 hours per day for four days and one day of 8 hours in one week (44 hours) and then 9 hours per day for four days in the next week (36 hours).
- B. City offices will be closed for business during the December holiday season. Non-essential employees, as determined by the City Manager, will

participate in a four-day furlough. Employees may use general leave, management leave, birthday holiday or floating holidays during the furlough.

- C. Eligible employees on leave of absence without pay due to the furlough shall be paid holiday pay for holidays occurring during the furlough. Employees on an approved leave of absence without pay that started before December 10 and extends through or beyond December 31 will not be affected by the furlough and will not be eligible for holiday pay.
- D. Employees who elect a leave of absence without pay for the furlough may request up to a four-day salary advance. Repayment of a salary advance for the furlough may be spread over a period of time provided that:
 - 1. There is two weeks advance notice to payroll,
 - 2. The salary advance for a given fiscal year is fully repaid by May 31 of that fiscal year,
 - 3. Payments begin no later than January 1 of the fiscal year, and
 - 4. The repayment plan is approved by the Finance Director, or designee prior to the furlough.
- E. Alternatives to the 9/80 work schedule will be subject to the approval of the City Manager.

IV. ACTING/SPECIAL ASSIGNMENT PAY

- A. Management, supervisory, and professional employees are eligible for premium pay of 5% over base salary while acting in a higher classification when assigned and prescribed by the City Manager.
- B. The City agrees to pay regular full-time employees bilingual assignment pay of \$75.00 per month. Regular part-time employee scheduled to work 30-35 hours per week will receive bilingual assignment pay of \$56.00 per month and regular part-time employees scheduled to work 20-25 hours per week will receive bilingual assignment pay of \$38.00 per month. Eligibility for bilingual assignment pay shall be based on the provisions outlined in Administrative Regulation 0522.

V. DEFERRED COMPENSATION

- A. Pursuant to Section 401(a), Internal Revenue Code, the CONTRIBUTION

PROVISIONS, Section E, of the Newark Executive Management Plan shall be as follows:

1. The Employer shall contribute on behalf of each participant six percent (6%) of earnings for the Plan Year.
2. Each participant is required to contribute six percent (6%) of earnings for the Plan Year as a condition of participation.

Said participant contribution shall be included in total compensation for the purpose of computation in Public Employees Retirement System.

B. ICMA-RC VantageCare Retirement Health Savings (RHS) plan.

The Newark Executive Management Team will participate in the RHS plan on a mandatory basis. The mandatory contribution will consist of the \$100 monthly Health and Welfare Allowance. The \$100 monthly allowance will be automatically deferred to the RHS plan. Specifics of the plan and any additional mandatory contributions are described and available in the plan summary.

C. Implementation of Section 414(h)(2) of the United States Internal Revenue Code.

1. Pick-up of Employee Contributions

- a. Pursuant to the provisions of this Agreement, the City shall make employee contributions on behalf of employees, and such contributions shall be treated as employer contributions in determining tax treatment under the Internal Revenue Code of the United States. Such contributions are being made by the City in lieu of employee contributions.
- b. Employee contributions made under paragraph a. shall be paid from the same source of funds as used in paying the wages to affected employees.
- c. Employee contributions made by the City under paragraph a. shall be treated for all purposes other than taxation in the same manner and to the same extent as employee contributions made prior to the effective date of this Agreement.
- d. The employee does not have the option to receive the City's contributed amount paid pursuant to this Agreement directly

instead of having it paid to the retirement system.

2. Wage Adjustment

Notwithstanding any provision in the current agreement to the contrary, the wages of employees shall be reduced by the amount of employee contributions made by the City pursuant to the provisions hereof.

3. Limitations to Operability

Section V. C. shall be operative only as long as the City of Newark pick-up of employee retirement contributions continues to be excludable from gross income of the employee under the provisions of the Internal Revenue Code.

VI. RETIREMENT

- A. All Management employees who were appointed prior to January 1, 2013 and all "Classic Members" (as defined by CalPERS) are referred herein either as "Classic Members" or as "Classic".
- B. The City shall continue to provide to all sworn Classic management employees a retirement formula known as "3% at 50" together with single year highest compensation, military service credit for prior service, and the indexed level 1959 survivor benefit options of the CalPERS pension plan. Sworn Classic Members continue to pay the 9% employee rate for the 3% at 50 retirement formula plus continue to pay up to 4% of an additional contribution in accordance with the following formula for a current total pre-tax contribution of 13%.

Sworn Classic members will contribute a matching percentage of salary in the form of an increase in employee contribution rate during the term of this agreement if the CalPERS Safety Plan employer actuarial rate for the 3% at 50 retirement formula exceeds 17.00% to a maximum of 25.00%. In the event that the employer rate exceeds 25.00%, the City shall be responsible for any increase above 25.00%. In subsequent years, if the rate over 17.00% decreases, the sworn Classic members matching percentage of salary in the form of the employee contribution rate will be reduced by the above formula. Employer rate reductions below 17.00% will not be shared with sworn Classic members under the above formula.

The following example is for illustrative purposes only:

If the CalPERS Safety Plan employer actuarial rate for the 3% at 50 retirement formula increased from 17.00% to 20.00% effective July 1, 2006, the sworn Classic members' rate would increase from 9.00% to 10.50%. The City would then be responsible for the matching 1.50%. If the rate

decreased from 20.00% to 18.00%, the sworn Classic members' rate would decrease by 1.00%. The members' rate increase or decrease would be done through a contract amendment with CalPERS and the City.

