

# **Contra Costa County**

## **Salary Regulations**



**Human Resources Department**

# **CONTRA COSTA COUNTY SALARY REGULATIONS**

## **TABLE OF CONTENTS**

- SECTION 1 COUNTY EMPLOYMENT – GENERAL**
- SECTION 2 SALARY ADMINISTRATION – GENERAL REGULATIONS**
- SECTION 3 SALARY ADMINISTRATION – ANNIVERSARY DATES AND INCREMENTS**
- SECTION 4 SALARY ADMINISTRATION – CLASS AND OTHER CHANGES**
- SECTION 5 SALARY ADMINISTRATION – PAY FOR WORK IN A HIGHER CLASSIFICATION**
- SECTION 6 SALARY ADMINISTRATION – PAYMENT**
- SECTION 7 CONDITIONS OF EMPLOYMENT – GENERAL**
- SECTION 8 CONDITIONS OF EMPLOYMENT – HOURS**
- SECTION 9 CONDITIONS OF EMPLOYMENT – VACATION AND SICK LEAVE**
- SECTION 10 CONDITIONS OF EMPLOYMENT – RESTRICTIONS**
- SECTION 11 CONDITIONS OF EMPLOYMENT – DIFFERENTIALS**
- SECTION 12 CONDITIONS OF EMPLOYMENT – OVERTIME**
- SECTION 13 CONDITIONS OF EMPLOYMENT – INSURANCE**
- SECTION 14 CONDITIONS OF EMPLOYMENT – LIVING-IN PROVISIONS**
- SECTION 15 CONDITIONS OF EMPLOYMENT – SPECIAL PROVISIONS**
- SECTION 16 SERVICE AWARD PROGRAM**
- SECTION 17 PEACE OFFICER TRAINING**
- SECTION 18 EXEMPT MEDICAL STAFF SERVICE**
- SECTION 19 FIXED TERM EMPLOYEES**
- SECTION 20 DEEP CLASSES**
- SECTION 21 EXEMPT APPOINTEES’ MERIT SYSTEM STATUS RETENTION**

## **SALARY REGULATIONS**

### **SECTION 1**

#### **COUNTY EMPLOYMENT – GENERAL**

**1.1 Application of Resolution:** County officers, deputies, and employees shall be paid, as compensation for all services required of them by law or by virtue of their offices, the salaries and other compensation provided for by this resolution. (Ord. 1493; prior code §2430; Ord. 1285; Res. 81/581; prior Ord. Code §36-2.002)

**1.2 Regular County Employees:**

(a) Salaries By Resolution: The compensation of all regular County employees and employees of the Contra Costa County flood control and water conservation district, and employees of the Contra Costa County Fire Protection Districts, except those whose compensation is provided for elsewhere, shall be determined in accordance with such salary schedule(s) and the allocation of classes thereto as are provided by board resolution or by other provisions of this resolution relating to salary administration. (Res. 81/581)

(b) Allocations and Changes: The Board, by resolution, may allocate class titles of employment to ranges or levels of such salary schedule(s) and create and abolish positions under new and existing class titles.

(c) Effective Dates: Action under this section becomes effective on the next day, unless otherwise provided therein. (Ords. 79-94, 79-43 §3, 1493; prior code §2435; Ord. 1285; see also §24-26.002; prior Ord. Code §36-2.004)

**1.3 Part-time Compensation:** A part-time employee shall be paid a monthly salary in the same ratio to the full-time rate to which he would be entitled as a full-time employee, under the provisions of this resolution, as the number of hours per week in his/her part-time work schedule bears to the number of hours in the full-time work schedule of the department. Other benefits to which the employee is entitled under the provisions of this division, shall be assigned on the same pro rata basis. If the number of hours per week in the part-time schedule varies or is indefinite, the appointing authority shall give the Director of Human Resources an estimate, in writing, of the average number of hours per week in the part-time schedule of the employee. If the employment is periodic and irregular, depending on departmental requirements, payment for hours worked shall be made at the hourly rate set forth in Section 1.4, which is the equivalent of the monthly rate to which the employee is entitled under this resolution. (Ord. 1493; prior code §2438; Ord. 1285; Res. 81/581; Res. 81/757; prior Ord. Code §36-2.006)

**1.4 Temporary Employment:** Persons employed in temporary positions shall be compensated at the hourly rate which is the equivalent of the minimum step of the salary range to which the particular class of position is allocated, except that in cases where the appointing authority has determined that it is not possible to secure qualified persons for temporary employment at the minimum hourly rate, and the appointing authority so certifies in writing to the Director of Human Resources providing the reasons therefor, the Director of Human Resources may then authorize payment at an hourly rate which is equivalent to one of the higher steps of the range to which the particular class is allocated. (Ord.70-43 §2 (part ), 1970; Ord. 68-19 §2, 1968; Ord. 67-41 §2, 1967; Ord. 1739; Ord. 1727; Ord. 1650; prior code §2439; Ord. 1285; prior Ord. Code §36-2.008; Res. 83/1)

Overtime pay at the rate of time and a half shall be payable to such employees for work in excess of eight hours per day and for work in excess of forty hours per week occurring before the commencement of the next succeeding work week. The County Administrator shall promulgate regulations to effectuate this section, consistent with this code and with the rules of the Director of Human Resources. (Ord. 70-43 §2 (part), 1970; Ord. 68-19 §2, 1968; Ord. 67-41 §2, 1967; Ord. 1739; Ord. 1727; Ord. 1650; prior code §2439; Ord. 1285; prior Ord. Code §36-2.008)

Whenever a temporary position in a skilled trades class is to be filled, the Director of Human Resources may authorize payment to the temporary employee at the prevailing rate for that trade. (Ord. 70-43 §2 (part), 1970; Ord. 68-19 §2, 1968; Ord. 67-41 §2, 1967; Ord. 1739; Ord. 1727; Ord. 1650; prior code §2439; Ord. 1285; prior Ord. Code §36-2.008)

**1.5 Compensation for Portion of Month:** Any employee who works less than any full calendar month, except when on earned vacation or authorized sick leave, shall receive as compensation for his/her services an amount which is in the same ratio to the established monthly rate as the number of days worked is to the actual working days in such employee's normal work schedule for the particular month; but if the employment is intermittent, compensation shall be on an hourly basis. (Ord. 1493; prior code §2440; Ord. 1285; prior Ord. Code §36-2.010)

**1.6 County Administrator's Regulations:** The County Administrator may promulgate regulations to carry out this resolution or any portion thereof; these shall have the force of law. (Ord. 73-101 §1, 1973; prior Ord. Code §36-2.0120)

**1.7 Furlough Days Without Pay:** Subject to the prior written approval of the appointing authority, employees may elect to take furlough days or hours without pay (pre-authorized absence without pay), up to a maximum of 15 calendar days for any one period. Longer pre-authorized absences without pay are considered leaves of absence without pay. Employees who take furlough time shall have their compensation for the portion of the month worked computed in accord with §1.5 of the Salary Regulations. Full time and part time employees who take furlough shall have their vacation and sick leave accruals computed as though they had worked the furlough time. When computing vacation and sick leave credits for employees taking furlough this section supercedes §9.1 and 9.3 of the Salary Regulations regarding computation of vacation and sick leave credits as regards furlough time only. Furlough time (absence without pay with prior authorization of the appointing authority) shall be reported separately from other absences without pay to the Auditor-Controller. (Res. 83/1240 Effective December 20, 1983 and expires June 30, 1984)

## SECTION 2

### SALARY ADMINISTRATION – GENERAL REGULATIONS

**2.1 General Regulations:** \* Except as hereinafter provided or as provided by various Memorandums of Understanding, new employees shall be appointed at the minimum step of the salary range established for the particular class of position to which the appointment is made; however, new employees in deep classes may be appointed at any step provided for in the implementing deep class resolution. (Res. 83/1)

On the written recommendation of the appointing authority based upon the necessity to provide an appointment above the first step in order to secure the appointment of the person best qualified by virtue of education, experience and other relevant factors, the Director of Human Resources may authorize that a particular non-deep class position be filled at a step above the minimum of the salary range for the class; no employee may be appointed at a step above the top base step allocated for the class. Whenever a position is filled in this manner, unless otherwise provided for, incumbents of positions in the same class earning less than the step in the particular salary range at which the new employee enters, shall not have their step changed as a result of the new appointment. (Res. 81/1284; Res. 81/757; Res. 83/1)

A person appointed from a reemployment or layoff list, with the approval of the Director of Human Resources, may be appointed at the same step of the salary range established for the particular class of position as the step which the employee was receiving at the effective date of resignation or layoff. This action shall not require modification of the salaries of other incumbents of positions in the same class earning less than the step at which the reemployed person enters. (Res. 81/757; Res. 84/445) (Amended 7/31/84)

If a position is transferred from the service of some other governmental jurisdiction to the service of this County, after the position has been allocated to the classification plan by the Director of Human Resources, the incumbent of the position shall be assigned to the step on the salary range established for the class which is equal to, or if not equal to, next above the salary range established for that class; if the transferred employee is already receiving a salary greater than the maximum step of the class to which the position is allocated, he shall continue to receive that salary rate until a step in the range equals or exceeds this rate. When transferred employees are assigned to a salary rate, the salary rates of incumbents of other positions in the same class shall not be affected. (Ord. 69-33 §1, 1969; Ord. 68-11 §1, 1968; Ord. 1945; Ord. 1727; prior code §2442(a); Ord. 1351; Ord. 1285; prior Ord. Code §36-4.202)

\*For the statutory provisions regarding the method of appointment for County employees, see Gov. C. §25300. See also Const. art XI §1(b) as to the power of the County to provide the method of appointment.

