

RESOLUTION NO. 20-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUSTIN, CALIFORNIA, RELATING TO COMPENSATION AND BENEFITS FOR UNREPRESENTED EXECUTIVE MANAGEMENT AND MANAGEMENT EMPLOYEES, AND SUPERSEDING RESOLUTION 20-20

WHEREAS, the employees covered by this Resolution constitute Executive Management and Management personnel; and

WHEREAS, the City Council has consulted with the City Manager concerning the proposed employment terms contained herein;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Tustin (the "City") authorizes staff to implement the provisions of this Resolution and modify the City's Classification and Compensation Plans to reflect the changes approved in this Resolution, and that the wages, hours and conditions of employment be adopted and set forth as follows:

CHAPTER 1 – GENERAL PROVISIONS

Section 1: Classifications

The Executive Management unit includes the classifications designated by the City as "department heads". The Management unit includes all other unrepresented FLSA-exempt classifications designated by the City as "management" employees.

Whenever the term "Executive Management" is used in this Resolution, it shall be understood to include the City Manager. The benefits and terms of employment of the City Manager and any other Executive Management employee employed under an individual employment agreement shall be as set forth herein, provided that any contrary written terms established by the City Council or City Manager, which provide a greater benefit than provided for in this Resolution, shall prevail.

Section 2: Effective Dates

The effective date of each Section is July 1, 2018, unless otherwise stated herein.

CHAPTER 2 – COMPENSATION

Section 3: Salary

Effective the pay period which includes September 28, 2020, the base salary ranges for employees covered by this Resolution are hereby incorporated as listed in Appendix A and

Appendix B. The attached salary ranges shall constitute the basic compensation plan consisting of six (6) steps in each range.

Section 4: Bilingual Pay

The City shall pay Bilingual Pay in the amount of one hundred dollars (\$100) per month (paid biweekly) to employees in City-designated positions who demonstrate conversational skill in Spanish or another language approved by the Director of Human Resources as necessary for City business.

To qualify for Bilingual Pay, the employee must 1) have a business need to speak Spanish or another City-approved language in the performance of his/her public contact duties on a frequent and recurring basis and 2) successfully pass a City-sponsored examination for conversational skill. The Director of Human Resources may limit the number of employees receiving Bilingual Pay based on the needs of the City and may discontinue Bilingual Pay for any employee who no longer uses bilingual skills in the course of work.

Individuals are eligible to receive Bilingual Pay at the beginning of the first pay period after the Human Resources Department receives the employee's passing test results.

In compliance with the California Public Employees' Retirement System regulations and definition of special compensation (2 CCR §571), the monetary value of bilingual pay (Bilingual Premium) shall be reported to CalPERS as special compensation described in Title 2 CCR, Section 571(a)(4) and 571.1(b)(3) as a "special assignment pay" – a type of reportable special compensation.

Section 5: Uniforms

The City shall provide employees in the classifications of Deputy Police Chief and Police Captain with uniforms, including replacements as needed. Additionally, employees in these classifications receive an allowance of \$16.50 per biweekly pay period, up to a maximum of \$429 per year, for care and maintenance of uniforms. In compliance with the California Public Employees' Retirement System regulations and definition of special compensation (2 CCR §571), for "classic members" as defined by the Public Employees' Pension Reform Act of 2013, the compensation paid for the maintenance of required uniforms shall be reported to CalPERS as special compensation described in Title 2 CCR, Section 571(a)(5) and 571.1(b)(2) as a "statutory item" – a type of reportable special compensation.

The City shall provide uniforms, including replacements as needed, to employees in the classifications of Maintenance Supervisor, Water Maintenance and Construction Supervisor, and Water Treatment Supervisor. In compliance with the California Public Employees' Retirement System regulations and definition of special compensation (2 CCR §571), for "classic members" as defined by the Public Employees' Pension Reform Act of 2013, the monetary value of the rental and maintenance of the required uniforms shall be

reported to CalPERS as special compensation described in Title 2 CCR, Section 571(a)(5) as a “statutory item” – a type of reportable special compensation.

Section 6: Educational Incentive Pay

Employees in the classification of Police Captain who have obtained a master’s degree are eligible to receive Educational Incentive Pay of \$500 per month (\$230.76 per pay period).

Such employees are eligible to receive Educational Incentive Pay at the beginning of the first pay period after Human Resources certifies that the employee has met all of the eligibility requirements.

