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RESOLUTION NO. 2014 - 51

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF HUNTINGTON PARK
ADOPTING AN EXTENSION AND REVISED COMPENSATION
PLAN AND PERSONNEL RULES FOR NON-REPRESENTED EMPLOYEES

WHEREAS, on or about November 19, 2012, the City Council of the City of Huntington Park approved Resolution No. 2012-62, which approved a compensation plan and other benefits set forth in the Compensation Plan and Personnel Rules for Non-Represented Employees, effective November 19, 2012 through June 30, 2014 ("2012 Plan"); and

WHEREAS, the 2012 Plan specifies the City Manager may grant Vacation Leave Cash-Out in lieu of allowing a Non-Represented employee to take earned vacation leave if it will cause the affected employee to exceed his or her vacation cap.

WHEREAS, the City Council of the City of Huntington Park desires to extend the life of the 2012 Plan after making the following amendments:

- A. Revise the dates on the cover page to read: July 1, 2014 through June 30, 2015.
- B. Replace Subpart I of Article Five, Section II, under the heading "Vacation Cash-Out in Lieu of Granting Vacation" with the following:

Where a Non-Represented employee will otherwise exceed the cap on accrued vacation leave time, the City Manager may grant Vacation Cash Out in lieu of vacation time in case of any circumstance or conditions where in the judgment of the City Manager justifies such action. The City Manager may grant this option up to six months after the Non-Represented employee exceeds his or her vacation cap without any loss of accrued time where the employee was serving in an acting capacity, performed substantial job duties outside of his or

1 her class specification for at least six months, and a shortage of staff in his or
2 her department resulted in the Non-Represented employee being unable to
3 take vacation.

4 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY**
5 **OF HUNTINGTON PARK AS FOLLOWS:**

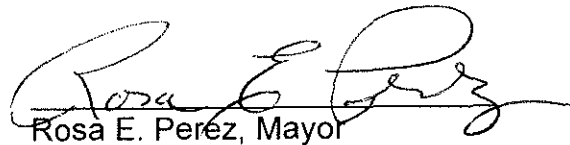
6 **SECTION 1.** The foregoing statements are true and correct.

7
8 **SECTION 2.** The City Council of the City of Huntington Park hereby approves the
9 attached Compensation Plan and Personnel Rules for Non-Represented Employees for the
10 period July 1, 2014 through June 30, 2015, incorporated herein by reference.

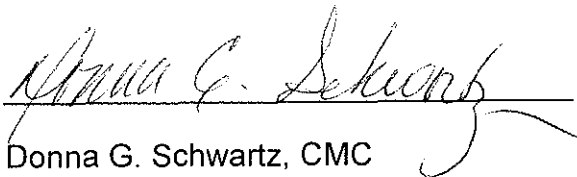
11 **SECTION 3.** This Compensation Plan and Personnel Rules for Non-Represented
12 Employees is effective immediately and shall apply retroactively to July 1, 2014.

13 The City Clerk shall certify to the adoption of this Resolution.

14 **PASSED, APPROVED AND ADOPTED** by the City Council of the City of
15 Huntington Park at its meeting on this 3rd day of November, 2014.

16
17
18 
19 Rosa E. Perez, Mayor

20 ATTEST:

21
22
23 
24 Donna G. Schwartz, CMC
25 Interim City Clerk

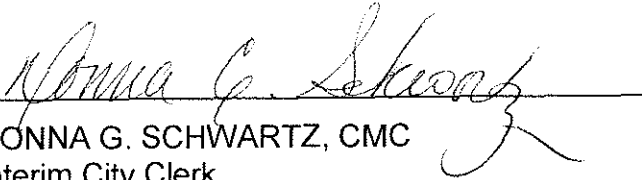
CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF HUNTINGTON PARK)

I, Donna G. Schwartz, Interim City Clerk of the City of Huntington Park, hereby certify that the foregoing Resolution No. 2014-51 was passed and adopted by the City Council of the City of Huntington Park, signed by the Mayor and attested by the Interim City Clerk at a regular meeting of said Council held on the 3rd day of November, 2014, and that said Resolution was adopted by the following vote, to-wit:

AYES: Council Member(s): Amezquita, Gomes, Hernandez, Vice Mayor
Macias, and Mayor Perez
NOES: Council Member(s): None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Huntington Park, this 5th day of November 2014.


DONNA G. SCHWARTZ, CMC
Interim City Clerk



COMPENSATION PLAN
and
PERSONNEL RULES
for
NON-REPRESENTED
Employees

- ◆ CONFIDENTIAL EMPLOYEES
- ◆ MID-MANAGEMENT/PROFESSIONAL EMPLOYEES
- ◆ EXECUTIVE/MANAGEMENT EMPLOYEES

July 1, 2014 through June 30, 2015

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**COMPENSATION PLAN AND PERSONNEL RULES
FOR**

**CITY OF HUNTINGTON PARK, CALIFORNIA
NON-REPRESENTED EMPLOYEES (NON-REP)**

- **CONFIDENTIAL EMPLOYEES**
- **MID-MANAGEMENT/PROFESSIONAL EMPLOYEES**
- **EXECUTIVE MANAGEMENT EMPLOYEES**

ARTICLE ONE:

I. EMPLOYEES IN COMPENSATION PLAN

This Compensation Plan and Personnel Rules, hereinafter called the “PLAN” is made by the City of Huntington Park, California, hereinafter called the “City” for all full-time, salaried, Non-Represented employees of the City. These Non-Represented employees include all employees in the Confidential, Mid-Management, and Executive/Management Units.

II. RECOGNITION FULL-TIME NON-REPRESENTED CLASSIFICATIONS

The employee classifications in the Non-Represented Confidential, Mid-Management, and Executive/Management Units are set forth in “Appendix “A”.

III. RECOGNITION PART-TIME ‘HOURLY’ CLASSIFICATIONS

The employee classifications in the Non-Represented Part-Time hourly Units are listed in Appendix “A”.

IV. CERTAIN NON-REP CLASSES – EXEMPT

All Non-Represented full-time salaried employees are considered to be “At-Will” employees and Exempt from Civil Service status except as noted in Appendix “A”.

V. NON-REPRESENTED CONTRACT EMPLOYEES

There are certain Non-Represented classes who have a written employment contract approved by City Council which covers their specific wages, hours, terms and conditions of employment. This Compensation Plan and Personnel Rules for Non-Represented employees does not specifically apply to these Non-Represented contract employees unless it is so stipulated in their contract approved by the City Council.

VI. PART-TIME “HOURLY” CLASSIFICATIONS

A. PART-TIME CLASSES

The part-time hourly classifications are set forth in Appendix “B” are considered to be “At-Will” employees and Exempt from Civil Service status.

B. LIMITATIONS

Part-time hourly employees receive only hourly wages and none of the benefits set forth in this Compensation Plan unless specifically recognized and acknowledged in writing in this document.

ARTICLE TWO:

SALARIES AND COMPENSATION

I. FIVE STEP SALARY SCHEDULE (See Appendix “B”)

Step 1

- a) Shall be the entry level step for new Non-Represented employees in all classifications unless otherwise another step is approved by the City Manager.
- b) The City Manager may appoint a Non-Represented employee to the maximum salary for the class if he/she determines that the candidate is exceptionally qualified or there has been difficulty in recruiting.
- c) A Non-Represented employee must serve at least six (6) months of satisfactory job performance in Step 1 to be eligible to advance to Step 2.

Step 2

A Non-Represented employee should receive this step after the completion of six (6) months of satisfactory job performance in Step 1 in the same classification.

Step 3

Should be considered the proper step for a Non-Represented employee who has completed one (1) year of service with satisfactory job performance in Step 2 in the same classification.

Step 4

Should be considered the proper step for a Non-Represented employee who has completed one (1) year of service with satisfactory job performance in Step 3 in the same classification.

Step 5

Should be considered the proper step for a Non-Represented employee who has completed one (1) year of service with satisfactory job performance in Step 4 in the same classification.

II. CITY’S RIGHT TO INCREASE SALARIES – RECLASSIFICATION STUDY

The City shall not be restricted in its ability to increase any of those salaries for Non-Represented employees as a result of reclassification study or if a determination is made by the City that it is not possible to recruit effectively or competitively for a Non-Represented classification. No such salary increases are mandated.

III. COST OF LIVING ADJUSTMENT (“COLA”) IN LIEU LEAVE.

The City may credit each full-time Non-Represented employee with up to 100 hours of COLA in Lieu Leave each fiscal year. COLA in Lieu Leave cannot be taken if overtime will be required to backfill an employee’s position. COLA in Lieu Leave cannot be cashed out and will be on a “use it or lose it” basis to be used by the end of the day on the last pay period of the fiscal year. Any unused portion of the one hundred (100.00) hours of COLA in Lieu Leave will be lost by the employee if it is not utilized prior to the end of the day of the last pay period of the fiscal year. In an effort to minimize any loss of unused COLA in Lieu, employees should begin, no later than ninety (90) days prior to the expiration of any unused leave, consulting with department supervision and management in an effort to schedule use of remaining leave prior to the expiration date of any unused COLA in Lieu Leave. COLA in Lieu Leave may be used or substituted for Holiday Leave time or Vacation Leave time. Moreover, the City is not be restricted in its ability to provide any amount of salary increases as a cost of living adjustment in lieu of the 100 hours of COLA in Lieu Leave.

IV. TEMPORARY AND PART-TIME EMPLOYEE – BEGINNING HOURLY COMPENSATION AND STEP INCREASES

A. POLICY

1. Employees who are employed on a temporary basis for ninety (90) days or less and employees who are employed on a part-time or hourly basis shall be compensated at a hourly rate equivalent to the range and step to which assigned.
2. Unless otherwise designated, all such hourly employees shall be employed at the minimum step of the range assigned.

B. ELIGIBILITY

1. Employees temporarily employed for more than ninety (90) days on a full-time basis shall be compensated for their services at the rate designated for regular full-time employees in the same classification, and they shall be eligible for salary increases in the same manner as regular full-time salaried employees.

C. STEP INCREASE

1. Employees temporarily employed or regularly employed on a recurring, seasonal basis and who complete at least five hundred twenty (520) hours (three months) of continuous full-time employment in each calendar year shall be allowed credit on a prorated basis toward regular step increases.
2. Such credit will be acquired in the same proportion as the actual time worked by such temporary or seasonal employee compared to the time worked by regular forty (40) hours per week full-time salaried employees, but said credit shall in no case exceed that earned by a regular full-time salaried employee on a forty (40) hour per week basis, subject to provision set forth in this section.

V. STEP INCREASES – BASED ON MERIT

A. NOT AUTOMATIC

No step increase in salary shall be automatic merely upon completion of a specific period of service.

B. BASED ON MERIT

All increases shall be based on merit as established by record of the employee's job performance with at least a satisfactory job performance rating.

VI. PROBATIONARY PERIOD

A. LENGTH OF PROBATIONARY PERIOD

1. All Non-Represented employees exempt from Civil Service status shall serve a probationary period of twelve (12) full calendar months.
2. The probationary period may be extended by the approval of the Non-Represented employee's Department Head and City Manager for the length of time of the total approved leave time taken (paid leave time or protected non-pay leave time) taken during the Non-Represented employee with Civil Service status employee's probationary period.

B. "AT WILL" STATUS

1. During the probationary period, a Non-Represented employee with Civil Service status serves as an "at will" status and may be dismissed with or without cause and with or without notice.
2. If a promoted Non-Represented employee with Civil Service status fails their probationary period, they shall return to their former classification they held as permanent employee prior to the promotion, unless he/she is dismissed from the City service in the manner provided in Ordinance No. 1456 and the personnel rules and regulations.