## SECTION 3

### SALARY ADMINISTRATION – ANNIVERSARY DATES AND INCREMENTS

#### 3.1 Designated:

(a) Permanent Employees: Each permanent employee has an anniversary date for pay purposes as herein provided.

(b) New Employees:

(1) Six Month Probation - The anniversary of a new employee with a six-month probation period is the first day of the calendar month after the calendar month when he successfully completes his/her probation period; except that, when he began work on the first regularly scheduled workday for his/her position, which was not the first calendar day that month, his/her anniversary is the first day of the calendar month when he successfully completes probation.

(2) Over Six Months Probation -The anniversary of a new employee with a probation period of over six months is the first day of the seventh calendar month after the calendar month when he began work; except that, when he began work on the first regularly scheduled work day for his/her position which was not the first calendar day that month, his/her anniversary is the first day of the sixth calendar month after the calendar month when he began work.

(c) Promotions: The anniversary of a promoted employee is determined as for a new employee in (b) above, depending on whether the new position's probation period is six months or more.

(d) Demotions: The anniversary of a demoted employee is the first day of the calendar month after the calendar month when the demotion was effective.

(e) Transfers and Reclassifications: The anniversary of a transferred employee, or one whose position has been reclassified to a class allocated to the same salary range remains unchanged

(f) Reemployment: The anniversary of an employee appointed from a reemployment list to the first step of the applicable salary range, and not required to serve a probation period pursuant to County Personnel Management Regulations, is determined as for a new employee who is appointed the same date, classification and step and, who then successfully completes the required probation period. (Res. 81/1468)

(g) Other Salaries and Transfers: Notwithstanding other provisions of this section, the anniversary of an employee who is appointed from outside the County's classified service at a rate above the minimum salary for class, or who is transferred from another governmental entity to this County's classified service, is one year from the first day of the calendar month after the calendar month when he was appointed or transferred; except that when the appointment or transfer is effective on his/her first regularly scheduled work day of that month, his/her anniversary is one year after the first calendar day of that month. (Ord. 68-34 §1, 1968; Ord. 2009; Ord. 1727; prior code §2442(b); Ord. 1351; Ord. 1285; prior Ord. Code §36-4.402)

(h) On Reduction in Compensation and on Reinstatement to former Compensation Level after Reduction in Compensation: the anniversary of an employee who is reduced in compensation or who is reinstated to his/her former compensation level after reduction in compensation remains unchanged. (Res. 82/579)

**3.2 Increments Within Range:** The salary of each employee, except those with employees already at the maximum salary step of the appropriate salary range, shall be reviewed on the anniversary date as set forth in Section 3.1, to determine whether the salary of the employee shall be advanced to the next higher step in the salary range. Advancement shall be granted only on the affirmative recommendation of the appointing authority, based on the satisfactory performance by the employee. The appointing authority may recommend unconditional denial of the increment or denial subject to review at some specified date before the next anniversary.

The salary of persons who are on leave of absence from their county positions on any anniversary date and who have not been absent from their positions on leave without pay more than six months during their anniversary year preceding the review date shall be reviewed on the anniversary date. Employees on stipendiary educational leave are excluded from the above six-month limitation. Persons on military leave shall receive anniversary increments that may accrue to them during the period of military leave. (Ord. 1727; prior code §2442(c); Ord. 1351; Ord. 1285; prior Ord. Code §36-4.602)

**3.3 Frequency of Increments:** Except as otherwise provided, increments within range shall not be granted more frequently than once a year, nor shall more than one step within-range increment be granted at one time. If an appointing authority recommends denial of the within-range increment on some particular anniversary date, but recommends a special salary review at some date before the next anniversary date as provided for in Section 3.1, the special salary review shall not affect the regular salary review on the next anniversary date. No provision of this chapter shall be construed to make the granting of increments mandatory on the County. (Ord. 1727; prior code §2442(g); Ord. 1351; Ord. 1285; prior Ord. Code §36-4.604)

## SECTION 4

### SALARY ADMINISTRATION – CLASS AND OTHER CHANGES

**4.1 Salary-On Promotion:** Any employee who is appointed to a position of a class allocated to a higher salary range than the class he previously occupied, shall receive the salary in the new salary range, which is next higher than the rate he was receiving before promotion. In the event this increase is less than five (5) percent, the employee's salary shall be adjusted to the step in the new range which is five (5) percent greater than the next higher step, if the new range permits such adjustment. In the event of the promotion of an employee from the layoff list to the class from which the employee was laid off, the employee shall be appointed at the step the employee had formerly attained in the higher class, unless such step results in an increase of less than five (5) percent; in which case the salary shall be adjusted to the step in the new range which is five (5) percent greater than the next higher step, if the new range permits such adjustment. (Ord. 1727; prior code §2442(d); Ord. 1351; Ord. 1285; prior Ord. Code §36-4.802, Res. 82/852)

**4.2 Salary-On Demotion:** Any employee who is demoted to a position of a class having a salary schedule lower than the class of position from which he was demoted, shall have his/her salary reduced to the monthly salary step in the range for the class of position to which he has been demoted, next lower than the salary he received before demotion. In the event this decrease is less than five (5) percent, the employee's salary shall be adjusted to the step in the new range which is five (5) percent less than the next lower step, if the new range permits such adjustment. Whenever the demotion is the result of layoff, either by abandonment of position or displacement by another employee with greater seniority rights, the salary of the demoted employee shall be that step on the salary range which he would have achieved had he remained continuously in the position to which he has been demoted, all within range increments being granted on the anniversary dates in the demotional class. (Ord. 1727; prior code §2442(e); Ord. 1351; Ord. 1285; prior Ord. Code §36-4.804)

**4.3 Salary-On Voluntary Demotion:** Notwithstanding Section 4.2, whenever any employee voluntarily demotes to a position in a class having a salary schedule lower than that of the class from which he demotes, unless the Board provides otherwise by resolution, his/her salary shall remain the same if the steps in his/her new (demoted) salary range permit, and if not, his/her new salary shall be set at the step next below his/her former salary. (Ord. 77-114 §1; prior Ord. Code §36-4.805)

**4.4 Salary-On Reduction In Compensation:** The appointing authority may reduce the compensation of an employee by allocating his/her salary to a lower step on the salary range for the employee's class. (Res. 82/579)

**4.5 Salary-On Y-Rating:** The appointing authority may Y-rate the salary of an employee as a reduction in compensation in which case, the employee shall not receive classwide salary increases for his/her class. (Res. 82/579)



**4.6 Salary-On Reinstatement to Former Compensation Level After Reduction in Compensation or Y-Rating:** At his/her discretion, the appointing authority may increase the salary of an employee who salary has been reduced under Section 4.4 hereinabove to any step on the salary range for the class up to the step which the employee formerly had attained prior to the reduction of his/her compensation, plus any step increases granted during the period in which compensation was reduced, not to exceed the top step of the salary range for that class. When an employee's salary has been Y-rated as a reduction in compensation, the appointing authority, in his/her discretion, may terminate the Y-rate and have the employee's salary adjusted to the current salary rate established for his/her class and step. (Res. 82/579)

**4.7 Position:** An incumbent of a position which is reclassified to a class which is allocated to the same range of the basic salary schedule as is the class of the position before it was reclassified, shall be paid at the same step of the range as he was receiving under the previous classification. An incumbent of a position which is reclassified to a class which is allocated to a lower range of the basic salary schedule than is the class of the position before it was reclassified, shall continue to receive the same salary as before the reclassification, but if such salary is greater than the maximum of the range for the class to which the position has been reclassified, the salary of the incumbent shall be reduced to the maximum salary for the new classification. The salary of an incumbent of a position which is reclassified to a class which is allocated to a range of the basic salary schedule greater than the range of the class of the position before it was reclassified shall be governed by the provisions of Section 4.1 (Ord. 1727; prior code §2442(l); Ord. 1351; Ord. 1285; prior Ord. Code §36-4.1002)

**4.8 Salary Reallocation:** An employee who has permanent status in a position of a class which is reallocated to a salary range above or below that to which it was previously allocated shall be compensated at the same step in the new salary range as he was receiving in the range to which the class was previously allocated, except that when the reallocation is from a five-step to a three-step range, or vice versa, he shall receive the step on the new range which is in the same ratio to his/her salary before reallocation as is the top step of the new range to the top step of the range to which the class was previously allocated. In no case shall any employee be compensated at less than the first step of the range to which the class is allocated. Provisional employees in positions of a class which are reallocated to a different salary range shall continue to receive the entrance step except as otherwise authorized under Section 2.1 (Ord. 70-43 §2 (part), 1970; Ord. 1727; prior code §2442(h); Ord. 1351; Ord. 1285; prior Ord. Code §36-4.1004)

**4.9 Classification Allocations to Salary Ranges:** In the event a classification is allocated by the Board of Supervisors from a five-step range to a three-step range of the basic salary schedule, or vice versa, each incumbent of a position in the reallocated class shall be placed at the step of the new range which equals the rate of pay he was receiving at the time of reallocation, except that no incumbent shall be placed at less than the second step of the new range. In the event that the steps in the new range do not contain the same rates as the old range, each incumbent shall be placed at the step of the new range, which is next above the salary rate he was receiving in the old range. (Ord. 69-34 §1, 1969; prior code §2434.4; prior Ord. Code §36-4.1006; Res. 83/1)

**4.10 Salary on Transfer-Same Class:** An employee who is transferred from one position to another position in the same class shall be compensated at the same step in the salary range as he previously received. (Ord. 1727; prior code §2442(f); Ord. 1351; Ord. 1285; prior Ord. Code §36-4.1202)

**4.11 Salary on Transfer-Different Class at Same Salary:** Whenever a permanent employee is appointed to a position in a class, which is allocated to the same salary range as is the class of the position, which he previously occupied, he shall continue to be compensated at the same step of the salary range to which the classes are allocated. For purposes of annual increments within the salary range, his/her anniversary date shall remain the same as it was before the appointment. (Ord. 1727; prior code §2442(j); Ord. 1351; Ord. 1285; prior Ord. Code §36-4.1204)