- C. The City shall continue to provide to all non-sworn Classic management employees a retirement formula known as "2.5% at 55" together with single year highest compensation, pre-retirement optional settlement level 2 death benefit, military service credit for prior service, and the indexed level 1959 Survivor Benefit options of the CalPERS pension plan. Non-Sworn Classic Members continue to pay the 8% employee rate for the 2.5% at 55 retirement formula plus continue to pay up to 3.468% of an additional contribution in accordance with the following formula for a total tax deferred contribution of 11.468%.

Non-sworn Classic members will contribute a matching percentage of salary in the form of an increase in employee contribution rate during the term of this agreement if the CalPERS Miscellaneous Plan employer actuarial rate for the 2.5% at 55 retirement formula exceeds 10.00% to a maximum of 16.936%. In the event that the employer rate exceeds 16.936%, the City shall be responsible for any increase above 16.936%. In subsequent years of the term of the agreement, if the rate over 10.00% decreases, non-sworn Classic members' matching percentage of salary will be reduced by the above formula. Employer rate reductions below 10.00% will not be shared under the above formula.

The following is for illustrative purposes only:

If the CalPERS Miscellaneous Plan employer actuarial rate increases to 10.00%, each Classic non-sworn member would contribute zero (-0-) from his/her salary to pay for the retirement benefit. If the rate increases from 10.00% to 13.00%, each non-sworn Classic member would contribute half of the 3.00% increase (1.50%) from his/her salary to pay for the retirement benefit. The City would then be responsible for the matching 1.50%. If the rate decreased from 13.00% to 11.00%, the non-sworn Classic member would contribute 0.50% of the increase above 10.00% from his/her salary to pay for the retirement benefit. The City would then be responsible for the matching 0.50%.

- D. The City shall provide to sworn management employees who were appointed on or after January 1, 2013 who are PEPRA Members (as defined by CalPERS) a retirement formula known as 2.7% at 57 in accordance with the Public Employees' Pension Reform Act of 2013.

Sworn Management employees who were appointed on or after January 1, 2013 who are PEPRA Members (as defined by CalPERS) will contribute half the normal cost of the 2.7% at 57 plan as required by the Public

Employees' Pension Reform Act of 2013.

In addition to paying the employee rate (currently 11.5%), sworn PEPRA Members will pay an additional contribution of 4.0% for a total of 15.5%. If CalPERS approves a contract amendment for the City of Newark that charges Sworn New PEPRA Members an additional 1.5% contribution rather than an additional 4% contribution for a current total of 13% rather than a current total of 15.5% (and CalPERS approves the provisions described herein for Sworn Classic Members, Non-Sworn Classic and Non-Sworn PEPRA Members), the City agrees to amend its contract for Sworn PEPRA Members accordingly.

The following is for illustrative purposes only:

If the employee rate for sworn PEPRA Members is 11.5%, in this example sworn PEPRA Members would pay the 11.5% employee rate plus an additional 4% for a total of 15.5%.

- E. The City shall provide to all non-sworn Management employees who were appointed on or after January 1, 2013 who are non-sworn PEPRA Members (as defined by CalPERS) a retirement formula known as 2% at 62 in accordance with the Public Employees' Pension Reform Act of 2013.

Non-sworn Management employees who were appointed on or after January 1, 2013 who are PEPRA Members (as defined by CalPERS) will contribute half the normal cost of the 2% at 62 plan as required by the Public Employees' Pension Reform Act of 2013.

In addition to paying the employee rate (currently 6.25%), non-sworn PEPRA Members will pay the same percentage of an additional contribution as non-sworn Classic Members pay (currently 3.468%) for a current total of 9.718%.

- F. The City shall provide the one-year highest compensation option to Classic sworn and non-sworn members. The City shall provide the three-year average compensation requirement to PEPRA members as defined above.

VII. HEALTH AND WELFARE

- A. The contribution by the City toward monthly premiums for health and welfare programs of management, supervisory, and professional employees including the City Manager and City Attorney shall be the Minimum Employer Contribution as determined by CalPERS for employers under the Public Employees' Medical and Hospital Care Act (PEMHCA). For 2015, the amount is \$122 per month. For 2016, the amount is \$125 per month. In the event that an employee elects to waive participation in the Program, the

amount will be paid to the employee. The employee shall execute a waiver in the event the employee elects not to participate in the PERS Health Benefit Program or cancel participation after enrollment.

The City will maintain a cafeteria plan under Section 125 of the Internal Revenue Code (IRC). The cafeteria plan allows employees to voluntarily reduce salary in an amount equal to the actual premiums for the PERS Health Plan, the City-administered dental insurance plans and/or the City-administered vision plan as a before-tax conversion of salary. Administration of the Flexible Benefit Plan shall be pursuant to Section 125 of the Internal Revenue Code.