C. PROMOTIONS

Promoted Non-Represented employee with Civil Service status will serve a six (6) month probationary period.

VII. ADJUSTMENT TO SALARY RANGE OR CLASSIFICATION

A. REDUCTION OF SALARY RANGE

In the event the salary range assigned to any classification is reduced, all Non-Represented employees within such classification shall be reassigned to a classification in such lower range which most nearly corresponds to the salary being received by such Non-Represented employee at the time such range is reduced.

B. INCREASE OF SALARY RANGE OR CLASSIFICATION

In the event the salary range assigned to any classification is increased, all Non-Represented employees within such classification will be reassigned to the step to which such Non-Represented employee was assigned immediately prior to such increase.

C. TRANSFER OR DEMOTION TO CLASSIFICATION WITH LOWER SALARY RANGE

1. Any Non-Represented employee with Civil Service status employee voluntarily transferred or demoted to a classification where a lower salary range is assigned shall be placed at a salary step within the lower salary range which is closest to the Non-Represented employee salary step immediately prior to such voluntary transfer or demotion.
2. Upon such transfer or demotion, such Non-Represented employee shall be entitled to annual increases as authorized for their new classification as a salaried full-time employee.

D. TRANSFER OR PROMOTION TO CLASSIFICATION WITH HIGHER SALARY RANGE

1. Any Non-Represented employee receiving promotion to a higher classification to which a higher salary range is assigned shall receive compensation at the step within the assigned range which will result in at least a one-step increase in salary over that being received by such employee immediately prior to such promotion, or to the lowest step in the salary range of such higher classification, whichever results in a greater increase.
2. After promotion to a higher classification, or transfer to a classification to which a higher salary range is assigned, such Non-Represented employee will be eligible for regular step increase for their new classification.

VIII. ANNIVERSARY DATE

A. DATE OF INITIAL HIRE

1. For all purposes, except eligibility for salary increases, a Non-Represented employee's anniversary date shall be the date of initial hire with the City as a salaried full-time employee.
2. In cases of re-employment, the anniversary date shall be the effective date of re-employment as a salaried full-time employee less the time the Non-Represented employee was on approved Leave of Absence.

B. LIMITATIONS

Salary range adjustments for a classification will not set a new salary anniversary date for Non-Represented employees serving in that classification.

IX. EQUIVALENT BI-WEEKLY, MONTHLY AND ANNUAL RATE

1. Equivalent bi-weekly pay rate shall be determined by multiplying the hourly rate by eighty (80) hours.
2. Equivalent annual pay rate shall be determined by multiplying the hourly rate by two-thousand eighty (2080) hours.
3. Equivalent monthly pay rate shall be determined by dividing the annual rate by twelve (12) months.

X. FREQUENCY OF PAYCHECK ISSUANCE

Current Non-Represented employees shall be paid bi-weekly, once every two (2) weeks, either by paycheck or by direct deposit, as elected by the Non-Represented employee.

XI. PAYROLL WITHHOLDING CHANGES

1. Non-Represented employee must submit any changes in payroll withholdings at least thirty (30) calendar days in advance of the implementation or said withholdings.
2. If a Non-Represented employee, due to an emergency situation, requests to have withholding to be effective in less than thirty (30) calendar days, they may appeal to the City's Personnel Supervisor who may grant or deny employees request.

XII. VOLUNTARY 457 DEFERRED COMPENSATION PLAN

A. VOLUNTARY 457 DEFERRED COMPENSATION PLAN

1. City agrees to provide a deferred compensation plan for Non-Represented employees covered herein pursuant to IRS Code Section 457.
2. If more than one plan is offered, Non-Represented employees shall be limited to participation in one (1) plan at a time.

B. PLAN DOCUMENTS AND RULES

Plan documents and participation rules under Section 457 are maintained by and available from the Human Resources Division.

C. CHANGING YOUR CONTRIBUTION

Non-Represented employees may reduce or increase the amount of their bi-weekly deferred compensation contribution at any time with advance written notice on the appropriate form to the Human Resources Division.

D. LIMITATIONS

The City does not warrant that amounts deposited in the deferred compensation plans are "qualified" for tax deferral and is not to be held liable for such tax payments as may be determined assessable.

XIII. ACTING PAY

A. ELIGIBILITY

1. Any Non-Represented employee who is required in writing to, and does act and perform duties included within a unfilled or temporary vacant higher classification and which duties are broader than the specifications governing such employee's position shall be eligible for acting pay upon written approval by corresponding department head and the City Manager.
2. To be eligible, the Non-Represented employee must have actually worked in the acting higher classification a minimum of five (5) consecutive days scheduled workdays, including official paid holidays.
3. To be eligible, the Non-Represented employee who is a supervisor must actually work in the acting classification a minimum of seven (7) consecutive scheduled work days or fifty-six (56) consecutive scheduled working hours, including paid holidays.

B. COMPENSATION

1. A Non-Represented employee approved for acting pay:
 - Shall be paid the hourly rate for the acting classification which is a minimum of five percent (5%) above the current base salary of the employee's permanent position, or Step "1" of the acting classification whichever is greater; and
 - Shall in no instance be entitled to be paid more than Step "5" of the acting classification.
2. During that period of acting service, a Non-Represented employee shall be paid at the acting pay rate when off on an official City holiday or sick leave, and
3. A Non-Represented employee working overtime or called back during an acting assignment shall be paid at the acting pay rate for such time.
4. A Non-Represented employee receiving acting pay as set forth above shall continue to receive the benefits associated with his/her permanent position and not the benefits associated with the acting position.

C. LIMITATIONS

1. The City strongly encourages departments not to use acting pay longer than a six (6) months assignment unless extension is approved in writing by both the Department Head and City Manager.
2. Acting assignments are not provisional appointments.

XIV. LONGEVITY PAY

A. PURPOSE

The purpose of the Longevity Pay is to recognize Non-Represented employees who have served a minimum of twenty (20) years of full time salaried service time with the City of Huntington Park.

B. COMPENSATION

Eligible Non-Represented employees in their respective classification shall receive the following additional longevity compensation above their base top salary per month:

1. Effective July 1, 2009 all eligible Non-Represented employees with twenty (20) years (completion of 239 consecutive months of City service) of full-time City service shall receive **\$225 per month** above their base top salary.
2. Effective July 1, 2009 all eligible Non-Represented employees with twenty-five (25) years (completion of 299 consecutive months of City service) of full-time City service would receive **\$450 per month** above their base top salary.
3. For purposes of this section, “consecutive months of City service” shall mean completion of consecutive months of uninterrupted employment status with the City as a full-time employee providing service to the City. Notwithstanding the foregoing, authorized leaves and/or absences (whether paid or unpaid) or layoffs constitute a permissible break or interruption of service for purposes of determining eligibility for longevity compensation.

XV. BILINGUAL PROGRAM

A. PURPOSE

1. Non-Represented employees that deal with the public and are in designated classes eligible to serve as a bilingual translator must pass a test given by the City to qualify.
2. The purpose of the Bilingual Program is to provide linguistic assistance for non-English speaking person(s) who represent a large segment of the community.
3. The service is provided through certain selected Non-Represented employees who have been certified as proficient in a designated foreign language which is regularly utilized in providing services to the community.

B. QUALIFICATION

1. The Human Resources Division will conduct the proficiency tests, as needed, in designated language as set forth in “A” above.
2. The Human Resources Division will then certify an eligible list of qualified bilingual translators who work in designated eligible bi-lingual classifications and are so certified to perform technical bilingual skills including reading, writing, and translation.

C. COMPENSATION

Eligible certified Non-Represented employees shall receive compensation in the amount of One-Hundred Seventy-Five (\$175.00) dollars per month above their base salary.

XVI. SHORTHAND SKILL ASSIGNMENT PAY

A. PURPOSE

1. The purpose of the Shorthand Skill assignment pay is to provide qualified Non-Represented employees with compensation in recognition of their shorthand required as an essential function of their job.
2. This service is provided by certain qualified Non-Represented employees who have been certified as proficient in shorthand skills of which skill is regularly utilized in the completion of their duties.

B. QUALIFICATION

1. The Human Resources Division will conduct shorthand proficiency tests.
2. The Human Resources Division will then certify an eligible list of qualified Non-Represented employees so certified in shorthand skills.

C. COMPENSATION

Non-Represented employees certified in shorthand skills and assigned in writing to a position requiring shorthand skills as designated by their Department Head shall receive ten percent (10%) above their current regular hourly rate.

XVII. MINUTE CLERKS

1. Non-Represented employees who are assigned and required to attend meetings of the City Council, or various commissions of the City, as “Minute Clerk” during their normal off duty hours shall be compensated.
2. Such compensation shall be for at least two (2) hours overtime pay at time and one-half (1.5) their hourly rate of pay.

XVIII. TEMPORARY ASSIGNMENTS

Temporary assignments:

- Are not a separate job classification,
- Do not have civil service status,
- Are not subject to civil service selection procedures, appeals or seniority,
- Do not have any property rights, and
- May be revoked by Management at any time for job related reasons or operational necessity.

ARTICLE THREE:

WORK PERIODS, SCHEDULES AND OVERTIME

I. WORK PERIODS

A. SEVEN (7) DAY WORKWEEK

The workweek for Non-Represented employees who are Non-Exempt from the Fair Labor Standards Act (FLSA), shall be fixed and regularly recurring period of time consisting of one-hundred and sixty-eight (168) consecutive hours consisting of seven (7) consecutive twenty-four (24) hour periods.

B. SEVEN (7) DAY WORKWEEK FOR EMPLOYEES BEGINNING/ENDING

The seven (7) day workweek shall begin on Monday at 12:00 a.m. and end on Sunday at 11:59:59 p.m. except as modified by meeting and conferring with GEA.

C. SEVEN (7) DAY WORKWEEK FOR EMPLOYEES ON THE 9/80 WORK SCHEDULE, BEGINNING/ENDING

The seven (7) day work period shall begin on Friday at 12:00 p.m. and end on Friday at 11:59:59 a.m. except as modified by meeting and conferring with GEA.

II. WORK SCHEDULES

A. CITY WORK SCHEDULES

City work schedules shall be as herein defined, except as otherwise provided:

5/40 Work Schedule: The 5/40 work schedule shall consist of five work days consisting of eight (8) consecutive work hours in a seven (7) consecutive calendar day period, exclusive of any meal periods assigned by management.

4/10 Work Schedule: The 4/10 work schedule shall consist of four work days consisting of ten (10) consecutive work hours in a seven (7) consecutive calendar day period, exclusive of any meal periods assigned by management.

9/80 Work Schedule: The 9/80 work schedule shall consist of an eighty (80) work hour two week schedule consisting of eight (8) nine (9) hour days and one eight (8) hour working day in a eighty (80) work hour work period in fourteen (14) consecutive calendar days. This schedule shall be divided into two forty (40) work hour work periods segments exclusive of any meal periods assigned by management.

III. WORK SCHEDULES – CITY HALL OPENED MONDAY THROUGH FRIDAY

A. 4/10 WORK SCHEDULE

It is understood by the Non-Represented employees that City Hall will be opened on Fridays, effective September 2008, while employees maintain a 4/10 work schedule (Monday-Thursday or Tuesday-Friday Shift) except employees who work 9/80 or other work schedules mutually agreed upon by the parties.

B. PUBLIC WORKS DEPARTMENT – 9/80 WORK SCHEDULE

Effective September, 2008, the Public Works Department will implement a 9/80 work schedule for its employees.