In compliance with the California Public Employees’ Retirement System regulations and definition of special compensation (2 CCR §571), the monetary value of educational incentive pay shall be reported to CalPERS as special compensation described in Title 2 CCR, Section 571(a)(2) as an “educational pay” – a type of reportable special compensation.

Section 7: Acting Pay

An employee assigned to temporarily work in a higher classification will receive Acting Pay. At the City Manager’s discretion, during the Acting assignment the employee will either receive Acting Pay in an amount equal to 5% of the employee’s base pay or the amount necessary to increase the employee’s base salary to any step in the salary range of the higher classification. Acting Pay will be paid effective the beginning of the first full pay period in which the employee serves in the Acting assignment.

In accordance with Government Code section 20480, an employee’s Acting assignment may not exceed a total of 960 hours in a fiscal year if the Acting assignment is for a position that is vacant during the recruitment for a permanent appointment. This hours limit does not apply to an Acting assignment that is temporarily available due to another employee’s leave of absence.

In compliance with the California Public Employees’ Retirement System regulations and definition of Special Compensation (2 CCR §571), the monetary value of Acting Pay shall be reported to CalPERS as Special Compensation for “classic members” as defined by the Public Employees’ Pension Reform Act (PEPRA) of 2013. Acting Pay (“Temporary Upgrade Pay”) is described in Title 2 CCR, Section 571(a)(3) as a “premium pay” – a type of reportable special compensation. This pay is not reportable as special compensation for employees defined as “new members” under PEPRA. In the event of a dispute, it is ultimately CalPERS who determines whether any form of pay is reportable special compensation.

CHAPTER 3 – BENEFITS

Section 8: Flexible Benefits Plan

The City contracts with the California Public Employees' Retirement System (CalPERS) for the provision of medical insurance. All Executive Management and Management employees shall receive the minimum amount required under the Public Employees' Medical and Hospital Care Act (PEMHCA) (\$133 for calendar year 2018, \$136 for calendar year 2019, and a yet to be determined amount for subsequent calendar years) as well as an additional amount which is provided under a Section 125 Flexible Benefits program. The amounts below include the minimum amount under PEMHCA.

Effective the pay period that includes July 1, 2018, the monthly Flexible Benefits contribution per Executive Management employee and eligible Management employee (hired into the Management unit on or before September 3, 2002) is as follows:

Employee Only	Employee + 1 Dependent	Employee + 2 or more Dependents
\$1,375	\$1,600	\$1,950

Effective the pay period that includes July 1, 2019, the monthly Flexible Benefits contribution per Executive Management employee and eligible Management employee (hired into the Management unit on or before September 3, 2002) is as follows:

Employee Only	Employee + 1 Dependent	Employee + 2 or more Dependents
\$1,475	\$1,700	\$2,050

Effective the pay period that includes July 1, 2020, the monthly Flexible Benefits contribution per Executive Management employee and eligible Management employee (hired into the Management unit on or before September 3, 2002) is as follows:

Employee Only	Employee + 1 Dependent	Employee + 2 or more Dependents
\$1,575	\$1,800	\$2,150

Effective the pay period that includes July 1, 2018, the monthly Flexible Benefits contribution per eligible Management employee (hired into the Management unit on or after September 4, 2002) is as follows:

Employee Only	Employee + 1 Dependent	Employee + 2 or more Dependents
\$1,175	\$1,300	\$1,450

Effective the pay period that includes July 1, 2019, the monthly Flexible Benefits

contribution per eligible Management employee (hired into the Management unit on or after September 4, 2002) is as follows:

Employee Only	Employee + 1 Dependent	Employee + 2 or more Dependents
\$1,275	\$1,400	\$1,550

Effective the pay period that includes July 1, 2020, the monthly Flexible Benefits contribution per eligible Management employee (hired into the Management unit on or after September 4, 2002) is as follows:

Employee Only	Employee + 1 Dependent	Employee + 2 or more Dependents
\$1,375	\$1,500	\$1,650

Employees who do not take medical insurance through the program offered by the City shall receive \$450 per month as the Flexible Benefits Opt-Out contribution. As a condition of receiving such amount, the employee must provide evidence, satisfactory to the City, that he/she has medical insurance coverage comparable to coverage available through the City program. If an employee elects to opt out of coverage offered by the City, he/she must provide proof of “minimum essential coverage” (as defined by the Affordable Care Act) through another source (other than coverage in the individual market, whether or not obtained through Covered California).