**4.12 Salary on Transfer-Different Class Within Five (5) percent at Top Step:** An employee who transfers to a position in a different class than that he previously occupied, but at a different salary range within five (5) percent at the top step, shall be paid at the same salary as he was receiving before the transfer. If the former salary is not a step on the new range, the employee shall be paid at the next higher step on the new range; if no higher step is available, the employee shall be paid at the next lower step on the new range. For purposes of annual increments within the salary range, the anniversary date shall remain the same as it was before the transfer (Res. 83/1)

**4.13 Salary on Transfer-Deep Class:** Whenever an employee transfers to or from a position in a deep class, as defined in Section 20.2, which may occur whenever the salary relationship of the two classes is either in accordance with Section 4.11 or 4.12, or if one class salary range falls totally within the salary range from bottom to top step of the other class, or if any of the above would apply on base salary alone, not considering “outstanding performance” steps designated by deep class resolution, or as may be otherwise provided in the appropriate deep class resolution, the salary of the employee will be set at the step equal to the employee’s current salary. If the salary steps are not exactly equal, the employee’s salary shall be set at the next higher step above the employee’s current salary (within a designated deep class level if transferring to a deep class) if that can be accomplished with a salary increase of no more than five (5) percent; alternatively, if not possible, at the next lower step on the new range, or as provided in the deep class resolution. However, if the deep class transfer occurs to or from a deep class with specified levels identified for certain positions and their incumbents, the employee’s salary in the new class shall be set in accordance with the section on “Salary on Promotion” if the employee is transferring to another class or to a level in a deep class for which the salary is at least five (5) percent above the top base step of the deep class level or class in which they have status currently. (Res. 84/445, added 7/31/84)(Res. 87/559, effective 9/1/87)

**4.14 Salary on Voluntary Demotions-Deep Class:** Whenever an employee voluntarily demotes to or from a position in a deep class, as defined in Section 20.2, which occurs when the top base step of the current class is higher than the top base step of the class the employee is going to, or as may be otherwise provided in the appropriate deep class resolution, the salary of the employee will be in accordance with Section 4.3. However, if the deep class voluntary demotion occurs to or from a deep class, with specified levels identified for certain positions and their incumbents, the employee’s salary in the new class shall be set in accordance with the section on “Salary on Promotion” if the employee is moving to another class, or level in a deep class, for which the salary is at least five (5) percent above the top base step of the deep class level or class in which they have status currently. In those situations where an employee is moving into another class or a level (5) percent above the top base step of the deep class level or class in which they have status currently, the employee’s salary in the new class shall be set in accordance with Section 4.13. (Res. 87/559, effective 9/1/87)

**4.15 Deep Class Transfers and Voluntary Demotions-Anniversary Dates:** Whenever an employee transfers or voluntarily demotes and the salary step is set according to the section on “Salary on Promotion”, as provided in Section 4.13 and 4.14, the anniversary date shall be established using the “promotional rule” as defined in Section 3.1(c). (Res. 87/559, effective 9/1/87)

## SECTION 5

### SALARY ADMINISTRATION – PAY FOR WORK IN A HIGHER CLASSIFICATION

**5.1 Work in a Higher Classification – Higher Pay:** When an employee in a permanent position is required to work in a higher paid classification, he shall receive the higher compensation for such work, pursuant to Section 4.1 on salary on promotion, plus any differentials and incentives he would have received in his/her regular position. Unless the Board has by resolution otherwise specified, the higher pay shall begin on the twenty-first calendar day of the new assignment. The County Administrator shall issue regulations specifying policy and procedures to implement this provision and shall, on request of appointing authorities, make required determinations pursuant to it. (Ords. 77-119 §1, 74-50 §3, 69-65 §1; prior code §2442(k); Ord. 1285; Prior Ord. Code §36-4.1402; 21<sup>st</sup> calendar day - Res. 79/781, Board Order, August 11, 1981 (Management and unrepresented employees), Res. 82/379 (United Professional Firefighters); 11<sup>th</sup> work day – M.O.U.'s, Res.82/471, (California Nurses Association), Res. 81/1006 (Contra Costa County Employees' Association, Local 1), Res. 80/1469 (Deputy Sheriff's Association), Res. 81/75 (District Attorney Investigator's Association), Res. 81/1048 (United Clerical Employees), Res. 82/808 (Deputy Clerks' Unit), Res. 81/1049 (Professional and Technical Employees); 18<sup>th</sup> work day – M.O.U.'s Res. 81/1064 (Social Services Union, Local 535); 21<sup>st</sup> work day – M.O.U.'s, Res. 81/1104 (Appraiser's Association) and Res. 81/114 (Western Council of Engineers)

## SECTION 6

### SALARY ADMINISTRATION – PAYMENT

**6.1 Dates Designated:** On the tenth day of each month the Auditor shall draw his warrant upon the Treasurer in favor of each officer, deputy and employee of the County and of the Contra Costa County flood control and water conservation district, and of the County fire districts, for the amount of salary due him for the preceding month; but each such person (except those paid on an hourly rate) may choose to receive an advance on his/her monthly salary, in which case the Auditor shall, on the twenty-fifth day of each month draw his warrant upon the Treasurer in favor of such person. (Ord. 70-43 §4, 1970; Ord. 1553; prior code §2450; prior Ord. Code §36-4.1602)

**6.2 Amount of Advance:** The advance shall be in an amount equal to one-third of the employee's basic monthly salary except that it shall not exceed the amount of the basic monthly salary less all requested or required deductions. (Ord. 1553; prior code §2451; prior Ord. Code §36-4.1604)

**6.3 Election for Advances:** The election shall be made on or before the last day of the month or during the first month of employment by filing on forms prepared by the Auditor-Controller a notice of election to receive salary advance. (Ord. 1553; prior code §2452; prior Ord. Code §36-4.1606; Res. 84/445) (Amended 7/31/84)

**6.4 Deductions:** In the case of an election made pursuant to this division, all required or requested deductions from salary shall be taken from the second installment, which is payable on the tenth day of the following month. (Ord. 1553; prior code §2453; prior Ord. Code §36-4.1608)

**6.5 Pay Errors:** Pay errors discovered by the County on or after January 1, 1986 found in employee pay shall be corrected as soon as possible as to current pay rate, but no recovery of either overpayments or underpayments to an employee shall be made retroactively except for a two (2) year period immediately preceding discovery of the pay period. This provision shall apply regardless of whether the error was made by the employee, the Appointing Authority or designee, the Director of Human Resources or designee, or the Auditor-controller or designee. Recovery of fraudulently accrued over or underpayments is excluded from this section for both parties. (Amended Res. 89/556, 8/15/89 adding 1/1/86 date and modifying 6 months recovery period to 2 years)

When the County notifies an employee of an overpayment and a proposed repayment schedule, the employee may accept the proposed repayment schedule or may request a meeting through the County Human Resources Department. If requested, a meeting shall be held to determine a repayment schedule that shall be no longer than one and one-half (1-1/2) times the length of time the overpayment occurred. (Res. 84/445) (Added 7/31/84)

## SECTION 7

### CONDITIONS OF EMPLOYMENT – GENERAL

**7.1 Applicability:** The conditions of employment in this salary resolution shall apply to all employment in positions whose compensation is provided by this resolution, other than elected officers, those modifications for employees occupying “living-in” positions as described in Sections 14.2 through 14.9 and other modifications as may be made by resolution. (Ord. 73-75 §1 (part), 1973; Ord. 1650; Ord. 1493; prior code §2441(a)(part); Ord. 1334; Ord. 1285; Prior Ord. Code §36-6.202)

**7.2 Appointing Authority:**

(a) Department Head: Unless otherwise provided by ordinance or statute, all appointments shall be made by the head of the department in which the positions are, in accordance with the Personnel Management Regulations and those of the Director of Human Resources consistent therewith.

(b) Delegability: A department head may delegate (and withdraw and redelegate) this appointing power to one or more subordinate’s names in writing, filed with the Director of Human Resources from time to time. (Ords. 79-64, 79-62, 73-75, 1650, 1493; prior code §2441(b); Ords. 1285 §8-A, 1041 §8-A, 793 §9-A, 491 §9-A, 395 §9-A, 365 §9-A; see also Govt. Code 1190; prior Ord. Code §36-6.204; Res. 81/757)

## SECTION 8

### CONDITIONS OF EMPLOYMENT – HOURS

#### **8.1 On-Call and Call-Back Time:**

(a) On-Call Time – Definition and Credit: On-call time is any period during which the employee is not actually on duty but must be ready to immediately report for duty and be reachable by his/her superior on ten minutes' notice or less. He shall get one hour of actual work time credit for each four hours of such on-call time, unless otherwise provided by board resolution.

(b) On-Call Time-Scheduling: Where the appointing authority requires on-call arrangements, he shall designate which employees have on-call responsibilities, shall schedule the hours when these employees are on-call, and may include the on-call time credit as part of the employee's normal workweek.

(c) Call-Back Time: An employee called back to duty shall be paid for the actual time on duty plus one hour (but not less than two hours total for each call-back), unless otherwise provided by board resolution. (Ords. 80-83, 79-63, 68-20, 1650, 1493, 1463; prior code §2441(g); Ords. 1334, 1285 §8-G, 793 §9-G, 759; see also §§22-2.202 and 36-6.404; prior Ord. Code §36-6.402)

#### **8.2 Normal Workweek and Overtime:**

(a) Normal Workweek: The normal workweek for County employees is forty hours between 12:01 a.m. Monday to 12:00 midnight Sunday, usually five, eight-hour days; however, where operational requirements of a department require deviations from the usual pattern of five eight-hour days per workweek, an employee's work hours may be scheduled to meet these requirements. His/her working time shall not exceed an average of forty hours per seven-day period throughout an operational cycle, and the department head shall prepare written schedules in advance to support all deviations, the schedules to encompass the complete operational cycle contemplated.