IV. CHANGING OF WORK SCHEDULES

NOTICE TO EMPLOYEES

This shall not preclude, following notification to Non-Represented employees, other work schedules or the changing of the work schedule when the needs of the City so dictate, such as conformance to operational needs of the department or compliance with law.

V. PUNCTUALITY/TARDINESS

A. POLICY

It is a job requirement for all City employees to report to work at their required work schedule starting time. Lack of punctuality has a negative impact on City's work productivity and therefore tardiness shall not be tolerated.

B. NO PAY FOR TARDINESS

Any unapproved tardiness time that is seven (7) minutes or more from the City employee assigned work starting time shall not be paid and therefore shall be "Docked" for the time so tardy..

C. NO USE OF SICK LEAVE TIME BENEFITS

City employees who are "Docked" any time for unapproved tardiness may not use any accumulated sick leave benefits to cover tardy unpaid time unless approved by the department head or their designee.

D. DISCIPLINARY ACTION

If any City employee who is continually tardy (two or more times), as defined in this section, including one (1) minute or more late for his/hers work starting time

on a continuous basis, the department head has the right to take appropriate disciplinary action on the tardy Non-Represented employee.

VI. OVERTIME

A. POLICY

It is policy of the City that overtime work is to be discouraged. All overtime work must be approved in advance by the department head or designee. Whenever the public interest or necessity requires it, any department head may require any Non-Represented employee in such department to perform overtime work. Overtime work must be properly reported on the appropriate time card sheets.

B. DEFINITION AND ELIGIBILITY

FULL TIME NON-REPRESENTED EMPLOYEES

Non-Represented employees, except all classes that are Executive/Management or contract employees not eligible for over-time, who work a minimum of eight (8) hours per day and forty (40) hours per seven-day work period, who are required to work in excess of their regularly scheduled forty (40) hour work week, shall be paid overtime at one and one-half (1 ½) times their hourly rate for all hours worked in their work period in excess of forty (40) hours, except as otherwise provided in this article.

C. PAID LEAVE OF ABSENCE TIME INCLUDED IN WORK TIME

Each workday a Non-Represented employee is off duty on an authorized paid leave of absence; i.e. holiday, vacation leave, comp time, except for sick leave, during the scheduled workweek shall be considered work time by the Non-Represented employee for the purpose of establishing eligibility for overtime in the seven (7) day work period.

D. REGULAR DAY OFF WORKED

Non-Represented employees, except all classes that are Executive/Management, or contract employees, not eligible for overtime, required to work on a regularly scheduled day off shall receive overtime pay at one and one-half (1.5) times their regular rate of pay for hours actually worked. The hours so worked shall not be credited towards the base hours of a work period for purposes of establishing any basis for overtime or other purposes.

E. REGULAR HOURLY RATE OF COMPENSATION

The regular hourly rate of compensation for employees on a forty (40) hour week work schedule shall be 1/173.33 of the employee's monthly salary. The regular hourly rate of compensation shall be determined in accordance with the requirements set forth in the Fair Labor Standards Act (FLSA).

F. 9/80 WORK SCHEDULE TIME WORKED

Overtime for Non-Represented employees on a 9/80 work week schedule is time worked in excess of forty-four (44) paid hours in a 7 day work week period or eighty (80) paid hours worked in a 14 day work period as set forth in this agreement.

G. HOURS WORKED FOR OVERTIME – USE OF HOLIDAYS, VACATION TIME, AND COMPENSATORY TIME

1. For the purpose of computing the number of hours worked as they relate to overtime and seniority, time during which a Non-Represented employee is excused from work because of holidays, vacations, and compensatory time off, shall be considered as time worked by the Non-Represented employee.
2. Sick Leave taken shall not be credited as work time towards number of hours worked by the Non-Represented employee for the purpose of overtime.

VII. WORK TIME/NON-WORK TIME – OUT OF TOWN TRAVEL AND TRAINING TIME

A. ADVANCED APPROVAL

All out-of-town trips and training time, including attendance at lectures, meetings, training programs and similar events, must be approved in advance by the department head.

B. ONE DAY TRAVEL TRIPS

One-Day travel time trips for training programs is not counted as time worked, if a Non-Represented employee is traveling to another location such as the airport and travel time is comparable to the normal commute time. Any meal period while traveling is not time worked.

C. OVERNIGHT TRIPS

1. On Overnight Trips the Non-Represented employee's normal hours of work shall exclude meal time and sleep time. The City may count as time worked either the time spent driving or the time it would have taken on the public transportation, if the employee is offered public transportation and chooses to travel by automobile.
2. Any trip or training time is not treated as time worked if all of the following criteria are met:
 - a) Attendance is outside the employee's normal working hours;
 - b) Attendance is voluntary;
 - c) The training course is not directly related to the employee's job; and
 - d) The employee does not perform any significant job related work while in attendance.
3. If a Non-Represented employee voluntarily attends a conference, seminar, a school, college, university, or trade school after hours, the time is not considered as time worked even if the City contributes any incidental expenses. A Non-Represented employee's voluntary training for another job or training to add new or additional skills is not considered as directly related to the Non-Represented employee's job.

VIII. BREAK-REST PERIODS WITH PAY FOR EMPLOYEES

A. BREAK-REST PERIOD DEFINED

Break-rest periods must be earned as any other benefit and are computed at the rate of fifteen (15) minutes per four (4) hours worked or major fraction thereof.

B. BREAK-REST PERIOD SCHEDULING

1. Break-rest periods are scheduled and/or rescheduled by management so as not to impair service and as job requirements dictate.
2. Non-Represented employees may receive, whenever possible:
 - Two (2) paid break-rest periods of fifteen (15) minutes each for each scheduled work day actually worked; and
 - One (1) paid break-rest period of fifteen (15) minutes for each four (4) consecutive hours of overtime worked.

C. BREAK-REST PERIOD FIFTEEN (15) MINUTE DURATION

The duration of a break-rest period shall consist of fifteen (15) minutes of cessation of work and will include time involved in going to and from a rest area unless otherwise authorized by this agreement.

D. LIMITATIONS

1. Break-rest periods are non-cumulative and shall not be added to any meal time, vacation, or any other form of authorized absence from work, unless authorized by Management.
2. Break-rest periods may not be used at the beginning or the end of a work shift unless authorized by Management.

IX. MEAL TIME-UNPAID/NON-WORK TIME

A. MEAL TIME SCHEDULING

1. The schedule for meal times shall be determined by management in consideration of the continuity of services provided to the public and the convenience of the Non-Represented employee.
2. All Non-Represented employees, shall be entitled to one (1) non-working, unpaid meal time per scheduled work day of eight (8) or more consecutive hours worked.

B. MEAL TIME ONE-HALF (1/2) HOUR DURATION

1. The normal unpaid meal time shall be one-half (1/2) hour in duration.
2. In no case will meal time be permitted to exceed one (1) hour, unless approved by management.

C. LIMITATIONS

1. Meal time is non-cumulative and shall not be added to any break-rest time, vacation, or any other form of authorized absence from work, unless authorized by Management.
2. Meal time may not be used at the beginning or the end of a work shift unless authorized by Management.
3. All meal time taken is considered non-work time and is unpaid.

X. CALL BACK PAY (UNSCHEDULED) – CONFIDENTIAL EMPLOYEES ONLY

A. PURPOSE

1. Call-back work is unscheduled time worked performed by an off-duty Non-Represented Confidential employee called-back to work after they have completed their regular work schedule and have left the work area or are on their day off.
2. Such assignments or call backs shall include emergency purposes or required attendance at meetings of the City Council, Commissions, Committees or other official bodies as approved by the City Manager.
3. The City shall, when possible, make available to qualified Non-Represented Confidential employees an equitable distribution of call-back pay within their assigned section.

B. COMPENSATION

Non-Represented Confidential employees eligible for Call Back Pay as set forth in this section shall receive a minimum guarantee of four (4) hours of straight pay at the Non-Represented Confidential employee's regular hourly rate of pay or convert four (4) hours of straight time to Non-Represented Confidential employees Compensatory Time Bank.

C. LIMITATIONS

1. The four (4) hour minimum shall not apply when a Non-Represented Confidential employee is called in early before the start of their regular assigned shift and the call-back is contiguous with the Non-Represented employee regular work shift.
2. Another call back during the original or initial four (4) hour period shall not be treated as a new call back and shall not require a new four (4) hour minimum and all subsequent call back, shall be for actual hours worked plus reasonable travel time. In this event, the Non-Represented Confidential employee shall be paid for the actual time worked.

XI. ASSIGNMENT OF OVERTIME

Except as otherwise provided for in this document, Management retains the right to determine the assignment of overtime or stand-by to any qualified Non-Represented employee by eligibility and seniority.

XII. COMPENSATORY TIME

A. ELIGIBILITY

Non-Represented employees, except Executive/Management employees, may elect to receive compensatory time in-lieu of overtime payment.

B. ACCUMULATION OF COMPENSATORY TIME BANK

1. Compensatory time will be accumulated on the basis of one-and-one-half (1 ½) hours for each one (1) hours worked in excess of the scheduled workday or workweek.
2. The maximum number of compensatory hours that may be accumulated is forty (40) hours at the straight time hourly rate (26.6 comp time hours x 1.5 = 40 hours), which may be carried until the end of the fiscal year and used as time off, or which may be paid to the Non-Represented employee upon separation from service for any reason.
2. Once the maximum has been accumulated, any additional compensatory overtime accrual submitted through payroll will be automatically paid to the Non-Represented employee on the succeeding paycheck.
3. For time earned from July 1 through June 30 of each Fiscal Year, the unused balances of Compensatory Time Bank will be paid during the last pay period in June of the same Fiscal Year to the Non-Represented employees at the employee's regular hourly rate of pay in effect at the time of payment and the bank shall be reduced to zero (0).

C. SCHEDULING AND USE OF COMPENSATORY TIME

1. The scheduling of compensatory time off shall be handled as the scheduling of vacation time off.
2. Accumulated compensatory time may be utilized on a hour for hour basis at the mutual convenience of management and the Non-Represented employee.
3. All compensatory time utilized as paid leave by a Non-Represented employee shall be debited from the Non-Represented employee's compensatory time bank.

D. PAY OUT OF COMPENSATORY TIME UPON TERMINATION FROM SERVICE

In the event of termination from the City for any reason, the Non-Represented employee shall be entitled to cash payment of one-hundred percent (100%) of an accumulated unused compensatory time if any, at termination paid straight time at the Non-Represented employee's regular hourly rate of pay.

XIII. TIME CLOCKS

If Non-Represented employees are required to use time clocks, all their time worked should be recorded by the use of time clock in accordance with established rules. Department heads shall be responsible for instructing their Non-Represented employees in the proper use of time clocks.