The Flexible Benefits contribution consists of mandatory and discretionary allocations which may be applied to City-sponsored programs, including required payment towards employee medical insurance under the Public Employees’ Medical and Hospital Care Act (PEMHCA). Employees may allocate the remaining amount among the following City-sponsored programs:

1. Medical insurance
2. Dental insurance
3. Additional life insurance
4. Vision insurance
5. Section 125 Flexible Spending Account programs (medical and/or dependent care reimbursement programs)
6. Eligible catastrophic care programs
7. Cash

Discretionary allocations are to be made in accordance with program/City requirements, including restrictions as to the time when changes may be made in allocations to the respective programs.

The Flexible Benefits program is governed by Section 125 of the Internal Revenue Code (IRC). The City retains the right to change administrators.

Participation in the Section 125 medical and/or dependent care reimbursement programs is voluntary and employee-funded.

Section 9: Retirement

Employees covered under this Resolution shall be members of the California Public Employees' Retirement System (CalPERS) and are subject to all applicable provisions of the City's contract with CalPERS.

Miscellaneous members employed by the City by December 31, 2011 shall be enrolled in the CalPERS 2% @ 55 plan in accordance with Government Code Section 21354 for Local Miscellaneous members. The plan includes both an employer and employee contribution. Effective the pay period that includes July 1, 2013, the employee is responsible for paying the employee contribution of 7% of the employee's wages through a pre-tax payroll deduction. The City has adopted the CalPERS resolution in accordance with IRS Code section 414(h)(2) to ensure that the employee contribution is made on a pre-tax. The plan has been amended to include Section 21573 (Third Level of 1959 Survivor Benefits), Section 20042 (One-Year Final Compensation), and Section 21024 (Military Service Credit as Public Service). The employee is responsible for paying the employee portion of the 1959 Survivor benefit premium.

These employees are also responsible for paying an additional pension contribution of three percent (3%) as cost sharing in accordance with Government Code section 20516(f), for a total employee pension contribution of ten percent (10%).

Miscellaneous members employed by the City on or after January 1, 2012 who are "classic members" as defined by the Public Employees' Pension Reform Act (PEPRA) of 2013 shall be enrolled in the CalPERS 2% @ 60 plan for Local Miscellaneous members. The plan includes both an employer and employee contribution.

The employee is responsible for paying the employee contribution of 7% of the employee's wages through a payroll deduction. The City has adopted the CalPERS resolution in accordance with IRS Code section 414(h)(2) to ensure that the employee contribution is made on a pre-tax basis. This plan provides retirement benefits based on the highest annual average compensation earnable during the three consecutive years of employment immediately preceding the effective date of his or her retirement or as designated by the employee in accordance with Government Code Section 20037. The plan provides for 3rd level of 1959 Survivor benefits with the employee paying the employee portion of the premium.

These employees are also responsible for paying an additional pension contribution of three percent (3%) as cost sharing in accordance with Government Code section 20516(f), for a total employee pension contribution of ten percent (10%).

Individuals first employed by the City on or after January 1, 2013 who are defined as “new members” by the Public Employees’ Pension Reform Act (PEPRA) of 2013, shall be enrolled in the CalPERS 2% @ 62 plan for Local Miscellaneous members.

The employee is responsible for paying the employee contribution of one-half of the total normal cost of the plan, as defined by CalPERS, through a payroll deduction. Effective the pay period including July 1, 2018, the employee contribution is 5.75%. This amount will be determined by CalPERS in the future. The City has adopted the CalPERS resolution in accordance with IRS Code section 414(h)(2) to ensure that the employee contribution is made on a pre-tax basis.

This plan provides retirement benefits based on the highest annual average compensation earnable during the three consecutive years of employment immediately preceding the effective date of his or her retirement or as designated by the employee in accordance with Government Code Section 7522.32(a). The plan provides for 3rd level of 1959 Survivor benefits with the employee paying the employee portion of the premium.

Employees first hired by the City as Local Safety Members prior to January 1, 2012 shall be provided the CalPERS 3% @ 50 retirement formula in accordance with Government Code section 21362.2.

These employees are responsible for paying the employee contribution of 9% of the employee’s wages through a pre-tax payroll deduction. The City has adopted the CalPERS resolution in accordance with IRS Code section 414(h)(2) to ensure that the employee contribution is made on a pre-tax basis.