(b) Overtime: "Overtime" is any authorized service performed in excess of the normal workweek. Compensation is as provided for in Section 12. (Ords. 78-19 §1, 1707, 1650, 1493, 1463; prior code §2441(h); Ords. 1334, 1285; prior Ord. Code §36-6.404)

**8.3 "4-10" Shift – Exceptions from General Salary Resolution Provisions:** The provisions of Sections 8.3 through 8.7 are an exception to the general rules in this resolution; but except as otherwise provided in Sections 8.3 through 8.7, the provisions of this code apply to the employment described herein. (Ord. 72-85 §1 (part); Prior Ord. Code §36-8.2002; Res. 83/1)

**8.4 "4-10" Shift – Employees:** "4-10" shift employees are those employees of the Sheriff's Department who are assigned to work four ten-hour days per week. (Ord. 79-75, 72-85; prior Ord. Code §36-8.2004)

**8.5 "4-10" Shift - Normal Work Schedule:** The normal work schedule for "4-10" shift employees is four ten-hour working days, during a workweek consisting of any seven-day period. (Ord. 72-85 §1(part); prior Ord. Code §36-8.2006)

**8.6 "4-10" Shift – Overtime:** Except as otherwise provided, overtime for "4-10" shift employees shall be any authorized service exceeding their normal "4-10" shift work schedule, and shall be compensated at one and one-half times the employee's basic hourly salary rate. (Ord. 72-85 §1(part); prior Ord. Code §36-8.2008)

**8.7 “4-10” Shift – Holidays:**

(a) Credit for Holidays: Credit for holidays shall be given either on the holiday if it falls on the employee's regular ["4-10"] shift working day, or on his/her next regular working day if it falls on one of his/her regular days off.

(b) Holiday Overtime Pay: Each "4-10" shift employee shall receive overtime pay for holidays to the extent that regular County employees are credited with holiday time. Holiday "overtime pay" includes compensatory time off for holidays pursuant to the County Administrator's regulations under section 12.1.

(c) Absence on Holiday: The maximum time charged to sick leave, vacation or leave without pay on a holiday shall be two hours. (Ord. 72-85 §1 (part); prior Ord. Code §36-8.2010)



## SECTION 9

### CONDITIONS OF EMPLOYMENT – VACATION AND SICK LEAVE

#### 9.1 Vacation – General Provisions:

(a) Employees in permanent positions are entitled to vacations with pay which accrue according to, and may be accumulated to maximums set forth in the table below. Accrual is by hours of working time per calendar month of service and begins on the date of appointment to a permanent position, except that increased accruals granted in recognition of long service begin on the first of the month following the month in which the employee qualifies for the corresponding service award pursuant to Section 16. Accrual for portions of a month shall be in minimum amounts of one hour calculated on the same basis as for partial month compensation pursuant to Section 1.5. Vacation credits may be used only after completion of six months' service in a permanent position, but may be used to supplement exhausted sick leave in cases of absence during the first six months; however, none shall be allowed in excess of actual accrual at the time vacation is taken. On separation from County Service, an employee shall be paid for any unused vacation credits at his/her then current pay rate.

(b) Except when the Board provides otherwise by resolution, the following rates for accrual of vacation credits shall apply;

<u>Length of Service</u>	<u>Monthly Accrual Hours</u>	<u>Maximum Cumulative Hours</u>
Under 15 years	10	240
15 through 19 years	13 1/3	320
20 through 24 years	16 2/3	400
25 through 29 years	20	480
30 years and up	23 1/3	560

(c) Regulations: The County Administrator may promulgate regulations implementing this section.

(d) When a County employee transfers, promotes, demotes, or is reallocated from a job classification where the maximum hours of vacation accumulated is higher than the job classification to which the employee transfers, promotes, demotes or is reallocated, such employee shall retain all unused vacation credits previously accumulated in the job classification with the higher accrual rate. (Ords. 79-90 §1, 71-110 §15, 1971; 70-43 §2, 1979; 1686; 1650; 1543; 1493; 1467; 1463; prior code §2441(b); Ord. 1334; prior Ord. Code §36-6.602; Res. 81/1390; Res. 82/542)

#### 9.2 Vacation-Management Reimbursement:

(a) Vacation Payment: Employees, in management classifications (including those working twenty-four hour shift patterns in merit system fire districts) designated by board resolution, may choose reimbursement for up to one-third of their annual vacation accrual, subject to the following conditions;

(1) The choice can be made only once in each calendar year;

(2) Payment shall be based on an hourly rate determined by dividing the employee's monthly salary by 173.33 (242.67 for employees working twenty-four hour shifts in fire districts);

(3) The maximum number of hours that may be reimbursed in any year is as follows (parentetical figures for employees working twenty-four hour shifts in fire districts);

For employees hired prior to October 1, 1979:

<u>Years of Service</u>	<u>Maximum Annual Payment</u>
Under 11 years	40 (56) hours
11 years	43 (60) hours
12 years	45 (64) hours
13 years	48 (68) hours
14 years	51 (72) hours
15 through 19	53 (76) hours
20 through 24	67 (79) hours
25 through 29	80 (112) hours
30 years or more	93 (132) hours

For employees hired on or after October 1, 1979:

<u>Years of Service</u>	<u>Maximum Annual Payment</u>
Under 5 years	27 (37) hours
5 through 10 years	40 (56) hours
11 years	43 (60) hours
12 years	45 (64) hours
13 years	48 (68) hours
14 years	51 (72) hours
15 through 19	53 (76) hours
20 through 24	67 (92) hours
25 through 29	80 (112) hours
30 years or more	93 (132) hours

(4) Accrued vacation balance shall be reduced by the number of hours reimbursed.

(b) Regulations: The County Administrator may promulgate regulations implementing this section. (Ord. 79-90 §2; 76-20, 75-52; prior Ord. Code §36-6.603; Res. 83/90)

### 9.3 Sick Leave:

(a) Accrual: Unless otherwise provided by board resolution, employees in permanent positions accrue sick leave credits at the rate of eight working hours' credit for each completed calendar month of service therein, and for part of a month in minimum amounts of one work hour's credit on the same basis as partial month compensation in Section 1.5. Unused sick leave credits accumulate from year to year.

(b) Use: Employees may use sick leave credit in accordance with the Board's policy and the appointing authority's approval.

(c) Cancellation: Sick leave credits are cancelled on separation, except for retirement use, according to Section 3.2, and except that a laid-off employee's accumulated credits shall be restored if he is reemployed in a permanent position within the period of the layoff reemployment eligibility.

(d) Regulations: The County Administrator shall promulgate regulations implementing and elaborating the policies expressed in board resolutions and ordinances, including regulating the manner of claiming and proving the proper use of paid sick leave credits. (Ords. 79-107, 73-47 §2, 1493; prior code §2441(c); Ords. 1285 §8, 1041,793, 752-A, 718, 491, 395, 380, 365; prior Ord. Code §36-6.604)

## SECTION 10

### CONDITIONS OF EMPLOYMENT – RESTRICTIONS

**10.1 Marshals, Constables and Deputies:** Marshals, constables, deputy marshals and deputy constables are prohibited at all times from accepting assignments for and performing services on a private basis which by their character and nature can be performed in an official capacity. (Ord. 1928; Ord. 1650; Ord. 1493; Ord. 1463; prior code §2441(1); Ord. 1334; Ord. 1285; prior Ord. Code §36-6.802)

## SECTION 11

### CONDITIONS OF EMPLOYMENT – DIFFERENTIALS

**11.1 Differentials-Shift:** Every employee, whose position has a regularly assigned daily work schedule;

(1) Requiring for completion of more than one and one-half hours over the normal actual working time; or

(2) Including at least four hours of actual working time from five p.m. through nine a.m. inclusive; or

(3) Involving rotation between the shifts commonly called day, afternoon and graveyard shifts; shall receive extra pay of only one shift differential of five percent of his/her base salary rate, unless otherwise provided by board resolution. This does not apply to employees in the Sheriff's Department whose positions qualify for safety membership in the retirement system. The Board may by resolution provide for shift differentials for such other employees, as it deems necessary. (Ords. 78-3, 74-50 §4, 2034 §1, 1933, 1695, 1650, 1493, 1463; prior code §2441(e); Ords. 1334, 1285; prior Ord. Code §36-8.602)

**11.2 Differentials – For Certain Employees:** Any employee assigned to a position, the work location of which is in the isolation, chest or observation wards, or in the admitting office or emergency room of the County Hospital, and the work assignment requires continuous direct personal contact with patients in these wards or rooms, and any other employee whom the Board may, by resolution authorize, shall receive per hour worked, a premium of five (5) percent of the hourly equivalent of his/her base rate, or such other additional compensation as the board may, by resolution, authorize in addition to his/her regular compensation, and in addition to the differential provided for in Section 11.1 where he/she meets the requirements of both Sections 11.1 and 11.2. (Ords. 76-72 §1, 74-50 §5, 69-58 §1, 1650, 1493, 1463; prior code §2441(f); Ords. 1334, 1285, 1041 §8F, 711 §4, 657; prior Ord. Code §36-8.604)

**11.3 Differentials-Vocational Education Teachers:** Employees who possess a valid vocational education credential and whose duties include teaching in a valid vocational education project approved by the California State Department of Education shall receive a premium of five (5) percent of their base salary rate. (Ords. 67-24 §2, 2035 §1, 1966, 1650, 1493, 1463; prior code §2441(o); Ords. 1334, 1285; prior Ord. Code §36-8.606)

## SECTION 12

### CONDITIONS OF EMPLOYMENT – OVERTIME

#### **12.1 Overtime – Pay and Regulations:**

(a) Pay – Exception: All overtime as defined in Section 8 shall be compensated at one rate; but no employee with authority to schedule work time for himself or others shall receive overtime pay.