ARTICLE FOUR:
SUPPLEMENTAL BENEFITS

I. RETIREMENT

A. CalPERS RETIREMENT BENEFITS

The City agrees to provide retirement benefits to eligible Non-Represented employees hired prior to ratification of this contract under the California Public Employees' Retirement System (CalPERS) as follows:

Government Code Section	Benefit
20042	<u>One Year Final Compensation:</u> Final compensation is the average full-time monthly pay rate for the highest twelve (12) consecutive months.
20055	<u>Prior Service Credit:</u> Non-Represented employees may be eligible to purchase prior service credit.
20124	<u>Military Service Credit as Public Service:</u> Non-Represented employees may elect to purchase up to four (4) years of service credit.
20965	<u>Credit for Unused Sick Leave:</u> Non-Represented employees may be eligible to convert unused sick leave bank hours at time of retirement to additional service time.
21329	<u>Two percent (2%) COLA:</u> Beginning the 2 nd calendar year after the year of retirement, retirement and survivor allowances will be adjusted annually on a compound basis of two percent (2%); the adjustment may not be greater than the change in the CPI.
21354	<u>2% @ 55 for Local Miscellaneous Members:</u> Base retirement plan of two percent (2%) at age 55 for all eligible Non-Represented employees.
21551	<u>Death Benefit Continues:</u> Provides that death benefits paid to a spouse of a member who died prior to retirement will continue in full should the spouse remarry.
21574	<u>Fourth Level of 1959 Survivor Benefit:</u> Benefits are paid monthly to certain survivors of a Non-Represented employee who dies before retirement.
21620	<u>Retired Death Benefit \$500:</u> Upon the death of a retiree, a one-time lump sum payment of five-hundred dollars (\$500) will be paid to the retiree's designated survivor(s), or to the retiree's estate.
21624 and 21626	<u>Post Retirement Survivor Allowance:</u> Provides surviving spouse fifty percent (50%) of the amount of retirement allowance, dependent on option chosen, as it was at time of death of retiree.

B. ESTABLISHMENT OF TWO-TIER RETIREMENT FORMULA FOR MISCELLANEOUS EMPLOYEES

1. New Miscellaneous (non-sworn) employees hired on or after December 15, 2012, will be enrolled in the base retirement program 2%@60 for Miscellaneous Members formula. All other retirement benefits outlined in Section A above shall remain the same. For purposes of this section, "New Miscellaneous (non-sworn) employees" means a newly hired employee from outside the city.

C. EMPLOYEE PORTION OF MISCELLANEOUS (NON-SWORN) OF CALPERS RETIREMENT OVER A TWO (2) YEAR PERIOD

1. Effective the date of ratification of this contract, Miscellaneous employees shall pay 5% of the employee share of CalPERS. The City shall pay the remaining 2% of the employee share of CalPERS until June 30, 2013.
2. Effective July 1, 2013, Miscellaneous employees shall pay an additional 2%, for a total of 7%, of employee share of CalPERS.

D. CITY PAYMENT – EMPLOYEE’S 7% CalPERS RATE

1. Any payment of the Non-Represented employees seven-percent (7%) CalPERS rate by the City or Non-Represented employee, referred to as Employer Paid Member Contribution (EPMC), shall be PERSable and shall be included in any retirement compensation for Non-Represented employees.

II. NON-SWORN – NEW RETIREMENT BENEFIT - PARS “0.5% STACK”

A. NEW ADDITIONAL RETIREMENT BENEFIT

Effective July 1, 2009 for all non-sworn Executive/Management employees and effective July 1, 2010, for all other full-time Non-Represented employees, the City will authorize to provide a new additional retirement benefit referred to as “PARS 0.5% Stack Plan” through the Public Agency Retirement Services (PARS).

B. NON-SWORN NON-REPRESENTED EMPLOYEE PAYMENT SHARE

1. Effective July 1, 2009 for all non-sworn Executive/Management employees and effective July 1, 2010, all non-sworn, full-time Non-Represented employees will pay one and one-half percent (1.5%) of their salary to the City to help pay for the increased cost to the City for the “PARS 0.5% Stack Plan”.
2. All new non-sworn, full-time Non-Represented employees hired on or after July 1, 2010 will pay two percent (2%) of their salary to the City for the first five (5) years of full-time employment with the City to help pay for the increased costs to the City for the “PARS 0.5% Stack Plan”.
3. Upon completion of five (5) years (60 months) of full-time employment with the City, these non-sworn, Non-Represented employees payment to the City for “PARS 0.5% Stack Plan” will be reduced from two percent (2%) to one and one-half percent (1.5%) of their salary.

C. ELIGIBILITY

1. Effective July 1, 2009 for all non-sworn Executive/Management employees and effective July 1, 2010, all non-sworn Non-Represented employees who have worked full-time for the City for at least five (5) years shall be eligible to receive “PARS 0.5% Stack” Retirement Benefits upon their retirement from the City of Huntington Park.

D. LIMITATIONS

1. Effective July 1, 2009 for all non-sworn Executive/Management employees and July 1, 2010, all non-sworn Non-Represented employees who terminated their employment from the City or who have not worked full-time at least five (5) years with the City before they retire from the City shall not be eligible to receive the “PARS 0.5% Stack” Retirement benefit.
2. Any non-sworn Non-Represented employee who terminates their employment with the City “prior” to their retirement shall receive all of their 1.5% salary contribution made for the “PARS 0.5% Stack” benefit plus interest.
3. Eligible non-sworn Non-Represented employee as set forth in this section must retire from the City of Huntington Park to receive the “PARS 0.5% Stack” benefit.

E. CONTINUED MEET AND CONFER REGARDING PARS

Non-Represented and the City agree that during the term of this Agreement, parties shall continue to meet and confer regarding the proposal to change the CalPERS retirement formula, for employees employed by the City before the implementation of the two-tier system, to 2.5% at 55 in lieu of the PARS 0.5% Stack Plan.

III. HEALTH INSURANCE

A. HEALTH INSURANCE – CalPERS MEDICAL PLANS

The City will provide full-time Non-Represented employees, their eligible dependents and retirees and their eligible dependents with medical insurance provided through the California Public Employees' Retirement System under the Medical and Hospital Care Act (PEHMCA).

B. HEALTH INSURANCE – CITY CONTRIBUTION

1. The City shall contribute on behalf of each Non-Represented employee an amount equal to 100% of the cost of the employee's insurance plan (i.e. Employee Only, Employee Plus One Dependent, Employee Plus Two or more Dependents) not to exceed the cost of the respective plan of the Kaiser Permanente (HMO)-Los Angeles Region Plan available through PEMHCA.
2. Effective once during each fiscal year, at the time rate changes are implemented by CalPERS, the City will adjust its monthly contribution for each contribution category (Employee Only, Employee Plus One Dependent, Employee Plus Two or More Dependents) equal to the Kaiser Permanente-California L.A. Region plan CalPERS approved HMO plan.

C. NON-REPRESENTED EMPLOYEE HIRED ON OR BEFORE OCTOBER 4, 2005

A Non-Represented employee hired or appointed on or before October 4, 2005 and who elects Employee Only or Employee Plus One Dependent will receive the taxable cash (Non-PERSable) value of the difference between the employee's current monthly medical premium paid by the City and the monthly premium amount the City would pay if the employee had Employee Plus Two or more Dependents in the Kaiser Permanente (HMO)-Los Angeles Region Plan monthly medical premium.

IV. RETIREE HEALTH INSURANCE

A. ELIGIBILITY

A full-time Non-Represented employee who subsequently retires from the City of Huntington Park and who qualifies as set forth in the following shall receive the following retiree Health Insurance Benefits upon official retirement from the City of Huntington Park.

B. RETIRED HEALTH INSURANCE BENEFIT

1. Effective September 1, 2008, all full-time Non-Represented employees who officially retire from the City of Huntington Park with at least five (5) years of full-time service with the City of Huntington Park, the City shall pay one-hundred percent (100%) of the maximum level of the City's contribution based on the Basic Kaiser Permanente – L.A. Area Region monthly health premium (i.e. Employee Only, Employee Plus One Dependent, Employee Plus Two or More Dependents) for those eligible retired Non-Represented employees under the California Public Employee's Medical and Hospital Care Act or other health insurance and all other form of health insurance for these retired employees and their dependents.
2. Effective January 1, 2011, for retired Non-Represented employees who are eligible for Medicare, the City's contribution shall be solely based upon Kaiser Permanente – L.A. Area Region Supplement/Managed Medicare monthly health premium or the Combination of both Basic (meaning non-Medicare basic medical coverage) and the Kaiser Medicare monthly health premium.
3. These qualifying requirements shall be waived for Non-Represented employees who retire from City service on an Industrial Disability Retirement.

V. HEALTH INSURANCE PREMIUMS – OPT-OUT/CASH OUT OPTION (NON-PERSABLE)

Eligible Non-Represented employees may elect to discontinue participation in, "opt out," of the CalPERS Health Plan medical insurance coverage. The intent of this provision is to share premium savings that the City will incur as a result of a eligible Non-Represented employee canceling City coverage.

A. EMPLOYEE SPOUSES/DEPENDENTS NOT ELIGIBLE FOR OPT-OUT

1. For these medical plans, when a Non-Represented employee is the spouse of another benefited City employee, the affected employees shall have the option of:
 - Individual coverage; or

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- One (1) employee may select a plan and list the spouse as a dependent.
- 2. A Non-Represented employee who is covered as the dependent of a City employee in the City plan is eligible for single-party rate “opt-out” compensation.
- 3. Non-Represented employees may not both insure each other or the same dependents.

B. PROOF OF COVERAGE/WAIVE CITY LIABILITY

1. Eligible Non-Represented employees electing to cancel City health insurance coverage for themselves and all eligible family members must provide proof.
 - a) The Non-Represented employee is not receiving Medicare or Medical
 - b) The Non-Represented employee must sign a document stating his/her desire to waive their City medical insurance coverage.
 - c) The Non-Represented employee has coverage through another (non-City) benefit plan end year prior to open enrollment (e.g., spouse’s coverage through another employer), and must waive any liability to the City for their decision to cease coverage under the City’s health insurance plan.

C. OPT-OUT CASH VALUE (NON-PERSABLE)

1. Non-Represented employees electing to opt out will receive the taxable cash (non-PERSable) value of one-half (½) of the monthly medical premium rate for which the Non-Represented employee would have qualified had the qualified Non-Represented employee not “Opted-Out” payable in two equal amounts and added to the first and the next subsequent paycheck of each month and is non-PERSable compensation.

D. REINSTATEMENT AFTER OPTING OUT

1. Employees and their dependents will only be eligible to reinstate medical coverage during:
 - a) Open enrollments periods;
 - b) Upon loss of coverage in accordance with the underwriting guidelines for CalPERS plans open enrollment periods may be subject to change at the sole discretion of CalPERS.
 - c) The City is not responsible for any such changes.

VI. DENTAL INSURANCE

A. BENEFITS – DELTA CARE/PMI PLAN

1. Benefits – DeltaCare/PMI Plan. The City shall contribute an amount, equal to the DeltaCare/PMI premiums in an amount not to exceed the cost of coverage for an Employee Plus Two or More Dependents, on a monthly basis towards an employee's choice of dental plans made available and administrated by Delta Dental Plan.
2. Effective once during each fiscal year, at the time rate changes are implemented by Delta Care PMI, the City will adjust its monthly contribution for each contribution category (Employee Only, Employee Plus One Dependent, Employee Plus Two or More Dependents) to equal the corresponding Delta Care PMI monthly premium.

B. LIMITATIONS – DELTA PREFERRED OPTION PLAN

Non-Represented employees who choose the Delta Insurance Delta Preferred Option Plan shall pay the difference in monthly premium between the Delta/PMI Plan and Delta Preferred Option Plan.

C. DENTAL INSURANCE BENEFITS – LIMITATIONS

The Dental Insurance coverage shall cease for Non-Represented employees upon termination, including retirement, at the end of the month following that after which the Non-Represented employee terminates from employment with the City.

VII. LIFE INSURANCE

A. BENEFIT

1. The City shall pay the full monthly premium for Non-Represented employees for Term Life Insurance Group coverage of \$100,000.
2. Said Life Insurance benefit shall include coverage for Accidental Death and Dismemberment (AD&D).