In addition to the City's direct PEMHCA contribution of the Minimum Employer Contribution, effective July 1, 2015, the City shall provide regular full-time employees an additional \$128 per month for each eligible management, supervisory, and professional employee to the City's cafeteria plan. This amount will be prorated for regular part-time employees (e.g., a regular part-time employee scheduled to work 20 hours per week will receive \$64 per month). The \$128 monthly contribution or prorated amount may be used by eligible employees to pay for employer offered benefits including medical, dental, and/or vision insurance. In the event that the cost for the selected employer offered medical, dental or vision insurance exceeds \$128 per month, the balance will be paid by the employee through automatic payroll deduction (pre-tax if it is elected by the employee), as provided by IRC Section 125. Effective January 1, 2016, the City shall provide regular full-time employees an additional \$122 per month (for a total additional amount of \$250 per month). This amount will be prorated for regular part-time employees. Effective January 1, 2017, the City shall provide regular full-time employees an additional \$50 per month (for a total additional amount of \$300). This amount will be prorated for regular part-time employees.

Employees may "cashout" any money not used for the purchase of employer offered benefits under the cafeteria plan. Any "cashout" will be paid to the employee in taxable compensation subject to the following limits:

- Effective July 1, 2015, the maximum "cashout" amount an employee may receive per month is the Minimum Employer Contribution (\$122 monthly in 2015) plus an additional \$128 per month for a total of \$250 per month. Effective January 1, 2016, the maximum "cashout" amount an employee may receive per month is the Minimum Employer Contribution (\$125 per month in 2016) plus a total additional amount of \$250 per month for a total of \$375 per month in

2016. Effective January 1, 2017, the total maximum "cashout" amount an employee may receive is the Minimum Employer Contribution (to be determined) plus a total additional amount of \$300.

- B. Regular full time employees in the Management, Supervisory, and Professional Employee Group, City Manager, and City Attorney are eligible for an allowance of up to \$100 per month towards the cost of health care premiums, long term disability premiums, short term disability premiums or reimbursement for medical, dental, vision, and prescription expenses. All regular part-time employees in the Management, Supervisory, and Professional Employee Group are eligible for an allowance of up to \$75 for 30-35 hour employees and up to \$50 for 20-25 hour employees. This allowance will be reported as taxable income and provided to employees based on the following criteria:
1. Reimbursement for health care premiums will be paid on a monthly basis up to a maximum of \$100 per month for full time employees, up to a maximum of \$75 for regular part-time 30-35 hour employees and up to a maximum of \$50 for regular part-time 20-25 hour employees. Executive Management Team members enrolled in the ICMA VantageCare Retirement Health Savings (RHS) Plan will have their \$100 monthly allowance automatically deferred to the RHS plan.
 2. Reimbursement for health care expenses may be requested on a quarterly basis by submitting receipt or other evidence of payment for expenses not covered by health care insurance to the Human Resources Department during the last week of each quarter. The minimum reimbursement allowance will be \$33.00 and the maximum quarter reimbursement allowance is \$300.00 for full time employees, \$225 for regular part-time 30-35 hour employees and \$150 for regular part-time 20-25 hour employees.
 3. An employee must be in a paid status (on the payroll) in order to receive reimbursement for health care premiums, long-term or short-term disability premiums, or health care expenses. During a leave of absence without pay, an employee is not eligible to receive the health care benefit. However, upon return from the leave of absence without pay, an eligible employee may receive reimbursement for health care premiums or health care expenses that would have been paid if the employee had continued working provided the employee returns to work within six months of the effective date of the leave of absence without pay.

4. Employees appointed to a classification covered by this Compensation Plan will be eligible for the health and welfare benefit on the first of the month coincident to or immediately following appointment.
 5. When an employee is terminated or in an unpaid leave status, the health and welfare benefit shall be paid on a monthly pro-rata basis if the employee qualified for the Health Benefit. To qualify for pro-rata pay, employee must serve 50 percent of the working days in the month to qualify for the \$100 benefit.
- C. The City will explore alternatives to the CalPERS health program, in the interest of offering comprehensive and competitively priced health insurance alternatives to employees.

VIII. LIFE INSURANCE

The City will provide City-paid life insurance coverage of \$20,000 to each management, supervisory, and professional employee including the City Manager and City Attorney. Additional life insurance can be purchased at the employee's option on an after-tax payroll deduction basis.

IX. UNIFORM MAINTENANCE AND PROVISION OF UNIFORMS

- A. The City will provide the classification of Maintenance Supervisor with one clean uniform daily.
- B. Police management employees designated as public safety shall receive a uniform maintenance allowance of \$58.00 per month.

X. EDUCATIONAL REIMBURSEMENT

- A. Job-related Training
 1. The City Manager may authorize reimbursement up to 100% of the cost for professional courses and programs that are directly related to the employee's job or which will prepare the employee for advancement or acceptance of greater responsibility. A certificate of completion or a passing course grade must be attained for reimbursement.
- B. Plan and Agreement for a College Degree Program
 1. In addition to job-related training, the City Manager may authorize reimbursement for up to \$10,000.00 of the cost for tuition fees and

required text books for a college degree program directly related to the employee's job which will prepare the employee for advancement or acceptance of greater responsibility provided that the employee attains a course grade of "C" or a passing grade as defined by the degree program if that requirement is higher than a "C" grade.