These employees are also responsible for paying an additional pension contribution of three percent (3%) as cost sharing in accordance with Government Code section 20516(f), for a total employee pension contribution of twelve percent (12%).

The plan has been amended to include Section 21574 (Fourth Level of 1959 Survivor Benefits), Section 20042 (One-Year Final Compensation), and Section 21024 (Military Service Credit as Public Service). The employee is responsible for paying the employee portion of the 1959 Survivor benefit premium.

Employees first hired by the City as Local Safety Members on or after January 1, 2012 who are “classic members” as defined by the Public Employees’ Pension Reform Act (PEPRA) of 2013 shall be provided the CalPERS 2% @ 50 retirement formula.

The employee is responsible for paying the employee contribution of 9% through a pretax payroll deduction. The City has adopted the CalPERS resolution in accordance with IRS Code section 414(h)(2) to ensure that the employee contribution is made on a pre-tax basis.

These employees are also responsible for paying an additional pension contribution of three percent (3%) as cost sharing in accordance with Government Code section 20516(f), for a total employee pension contribution of twelve percent (12%).

The plan includes Section 21574 (Fourth Level of 1959 Survivor Benefits) and Section 21024 (Military Service Credit as Public Service). The employee is responsible for paying the employee portion of the 1959 Survivor benefit premium. This plan provides retirement benefits based on the highest annual average compensation earnable during the three consecutive years of employment immediately preceding the effective date of his or her retirement or as designated by the employee in accordance with Government Code Section 20037.

Individuals first employed by the City on or after January 1, 2013 who are defined as “new members” by the Public Employees’ Pension Reform Act (PEPRA) of 2013, shall be enrolled in the CalPERS 2.7% @ 57 plan for Local Safety members.

The employee is responsible for paying the employee contribution of one-half of the total normal cost of the plan, as defined by CalPERS, through a payroll deduction. Effective the pay period including July 1, 2018, the employee contribution is 12.00%. This amount will be determined by CalPERS in the future. The City has adopted the CalPERS resolution in accordance with IRS Code section 414(h)(2) to ensure that the employee contribution is made on a pre-tax basis.

The plan includes Section 21574 (Fourth Level of 1959 Survivor Benefits) and Section 21024 (Military Service Credit as Public Service). The employee is responsible for paying the employee portion of the 1959 Survivor benefit premium. This plan provides retirement benefits based on the highest annual average compensation earnable during the three consecutive years of employment immediately preceding the effective date of his or her retirement or as designated by the employee in accordance with Government Code Section 7522.32(a).

Section 10: Life Insurance

The City will provide life insurance for each Executive Management and Management employee and pay the required premiums. The death benefit of said policy shall be two hundred thousand dollars (\$200,000). The City will also provide \$1,000 per dependent of dependent life insurance and pay the required premiums.

Section 11: Short-Term / Long-Term Disability Insurance

The City shall maintain a short-term / long-term disability (STD/LTD) insurance program for non-industrial illnesses or injuries. Eligibility for benefits is subject to the requirements and approval of the STD/LTD insurance carrier.

An employee who is receiving STD benefits under the City's program will be granted a leave of absence for the duration of his/her non-industrial disability subject to a maximum period of six (6) months. Such leave of absence may be extended for an additional six (6) months under LTD, upon approval of the City Manager.

All unit employees are required to participate in the program. Premiums are deducted from the employee's pay on an after-tax basis.

In the event a non-industrial illness or injury is anticipated to exceed 30 days, the employee is first required to use 80 consecutive hours of his/her accrued leave during the 30 day period beginning with the first day of the leave. In the event no leave time is available, the employee shall be on leave without pay for 80 consecutive hours.

After the first 80 hours of leave, and for the remainder of the 30 day elimination period, the employee shall be compensated by the City at the rate of 60% of the employee's pre-disability base salary. This City payment is taxable income. The employee may supplement this City payment with accrued leave to enable him/her to receive an amount equivalent to no more than 100% of his/her pre-disability earnings.

In the event the employee is eligible for FMLA/CFRA leave, STD/LTD leave shall run concurrently with FMLA/CFRA leave.