B. LIMITATION

This Life Insurance Plan Coverage shall cease upon the Non-Represented employee termination from employment with the City.

VIII. LONG TERM DISABILITY INSURANCE

A. PURPOSE

The City has a Long Term Disability insurance policy intended to augment the annual sick leave accrual and sick leave bank programs and provide certain income protection for Non-Represented employees up to one (1) year.

B. BENEFIT

1. The City shall pay the full monthly premium for the Long Term Disability Insurance Plan Coverage for Non-Represented employees.
2. Long Term Disability may be used for either work or non-work related injuries or illness in accordance with City Policy and the insurance company carriers qualifying rules and regulations.
3. Long Term Disability Insurance benefits shall be paid to eligible Non-Represented employees in accordance with the policies established by the insurance carrier's written policy rules and regulations for qualifying and a thirty (30) calendar day waiting period established by the insurance carrier before benefits can be paid.

C. LIMITATIONS

1. The Non-Represented employee must use all their accumulated annual sick leave and bank hours, and all accumulated sick leave time before being eligible to receiving Long Term Disability benefits.
2. Accumulated sick leave may be used in separate thirty (30) calendar day periods.

3. This Long Term Disability Insurance Plan shall cease upon the Non-Represented employee's termination from employment with the City.

IX. VISION CARE INSURANCE

A. BENEFIT

1. The City shall pay the full monthly premium for Non-Represented employees up to Employee plus Two or more Dependents category for Vision Care Insurance.
2. Effective once during each fiscal year, at the time rate changes are implemented, the City will adjust its monthly contribution for each contribution category (Employee Only, Employee Plus One Dependent, Employee Plus Two or More Dependents) for the vision care insurance monthly premium.
3. The vision care insurance coverage shall cease upon the Non-Represented employee termination from employment with the City.

X. CITY RIGHTS – CONTENT AND CONTRACTOR

The City retains the exclusive right to determine the content and contractors for all insurance plans and other benefits.

XI. TUITION REIMBURSEMENT PROGRAM

A. PURPOSE

The purpose of the City's Educational Tuition Reimbursement Program is to promote and encourage employees to obtain a college level education up to, and including, a Master's or Doctorate's degree. All Non-Represented employees may use the tuition reimbursement program each fiscal year, subject to the conditions of the program set forth in this section.

B. ANNUAL REIMBURSEMENT

1. The maximum amount of the annual reimbursement shall be fifteen hundred (\$1,500) dollars, which shall cover tuition, enrollment fees, required textbooks and other related material;
2. Participation for reimbursement shall be on a first come, first served basis and subject to a twenty-five thousand (\$25,000) dollar city-wide cap;
3. Following the end of a fiscal year, remaining funds in the \$25,000 fund shall be made available to employees who have eligible expenses in excess of the \$1,500 individual limit;
4. To the extent that funds remaining in the pool are insufficient to fund all the supplemental applications, participants shall receive equal reimbursements from the remaining funds in the City-wide Tuition Reimbursement Fund;

C. REQUIREMENTS

1. All courses must be completed at an accredited college, university, junior college, or other institution, as recommended by the Department Head and approved by the City Manager;
2. To be eligible for reimbursement, Non-Represented employees must receive a grade of “C” or better (or “Pass” if the course is given on a “Pass/Fail” basis);
3. Classes must be taken while a Non-Represented employee is off-duty and not during employees scheduled work hours; and,
4. Approval for reimbursement must be obtained from the City Manager prior to the beginning of the class and payment for reimbursement shall be made only after the certified transcript of grades and receipts for payment of tuition fees and other expenses are received by the City.

XII. FITNESS FACILITY

The City shall provide Non-Represented employees access to the City’s Recreation Center for the use of the facilities at no cost to the Non-Represented employee. Any fees or expenses for class registration or special events will be the responsibility of the Non-Represented employee.

XIII. COFFEE SUPPLIES

The coffee and related supplies that is provided for the City Council and the various City Commissions shall also be made available for use by City employees.

ARTICLE FIVE:
LEAVE POLICIES

I. HOLIDAYS

A. ANNUAL HOLIDAY LEAVE

1. Effective July 1, 2002, regular full-time Non-Represented employees shall be compensated a total of one hundred (100) hours of Holiday Leave per fiscal year.
2. For each authorized official paid holiday, the employee will be compensated at their base salary rate not to exceed ten (10) holiday hours for each authorized holiday during each fiscal year.

B. OFFICIAL PAID HOLIDAYS FOR NON-REPRESENTED EMPLOYEES

1. The official paid recognized holidays granted to Non-Represented employees is as follows:
 - (1) New Year's Day (January 1)
 - (2) Martin Luther King's, Jr. Birthday (3rd Monday in January)
 - (3) President's Day (3rd Monday in February)
 - (4) Memorial Day (4th Monday in May)
 - (5) Independence Day (4th of July)
 - (6) Labor Day (1st Monday in September)
 - (7) Veteran's Day (November 11)
 - (8) Thanksgiving Day (4th Thursday in November)
 - (9) Day after Thanksgiving
 - (10) Christmas Day (December 25th)
2. The City Manager or City Council has the right to designate any day or part of a day as a Holiday.

C. USE OF HOLIDAY LEAVE

Non-Represented employees may take his/her unused Holiday Leave Time as approved by the Department Head with due regard to the service needs of the City and the needs of the Non-Represented employee.

D. UNUSED HOLIDAY LEAVE

Non-Represented employees unused Holiday Leave Time shall be lost if not taken prior to the last payperiod of each fiscal year (July-June) and shall not be converted to any form of compensation.

E. OFFICIAL HOLIDAYS OCCURRING ON FRIDAY OR SATURDAY

Holidays that fall on Saturday or Sunday shall be observed on Friday or Monday respectively.

F. OFFICIAL HOLIDAYS OCCURRING ON SCHEDULED DAY OFF

When any official Holiday occurs on a Non-Represented employee's regular scheduled day off, the holiday time for that day shall not be deducted from the Non-Represented employee Holiday Leave Bank and those hours shall become "Floating Holiday" time to be taken off at the approval of the Department Head prior to the end of that fiscal year (June 30).

G. EMPLOYEE REQUIRED TO WORK AN OFFICIAL HOLIDAY

1. When a Non-Represented employee is required to work on an official holiday, all hours worked shall be paid at the Non-Represented employee regular hourly rate; and
2. No Holiday Leave Time shall be deducted from their annual Holiday Leave Bank.

H. HOLIDAYS OCCURRING DURING VACATION PERIOD

Any official holiday time occurring within a Non-Represented employee's vacation period shall be charged as Holiday Leave Time in lieu of Vacation.

I. HOLIDAYS AND SICK LEAVE USE

If a Non-Represented employee is on Annual Sick Leave or taking Sick Leave Bank Leave on the last working day before the holiday **or** immediately after any official holiday, those holiday leave hours [eight (8) for Non-Represented employees on 5/8 work schedule and ten (10) for Non-Represented employees on the 4/10 work schedule] for that holiday shall be forfeited and deducted from their annual Holiday Leave Bank.

J. PAY OFF OF UNUSED HOLIDAY LEAVE OR FLOATING HOLIDAY LEAVE UPON TERMINATION

1. Any Non-Represented employee terminating employment from the City, either voluntary or involuntarily shall have any eligible accrued Holiday Leave Time hours cashed out at the employee current hourly rate of pay.
2. Eligible holiday hours shall mean those holidays in the fiscal year which have already been earned by the terminating Non-Represented employee. (Earned meaning they were employed by City when certain eligible Holidays had occurred.)
3. In the case of any Non-Represented employee whose employment with the City is terminated by death, such payment shall be made to the estate, spouse or beneficiaries entitled to, or in the case of doubt to the beneficiary of records for public retirement, upon approval by City Attorney.

K. DECEMBER 24-CHRISTMAS EVE/DECEMBER 31- NEW YEAR'S EVE

1. If approved by the City Manager, each Non-Represented employee, except those Non-Represented employees determined by the City Manager and Department Heads to provide services for the necessary functions of the department which he/she is employed, shall be permitted to be absent for duty one-half (1/2) of the work shift on December 24 (Christmas Eve) and December 31 (New Year's Eve) or the last working day prior to December 24 and December 31.
2. Only Non-Represented employee actually working on December 24 or December 31 shall be eligible for this leave.
3. Should a Non-Represented employee be on approved leave with pay (holiday leave, vacation leave, or compensatory time, but not sick leave) on December 24 or December 31 and it's a regular assigned work day for them they shall be charged leave time for one-half (1/2) of their work shift for said day.

L. HOLIDAY BUY-BACK INCENTIVE – TUESDAY-FRIDAY CITY HALL WORKSHIFT ONLY

1. Unit employees assigned the 4/10 work scheduled Tuesday through Friday only shall be eligible to participate in a Holiday Leave Buy Back whenever a City recognized Holiday occurs on the non-work day on Monday.

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2. If a City recognized Holiday occurs on Monday the eligible unit employee shall have the following options which must be approved by their Department Head and City Manager.
 - a) Request to have the ten (10) hours of Holiday Time be cashed-out at the employee's base rate; or
 - b) Request to have the ten (10) hours of Holiday Time be deposited at straight time in the unit employee's Compensatory Time Bank but may not exceed the total Compensatory Time Bank of forty (40) hours. The maximum total of Holiday Time Bank at straight time shall be twenty (20) hours per fiscal year; or
3. Keep these hours in the eligible unit employee's Holiday Bank with the understanding that all Holiday Time must be used within the fiscal year the Holiday Time was earned or said Holiday Time will be forfeited.

II. VACATION LEAVE

A. VACATION LEAVE ACCRUAL

1. All Non-Represented employees are eligible to earn vacation leave time.
2. Non-Represented employees shall receive accrue vacation leave time on the fifteenth (15) day of each month.
3. Non-Represented employee shall be entitled to utilize their accumulated vacation leave with pay upon completion of six (6) months of continuous employment with the City and approval by their department head.

B. VACATION LEAVE EARNED

1. Vacation time shall be earned and accrued on the following basis:

YEARS/MONTH EMPLOYED	VACATION EARNED Per month	VACATION EARNED Per Year	*TWICE MAXIMUM VACATION EARNED
0-4 yrs (0-48 months)	9.33 hours per month	112 hours per year	224 Hours
5-9 yrs (49-108 months)	12.66 hours per month	152 hours per year	304 Hours
10 yrs + (109 months + thereafter)	16.66 hours per month	200 hours per year (see B.3 below)	400 Hours

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2. Vacation Leave Time is earned on a continuous service time with the City and is prorated on a monthly basis.
3. *After a Non-Represented employee accrues twice their annual Vacation Leave Time accrual said Non-Represented employee ceases to accrue Vacation Leave. The affected Non-Represented employee, except Executive/Management employees, will only begin accruing vacation Leave again after their vacation Leave balance is less than twice the annual Vacation Leave accrual.

C. NON-REPRESENTED EXECUTIVE/MANAGEMENT

1. After Non-Represented Executive/Management employees accrue twice their annual Vacation Leave Time, the affected employee ceases to accrue Vacation Leave. The affected unit employee will only begin accruing Vacation Leave again after their Vacation Leave balance is less than twice than the annual Vacation Leave accrual.
2. Effective July 1, 2009, all Non-Represented Executive/Management employees who have utilized at least forty (40) hours of Vacation Leave in the past twelve (12) months of the Fiscal Year may with the approval of the City Manager or designee cash-out up to forty (40) hours of accumulated unused Vacation at the employees hourly rate of pay at the end of the Fiscal Year.