2. If an employee receives more than \$5,000.00 dollars during his/her term of employment with the City of Newark in a college degree program, the employee is required to sign an Educational Reimbursement Plan Agreement in order to qualify for and to participate in the Educational Reimbursement College Degree Program. The employee is then subject to the Educational Reimbursement Plan and Agreement for a College Degree Program as follows:
 - a. Employee will maintain employment with the City of Newark for a period of five years after completion of the last class taken under the Education Reimbursement Plan; and
 - b. In the event that employee leaves the City of Newark and does not complete the five year employment period, employee warrants that he/she will reimburse to the City all money paid (up to \$10,000) under the Educational Reimbursement Plan as follows:
 - i. 100% of money paid if the employee voluntarily leaves city employment in the first year after completion of the last class taken under the Educational Reimbursement Plan.
 - ii. 80% of money paid if the employee voluntarily leaves city employment in the second year after completion of the last class taken under the Educational Reimbursement Plan.
 - iii. 60% of money paid if the employee voluntarily leaves city employment in the third year after completion of the last class taken under the Educational Reimbursement Plan.
 - iv. 40% of money paid if the employee voluntarily leaves city employment in the fourth year after completion of the last class taken under the Educational Reimbursement Plan.
 - v. 20% of money paid if the employee voluntarily leaves city employment in the fifth year after completion of the last class taken under the Educational Reimbursement Plan.

- vi. After five years following completion of the last class taken under the Educational Reimbursement Plan, employee owes no further monetary obligation to the City of Newark for participation in the Educational Reimbursement Plan.
3. To qualify for the Educational Reimbursement College Degree Program, degree program courses must be received from an accredited institution as identified on the U.S. Department of Education's List of Nationally Recognized Accrediting Agencies or the Council for Higher Education Accreditation's (CHEA) List of Participating and Recognized Organizations.

XI. TRAVEL EXPENSE REIMBURSEMENT

- A. Management, supervisory, and professional employees who do not receive a vehicle allowance shall be reimbursed for the use of their private vehicle on City business at the rate prescribed by the Internal Revenue Service for Personal Income Tax Returns.
- B. Certain management, supervisory, and professional employees designated by the City Manager shall be provided a vehicle allowance in the amount of \$400 per month. Management, supervisory, and professional employees who receive a vehicle allowance shall be reimbursed for the use of their private vehicle for City business at the rate prescribed by the Internal Revenue Service for Personal Income Tax Returns for travel in excess of 200 miles per month.
- C. Executive management employees including the City Manager and City Attorney shall receive a vehicle allowance in the amount of \$400 per month and will be reimbursed for the use of their private vehicle for City business at the rate prescribed by the Internal Revenue Service for Personal Income Tax returns for travel in excess of 200 miles per month.

XII. PRORATION OF HOLIDAY, GENERAL, AND BEREAVEMENT LEAVE ACCRUALS FOR REGULAR PART-TIME EMPLOYEES (RPT)

Regular part-time employees will receive prorated holiday, general, and bereavement leave accruals based on the actual hours worked or budgeted to work. For example, an RPT employee who works 35 hours per week will receive 7 hours of pay per holiday. An RPT employee who works 24 hours per week will receive 4.8 hours of pay per holiday. If actual hours worked differ from hours budgeted to work, the lesser number of hours will be used as the basis for proration.

XIII. MANAGEMENT LEAVE

The City Manager, upon the recommendation of the Department Head, will establish an annual allocation of up to forty (40) hours of management leave per fiscal year for each eligible member of the Management, Supervisory, and Professional Employee Group in recognition of the extra hours of work required of this employee group for which compensation in the form of overtime pay is not provided. The City Manager may authorize up to an additional thirty-two (32) hours of management leave. Requests for Management Leave in excess of fifty six (56) hours per fiscal year will only be granted for extraordinary situations and require written justification to be submitted to the City Manager from the Department Head. Management leave may be used for leave purposes only and cannot be converted to pay or carried over from one fiscal year to another. Management leave must be taken prior to separation.

In recognition of the extra hours of work required, the City Manager and City Attorney shall receive an annual allocation of fifty-six (56) hours of management leave per fiscal year.

Regular part-time employees may be granted management leave proportionally to their assigned work hours as recommended by the Department Head with approval by the City Manager.

XIV. GENERAL LEAVE

The General Leave Plan shall provide compensated leave for those eligible employees who are absent from duty because of illness, death in the family, medical or dental care appointments, family care, personal reasons or who utilize the time off as vacation. The General Leave Plan is attached to the Compensation and Benefit Plan as Attachment C.

XV. SICK LEAVE

Each eligible management, supervisory, and professional employee shall have a sick leave bank in which that employee may accrue and use sick leave credits pursuant to the General Leave Plan. Sick leave credits may be used toward early retirement under the Public Employees' Retirement System plan.

XVI. BEREAVEMENT LEAVE

Regular full-time employees may be granted up to a maximum of 40 hours of bereavement leave where there has been a death of a husband, wife, son, daughter, stepson, stepdaughter, sister, brother, mother, stepmother, father, stepfather, grandparent, grandchild, grandparent-in-law, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, or daughter-in-law of an employee.

Regular part-time employees shall be eligible for prorated bereavement leave as described in Section XII and listed below:

<u>Work Schedule</u>	<u>Prorated Bereavement Leave</u>
30-35 work hours	up to a maximum of 30-35 hours
20-25 work hours	up to a maximum of 20-25 hours

XVII. HOLIDAYS

A. Regular Employees

The following days shall be recognized as municipal holidays for pay purposes for regular full time and regular part-time management, supervisory, and professional employees including the City Manager and City Attorney:

- January 1, New Year's Day
- Third Monday in January, Martin Luther King, Jr. Day
- Third Monday in February, Presidents Day
- Last Monday in May, Memorial Day
- July 4, Independence Day
- First Monday in September, Labor Day
- November 11, Veterans Day
- Thanksgiving Day
- Friday following Thanksgiving Day
- Last work day before Christmas
- December 25, Christmas Day
- Employee's Birthday, to be taken within the fiscal year of the employee's birthday, subject to department head approval
- Floating Holiday, to be scheduled subject to department head approval

Regular full-time employees will receive eight (8) hours of pay for each holiday that falls on a scheduled workday.