For a new employee who has worked for the City for less than 12 consecutive months, and is therefore not eligible for FMLA/CFRA leave, the City will nevertheless provide the employee with the same Flexible Benefits contribution as was provided at the time of the non-industrial injury, for a period not to exceed 90 days. Should an employee receive 90 days of City-paid Flexible Benefits within the 12 month period prior to being eligible for this benefit pursuant to the FMLA/CFRA, and is subsequently eligible to receive this benefit pursuant to the FMLA/CFRA, the employee shall reimburse the City for his/her previous contribution.

Once the employee is on leave without pay, or the first 80 hours of leave has passed (whichever occurs first), no paid leave shall accrue to the employee.

After the 30 day elimination period, the STD/LTD carrier will provide the employee with a benefit of 60% of pre-disability base salary. The employee may supplement the STD/LTD carrier's payment with accrued paid leave to enable him/her to receive an amount equivalent to no more than 100% of his/her pre-disability earnings.

The employee is responsible for all benefit elections and payments during his/her leave unless he/she is eligible to opt out of such elections and chooses to do so. In the event the employee chooses to continue his/her benefit elections, the employee is required to make timely payment to the City for such elections (including the cost of the STD/LTD program). In the event timely payment is not made, the City is authorized to reduce the employee's accrued paid leave accounts, in an amount equivalent to the premiums owed by the employee. In the event no paid leave is available, the City is authorized to cancel

the employee's coverage.

An employee is only eligible for the City's 60% STD/LTD salary continuation benefit once in any rolling 12-month period.

Section 12: Vehicle Allowance

Each Executive Management employee shall have his/her personal vehicle available and shall use his/her personal vehicle for City business. To cover these costs, except as noted below, Executive Management employees shall receive a \$400 monthly vehicle allowance.

In consideration of the duties associated with the classification, employees in the classifications of Police Chief, Deputy Police Chief, and Police Captain may be provided with a City vehicle or be provided with the vehicle allowance provided to Executive Management employees, subject to mutual agreement between the employee and the City Manager.

Section 13: Textbook and Tuition Reimbursement

The City shall provide eligible employees with textbook and tuition reimbursement in accordance with the guidelines and procedures specified in the Personnel Rules.

Employees are eligible for this benefit after completion of the initial probationary period. Requests to enroll in courses may be granted prior to the completion of probation; however, payment will not be made until the employee has completed the probationary period and attained regular status. Approval from the department head, Director of Human Resources, and City Manager (when required) should be obtained prior to enrollment in the course or program to ensure the City will approve the reimbursement request.

Employees may be reimbursed for up to \$4,000 per calendar year in covered expenses for attending graduate school, a four-year college or university, or a job-related program through University of California or California State University extended education programs and \$2,000 per year for attendance at a California Community College. This reimbursement benefit may be used for other job-related educational programs administered by other professional organizations with the express approval of the City Manager. If an employee separates from City service within one calendar year of receiving this Tuition Reimbursement benefit, the employee is responsible for refunding the City the full amount of the benefit that was paid. Funds will be deducted from the employee's final paycheck to cover the re-payment of the tuition reimbursement.

Section 14: Smartphone Stipend

Employees are eligible for a smartphone stipend of \$21 per pay period (\$45 per month), which is taxable income. The stipend is designed to contribute to an employee's smartphone plan. It is not designed to fully pay for the plan. Any additional charges an employee incurs

are his/her own responsibility and those additional charges are not eligible for reimbursement.

Section 15: Retiree Medical Insurance

The City will reimburse eligible unit employees up to a maximum of \$350 per month for the payment of CalPERS retiree medical insurance premiums. This amount is in addition to the minimum contribution towards retiree medical insurance required under the PEMHCA program (\$133 per month for calendar year 2018, \$136 per month for calendar year 2019, and a yet to be determined amount for subsequent calendar years).

An employee hired by the City prior to July 1, 2011 is eligible for this benefit provided that he/she has been continuously employed by the City for five (5) full years, retires from the City and CalPERS, and enrolls in a CalPERS medical insurance plan immediately after retirement. Eligible employees who suffer a disability, are unable to return to work, and take a disability retirement from CalPERS may satisfy the five (5) year continuous service requirement using a combination of service with the City and service with any public agency with a reciprocal retirement system.

An employee hired by the City on or after July 1, 2011 is eligible for this benefit provided that he/she has been continuously employed by the City for ten (10) full years, retires from the City and CalPERS, and enrolls in a CalPERS medical insurance plan immediately after retirement. Eligible employees who suffer a disability, are unable to return to work, and take a disability retirement from CalPERS may satisfy the ten (10) year continuous service requirement using a combination of service with the City and service with any public agency with a reciprocal retirement system.