D. NON-REPRESENTED PART-TIME/HOURLY EMPLOYEES- VACATION LEAVE BENEFITS

1. Non-Represented employees working on a part-time or hourly basis of less than forty (40) hours per week and who work at least an average of twenty (20) hours per week and at least one-thousand (1,000) hours in any one fiscal year shall be allowed prorated share of vacation allowed forty (40) hour full-time salaried employees as their actual time worked bears to forty (40) hours per week and receive during said vacation accumulation period the same amount of wages or salary that they would have earned had they worked regular hours or time during their vacation period.
2. Part-time employees shall not be granted such vacation credits until after six (6) months of continuous full-time salaried employment or until after one (1) year of continuous one-half part-time (20 hours or more per week) employment.
3. Seasonal or temporary employees who work less than six (6) months of continuous service of less than an average of twenty (20) hours per week in any one year shall not earn vacation credit.

E. APPROVAL OF VACATION LEAVE REQUESTS

The Department Head shall approve Non-Represented employee Vacation Leave request with due regard to the service needs of the City and the personal need of the Non-Represented employee.

F. NO VACATION TAKEN PRIOR TO ACCRUED

1. Non-Represented employees may take only Vacation Leave as they have accumulated at the time the vacation begins.
2. Vacation Leave shall only be approved if the Non-Represented employee has accumulated Vacation Leave Time.

G. LIMITATIONS ON VACATION LEAVE

1. Vacation is charged on the basis of the actual hours the Non-Represented employee is on vacation leave to the nearest one-quarter (0.25) hour.
2. Non-Represented employees do not accrue vacation leave while on unpaid leave in excess of thirty (30) calendar days.
3. A Non-Represented employee who is sick during their vacation leave may charge the period of illness and/or injury to sick leave if available. Verification may be required from a physician.

H. PAYMENT ON TERMINATION, LAYOFF, OR DEATH

1. Terminated or laid off Non-Represented employees will be paid a lump sum of all accrued Vacation Leave Time upon termination at their current hourly rate of pay. Upon death all accrued vacation leave will be paid to the employee's beneficiary, after approval by the City Attorney.
2. At termination of employment the City shall be reimbursed by the Non-Represented employee for any vacation leave taken in excess of their accumulated vacation time Leave Time.
3. Non-Represented employees who are reemployed do not receive service credit for vacation accrual for any period prior to the date of reemployment.

I. VACATION CASH-OUT IN LIEU OF GRANTING VACATION

Where a Non-Represented employee will otherwise exceed the cap on accrued vacation leave time, the City Manager may grant Vacation Cash-Out in lieu of

vacation time in case of any circumstance or conditions where in the judgement of the City Manager justifies such action. The City Manager may grant this option up to six months after the Non-Represented employee exceeds his or her vacation cap without any loss of accrued time where the employee was serving in an acting capacity, performed substantial job duties outside of his or her class specification for at least six months, and a shortage of staff in his or her department resulted in the Non-Represented employee being unable to take vacation.

III. SICK LEAVE

A. PURPOSE OF SICK LEAVE

- 1.** Sick Leave is not a right which a City employee may use at his or her discretion. Sick leave is leave from duty necessitated by illness or injury to the Non-Represented employee or illness or injury of a member of the Non-Represented employee's immediate family requiring the Non-Represented employee's attendance, and medical appointment to the extent that such appointment cannot be scheduled outside the work day.
- 2.** For the purposes of this section, immediate family means employee's spouse or domestic partner, child, step-child, father, mother, step-father, step-mother, father-in-law, mother-in-law, brother, sister, grandfather, grandmother, grandchild, or other individual residing in the same household whose relationship to the Non-Represented employee is that of a dependent.
- 3.** The maximum amount of accrued sick leave that can be used by a Non-Represented employee for use for their immediate family shall be forty-eight (48) hours per fiscal year.
- 4.** All sick leave requires approval by Department Head or designee and such request will not be unreasonably denied.

B. SICK LEAVE ACCRUAL RATE

1. Each eligible Non-Represented employee shall accrue Sick Leave at the rate of eight (8) hours for each month, or major fraction thereof, of continuous City services.
2. The maximum annual Sick Leave accrual shall be ninety-six (96) hours for each year of continuous City service.
3. There is no maximum limit on the amount of total Sick Leave bank a Non-Represented employee may accumulate with the City.
4. A Non-Represented employee shall not accrue sick leave during absences from duty in excess of thirty (30) calendar days by reason of illness, disability or injury on duty, except where such credit is mandated by law.

C. SICK LEAVE ACCRUAL RATE - ELIGIBLE PART-TIME EMPLOYEES

1. Each part-time/hourly employees who work more than twenty (20) hours per week for more than one-thousand forty (1,040) hours per fiscal year will be granted sick leave on a prorated basis based on the number of hours worked per week compared to forty (40) hours.
2. An eligible part-time/hourly employee will receive prorated sick leave credit after three (3) months of continuous service has been completed, and he/she shall, during qualified sick day accrual, earn the same wage or salary earned if he/she had worked the regular hours or time during such sick day accrual.
3. Temporary and seasonal employees are not eligible for sick leave.

D. FIFTY PERCENT (50%) CASH OUT OF ANNUAL ACCUMULATED SICK LEAVE

1. In the last pay period of each fiscal year, one-half (50%) of an employee's unused, accrued sick leave from that fiscal year (48 hours maximum), shall be cashed out by the City at the Non-Represented employee's regular rate of pay in effect on June 30th.
2. Employees shall be paid the cash out in November each year.
3. The remaining one-half (50%) of a Non-Represented employee's unused, accrued Sick Leave from the fiscal year (not to exceed forty-eight (48) hours) shall be added to the Non-Represented employees Sick Leave Bank.
4. With the exception of the annual cash out of one-half (50%) of a Non-Represented employee's unused, accrued sick leave from that fiscal year, there is no other cash out of accrued sick leave.
5. There shall be no limit upon the number of hours of accrued sick leave bank an employee can accumulate.
6. If an Non-Represented employee terminates employment or is laid off from the City before receiving his or her annual cash-out of one-half (50%) the employee's unused, accrued sick leave from that fiscal year, the employee shall receive such payment prorated to the time of termination.

E. USE OF SICK LEAVE

1. In order to receive compensation while absent on sick leave an employee (or someone on the Non-Represented employee's behalf) shall notify the department head or immediate supervisor within thirty (30) minutes after the beginning of the Non-Represented employee's daily duties.
2. The first day of sick leave shall not commence until such notice is given, except in cases of emergency or when provision of such notice is not reasonably possible.
3. In order to be compensated with sick leave for three (3) or more consecutive working days, the Non-Represented employee shall be required to submit upon return to work, a physician's verification of illness or injury.
4. A Non-Represented employee may use accrued sick leave for the actual number of hours of the regular work period that the Non-Represented employee is absent due to illness or injury.

F. ABUSE OF SICK LEAVE

1. A Non-Represented employee shall be subject to disciplinary action for abuse of sick leave, which is defined as a Non-Represented employee's use of sick leave when the Non-Represented employee is not sick, not required to care for a member of the employee's immediate family or not attending a doctor's appointment.
2. If a Non-Represented employee calls in sick in violation of the City's rules and regulations then a deduction shall be made from the Non-Represented employee's earned vacation credits, holiday bank, and/or compensatory time bank.

G. UNPAID LEAVE OF ABSENCE DUE TO INJURY OR ILLNESS

1. A Non-Represented employee who is absent due to illness or injury and who does not have any form of accrued leave on the books shall be required to furnish a physician's statement giving the reason for the absence and a further statement indicating that the Non-Represented employee is fit to return with or without limitations.

H. EXCESSIVE USE OR ABUSE OF SICK LEAVE

1. A Non-Represented employee shall be subject to disciplinary action for excessive or abuse of sick leave or abuse of sick leave. Abuse of such leave is a claim of entitlement of sick leave when the Non-Represented employee does not meet the requirements of sick leave as set forth in this Plan, Civil Service Rules and Regulations, or Personnel or Department Rules.
2. Abuse of Sick Leave shall be considered any Non-Represented employee using ten (10) or more Sick Day Leave days in a calendar year and no physician statement was obtained to verify said Sick Leave Time.
3. Sick Leave taken for Personal Leave, California Family Sick Leave, or any sick leave permitted by law shall not be included as Abuse of Sick Leave.
4. If any Annual Sick Time accrual or Sick Leave Bank accrual is taken in violation of the City's Rules and Regulations, then a deduction of said Sick Leave time taken shall be made from the Non-Represented employee's earned vacation credits, holiday bank, and/or compensatory time bank.

IV. ADMINISTRATIVE LEAVE – EXECUTIVE/MANAGEMENT

A. ELIGIBILITY

All Non-Represented Executive/Management employees so designated in Appendix “A” shall be eligible for up to forty (40) hours of Administrative Leave each fiscal year.

B. LIMITATIONS

1. Administrative Leave shall not accrue past the maximum.
2. Unused Administrative Leave shall be lost at the end of each fiscal year (July 1 – June 30) and shall not be converted to any other form of compensation.

V. PERSONAL BUSINESS LEAVE

A. SICK LEAVE WITH PAY-UP TO TWO (2) WORKING DAYS PER CALENDAR YEAR

Up to two (2) working days per calendar year of Sick Leave Time Accrual with pay be used by each Non-Represented employee for personal business days as part of the Non-Represented employee’s accrual.

B. NON-REPRESENTED PART-TIME HOURLY EMPLOYEES – PERSONAL BUSINESS LEAVE

1. Part-time hourly employees shall be eligible for prorated Personal Business Leave. In order to be compensated while absent on Personal Business Leave the employee must notify his/her department head or immediate supervisor twenty-four (24) hours in advance, provided, however that such notice shall not be required in an emergency situation.
2. However, the part-time hourly employee shall notify his/her department head or immediate supervisor within two (2) hours after the beginning of his/her shift.
3. All Personal Business Leave requires the department head or immediate supervisor’s approval.

C. NOTIFICATION TO DEPARTMENT HEAD OR DESIGNEE

1. In order to be compensated while absent on Personal Business Leave, the Non-Represented employee must notify his/her department head or designee

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at least twenty-four (24) hours in advance; provided that such notice shall not be required in an emergency situation.

2. Where it is impractical under emergency circumstances to give 24-hour notice, the Non-Represented employee shall notify his/her department head or immediate supervisor within thirty (30) minutes after the beginning of his/her shifts.
3. All Personal Business Leave requires the department head or designee's approval.

D. LIMITATIONS

1. Personal Business Leave shall be charged to the Non-Represented employee in even two (2) hour Sick Leave increments or more.
2. Personal Business Leave shall be deducted from the Non-Represented employee's annual sick leave accrual.
3. Any unused sick leave, including Personal Business Leave shall be compensated in accordance with the City's Annual accumulated unused sick leave buy-back program.
4. Personal Business Leave shall not be used for vacation or any other leave.

VI. WORK RELATED DISABILITY

A. POLICY

1. If an industrial injury causes temporary disability to a Non-Represented employee, payment shall be made on the fourth (4th) day after the injured Non-Represented employee leaves work as a result of the injury; provided, that in case the injury causes disability of more than fourteen (14) calendar days or necessitates hospitalization, the disability payment shall be made from the first (1st) day the injured Non-Represented employee leaves work or is hospitalized as a result of the injury.
2. The City shall pay up to thirty (30) calendar days of the eligible Non-Represented employee full salary (regular rate of pay).
3. The City may continue to provide a light-duty assignment when available and when a treating physician's release for such an assignment is obtained.