When any day recognized as a holiday by the City falls on a Sunday, the following Monday shall be considered the holiday. When any day recognized as a holiday by the City falls on a Saturday, the preceding

Friday shall be considered the holiday.

The employee birthday holiday and the floating holiday must be scheduled and used during the fiscal year. An employee must be employed in a classification covered by this Resolution on his/her birth date to be eligible for the birthday holiday during that fiscal year.

If an employee's hire date falls between July 1 and December 31, the employee will be eligible for the floating holiday during the current fiscal year. If an employee's hire date falls between January 1 and June 30, the employee will be eligible for the floating holiday beginning July 1, of the next fiscal year.

Holidays shall not be carried over from one fiscal year to another. Upon separation, an unused holiday cannot be converted to cash.

With the continuation of the 9/80 bi-weekly work schedule, Closed Holiday Credits and debits will be calculated for each employee by Payroll and will be funded in the employee's Floating Holiday Bank on July 1, 2012 for the 2012-2013 fiscal year. Closed Holiday Credits are subject to all the benefits and restrictions of a Floating Holiday. They have no cash value and cannot be carried over from one fiscal year to the next fiscal year. If the employee separates from service before the end of the fiscal year, no further adjustments in the Closed Holiday Credits will be made.

If the employee does not have any accrued leave available to be charged for the additional hour(s) for the holiday, the employee shall be charged with leave without pay.

B. Public Safety Management

Regular full-time employees in the classification of Police Commander and Police Lieutenant shall receive as compensation in-lieu of holidays an amount equal to 5.0% of regular pay, to be paid each pay period. (See Section XVII. A. for complete list of holidays)

C. Regular Part-Time Employees

Upon completion of 1,040 work hours or one year of continuous active service, whichever occurs first, regular part-time management, supervisory, and professional employees shall be eligible for prorated holidays in accordance with Section XII and as listed below:

Work Schedule
30-35 work hours
20-25 work hours

Holiday Pay
6-7 hours per holiday
4-5 hours per holiday

Dated: July 1, 2015

By: _____
John Becker
City Manager

ATTACHMENT A

MANAGEMENT, SUPERVISORY, AND PROFESSIONAL PAY PLAN

This Management, Supervisory, and Professional Pay Plan applies to all regular management, supervisory, professional, **City Manager and City Attorney** classifications except City Council members.

I. POLICY

The City's policy for management, supervisory, and professional salaries is to establish and maintain a general salary structure based on marketplace norms and internal job alignment, which provides flexibility to reward management, supervisory, and professional personnel based on performance. Structures and ranges will be reviewed annually and updated as necessary based on the market conditions, internal relationships, and City's financial condition.

Individual salary adjustments will be considered by the City Manager based on (1) performance factors and overall contribution to management of the City; (2) pay structure adjustments; and (3) City's financial condition.

II. ADMINISTRATION

The City Manager shall be accountable to the City Council for the overall administration of the Management, Supervisory, and Professional Pay Plan and will report on such administration annually or more often, as requested. Department heads are responsible for recommending to the City Manager salary adjustments for employees within their departments who are covered by the Plan.

The City Council shall consider the necessary adjustment of management, supervisory, and professional salary ranges annually. In determining plan adjustments, the City Council shall consider such matters as changes in the cost of living, other salary changes such as those arrived at through negotiations with recognized employee groups, compression between this employee group and subordinate class ranges and the competitive position of the City in recruitment and retention of management, supervisory, and professional personnel.

The overall salary structure, supporting administrative policies, and assignment of classifications to salary ranges will be reviewed annually by the City Manager with appropriate reporting to the City Council relative to the status of the program.

III. BASIC PLAN ELEMENTS

- A. Structure. The Management, Supervisory, and Professional Pay Plan consists of thirty (30) salary ranges which provide an approximate spread of forty-five (45) percent between the minimum and maximum amounts and a differential of five (5) percent between the maximum of the ranges descending from the maximum amount established for Range No. 30. There shall be no specific or predetermined "steps" within the range thus allowing the flexibility of adjustment to recognize varying levels of performance. All management, supervisory, and professional classifications will be assigned an appropriate pay grade based on salary survey data and internal relationships.

As needed competitive marketplace studies will be made which will focus on general salary trends for groups of management, supervisory, and professional positions. Periodically, studies will more specifically include position-by-position comparisons using marketplace and internal relationship data. Depending on the results of these studies, the entire pay grade structure may be adjusted or individual positions may be reassigned to different salary ranges. Such assignment will only affect the salary administration framework. No individual salaries will be automatically changed because of structural adjustments.