Reimbursement shall not be made until an employee appears on the City's CalPERS insurance billing. In order to maintain the retiree medical insurance stipend throughout retirement, an employee must maintain coverage in a CalPERS medical insurance plan; once coverage is dropped, reimbursement will cease and will not be reinstated.

Section 16: Retiree Health Savings Plan

Effective January 1, 2019, employees will have the option to make a payroll deduction and contribute to a retiree health savings plan which will be set up by the City. Contributions are voluntary by employees and the City will not make a contribution to the plan.

CHAPTER 4 – LEAVES OF ABSENCE

Section 17: General Leave

Paid General Leave shall be granted to each full-time employee at the rates listed below per year, prorated on a biweekly basis for each biweekly pay period in which the employee is in paid status for at least 40 hours of the pay period. If the employee is in paid status between 40 – 80 hours of a pay period, his/her General Leave will be earned on a prorated

basis for the pay period.

<u>Service</u>	<u>Hours Per Year</u>	<u>Maximum Accrual</u>
0 – 5 years	160	320
6 – 10 years	208	416
Over 10 years	248	496

When appointing an individual to an Executive Management or Management classification, the City Manager shall have the authority to consider the individual's prior employment in determining an advanced General Leave accrual rate.

Each January, Executive Management employees are eligible to receive up to sixteen (16) additional hours of General Leave for satisfactory performance as determined by the City Manager. Management employees may be entitled to eight (8) additional hours of General Leave as determined by their department head.

At any time, employees may accumulate General Leave to a maximum of two (2) times the employee's annual entitlement. Upon reaching the maximum, accrual will cease until leave is used to reduce the accrual below the maximum. Upon separation from City service the employee will be paid for unused Leave, not to exceed the maximum of two (2) years entitlement, at the employee's then current base salary rate.

General Leave Cash Out

Until December 7, 2018:

Each employee may request that he/she be paid for a maximum of eighty (80) hours of accrued General Leave. In addition, each employee may request that he/she be paid for accrued General Leave based upon years of service as follows:

0-5 years	40 additional hours per year
6-10 years	50 additional hours per year
Over 10 years	60 additional hours per year

In addition to the cash out opportunities described above, Executive Management employees may also cash out additional General Leave, in any amount, as long as at least 200 hours of General Leave remain in the employee's General Leave bank after the cash out.

Requests for cash out must be received no later than two weeks prior to the paycheck date when the cash out is requested.

After December 7, 2018 and Each Year Thereafter:

Starting in 2018 (for payment in 2019) on or before the pay period which includes December 15 of each calendar year, an employee may make an irrevocable election to cash out up to the following amount of General Leave which will be earned in the following calendar year at the employee's base rate of pay: a) up to eighty (80) hours of accrued General Leave and b) up to an additional amount of accrued General Leave based upon years of service as follows:

0-5 years	40 additional hours per year
6-10 years	50 additional hours per year
Over 10 years	60 additional hours per year

In addition to the cash out opportunities described above, Executive Management employees may also cash out c) additional General Leave, in any amount, as long as at least 200 hours of General Leave remain in the employee's General Leave bank after the cash out.

The employee can request that the cash out (of a, b and c [if applicable] above) be processed on any paycheck beginning July 1 of the following calendar year through the end of that calendar year, as long as the employee has accrued the number of hours they elected to cash out during the calendar year of the cash out. However, if the employee's General Leave balance is less than the amount the employee elected to cash out (in the prior calendar year) the employee will receive cash for the amount of leave the employee has accrued at the time of the cash out. The employee may choose to receive General Leave cash out all at once or on two different paychecks.

Section 18: Administrative Leave

As exempt employees under the Fair Labor Standards Act (FLSA), Executive Management and Management employees are compensated for meeting the requirements and performing the duties of their jobs, regardless of the number or scheduling of hours worked. Such employees may be required periodically or routinely to work long or irregular hours, and to attend various meetings and functions outside of normal "business hours" to fulfill their responsibilities. No overtime compensation shall be provided for Executive Management and Management employees unless otherwise required by State or Federal law.