B. USE OF SICK LEAVE

Beginning with the thirty-first (31) calendar day of such disability, the Non-Represented employee may use all accumulated leave time benefits (Sick Leave, Compensatory Time Off, Holiday, Vacation, etc.) with any Workers' Compensation Temporary Disability or Permanent Disability payments to augment their full salary.

VII. SICK LEAVE WITHOUT PAY

A. POLICY

Whenever an Non-Represented employee must take sick leave, but does not have any annual sick time accrual or sick time accrual bank credit accumulated for such sick leave because he or she has not yet earned any credit for such sick leave or has exhausted such credits through the use of sick accrual or long term disability accrual, such Non-Represented employee shall be allowed a sick leave, without pay, upon approval of the City Manager.

B. LIMITATIONS

1. Use of Sick Leave, in combination with annual sick leave accrual or sick leave bank accrual, shall not extend beyond one year. Non-Represented employees shall retain all rights and privileges granted Non-Represented employees on a regular sick leave, except for compensation and except that they shall not accumulate holidays, vacations or annual sick day accrual or sick leave bank accrual while on unpaid leave.

2. Such Non-Represented employee shall return to the same step and range currently assigned to such former position.

VIII. TEMPORARY MODIFIED WORK

A. ELIGIBILITY

Any Non-Represented employee who is temporarily incapable of performing his/her normal assigned duties because of an illness or injury may request assignment or be required by his/her department supervisor to participate in the temporary modified work program.

B. LIMITATIONS

Participation in the program is limited to Non-Represented employee who shall not:

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1. Have an industrial disabling injury, disease, or sickness that exceeds a projected recovery date of twenty-six (26) weeks from the date such temporary modified work program is scheduled to commence; or
2. Have a non-industrial disabling injury, disease, or sickness that exceeds a projected recovery date of twenty-six (26) weeks from the date such temporary modified work program is scheduled to commence; or
3. Be in a Vocational Rehabilitation Plan approved by the City.

C. APPLICATION AND ACCEPTANCE

Application for the Temporary Modified Work shall be in writing by the Non-Represented employee when consideration is requested for the work program and by written direction when the department head requires the employee to participate. The department head shall make a determination of admission to the program based upon such factors as:

1. The attending physician's release to temporary modified work program;
2. Availability of City-wide work stations suitable to accommodate the employee's specific limitations; and
3. The employee's ability to perform satisfactorily in a selected temporary assignment.

D. OUTSIDE EMPLOYMENT

During convalescence and/or modified work assignment, it shall be expressly forbidden for the employee to engage in any outside employment that would interfere with their convalescence.

E. FINAL DECISION

The department head shall make the final decision based upon stated criteria, and the affected Non-Represented employee shall be notified in writing.

IX. BEREAVEMENT LEAVE

A. POLICY

The City's bereavement policy is provided for in the case of death within the immediate family of a Non-Represented employee, such Non-Represented employee shall be entitled to be absent from duty with pay at the Non-Represented employee's regular rate of pay in order to attend the funeral or memorial services or related bereavement purposes for their immediate family. Said bereavement leave shall not exceed three (3) working days and will not be

charged to a employee's sick day accrual or sick leave bank, vacation bank or any other employee time bank.

B. IMMEDIATE FAMILY

For the purpose of this section, immediate family means father, mother, stepfather, stepmother, father-in-law, mother-in-law, brother, sister, husband, wife child, stepchild, grandfather, grandmother, or grandchild, legal domestic partner, or other individual whose relationship to the employee is that of a legal dependent.

C. VERIFICATION

1. The City may require verification of the death of the immediate family.
2. Verification may include any printed records or notice of death (i.e. newspaper obituary notice, mortuary leaflet, etc.)

X. JURY DUTY

A. POLICY

1. A Non-Represented employee summoned to active jury duty shall inform his/her supervisor and, if required to serve, may be absent from duty with full pay for up to eighty (80) hours in a calendar year.
2. However, the Non-Represented employee must remit to the City within fifteen (15) days after receipt, all fees received for said Jury Duty, except those specifically allowed for mileage and expense.
3. Jury service required on a Non-Represented employee's off duty day is not compensable by the City, and the Non-Represented employee may retain jury compensation for such days.
4. Jury time shall not be considered work time and does not count toward hours worked for the calculation of overtime.
5. Non-Represented employees shall be responsible for providing proof of jury service upon his/her return to work.

XI. MILITARY LEAVE

A. POLICY

The provisions of the Military and Veterans Code of the State of California, as amended along with applicable Federal and Municipal Law and City policies shall govern military leave of City employees.

B. COMPENSATION

Except as set forth in this section, all Non-Represented employees entitled to military leave shall receive full pay and benefits to a maximum of thirty (30) calendar days per year of active duty but the City shall have the opportunity, within the limits of military regulations, to determine when such leave shall be taken.

C. EXTENDED BENEFITS – WAR ON TERRORISM

1. The City Council has authorized for Non-Represented employees in the military service assigned to the war on terrorism, to receive extended military leave benefits and receive the difference between their pay received from the military and the Non-Represented employee's base pay from the City on the thirty-first (31st) calendar day of active military duty through one-hundred and twenty (120) calendar days.
2. The eligible Non-Represented employee must remit proof of their military pay to the city received between the thirty-first (31st) calendar day of active military duty through the one-hundred and twenty (120) calendar days in order to receive the extended salary as set forth in this section.

XII. MILITARY FAMILY LEAVE

A. POLICY

The Federal Family Medical Leave Act, as amended, provides for Military Family Leave as set forth in this section.

B. NEW QUALIFYING REASON FOR LEAVE

Eligible Non-Represented employees are entitled to up to twelve (12) weeks of leave because of "any qualifying exigency" arising out of the fact that the spouse, son, daughter, or parent of the Non-Represented employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation.

C. NEW UNPAID LEAVE ENTITLEMENT

An eligible Non-Represented employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember who is recovering from a

serious illness or injury sustained in the line of duty on active duty is entitled to up to twenty-six (26) weeks of unpaid leave in a single twelve (12) month period to care for the servicemember.

XIII. FAMILY MEDICAL LEAVE ACT (FMLA) AND CALIFORNIA FAMILY RIGHTS ACT (CFRA)

A. PURPOSE

1. This section does not purport to provide all the provisions of law, but summarizes the general intent at the time this Plan was adopted.
2. Specific details of the State and Federal laws relating to FMLA and CFRA are available in the Human Resources Division.
3. Non-Represented employees and department heads must contact Human Resources Division to verify current provisions and requirements.
4. Failure to do so could result in a misunderstanding of rights and obligations, and could cause loss of leave benefits or loss of insurance coverage.

B. ELIGIBILITY FOR FMLA AND CFRA

1. Pursuant to State and Federal laws, employees shall be eligible for Family and Medical Leave of absence (FMLA) for:
 - The birth of a child of the employee;
 - Disability due to pregnancy – FMLA only;
 - The placement of a child with an employee in connection with the adoption or foster care of that employee;
 - The care of the employee’s child with a serious health condition;
 - The care of a spouse or parent with a serious health condition; or
 - The employee’s own serious health condition.

2. Such leave rights apply to all employees with twelve (12) months or more service with the City prior to the leave request who have worked a minimum of one-thousand two-hundred fifty (1,250) hours in the preceding twelve (12) months.

C. EMPLOYEE RIGHTS UNDER FMLA

1. The maximum amount of leave shall be twelve (12) weeks in a twelve (12) month period.
2. The twelve (12) month period is rolling, and is measured backward from the date leave is used and continuous with each additional leave day taken.
3. Leave may be taken as days off, or intermittent or modified work schedules.
4. The Non-Represented employee is guaranteed a return to his/her position at the end of approved leave.
5. During the twelve (12) work week FMLA period, the City shall maintain the employee's medical, dental, and life insurance.

D. APPROVAL PROCESS FOR FMLA

1. Non-Represented employees must give thirty (30) days advance written notice, on a form provided by the City, of the need for such leave, unless the absence could not be anticipated. In such cases, the Non-Represented employee must give notice as soon as possible but in any event no later than five (5) working days from learning of the need for FMLA leave.
2. Verification by the attending physician or health care provider will be required for absences relating to the Non-Represented employee's or family member's serious health condition.
3. The Human Resources Division shall determine if the leave qualifies under the Family and Medical leave laws, and may determine the commencement date.

E. PRIVACY UNDER FMLA

For privacy reasons, the City may not require specific medical diagnosis of a family member's health condition, but such information may be provided for the Non-Represented employee's own illness or condition with the health care provider's certification of the need for the leave.

F. USE OF ACCRUALS WHILE ON FMLA

1. The Non-Represented employee shall be required to use sick leave for any FMLA illness or medical-related absence, and may use vacation or other accrued leaves if sick leave has been exhausted.
2. FMLA shall run concurrently with Pregnancy Disability Leave.

G. EXPIRATION OF FMLA

Upon expiration of FMLA, if the Non-Represented employee remains on leave, he/she shall be responsible for maintaining his/her insurance benefits, either by use of sufficient accrued paid leave or by payment of the required premiums.

XIV. PREGNANCY DISABILITY LEAVE (PDL)

1. Pregnancy Disability Leave of up to four (4) months, with or without pay, shall be provided to Non-Represented employees covered herein pursuant to the Fair Employment Housing Act (FEHA).
2. The cumulative unpaid leave for disability and non-disability reasons shall not exceed one (1) year.
3. Pregnancy Disability Leave without pay shall not be granted until all accrued sick leave bank time has been exhausted.
4. Non-Represented employees may voluntarily use accrued vacation or other paid leave before commencing unpaid leave.

XV. VOTING LEAVE

1. Non-Represented employees shall be permitted to leave to vote as required by California Elections Code Section 14350-14352, as amended, if the Non-Represented employee cannot otherwise get to the polling place during non-working hours.
2. Up to two (2) hours of leave with pay may be provided at the beginning or end of the normal work shift, whichever permits the opportunity to vote with minimal interruption of work responsibilities.

3. Non-Represented employees shall be required to give a minimum three (3) day notice of the need for leave, obtain advance approval, and submit proof of voting.
4. Any Non-Represented employee who does not utilize this voting leave privilege shall not thereby become eligible for any overtime compensation for any time taken to vote.

XVI. SCHOOL ACTIVITY LEAVE

A. POLICY

1. Pursuant to California Labor Code Sections 230.7 and 230.8, as amended, Non-Represented employees who are parents of school-age children shall be allowed School Activity Leave from their jobs, with or without pay, as may be necessary to participate in school activities such as parent-teacher conference, disciplinary matters, school programs and related events with their children.
2. Such leave is limited to forty (40) hours per school year, at a maximum of eight (8) hours per month.
3. This limit shall not apply when a Non-Represented employee is required to appear in the school of his/her child pursuant to a request from the school administration pertaining to disciplinary action.

B. LIMITATIONS/RIGHTS

1. Non-Represented employees must give reasonable advance notice to the employer to permit work coverage, and may be required to provide documentation from the school that the Non-Represented employee participated in the activity on the specific date and time.
2. Leave properly requested in advance shall not be denied.
3. Non-Represented employees may take accrued leave with pay (vacation, compensatory time, or floating holiday) for School Activity Leave purposes.

XVII. LEAVE OF ABSENCE WITHOUT PAY

A. POLICY

1. Upon written request, the City Manager may, in its discretion and upon recommendation of the department head, grant a leave of absence to any Non-Represented employee who has been employed by the City regularly for one (1) year or more.
2. Any such Non-Represented employee, with the approval of the City Manager or department head, may return prior to the time fixed for the expiration of such leave.