- B. Performance Appraisal. All management, supervisory, and professional personnel shall have their performance reviewed at least once each fiscal year, generally coinciding with the employee's anniversary date. All individual salary adjustments shall be based on performance. The performance review program provides a planned and orderly means of evaluating individual performance in relation to areas of accountability and program responsibilities. The performance review document and the salary adjustment recommended by the department head should be forwarded to the City Manager.
- C. Adjustments based on Range Movement. Adjustments to salary ranges may occur to reflect cost-of-living changes, labor market conditions, and parity to avoid compression with non-management, supervisory, and professional position classifications. The City Manager may grant an upward adjustment in an individual's salary in any amount up to an amount equal to the adjustment in the salary range or the City Manager may maintain an individual salary at present level. An adjustment of individual salaries is not required by a change in the salary range to which the position is assigned except to maintain the minimum salary for the range.

- D. Meritorious Performance Adjustment. An employee shall be eligible to receive one merit increase per twelve-month period if the employee's performance is beyond a satisfactory level. A meritorious performance adjustment would be in addition to any adjustment based on range movement. For fiscal year 2015-2016 and fiscal year 2016-2017 such an increase is zero percent (0%), the exact percentage being determined by the City Manager based on an evaluation of the degree of meritorious service and overall contribution to management of the City.

Salary adjustments more frequently than once each twelve month period, but not more than once each six months may be approved by the City Manager for the following reasons:

1. An employee's salary is below the midpoint of the range and the employee has experienced substantial growth in his/her position representing an increased value to the City.
2. An employee has demonstrated outstanding performance or made an exceptional contribution to the City.

Whenever an employee receives a six-month meritorious performance adjustment, the employee's anniversary date will change pursuant to the Personnel Rules and Regulations.

- E. Special Adjustment. The City Manager may authorize salary adjustments up to ten (10) percent per fiscal year ~~beyond the~~ within the assigned salary range for the following reasons:

1. An employee's performance consistently exceeds the scope and expectations of his/her classification as determined by the City Manager.
2. Competitive labor market conditions warrant an adjustment.
3. An employee's overall contribution and value to the City as determined by the City Manager warrants an adjustment.

ATTACHMENT B
SALARY SCHEDULE
COMPENSATION BASE FOR REGULAR FULL-TIME CLASSIFICATIONS
Management, Supervisory, and Professional Employees

July 1, 2015

Salary Range	Minimum	Maximum
1	4,001	5,802
2	4,201	6,095
3	4,412	6,399
4	4,633	6,716
5	4,863	7,053
6	5,109	7,407
7	5,362	7,775
8	5,633	8,165
9	5,912	8,570
10	6,208	9,003
11	6,519	9,453
12	6,845	9,926
13	7,188	10,420
14	7,548	10,942
15	7,923	11,491
16	8,321	12,064
17	8,737	12,666
18	9,173	13,301
19	9,631	13,965
20	10,114	14,664
21	10,617	15,397
22	11,150	16,170
23	11,709	16,975
24	12,293	17,823
25	12,908	18,719
26	13,553	19,651
27	14,229	20,635
28	14,942	21,664
29	15,691	22,748
30	16,474	23,886

Monthly salaries listed for full-time non-sworn management employees are based on a 40-hour workweek. Monthly salaries listed for full-time sworn management positions are based on designated shift schedules. Regular part-time non-sworn management employee salaries are prorated based on the 40 hour workweek salary ranges.

SALARY SCHEDULE
COMPENSATION BASE FOR REGULAR FULL-TIME CLASSIFICATIONS
 Management, Supervisory, and Professional Employees

January 1, 2016

Salary Range	Minimum	Maximum
1	4,081	5,918
2	4,285	6,216
3	4,500	6,527
4	4,725	6,850
5	4,961	7,194
6	5,211	7,555
7	5,469	7,931
8	5,746	8,328
9	6,030	8,741
10	6,332	9,183
11	6,649	9,642
12	6,982	10,124
13	7,332	10,629
14	7,699	11,160
15	8,082	11,721
16	8,488	12,305
17	8,912	12,920
18	9,356	13,567
19	9,823	14,244
20	10,317	14,957
21	10,830	15,705
22	11,373	16,493
23	11,943	17,314
24	12,539	18,180
25	13,166	19,093
26	13,824	20,044
27	14,514	21,047
28	15,241	22,097
29	16,004	23,203
30	16,804	24,364

Monthly salaries listed for full-time non-sworn management employees are based on a 40-hour workweek. Monthly salaries listed for full-time sworn management positions are based on designated shift schedules. Regular part-time non-sworn management employee salaries are prorated based on the 40 hour workweek salary ranges.

SALARY SCHEDULE
COMPENSATION BASE FOR REGULAR FULL-TIME CLASSIFICATIONS
 Management, Supervisory, and Professional Employees

July 1, 2016

Salary Range	Minimum	Maximum
1	4,204	6,095
2	4,414	6,403
3	4,635	6,723
4	4,867	7,055
5	5,109	7,410
6	5,368	7,782
7	5,633	8,169
8	5,919	8,578
9	6,211	9,004
10	6,522	9,458
11	6,849	9,932
12	7,192	10,428
13	7,552	10,948
14	7,930	11,495
15	8,324	12,073
16	8,742	12,674
17	9,179	13,307
18	9,637	13,974
19	10,118	14,671
20	10,626	15,405
21	11,154	16,176
22	11,714	16,988
23	12,301	17,834
24	12,915	18,725
25	13,561	19,666
26	14,239	20,646
27	14,949	21,679
28	15,698	22,760
29	16,485	23,899
30	17,308	25,095

Monthly salaries listed for full-time non-sworn management employees are based on a 40-hour workweek. Monthly salaries listed for full-time sworn management positions are based on designated shift schedules. Regular part-time non-sworn management employee salaries are prorated based on the 40 hour workweek salary ranges.