(b) Regulations – Compensatory Time: The County Administrator shall promulgate regulations to implement this section and Section 8, consistent with this code. The regulations shall provide for a periodic choice by individual employees entitled to choose, whether to be paid at the overtime rate or to receive compensatory time off at the rate established by board resolution. The regulations shall provide for accrual of such compensatory time off, which shall be in addition to permissible holiday time accumulation and total vacation accumulation permitted under Section 9. The regulations may provide for a certain fixed basis per year or per month regardless of the number of actual or overtime holidays worked during the period by the various employees choosing this method of compensation. (Ords. 78-19 §2, 1747, 1650, 1649, 1493, 1463; prior code §2441(i) Ords. 1334, 1285; prior Ord. Code §36-8.1002)

**12.2 Overtime Pay by Resolutions:** The Board may from time to time, by resolution, make provisions, in addition to but not in conflict with this resolution, for extra pay or other benefits to employees for work in addition to their normal work times. (Ord. 79-111; prior Ord. Code §36-8.1004)

## SECTION 13

### CONDITIONS OF EMPLOYMENT – INSURANCE

#### 13.1 Insurance-General Regulations:

(a) General: The county shall provide programs of insurance covering such aspects of life, accident, health, disability and liability as are specified here or by other board action.

(b) Eligibility Generally: Section 7.1 notwithstanding, all of the following whose work schedule is at least half of the normal full-time working schedule are eligible and may choose to participate in this program by application to the County; all elective and appointed officers of the County and judicial and other designated districts, physicians and dentists employed by the County pursuant to contract, and all permanent employees occupying permanent positions. The program(s) may include families, dependents, retired persons and the like.

(c) Subvention: The County's contribution to the premium(s) or other charge(s) of each covered person is payable for any month in which he/she draws compensation for actual time worked or is credited for work time through vacation or sick leave accruals. The Board shall fix from time to time the amounts of the premium(s) or other charge(s) and of the County's contribution(s) thereto.

(d) Administrative Regulations: This program, the payment of the County's contribution(s), the arrangements for coverage of eligible persons and other administrative details shall be subject to the agreements made from time to time with the person(s) offering this service and to such regulations promulgated by the County Administrator as may be necessary to carry out the intent of this division including coverage of part-time positions, those receiving retirement benefits under the employee retirement system of this county, employees on stipendiary educational leave and others. (Ords. 73-61 §1, 71-48 §1, 70-43 §2, 68-35 §1, 1758, 1677, 1559, 1543, 1493; prior code §2441(j); Ords. 1334 §6, 1285 §8; prior Ord. Code §36-8.1202)

## SECTION 14

### CONDITIONS OF EMPLOYMENT – LIVING-IN PROVISIONS

**14.1 Maintenance Deduction-Generally:** Whenever any maintenance is provided to an employee, charges for maintenance shall be made in the amounts and in the manner that the Board of Supervisors shall prescribe by resolution. (Ord. 1650; Ord. 1493; Ord. 1463; prior code §2441(d); Ord. 1334; Ord. 1285; prior Ord. Code §36-8.202)

**14.2 Living-In Positions – Exception to Other Provisions:** The provisions of Section 14 are an exception to the general rules in this salary resolution, but, except as otherwise provided in Section 14, the provisions of this code apply to the employment described herein. (Ord. 1823; prior code §2441(a); Ord. 1285; prior Ord. Code §36-8.402)

**14.3 Living-In Positions – Defined:** “Living-in positions” are those filled by permanent employees and for which the Board of Supervisors has approved work schedules exceeding an average of forty hours a week recommended by the department head pursuant to Section 8.2, where part of the schedule is sleeping time and the employee is required to sleep at the place of employment. (Ord. 1823; prior code §2441.1(b); Ord. 1285; prior Ord. Code §36-8.404)

**14.4 Living-In Positions – Vacation and sick Leave:** Vacation and sick leave accrual and usage procedures in Section 9 apply to incumbents of living-in positions, except that accruals and maximum balances shall be computed in the same ratio as the employee’s average workweek bears to the standard forty-hour workweek. Whenever an employee moves from a permanent position which does not qualify under Section 14 to a position which does qualify, or vice versa, his/her sick leave and vacation balances will be adjusted in the same ratio as his/her new work week bears to his/her former work week. (Ord. 1823; prior code §2441.1(c); Ord. 1285; Prior Ord. Code §36-8.406)

**14.5 Living-In Positions – Equivalent Hourly Rate:** The equivalent hourly rate as described in Section 1.4 shall be determined by dividing twelve times the base salary by fifty-two the average weekly work hours. (Ord. 1823; prior code §2441.1(d); Ord. 1285; prior Ord. Code §36-8.408)

**14.6 Living-In Positions – Overtime:** Except as otherwise provided, overtime for incumbents of living-in positions shall be any authorized service performed in excess of the living-in work schedule, and shall be compensated at one and one-half times the employee’s hourly rate as described in Section 14.5. (Ord. 1823; prior code §2441.1(e); Ord. 1285; prior Ord. Code §36-8.410)

**14.7 Living-In Positions – Holidays:** Each incumbent of a living-in position who qualifies under Section 14 shall receive one-half day’s pay, calculated at the overtime rate as described in Section 14.6, for each holiday recognized by the County. Holiday pay will be in addition to the regular base pay and will be paid to each incumbent whether he is scheduled to work on the holiday or not. To be eligible for such holiday pay an employee must have been in a pay status in a qualifying position on the day preceding the holiday and on the day next succeeding the holiday. For purposes of qualifying for holiday pay, regular days off and leaves of absence of fifteen calendar days or less will be considered as being in a pay status. Except as otherwise provided, overtime pay will be paid in addition to holiday pay only when an employee works on a holiday which is not part of his/her regular work schedule. (Ord. 1823; prior code §2441.1(f); Ord. 1285; prior Ord. Code §36-8.412)

**14.8 Living-In Positions – Shift Differential:** Living-in positions are not subject to the shift differential provisions of Section 11. (Ord. 1823; prior code §2441.1(g); Ord. 1285; prior Ord. Code §36-8.414)

**14.9 Living-In Positions – Coroner’s Bureau:** Three deputy sheriff positions in the Coroner’s Bureau of the Sheriff-Coroner’s Department are “living-in positions.” (Prior Ord. Code §36-8.405; Res. 81/714)

**14.10 Living-In Positions – Holidays for Coroner’s Bureau:** Each incumbent of a Coroner’s Bureau living-in position who qualifies under Section 14 shall receive the equivalent of eight hours of standard work week overtime pay, calculated at the overtime rate as described in Section 14.6, for each holiday recognized by the County. Holiday pay will be in addition to the regular base pay and will be paid to each incumbent whether he is scheduled to work on the holiday or not. To be eligible for such holiday pay an employee must have been in a pay status in a qualifying position on the day preceding the holiday and on the day next succeeding the holiday. For purposes of qualifying for holiday pay, regular days off and leaves of absence of fifteen calendar days or less will be considered as being in a pay status. Except as otherwise provided, overtime pay will be paid in addition to holiday pay only when an employee works on a holiday which is not part of his/her regular work schedule. (Prior Ord. Code §36-8.413; Res. 81/714)



## SECTION 15

### CONDITIONS OF EMPLOYMENT – SPECIAL PROVISIONS

#### **15.1 Continuing Pay – Disability Absence:**

(a) A permanent employee shall continue to receive his/her full regular salary during any period of compensable temporary disability absence. “Compensable temporary disability absence”, for the purpose of this section, is any absence due to work-connected disability which qualified for temporary disability compensation under the Workmen’s Compensation Law set forth in Division 4 of the California Labor Code. When any disability becomes permanent, the salary provided in this section shall terminate.

(b) The employee shall return to the County all temporary disability payments received by him from the State Compensation Insurance Fund.

(c) No charge shall be made against sick leave or vacation for these salary payments. Sick leave and vacation rights shall not accrue for that period during which such salary payments are made.

(d) The County contribution to the employees’ group medical plan under Section 13 shall continue during any period of compensable temporary disability absence.