B. LIMITATIONS

In no event shall the City Manager grant a leave of absence contrary to Civil Service Rules and Regulations.

XVIII. ABSENCE WITHOUT PAY

A. POLICY

Failure of a Non-Represented employee to report for duty on a normal working day or shift without notice to his/her department head of the reason for such absence within thirty (30) minutes after the time designated as the beginning of the work day shall constitute absence without leave and without pay.

B. UNAUTHORIZED LEAVE OF ABSENCE/ABANDONMENT OF POSITION

1. A Non-Represented employee absent without authorization for three (3) or more consecutive work days and who fails to contact his/her department head to provide justification for the absence and whose absence will cause disruption of any City services, shall be considered to have abandoned his/her position and resigned from City employment as of the third (3rd) day of absence.
2. The Non-Represented employee shall be notified by their department head that the City considers him/her to be absent without leave, and that, under this section, a termination of employment will be processed.

ARTICLE FIVE

3. Such notification shall be made pursuant to the procedures for notification of intent to discipline as provided in the Civil Service Rules & Regulations.
4. The Non-Represented employee may be reinstated, subject to disciplinary action for other causes, if adequate justification for the absence is provided to the department head prior to the end of the notification period.

XIX. EMPLOYEE DEATH – ACCUMULATED ELIGIBLE LEAVE TIME BENEFITS PAID TO SPOUSE OR ESTATE

In the event a Non-Represented employee's services are terminated as a result of death the payment of eligible accumulated unused vacation leave, sick leave and compensatory time off, if any, shall be made to the employee's spouse or estate. If there is a questions of doubt as to the appropriate person(s) entitled thereto, the beneficiary of record for the California Public Employees' Retirement System shall be determining, with the approval of the City Attorney.

ARTICLE SIX:
WORKING CONDITIONS

I. AMERICANS WITH DISABILITIES ACT (ADA)

A. ACCOMODATIONS

1. It is recognized that the City may be required to make accommodations in order to carry out its obligations under the Americans with Disabilities Act (ADA).

B. ACTIONS TAKEN NOT GRIEVABLE

Actions taken by the City under Section I shall not be subject to the grievance procedure.

II. NOTICE OF LAYOFFS

Non-Represented employees who have Civil Service Status and are subject to layoff in accordance with the established layoff procedures of the Civil Service Rules & Regulations shall be provided fourteen (14) days advance notice prior to the layoff being effective.

III. WORK PERFORMANCE

Every Non-Represented employee shall do an honest day of work commensurate with their skill, ability and training. Non-Represented employees who are not meeting these standards, as determined by management will be subject to disciplinary action. All disciplinary action will be subject to grievance procedure as outlined in the City's Civil Service Rules and Regulations.

IV. RESIGNATION

A Non-Represented employee wishing to leave the City in good standing shall file with the appropriate department head, a written notice stating the effective date and reasons for leaving at least two (2) weeks in advance of his or her resignation. A statement as to the resigned employee's service performance and other pertinent information shall be forwarded to the Human Resources Office. Failure to give notice may be the cause for denying future employment by the City.

V. EMPLOYEE INCARCERATED – UNABLE TO REPORT TO WORK

A. NON-PAY STATUS

Should a Non-Represented employee become incarcerated and held in any jail custody and not be able to come to work to perform his/her job assigned work schedule and duties shall be placed on unpaid – unable to report to work status until they return to work as assigned.

B. USE OF ACCUMULATED LEAVE

Non-Represented employees who are incarcerated and unable to report to their work may use their accumulated, if any, Vacation, Holiday or Compensatory Time for any of the unpaid work time due to their incarceration.

C. NO USE OF SICK LEAVE

No Non-Represented employee may use any of their accumulated sick time to cover any unpaid time due to their incarceration.

VI. CITY DRESS CODE

A. RIGHT TO SET DRESS CODE

The City reserves the right to establish and regulate a Work Place Dress Code for all Non-Represented employees.

VII. CITY ADMINISTRATIVE POLICIES

A. POLICIES

The City has a number of city Administrative Policies covering a wide range of subjects which address important City and work related issues. These policies are in full force and effect and they may or may not be addressed specifically in this Compensation Plan.

B. SUBJECTS

Those Administrative Policies which currently are being utilized by the City include but are not limited to:

- Donation of Leave Time Program
- Nepotism Policy
- Travel & Expense Reimbursement Policy
- Smoking Regulations at City Facilities
- Prohibiting Discrimination or Harassment of City Employees
- Disability Discrimination Policy and Complaint Procedure
- Outside Employment Policy
- Information Technology Equipment Policy
- Cellular Phone/Pager Policy
- AQMD Trip Incentive Program

C. ADDITIONAL ADMINISTRATIVE POLICIES

Additional City Administrative Policies may be implemented in the future.

APPENDIX “A”

APPENDIX “A” – NON REPRESENTED EMPLOYEE CLASSIFICATIONS

CITY OF HUNTINGTON PARK NON-REPRESENTED EMPLOYEE CLASSIFICATIONS

EXECUTIVE/MANAGEMENT UNIT CLASSIFICATIONS	
Assistant Chief of Police	Exempt
Assistant City Engineer	Exempt
Assistant City Manager	Exempt
Assistant Director of Finance	Exempt
Assistant to the City Manager	Exempt
City Clerk	Exempt
City Engineer	Exempt
Director of Community Development	Exempt
Director of Field Services	Exempt
Director of Finance	Exempt
Director of Parks & Recreation	Exempt
Housing & Community Development Manager	Exempt
Planning Manager	Exempt

MID-MANAGEMENT/ PROFESSIONAL UNIT CLASSIFICATIONS	
Accounting Manager	CS
Accounting Supervisor	CS
Community Development Analyst	Exempt
Information Management Specialist	Exempt
Management Analyst - Recreation	Exempt
Personnel Supervisor	Exempt
Recreation Coordinator	CS
Recreation Supervisor	CS
Redevelopment Project Manager	Exempt
Revenue Collections Supervisor	CS

APPENDIX “A”

CONFIDENTIAL UNIT CLASSIFICATIONS	
Administrative Assistant	Exempt
Administrative Assistant to the Chief of Police	Exempt
Administrative Assistant-Finance	Exempt
Administrative Specialist	CS
Deputy City Clerk	Exempt
Executive Assistant	Exempt
Junior Deputy City Clerk	Exempt
Personnel Assistant	Exempt
Secretary - HR Div	Exempt

PART-TIME/HOURLY UNIT CLASSIFICATIONS	
Admin/HR Intern	Exempt
Assistant Recreation Leader	Exempt
Dispatcher Assistant	Exempt
Finance Intern	Exempt
Planning Intern	Exempt
Police Cadet	Exempt
Police Recruit	Exempt
Recreation Leader	Exempt

Exempt = Not having Civil Service status

CS = Having Civil Service Status

APPENDIX “B”

APPENDIX “B” – SALARY SCHEDULE

**CITY OF HUNTINGTON PARK
NON-REPRESENTED
CONFIDENTIAL
SALARY SCHEDULE "D-2"
EFFECTIVE 07/01/11**

CLASSIFICATION	Salary Grid	Monthly Salary				
		Step 1	Step 2	Step 3	Step 4	Step 5
Administrative Specialist	111	3045	3205	3374	3551	3738
Secretary - HR Div	128	3606	3796	3995	4206	4427
<i>Shorthand Skills</i>	138	3983	4193	4413	4646	4890
Junior Deputy City Clerk	128	3606	3796	3995	4206	4427
<i>Shorthand Skills</i>	138	3983	4193	4413	4646	4890
Administrative Assistant	138	3983	4193	4413	4646	4890
Administrative Assistant-Finance	138	3983	4193	4413	4646	4890
Administrative Assistant to the Chief of Police	143	4186	4407	4639	4883	5140
Personnel Assistant	144	4228	4451	4685	4931	5191
Deputy City Clerk	150	4488	4724	4973	5235	5510
Executive Assistant	155	4717	4965	5227	5502	5791

APPENDIX "B"

**CITY OF HUNTINGTON PARK
NON-REPRESENTED
PROFESSIONAL/MID-MANAGEMENT
SALARY SCHEDULE "D-3"
EFFECTIVE 07/01/11**

CLASSIFICATION	Salary Grid	Monthly Salary				
		Step 1	Step 2	Step 3	Step 4	Step 5
Recreation Coordinator	124	3465	3648	3840	4042	4254
Recreation Supervisor	152	4578	4819	5073	5340	5621
Management Analyst - Recreation	153	4624	4868	5124	5394	5677
Revenue Collections Supervisor	162	5057	5324	5604	5899	6209
Community Development Analyst	169	5422	5708	6008	6324	6657
Accounting Supervisor	170	5477	5765	6068	6388	6724
Information Management Specialist	179	5990	6305	6637	6986	7354
Code Enforcement Manager	181	6110	6432	6770	7126	7501
Redevelopment Project Manager	185	6358	6693	7045	7416	7806
Personnel Supervisor	192	6817	7175	7553	7951	8369
Accounting Manager	193	6885	7247	7629	8030	8453

APPENDIX “B”

CITY OF HUNTINGTON PARK NON-REPRESENTED EXECUTIVE/MANAGEMENT SALARY SCHEDULE "D-4" EFFECTIVE 07/01/11

CLASSIFICATION	Salary Grid	Monthly Salary				
		Step 1	Step 2	Step 3	Step 4	Step 5
Business Improvement Manager	164	5159	5431	5716	6017	6334
Assistant to the City Manager	195	7023	7393	7782	8192	8623
Housing & Community Development Manager	196	7094	7467	7860	8274	8709
Assistant Director of Finance	203	7605	8005	8427	8870	9337
City Clerk	204	7681	8086	8511	8959	9431
Assistant City Engineer	204	7681	8086	8511	8959	9431
Planning Manager	204	7681	8086	8511	8959	9431
Assistant Director of Community Development	209	8073	8498	8945	9416	9912
City Engineer	218	8829	9294	9783	10298	10840
Director of Field Services	221	9097	9576	10080	10610	11169
Director of Parks & Recreation	226	9561	10064	10594	11151	11738
Assistant Chief of Police	227.1	9666	10175	10711	11274	11868
Director of Public Works	227	9657	10165	10700	11263	11856
Assistant City Manager	228	9753	10266	10807	11376	11974
Director of Community Development	230	9949	10473	11024	11604	12215
Director of Finance	236	10561	11117	11702	12318	12966

APPENDIX "B"

CITY OF HUNTINGTON PARK NON-REPRESENTED PART-TIME/EXEMPT SALARY SCHEDULE "D-5" EFFECTIVE 07/01/11						
CLASSIFICATION	Salary Grid	Hourly Salary				
		Step 1	Step 2	Step 3	Step 4	Step 5
Admin/HR Intern <i>High School</i>	27	7.62	8.01	8.44	8.88	9.35
	70-5	14.34				
Finance Intern <i>High School</i>	27	7.62	8.01	8.44	8.88	9.35
	70-5	14.34				
Planning/Housing Preservation Intern <i>High School</i>	27	7.62	8.01	8.44	8.88	9.35
	70-5	14.34				
Assistant Recreation Leader	30	7.85	8.26	8.69	9.15	9.64
Recreation Leader	69	11.57	12.17	12.81	13.49	14.20
Police Cadet	70	11.68	12.29	12.94	13.63	14.34
Dispatcher Assistant	91	14.40	15.16	15.95	16.79	17.68
		Monthly Salary				
	Salary Grid	Step 1	Step 2	Step 3	Step 4	Step 5
Police Recruit	89	2446	2575	2710	2853	3003