In lieu of overtime compensation, the City will provide employees with an annual credit of forty (40) hours of paid Administrative Leave each January. During the first calendar year of employment as an employee covered by this Resolution, employees will be granted a prorated share of Administrative Leave at the time of appointment, with the amount dependent upon the employee's hire date as follows:

Hire Date	Administrative Leave
1 st Quarter (January – March)	40 hours
2 nd Quarter (April – June)	30 hours
3 rd Quarter (July – September)	20 hours
4 th Quarter (October – December)	10 hours

Each January, each Executive Management and Management employee is eligible to receive up to an additional forty (40) hours of Administrative Leave pursuant to the recommendation of his/her Department Head or the City Manager, with such recommendation based on the individual's prior year's job performance and his/her commitment of time dedicated to City business in excess of his/her regular work schedule. After the conclusion of the first calendar year of employment, employees shall be eligible for a prorated share of additional Administrative Leave, in accordance with the same guidelines as those governing the initial granting of Administrative Leave at time of appointment, as specified in this Section (e.g. an employee hired in the 3rd Quarter of Year 1 is eligible for up to 20 additional hours of Administrative Leave in January of Year 2). An employee whose performance is in need of improvement, pursuant to a performance evaluation or performance improvement plan, is not eligible to receive additional Administrative Leave. The accrual of Administrative Leave is limited to a maximum of eighty (80) hours at any time. Use of Administrative Leave is completely discretionary upon the approval of the Department Head or the City Manager.

When an employee separates from City service or remains employed by the City, but moves to a FLSA non-exempt position, the employee shall be compensated for all accrued Administrative Leave at the employee's base hourly rate of pay.

Section 19: Holidays

The following days shall be holidays for which all employees will receive compensation either in pay or paid time off:

January 1	New Year's Day
Third Monday in January	Martin Luther King Jr. Day
Third Monday in February	Presidents' Day
Last Monday in May	Memorial Day
July 4	Independence Day
First Monday in September	Labor Day
November 11	Veterans Day
Thanksgiving Day	Thanksgiving Day
Day following Thanksgiving Day	Day after Thanksgiving Day
December 24	Christmas Eve
December 25	Christmas Day
December 31	New Year's Eve

When a holiday occurs on a Sunday, the following Monday will be observed instead.

When a holiday occurs on a Saturday, the preceding Friday will be observed instead. If a holiday falls on a day that is also an employee's regular day off, the employee will accrue nine hours to his/her General Leave bank for the holiday. If a holiday falls on an employee's regularly scheduled working Friday, the employee will receive eight hours of holiday pay and accrue one hour to his/her General Leave bank.

Section 20: Bereavement Leave

Unit employees are allowed up to five (5) days of paid leave for the purpose of Bereavement Leave in the event of a death in the "immediate family". For purposes of this section, "immediate family" is defined as including spouse, registered domestic partner, mother, stepmother, father, stepfather, brother, stepbrother, sister, stepsister, child, stepchild, grandparent, stepgrandparent, grandchild and stepgrandchild of the employee or the employee's spouse/registered domestic partner.

CHAPTER 5 – WORKING CONDITIONS

Section 21: Alternate Work Schedules

Executive Management and Management employees are eligible for participation in the City's Alternate Work Schedule program. Such work schedules are subject to the needs of the City and the employee's department.

The City Manager has the authority to implement rules, policies and procedures for Alternative Work Schedules for Executive Management and Management employees.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Tustin held on the 15th day of September 2020.

DR. ALLAN BERNSTEIN
Mayor

ATTEST:

ERICA N. YASUDA
City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF TUSTIN)

I, Erica N. Yasuda, City Clerk and ex-officio Clerk of the City Council of the City of Tustin, California, do hereby certify that the whole number of the members of the City Council of the City of Tustin is five; that the above and foregoing Resolution No. 20-63 was duly passed and adopted at a regular meeting of the Tustin City Council, held on the 15th day of September 2020, by the following vote:

COUNCILMEMBER AYES: _____
COUNCILMEMBER NOES: _____
COUNCILMEMBER ABSTAINED: _____
COUNCILMEMBER ABSENT: _____

ERICA N. YASUDA
City Clerk

APPENDIX A – EXECUTIVE MANAGEMENT HOURLY SALARY RANGES

Effective the Pay Period that includes September 28, 2020

Classification	Step A	Step B	Step C	Step D	Step E	Step F
Assistant City Manager	83.81	88.11	92.62	97.36	102.35	107.46
Deputy City Manager	71.25	74.90	78.73	82.77	87.00	91.35
Director of Community Dev	71.79	75.47	79.33	83.40	87.67	92.05
Director of Economic Development	76.71	80.64	84.77	89.11	93.67	98.36
Director of Finance / City Treasurer	76.71	80.64	84.77	89.11	93.67	98.36
Director of Human Resources	65.13	68.47	71.97	75.66	79.53	83.51
Director of Parks & Recreation	67.11	70.55	74.16	77.96	81.95	86.05
Director of Public Works / City Eng	78.55	82.57	86.80	91.24	95.91	100.71
Police Chief	88.01	92.51	97.25	102.23	107.46	112.84