ATTACHMENT C

GENERAL LEAVE PLAN FOR MANAGEMENT, SUPERVISORY, AND PROFESSIONAL EMPLOYEE GROUP INCLUDING THE CITY MANAGER AND CITY ATTORNEY

I. DEFINITION

General Leave is compensated leave for those eligible employees who are absent from duty because of illness, death in the family, medical or dental care appointments, family care, personal reasons or who utilize the time off as vacation. Management Leave shall remain separate from General Leave.

II. APPLICABILITY

The General Leave Plan shall apply to regular full time employees in the Management, Supervisory, and Professional Employee Group. Regular part-time employees in the Management, Supervisory, and Professional Group shall be eligible for prorated general leave based on actual hours worked or budgeted to work. For example, an RPT employee with one year of City service who works 35 hours per week will receive 161 hours of general leave per year. An RPT employee with one year of City service who works 24 hours per week will receive 110.4 hours of general leave per year. If actual hours worked differ from hours budgeted to work, the lesser number of hours will be used as the basis for proration.

For payroll implementation, hours/accruals in excess of those based on a 20 or 30 hour workweek will be reimbursed to RPT employees on a quarterly basis until the process is automated.

III. GENERAL LEAVE CREDITS

A. Regular Full-Time Employees

Eligible regular full-time employees shall be entitled to the following annual accrual.

<u>Years of Completed Service</u>	<u>RFT Leave Accrual</u>
1 through 9	184 hours
10 through 14	224 hours
15 through 19	240 hours
20 or more	264 hours

- B. General Leave shall be accrued in hours on a semi-monthly basis.
- C. During an absence without pay which extends more than fourteen (14) calendar days during a calendar month, the employee shall not accrue General Leave credits.
- D. General Leave During First Year: **Beginning on the 90th day of employment**, regular employees shall be eligible to earn General Leave credits. Upon the completion of said period of service, regular full time employees shall be credited with **forty-six (46)** working hours of General Leave and shall thereafter accrue General Leave at the rate of 7.66 working hours, semi-monthly for the remainder of the first year and as provided in Subsection A, Section III, above.
- E. Maximum Accumulation: Regular Full-time employees may accumulate General Leave credits according to the following schedule:

<u>Years of Completed Service</u>	<u>Maximum accrual</u>
1 through 9	368 hours
10 through 14	448 hours
15 through 19	480 hours
20 or more	528 hours

F. Regular Part-Time Employees

Beginning on the 90th day of employment, regular part-time employees shall be credited with prorated general leave in accordance with Section II above and as follows:

<u>Years of Completed Service</u>	<u>20-25 hour Leave Accrual</u>	<u>30-35 hour Leave Accrual</u>
1 through 9	92-115 hours	138-161 hours
10 through 14	112-140 hours	168-196 hours
15 through 19	120-150 hours	180-210 hours
20 or more	132-165 hours	198-231 hours

- G. Maximum Accumulation: Regular Part-time employees may accumulate General Leave credits according to the following schedule:

<u>Years of Completed Service</u>	<u>20-25 hour Maximum accrual</u>	<u>30-35 hour Maximum accrual</u>
1 through 9	184-230 hours	276-322 hours
10 through 14	224-280 hours	336-392 hours
15 through 19	240-300 hours	360-420 hours

20 or more

264-330 hours

396-462 hours

When maximum accrual limits have been reached, excess General Leave credits earned shall be transferred to the Rollover Leave bank on a quarterly basis. Rollover Leave may be used in order to provide security against an employee's extended illness and may not be used for retirement service credit.

Exceptions to the maximum accrual limits may be approved by the City Manager under special circumstances. Requests to exceed maximum accrual limits must be submitted through the Department Head to the City Manager prior to reaching maximum accrual.

IV. GENERAL LEAVE IMPLEMENTATION

Unused leave credits shall be transitioned to General Leave as follows:

- A. Vacation Leave Credits: All unused vacation leave credits shall be converted to General Leave credits on an hour-for-hour basis.
- B. Sick Leave Credits: All unused sick leave credits shall be maintained in a sick leave bank to be used in accordance with the provisions of the General Leave Plan. Accrued time in the sick leave bank shall not be compensated for in any manner except as used for sick leave or retirement service credit.
- C. At time of conversion to General Leave, if vacation credits exceed General Leave accrual limit, a plan shall be developed to reduce converted vacation leave credits to the General Leave accrual limits within six months. A longer period to reduce converted vacation leave credits may be approved by the City Manager under special circumstances.

V. GENERAL LEAVE USAGE

Request and Approval: Department Heads are responsible for arranging leave schedules so that adequate personnel are available to carry on city work. The use of General Leave shall require approval of the Department Head or his/her designee and shall be governed by the current Personnel Rules dealing with leaves unless specifically covered by this Plan document. Whenever possible, General Leave requests must be approved in advance of the days to be taken as General Leave. The procedure for requesting the use of General Leave shall be as follows:

- A. General Leave (Non-medical): Any leave that can be reasonably forecast

or anticipated such as vacation, care of children, personal business, etc. shall require prior approval of the Department Head, or the employee's supervisor. The time and amount of General Leave to be taken for non-medical purposes shall be determined by the Department Head with due regard for the wishes of the employee and particular regard for the needs of the City.