(e) The maximum period for the described salary continuation for any one injury or illness shall be one year from the date of temporary disability. (Ords. 1650, 1591, 1493, 1463; prior code §2441(k); prior Ord. Code §36-8.1402)

**15.2 Allowances – Personal Property Loss:** Every employee of this county and regular and marine patrol reserves of the Office of the County Sheriff shall be compensated for the loss or damage, without his/her fault and in the course of his/her employment, of the employee’s personal property necessarily worn or carried in order to fulfill the duties and requirements of his/her employment. The measure of this compensation shall be the repair or replacement cost of the property. No employee shall be compensated for such loss or damage until he has made every reasonable attempt to obtain reimbursement from every other person liable for the loss or damage. Claims for this compensation shall be processed according to order of the Board of Supervisors. (Ords. 1560, 1493, 1470; prior code §2443(c); Ords. 1456, 1441, 1285; prior Ord. Code §36-8.1604)

**15.3 Allowances – Police Dogs:** Each Deputy Sheriff who, upon assignment from the Sheriff, owns and provides care and feeding in his/her home to a dog used for police work shall receive an allowance of eighty dollars per month to cover the ordinary expenses of such care and feeding, subject to such regulations as may be promulgated by the County Administrator. (Ords. 74-80 §3, 69-15 §1, 1470; prior code §2443(d); Ords. 1456, 1441, 1285; prior Ord. Code §36-8.1606)

**15.4 Travel – Mileage:** Subject to limitations elsewhere provided and upon rendering detailed expense accounts, all County and judicial district officers, deputies and employees shall be allowed their actual (not constructive), reasonable and necessary expenses in performing their official duties, including travel therein. For such expenses of travel necessarily done by private automobile, unless provided otherwise by board resolution, employees shall be allowed twenty-two cents per mile up through four hundred miles per month and sixteen cents per mile over four hundred. The County Administrator shall promulgate regulations covering these matters and the submission of these account claims to the Auditor-Controller. (Ords. 77-114 §2, 74-44, 71-48 §2, 68-44, 1493, 1470; prior code §2443(a); Ords. 1456, 1441, 1285, etc., 215 §23; prior Ord. Code §36-8.1802; Res. 83/1)

**15.5 Travel – Advance Amounts:** Officers, deputies and employees who travel beyond the territorial limits of this County on official business shall be entitled to receive in advance of travel an amount equal to the estimated expenses to be incurred. If the advanced amount exceeds the amount of expenses actually and necessarily incurred, the excess shall be repaid to the County upon the return of the officer, deputy or employee to this County. (Ords. 1493, 1470; prior code §2443(b); Ords. 1441, 1285; prior Ord. Code §36-8.1804)

**15.6 Safety Suggestions – Awards:** There is an established program of awards to County personnel for safety suggestions beneficial to the County service. The County Administrator is authorized to promulgate regulations for this program. (Ord. 68-18 §1; prior code §2464.5; prior Ord. Code §36-10.402)

**15.7 Safe Driving Awards:**

(a) Program: To encourage and reward safe driving, the Sheriff-Coroner shall maintain a safe-driving award program for personnel in that department, and shall promulgate such regulations as may be necessary to implement it.

(b) Awards: The awards shall be given for safe driving miles in the amounts as shown in the table below (the bonds shall be Series EE, or future currently comparable bonds of equal cost to the County):

- |                    |  |
|--------------------|--|
| (1) 25,000 miles – | pocket-sized badge holder;   |
| (2) 50,000 miles – | pocket style duplicate badge;                                      |
| (3) 75,000 miles – | \$50.00 U.S. Savings Bond;   |
| (4) 100,000 miles- | \$100.00 U.S. Savings Bond;  |
| (5) 150,000 miles- | timepiece suitably engraved, not to cost County more than \$150.00 |

(Ord. 80-48, 76-42; prior Ord. Code §36-10.602)

**15.8 Employee Suggestion – Awards:**

(a) Program: There is established a program of awards to County personnel for suggestions to help develop more cost effective methods of doing County business.

(b) Awards: The employees submitting the three best suggestions, approved each quarter by an interdepartmental evaluation committee, shall be recognized for their suggestions by presentation of a suitable memento, a letter in their personnel files and a cash award as follows:

- (1) Best suggestion - \$100 cash award
- (2) Second place suggestion - \$50 cash award
- (3) Third place suggestion - \$25 cash award

(c) The County Administrator is authorized to promulgate implementing regulations on this program, including the establishment of criteria excluding awards to management personnel for operations under their supervision. (Board Orders dated June 26, 1979 and July 8, 1980; Res. 83/1)

## SECTION 16

### SERVICE AWARD PROGRAM

**16.1 Service Recognition – Program Administration:** A program of recognition for length of service in the employment of this County is established. Responsibility for the administration of this program is in the Personnel Department. (Prior code §2460; Ord. 787; prior Ord. Code §36-10.202)

**16.2 Service Recognition – Calculating Service:** The length of service credits for each employee of the County shall date from the beginning of the last period of continuous County employment (including temporary, provisional, and permanent status and absences on approved leave of absence). When an employee separates from a permanent position in good standing and within two years is reemployed in a permanent County position, service credits shall include all credits accumulated at time of separation, but shall not include the period of separation. The Director of Human Resources shall determine these matters based on the employee status records in his/her department. (Ords. 76-71 §1, 1838; prior code §2461; Ord. 787; prior Ord. Code §36-10.204)

**16.3 Service Recognition – Service Pins:**

(a) Time of Making Awards: Awards for service shall be made at intervals prescribed by the Board of Supervisors.

(b) Form of Awards: Service awards shall be a certificate, pin, tie clip or other accessory item (herein called pins) and in addition, after thirty years of service, a timepiece. The certificate, pin or other accessory item alternative(s), upon which the county seal or logo shall be attached or shown, and the timepiece shall be as prescribed by the Director of Human Resources. The maximum cost to the County of the thirty year timepiece shall be as set by the Director of Human Resources within budgetary constraints; suitable engraving of said timepiece shall likewise be prescribed by the Director of Human Resources, cost of the engraving to be paid by the County. (Res. 68/172, 78/1200, 83/1, 83/698)

(c) Frequency of Awards: The first service recognition (pin) shall be awarded after employee's first ten years of service. Thereafter a new and distinguishable pin shall be awarded after each additional five years of service. Elected officials with eight years or more of service who leave the County service shall be presented with a service pin showing the actual number of years served by them. (Ords. 67-74 §1, 1838; prior code §2462; Ords. 826, 787; prior Ord. Code §36-10.206) (Amended 5/10/83)

## SECTION 17

### PEACE OFFICER TRAINING

**17.1 Incentive Program – Purpose:** \*In accordance with the policies expressed in Penal Code Sections 13500 and following, and in Chapter 2 of Title 11 of the California Administrative Code (Sections 1000 and following), and to attract law enforcement officers with high education standards; to broaden the professional experience of present officers and to maintain a high quality police service to cope with increased demands placed upon this function, there is established the following career incentive program, which provides a career incentive allowance based on two and one-half (2½) percent of base pay for possessing the first P.O.S.T. Certificate (intermediate or advanced) not required by the minimum qualifications of the class, and an additional allowance based on two and one-half (2½) percent of base pay per month for possessing a second P.O.S.T. Certificate (advanced) not required by the minimum qualifications of the class. (Ord. 73-64 §1, 72-60 §2 (part), 69-31 §1 (part); prior code §2441.2(a); prior Ord. Code §36-8.802)

**17.2 Incentive Program – Definitions:**

(a) Unless otherwise specified or required by the context, the following terms have the following meanings in Section 16.

(b) “Officer” means any peace officer member of the Sheriff’s Department, District Attorney’s Office, Marshal’s Office or Constable’s Office, who has successfully completed at least one probationary period and who occupies a permanent full-time position, in pay status, as a peace officer in this County.

(c) “Intermediate peace officer standards and training certificate” and “advanced peace officer standards and training certificate” have the meaning(s) defined in the regulations of the Commission on Peace Officer Standards and Training of the California State Department of Justice (P.O.S.T.). (Ords. 72-60 §2 (part), 71-31 §1, 69-31 §1 (part); prior code §2441.2(b); prior Ord. Code §36-8.804)

**17.3 Incentive Program – Intermediate Certificate:** Every officer below the class of Lieutenant in the Sheriff’s Department, District Attorney Investigator Grade II in the District Attorney’s Office, or Deputy Marshal I in the Marshal’s Office, shall receive a career incentive allowance of two and one-half (2½) percent of base pay per month for the possession of a valid intermediate P.O.S.T. certificate. (Ords. 73-64 §2, 72-60 §2(part), 71-31 §2, 69-31 §1(part); prior code §2441.2(c); prior Ord. Code §36-8.806)

**17.4 Incentive Program – Advanced Certificate:** Every officer up to and including the class of Lieutenant in the Sheriff’s Department, District Attorney Investigator Grade II in the District Attorney’s Office or Deputy Marshal II in the Marshal’s Office shall receive a career incentive allowance of two and one-half (2½) percent of base pay per month for the possession of a valid advanced P.O.S.T. Certificate. (Ords. 73-64 §3, 72-60 §2(part); 71-31 §3, 69-31 §1(part); prior code §2441.2(d); prior Ord. Code §36-8.808)

**17.5 Incentive Program – Pay Status:** These allowances shall be in addition to regular compensation and shall not be considered part of the base pay for payroll computation purposes. (Ords. 72-60 §2(part), 69-31 §1(part); prior code §2441.2(e); prior Ord. Code §36-8.810)

\* For Peace Officer Training Fund, see Chapter 62-6, County Ordinance Code.

## SECTION 18

### EXEMPT MEDICAL STAFF SERVICE

#### 18.1 **Scope:**

(a) This section supercedes all of the other provisions of this salary resolution except as expressly made applicable herein. This section applies to all Exempt Medical Staff employed in the Health Services Department whose job classification titles are prefaced by "Exempt Medical Staff". (Ords. 79-91 §2, 77-38; prior Ord. Code §36-11.004; Res. 80/598, Res. 82/63, Res. 82/1334, Res. 84/363)

(b) **Other Salary Regulations Made Applicable:** The below listed sections of these Salary Regulations are applicable to all Exempt Medical Staff.

Section 1.2	Regular County Employees
Section 6	Salary Administration
Section 7.2	Appointing Authority
Section 15.1	Continuing Pay – Disability Absence
Section 15.2	Allowances – Personal Property Loss
Section 15.5	Travel – Advance Amounts
Section 15.6	Safety Suggestion Awards
Section 15.8	Employee Suggestion Awards
Section 16	Service Award Program

(Res. 84/363) (Amended 6/26/84)

**18.2 Definitions:** The following definitions shall apply to all Exempt Medical Staff whose compensation is governed by this resolution.

(a) **Normal Work Week:** The normal work week for Exempt Medical Staff members shall consist of five eight hour days or a total of forty hours, 12:01 a.m. Monday to 12:00 midnight Sunday; however, where operational requirements necessitate deviation from the usual pattern of five eight hour days per work week, an Exempt Medical Staff member's work hours may be schedule to meet these requirements. The appointing authority or designee shall prepare written schedules in advance to encompass the complete operational cycle contemplated.