APPENDIX B – MANAGEMENT HOURLY SALARY RANGES

Effective the Pay Period that includes September 28, 2020

Classification	Step A	Step B	Step C	Step D	Step E	Step F
Accounting Supervisor	47.91	50.36	52.94	55.65	58.50	61.43
Administrative Services Mgr	54.28	57.06	59.98	63.05	66.28	69.59
Assistant Dir of Com Dev-Plan	59.83	62.89	66.12	69.50	73.06	76.71
Assistant Dir of Comm Dev	59.83	62.89	66.12	69.50	73.06	76.71
Assistant Dir of Comm Dev-Bldg	62.82	66.04	69.42	72.98	76.71	80.55
Assistant to the City Manager	54.28	57.06	59.98	63.05	66.28	69.59
Building Inspection Supv	41.87	44.01	46.26	48.63	51.12	53.68
Building Official	56.66	59.57	62.62	65.82	69.19	72.65
City Clerk	53.34	56.07	58.94	61.96	65.13	68.39
Deputy Building Official	53.61	56.35	59.24	62.27	65.46	68.73
Deputy Director of Econ Devel	59.83	62.89	66.12	69.50	73.06	76.71
Deputy Director of Finance	59.83	62.89	66.12	69.50	73.06	76.71
Deputy Director of Parks & Rec	54.28	57.06	59.98	63.05	66.28	69.59
Deputy Director of PW - Eng	65.30	68.64	72.15	75.85	79.73	83.72
Deputy Director of PW - Ops	62.80	66.01	69.39	72.95	76.68	80.51
Deputy Police Chief	80.84	84.99	89.33	93.80	98.49	103.41
Economic Devel & Housing Mgr	55.51	58.36	61.34	64.49	67.79	71.18
Economic Development Proj Mgr	42.18	44.34	46.61	49.00	51.51	54.08
Field Services Manager	54.28	57.06	59.98	63.05	66.28	69.59
Finance Manager	54.28	57.06	59.98	63.05	66.28	69.59
Human Resources Manager	54.28	57.06	59.98	63.05	66.28	69.59
Information Tech Supervisor	53.34	56.07	58.94	61.96	65.13	68.39
Maintenance Supervisor	36.59	38.46	40.43	42.50	44.67	46.91
Plan Check Supervisor	41.87	44.01	46.26	48.63	51.12	53.68
Police Captain	74.55	78.37	82.38	86.61	91.04	95.58
Police Civilian Commander	54.96	57.78	60.73	63.84	67.11	70.47
Principal Engineer	53.61	56.35	59.24	62.27	65.46	68.73
Principal Management Analyst	50.14	52.71	55.41	58.24	61.22	64.29
Principal Plan Check Engineer	53.61	56.35	59.24	62.27	65.46	68.73
Principal Planner	52.42	55.10	57.92	60.89	64.00	67.20
Public Works Inspection Supv	37.91	39.85	41.89	44.03	46.29	48.60
Public Works Manager	51.89	54.55	57.34	60.28	63.37	66.54
Recreation Superintendent	47.31	49.74	52.28	54.96	57.78	60.66
Recreation Supervisor	36.22	38.08	40.03	42.08	44.23	46.44
Senior Accountant	38.08	40.03	42.08	44.23	46.50	48.82
Senior Information Tech Spec	38.65	40.63	42.71	44.90	47.20	49.56
Senior Management Analyst	50.08	52.64	55.34	58.17	61.15	64.28
Senior Planner	42.18	44.34	46.61	49.00	51.51	54.08
Water Maint & Const Supv	40.23	42.29	44.45	46.73	49.12	51.58

Classification	Step A	Step B	Step C	Step D	Step E	Step F
Water Services Manager	60.13	63.21	66.45	69.85	73.43	77.10
Water Treatment Supervisor	45.92	48.27	50.74	53.34	56.07	58.87