- B. General Leave (Medical): An unscheduled absence from work due to an employee's illness shall be referred to as General Leave for medical reasons. The Department Head may require an employee to furnish satisfactory evidence justifying the need to be absent from work for medical reasons. The provisions of A.R. 0513 on sick leave usage shall apply to employees using General Leave for medical reasons. The Department Head shall make the determination and final approval of unscheduled General Leave for medical reasons.
- C. An employee may request General Leave for an unanticipated absence from work (e.g. medical, car trouble, care of children, etc.) by notifying his/her supervisor within one (1) hour after the time set for reporting to work on the first day of such leave and as often thereafter as directed by his/her supervisor. Final approval for an unanticipated, unscheduled absence shall require Department Head approval. Failure to request an unscheduled leave in the manner described may result in lost work time charged as leave without pay or unauthorized leave of absence. Inappropriate use of unscheduled leave may be grounds for corrective action consistent with current practice.
- D. Any employee who is absent from work on an unscheduled leave shall not engage in work or other activities which will inhibit his/her ability to return to work at the earliest possible time.
- E. Medical examination by the City's examining physician may be requested by the Department Head after prolonged, serious, or repetitious illness, injury, or major surgery. An employee's return to duty following illness or injury is subject to the approval of the Department Head or City Manager based upon medical information supplied by the employee's physician and/or the City's physician.
- F. On-the-job Injury: An employee absent from work because of a temporary disability which is defined as industrial under the Workers' Compensation Act may charge General Leave credits (or unused sick leave, if approved by the City Manager) in an amount necessary to make up the difference between the employee's regular pay and the amount payable to the employee as temporary disability payments from the Workers' Compensation Insurance Plan of the City.

- G. Use of General Leave When Permanently Incapacitated: General Leave shall not be used to continue the salary of employment of any employee after it has been determined that such employee is permanently incapacitated from returning to employment and is eligible for disability retirement.
- H. Sick Leave Bank: A sick leave bank shall be established for each employee eligible for General Leave. When an employee becomes eligible for General Leave, any unused sick leave credits will be maintained in this account. Employees may transfer General Leave credits to their sick leave bank in accordance with Section VI of the General Leave Plan.
- I. Use of Sick Leave Bank:
 - 1. Upon approval of the City Manager, an employee whose absence is due to illness or injury for more than eight (8) cumulative work days during any fiscal year may use unused sick leave balances for absences due to further illness or injury prior to using further General Leave.
 - 2. Upon approval of the City Manager, an employee whose absence is due to illness or injury for more than five (5) consecutive work days for any one occurrence may use unused sick leave balances for absences due to further illness or injury for that particular medical condition prior to further using General Leave.
 - 3. Upon approval of the City Manager, an employee who has exhausted all General Leave credits may be granted the use of unused sick leave balances for a medical purpose. The City Manager may impose up to a five (5) workday waiting period based upon a review of the employee's General Leave usage.

VI. GENERAL LEAVE CONVERSION TO PAY OR SICK LEAVE

- A. Buy-Back: Upon using one-half of General Leave credits accrued during the 12-month period from July 1 through June 30 of the prior fiscal year, a regular full-time employee may request to receive pay for up to a total of eighty (80) hours of General Leave per fiscal year (forty (40) to fifty (50) hours for 20-25 hour employees; sixty (60) to seventy (70) hours for 30-35 hour employees) in hourly increments at the current hourly salary rate. To be eligible for General Leave conversion to cash, an employee must have a minimum of 10 days (80 hours for full-time or prorated for RPT) of General Leave credits remaining after the conversion. Requests

for General Leave buy-back may be made up to two times per fiscal year in October and/or April for payment on December 15 and/or June 15 or may be deferred into one of the City sponsored deferred compensation plans within IRS limitations.

- B. The City Manager and City Attorney may request at any time during the fiscal year to receive pay for up to eighty (80) hours of General Leave in hourly increments at the current hourly salary rate.

VII. GENERAL LEAVE AT TERMINATION

- A. An eligible employee whose employment with the City terminates shall be paid for any unused General Leave. Payment for unused General Leave shall be made at the hourly rate of pay in effect for such employee at the time of separation.
- B. When termination is caused by the death of an employee, pay for unused General Leave shall be paid to the beneficiary the employee has designated. Such designation shall be in writing, signed by the employee and filed with the Human Resources Office. In the event an employee has not designated a beneficiary, the payment shall be made to the estate of the employee.

VIII. HOLIDAYS DURING GENERAL LEAVE

When a day designated and observed by the City as a holiday occurs on a day on which an employee is taking General Leave, such employee shall not be charged as using General Leave for that day. The employee's compensation for that day shall be holiday pay.

ATTACHMENT D

RECREATION BENEFITS

- I. Employees and their spouses or registered domestic partners and up to 2 children living in the same household, 18 years of age and under, may use the gym, exercise equipment and aquatic facilities (excluding classes and facility rentals) at the Silliman Community Activity and Family Aquatic Center free of charge.
- II. Employees, their spouses or registered domestic partners, and their children 18 years of age and under, will receive resident rates for class registration and facility rentals.