(b) **Additional Duties:** Additional duties may be assigned which consist of any authorized service performed in a clinical program or facility which is outside the Exempt Medical Staff member's normal duties and responsibilities and which is performed outside of their normal work hours, e.g. emergency assignments and special assignments of staff in the ambulatory services to night, weekend or holiday clinics in excess of their normal work schedule.

(c) **Physician Call:** Physician Call time is any time when the Exempt Medical Staff Physician must hold himself ready to immediately report for duty and must arrange so that his/her superior or other person on duty can reach him on short notice. Physician Call may include responsibility for conducting certain additional clinical duties.

(d) **Chief of Service:** Chief of Service is an assignment in which an Exempt Medical Staff Member is assigned to plan, organize and direct the medical practice of a particular medical service, program or clinic or the administration of a medical practice review committee (Res. 82/63)

**18.3 Salary Rates:** Exempt Medical Staff classifications shall be allocated to salary ranges or single flat rates as specified by Resolution of the Board for Exempt Medical Staff members working full time. (Res. 82/63)

**18.4 Adjustment of Salary Rates:** The Board of Supervisors by resolution may adjust the pay levels for the classifications of Exempt Medical Staff members by adjusting the salary ranges upward or downward. (Res. 82/63)

**18.5 Part-Time Compensation:** An Exempt Medical Staff member working part-time shall be paid a monthly salary in the same ratio to the full-time monthly rate to which he would be entitled as an Exempt Medical Staff member working full-time as the number of hours per week in his/her part-time work schedule bears to the number of hours in the regular full-time schedule. Other benefits to which the employee is entitled under the provisions of this division may be assigned on the same pro-rata basis. If the employment is periodic and irregular, depending on departmental requirements, payment for hours worked shall be made at the hourly rate established for the salary step to which the Exempt Medical Staff member would be assigned if he were working permanent full-time or part-time. (Res. 82/63)

**18.6 Temporary Employment:** Exempt Medical Staff members employed in temporary positions shall be compensated at the hourly rate which is established for the salary step to which the Exempt Medical Staff member would be assigned if he were working permanent full-time or part-time. (Res. 82/63)

**18.7 Compensation for Portion of Month:** Any Exempt Medical Staff member who works less than any full calendar month, except when on an earned vacation or authorized sick leave, shall receive as compensation for services, an amount which is in the same ratio to the established monthly rate as the number of days worked is to the actual working days in such Exempt Medical Staff member's normal work schedule for the particular month; but if the employment is intermittent, compensation shall be on an hourly basis. (Res. 82/63)

**18.8 Appointment:** Exempt Medical Staff members shall be employed only in classes for which they are qualified by virtue of their education, experience and professional license, and shall be paid at a rate established for their classification. For classifications for which a range of steps have been established, Exempt Medical Staff members shall be appointed at the step of the salary range for their class that is appropriate to their particular qualifications and the position to be filled. The determination of an Exempt Medical Staff member's qualifications and designation of the appropriate step of the salary range shall be by the appointing authority or designee and shall be final.

(a) **Reappointment:** Exempt Medical Staff members who terminate their services with the County and are subsequently reemployed in the same medical staff classification within two years from the date of termination, may be appointed at the step of the salary range at which they were employed at the time of termination. (Res. 82/63)

**18.9 Performance Evaluation:** The duties and performance of each Exempt Medical Staff member shall be reviewed and evaluated periodically, typically on an annual basis. The Exempt Medical Staff member shall see a copy of the Evaluation if it is negative. The evaluation by the appointing authority or designee shall be final. (Res. 82/63)

**18.10 Salary Adjustment:** Based upon a review of each Exempt Medical Staff member's duties and performance, the appointing authority or designee may authorize an adjustment in the salary of the Exempt Medical Staff member. Such adjustments shall be made to the next higher or next lower salary step on the range. No salary adjustment shall be made unless a recommendation to do so is made by the appointing authority, or designee, and no provision of this section shall be construed to make the adjustment of salaries mandatory on the County.

(a) Frequency: An Exempt Medical Staff member shall be eligible for a salary review one year after the date of his/her original appointment and annually thereafter. At that time, the appointing authority or designee may authorize a salary adjustment, deny the adjustment unconditionally or deny the adjustment subject to review at some specified date before the next anniversary. Under special circumstances, the appointing authority or designee may make a one-step adjustment in advance of the date on which an Exempt Medical Staff member becomes eligible for that adjustment. When such an advance adjustment is made however, the Exempt Medical Staff member may not receive another adjustment until the date of eligibility following that for which the adjustment was authorized in advance.

(b) Effective Date: Adjustments to Exempt Medical Staff members' salaries shall be effective on the first day of the month following the month in which the adjustment is authorized by the appointing authority or designee. (Res. 82/63)

**18.11 Exempt Medical Staff Incentive Pay:** Two additional steps have been added to the base pay range for each Exempt Medical Staff classification (except the Resident Physician classifications) for the purpose of providing incentive pay to permanent employees in those classifications. Administration of the incentive pay plan must be preceded by implementation of incentive pay criteria to be developed by a joint management/medical staff committee consisting of Exempt Medical Staff and Health Services Department management representatives. The committee shall consider performance expectations and quality of service and patient/visit indicators.

The Health Services Director or his/her designee may conduct an evaluation of an exempt medical staff employee's performance at any time for the purpose of incentive pay review. If an exempt medical staff employee receives an overall rating of outstanding, said employee may be advanced up to two (2), two and one half (2½) percent incentive pay levels on the pay range for that particular Exempt Medical Staff classification, provided however, that said incentive pay shall remain in effect only until June 30 of the fiscal year in which the incentive pay is granted and will terminate on that date or at the appointing authority's discretion, whichever is sooner. (Res. 82/1334, Res. 83/1029)(Amended 9/13/83)(Effective 8/1/83)

**18.12 Salary on Change of Assignment:**

(a) If a significant change is made in the duties, responsibilities, work schedule or work location assigned to an Exempt Medical Staff member, the appointing authority or designee may review the changes to determine if they are of such a magnitude to warrant an adjustment in the salary level of the Exempt Medical Staff member. If it is determined that an adjustment is appropriate, the appointing authority or designee may adjust the salary upward or downward to the appropriate step of the range. If such an assignment is temporary (typically not exceeding one year duration), the Exempt Medical Staff member shall return, at the termination of the assignment, to the step of the range he/she would have received had he/she remained in his/her regular assignment.

(b) Effective Date: Salary adjustments reflecting changes in assignment of an Exempt Medical Staff Member shall be effective on the first day of the month following the month in which the adjustment is made by the appointing authority or designee. (Res. 82/63)

**18.13 Salary – On Promotion or Demotion:** When an employee of a class on the basic or exempt salary schedule is appointed to a position in an Exempt Medical Staff classification, the salary range for which is either higher or lower than the class he previously occupied, his/her salary shall be established in accordance with Section 18.8(a) (Appointment). (Res. 82/63)

**18.14 Salary on Promotion – Exempt Medical Staff Resident Physicians:** Exempt Medical Staff Resident Physicians are expected to spend approximately one year in each of the three classifications. However, the duration of an employee's training at one of the levels may be extended at the discretion of the appointing authority or designee. Exempt Medical Staff Resident Physicians advancing to a next higher resident physician classification shall be paid at the monthly rate for that classification. (Res. 82/63)

**18.15 Reclassification of Position:** The salary of an employee whose position is reclassified from a class on the basic or exempt salary schedule to an Exempt Medical Staff classification shall be established in accordance with Section 18.8(a) (Appointment)

**18.16 Reassignment:** Exempt Medical Staff members who are reassigned from one position to another position within the same classification shall be compensated at the same step in the salary range as they were previously. If the reassignment is accompanied by a significant change in the duties, responsibilities, work schedule or work location, the Exempt Medical Staff members salary may be adjusted in accordance with Section 18.12 (Salary on Change of Assignment)

**18.17 Additional Duties:** In addition to their regular duties, an Exempt Medical Staff member may be compensated for time spent performing additional assigned duties which may consist of any authorized service performed in a clinical program or facility which is outside the Exempt Medical Staff member's normal duties and responsibilities and which is performed outside of their normal work hours. Permanent full-time and part-time Exempt Medical Staff members who are assigned additional duties defined in Section 18.2(b) shall be paid for such additional work at an hourly rate established by the Board. Such assignments must be made in advance by the Health Services Director, Assistant Health Services Director or Chief of Service. (Ord. 77-38 §1 (part); prior Ord. Code §36-11.012; Res. 82/63)

**18.18 Physician Call Pay – General:** In addition to their compensation for regular duties, exempt medical staff physicians may be compensated for time spent on physician call. The rate of compensation for each exempt medical staff physician shall be established by the appointing authority or designee, from a range of pay rates authorized by resolution of the board. Designation of the rate will be at the discretion of the appointing authority or designee who shall consider guidelines to be established by resolution of the board, which may include the amount of time spent on physician call, the professional demands of the service, the frequency and duration of recall incidents and the professional qualifications of the physician. (Ord. 77-38 §1 (part); prior Ord. Code §36-11.010; Res. 82/63)



**18.19 Physician-Call Pay:**

(a) The Board shall annually authorize expenditures for Physician-Call costs to the specific medical services requiring such availability of an Exempt Medical Staff Physician.

(b) From the funds allocated to each medical service, the appointing authority or designee shall designate an annual rate of pay for each Exempt Medical Staff Physician performing Physician-Call in that particular medical service. The annual rate shall be designated for each Exempt Medical Staff Physician to reflect the portion of the total Physician-Call duties and responsibilities of the particular medical service which are assigned to the Exempt Medical Staff Physician, and may be adjusted upwards or downwards to further reflect any significant change in the Exempt Medical Staff Physician's responsibility for Physician-Call services. The total of the pay rates designated for all the Exempt Medical Staff Physicians in a particular medical service may be less than but shall not exceed the annual authorization of Physician-Call expenditures for that service. In designating or adjusting the pay rate, the appointing authority or designee shall consider criteria including, but not limited to:

- (1) The medical demands of the service including the duties and responsibilities of the physician when called;
- (2) The number of call incidents typically encountered in the medical service;
- (3) The amount of time the Exempt Medical Staff Physician is typically required to spend at the facility when called;
- (4) The number of hours of Physician-Call assigned to the Exempt Medical Staff Physician; and
- (5) The professional qualifications of the Exempt Medical Staff Physician.

(c) Payment shall be on a monthly basis, each monthly payment consisting of one-twelfth of the designated annual rate. (Res. 82/63)

**18.20 Chief of Service Duties:** The Health Services Director may periodically assign Exempt Medical Staff Members to perform Chief of Service duties and may designate an additional amount, not to exceed the amount authorized by the Board to be paid each month for this assignment.

**18.21 Mileage:** The mileage allowance for the use of personal vehicles on County business shall be paid according to the per month formula authorized by the Board.

The rates shall be adjusted to reflect an increase or decrease in the cost of gasoline which shall be determined as provided below on the basis of the average price for "gasoline, all types" per gallon as listed in Table 5, "Gasoline average prices per gallon, U.S. city average and selected areas" for the San Francisco-Oakland, California area published by the Bureau of Labor Statistics, U.S. Department of Labor, hereinafter referred to as the "Energy Report."

The mileage rates shall be increased or decreased by one cent (1¢) for each fifteen cents (15¢) increase and decrease in the base price for gasoline which shall be defined as the average price of gasoline per gallon for July, 1979 as published in the Energy Report. Any such rate increase or decrease shall be effective the first of the month following publication of the index. The above formula rates include price increases reported since July 1979.

The mileage rate increase or decrease based on the Energy Report shall be contingent upon the availability of the official monthly Energy Report in its present form and calculated on the same basis unless otherwise agreed upon by the parties. (Res. 82/63, Res. 82/1334, Res. 84/363)(Amended 6/26/84)

**18.22 Educational Leave:** Each permanent full-time employee with one (1) or more years of service shall be entitled to five (5) days leave with pay each year to attend courses, institutions, workshops or classes which meet the requirements for American Medical Association Category One Continuing Medical Education. Requests must be submitted for approval in advance to the appropriate Assistant Health Services Director of Service Chief so coverage can be arranged.

Permanent part-time employees shall be entitled to educational leave on a pro-rated basis. (Res. 82/1334, Res. 84/363)(Amended 6/26/84)

**18.23 Vacation – General Provisions:**

(a) Exempt Medical Staff members in permanent positions are entitled to vacations with pay which accrue according to, and may be cumulated to maximums set forth in the table below. Accrual is by hours of working time per calendar month of service and begins on the date of appointment to a permanent position, except that increased accruals granted in recognition of long service begin on the first of the month following the month in which the Exempt Medical Staff member accrues the time set forth in Subsection (b), and except that accrual for portions of a month shall be in minimum amounts of one hour calculated on the same basis as for partial-month compensation pursuant to Section 18.7. Vacation credits may be used only after completion of six months service in a permanent position but may be used by Exempt Medical Staff members to supplement exhausted sick leave in cases of absence during the first six months, and in addition, may be used by Exempt Medical Staff members in the first six months' service in order to reconcile vacation schedules to training needs. An Exempt Medical Staff Resident Physician who is required by the department to schedule his/her vacation at the sole convenience of the department in order to accommodate training needs shall have the equivalent of one (1) year's accrual of vacation credited at the beginning of each fiscal year's training program to accommodate departmental vacation scheduling prior to regular accruals on a monthly basis. Exempt Medical Staff Resident Physicians may utilize this vacation account credit in advance of the date the vacation is regularly accrued under the provisions applying to all Exempt Medical Staff Physicians. However, Resident Physicians who terminate before the end of a fiscal year's training program shall have their vacation credit account adjusted downward to equal the pro-rata vacation they would have accrued on the regular accrual plan. If a Resident Physician uses vacation accruals in excess of the adjusted entitlement computed effective on his/her separation, the resident shall reimburse the County for the excess vacation accruals taken at his/her then current pay rate. On separation from County service Exempt Medical Staff members shall be paid for any unused vacation credits at their then current pay rate.

(b) The rates at which vacation credits accrue, and the maximum accumulation thereof, are as follows:

<u>Length of Service</u>	<u>Monthly Accrual Hours</u>	<u>Maximum Cumulative Hours</u>
Under 15 years	10	240
15 through 19 years	13 1/3	320
20 through 24 years	16 2/3	400
25 through 29 years	20	480
30 years and up	23 1/3	560

(Res. 82/63, Res. 84/363, Res. 87/358)(Amended 7/09/87)

**18.24 Sick Leave:**

(a) Accrual: Exempt Medical Staff members in permanent positions shall accrue sick leave credits at the rate of eight working hours credit for each completed calendar month of service in the permanent position. Credits for a portion of a month in minimum amounts of one hour's working time shall accrue on the same basis as partial-month compensation as specified in Section 18.7. Unused sick leave credits shall accumulate from year to year.

(b) Use: Exempt Medical Staff members may use paid sick leave credit in increments of one-half (1/2) hour in accordance with the Board's policy and the approval of the appointing authority or designee.

(c) Cancellation: When Exempt Medical Staff members are separated, accumulated sick leave credits shall be cancelled, unless the separation results from a layoff, in which case the accumulated credits shall be restored, if they are reemployed in a permanent position within the period of their layoff eligibility.

(d) Regulations: The County Administrator shall promulgate regulations implementing and elaborating the policies expressed in Board resolutions and ordinance, including regulating the manner of claiming and proving the proper use of paid sick leave credits. (Res. 82/63, Res. 84/363)(Amended 6/26/84)

**18.25 Insurance-General Regulations:**

(a) General: The County shall provide programs of insurance covering such aspects of life, accident, health, disability and liability as are specified here or by other Board action.

(b) Administrative Regulations: This program, the payment of the County's contribution(s), the arrangements for coverage of eligible persons and other administrative details shall be subject to the agreements made from time to time with the person(s) offering this service and to such regulations promulgated by the County Administrator as may be necessary to carry out the intent of this division including coverage of part-time positions, those receiving retirement benefits under the employees' retirement system of this County, employees on stipendiary educational leave and others. (Res. 82/63, Res. 84/363)(Amended 6/26/84)

**18.26 Payment:** Payment procedures shall be as specified in this Resolution. (Res. 82/63, Res. 84/363)(Amended 6/26/84)

**18.27 County Administrator's Regulations:** The County Administrator may promulgate regulations to carry out this resolution or any portion thereof; these shall have the force of law. (Res. 82/63, Res. 84/363)(Amended 6/26/84)

## SECTION 19

### FIXED TERM EMPLOYEES

**19.1 Terms of Employment by Resolution:** The Board may, from time to time, by resolution, prescribe and/or provide for the number, compensation, tenure, and appointment of fixed-term entry-level employees, including the terms and conditions of their employment and the rates and methods of their compensation, notwithstanding the provisions of this resolution. (Ord. 80-21, see §32-4.682; prior Ord. Code §36-16.002)

## SECTION 20

### DEEP CLASSES

**20.1 Scope:** This chapter applies to all employees in all deep classes, and for them it supersedes all of the other provisions of this resolution, except as expressly provided in this resolution or in board resolutions, provided, that this section shall not be applied to fixed term employees. (Ord. 80-23; prior Ord. Code §36-18.002; Res. 83/1)

**20.2 Deep Class Defined:** “Deep Class” means a group of positions with duties of different levels of difficulty, responsibility and/or authority, but of sufficient similarity that the class title describes each position in the class, and for which the Board has adopted a salary schedule of more than five steps. (Ord. 80-23; prior Ord. Code §36-18.004)

**20.3 Terms of Employment and Compensation:** The Board shall, by resolution from time to time, prescribe and/or provide for the number, compensation, tenure and appointment of these employees, including the terms and conditions of their employment and their rates of pay. (Ord. 80-23; prior Ord. Code §36-18.006)

**20.4 Appointments:** When appointing each such employee, the appointing authority shall allocate that person to a level on the salary range, based on that person’s qualifications in accordance with guidelines established by board resolution. (Ord. 80-23; prior Ord. Code §36-18.008)

## **SECTION 21**

### **EXEMPT APPOINTEES' MERIT SYSTEM STATUS RETENTION**

**21.1** Whenever a merit system employee having permanent status is appointed to a County position excluded from the merit system by ordinance, said employee shall be considered on a leave of absence from the merit system position and shall retain all merit system seniority and status for the class held immediately preceding the exempt appointment, unless the employee is terminated from the exempt position for cause, as stated in the regulations adopted by the Board of Supervisors governing separations, in which case the procedures for separations and the right of appeal provided in the regulations shall apply, and in which case the termination for cause shall be automatically applicable to both the exempt position and the merit system position. (Res. 81/1012)

**21.2** Unless separated for cause, an employee excluded from the merit system whose exempt appointment is terminated, shall automatically end the leave of absence from the merit system and revert to the class held immediately prior to the exempt appointment. Such reversion will be governed by the merit system rules on seniority and layoff; however, displacement shall occur only within the department in which the exempt appointment occurred. (Res. 81/1012)

**21.3** The provisions of this section shall not apply to exempt appointments made by the Board of Supervisors, exempt appointments serving at the pleasure of the Superior or Municipal Judges, Exempt Medical Staff appointments or appointments to project positions, unless specifically authorized by the Board. (Res. 81/1012)

CONTRA COSTA COUNTY  
SALARY REGULATIONS

REVISED 7/03