

SACRAMENTO PUBLIC LIBRARY AUTHORITY



UNREPRESENTED PERSONNEL RESOLUTION

EFFECTIVE JULY 1, 2021

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ARTICLE 1
SALARY ADMINISTRATION

1.1 ORIGINAL APPOINTMENT COMPENSATION RATE: NON-MANAGEMENT

The rate of compensation upon original appointment in an unrepresented non-management position shall normally be step “1” of the Confidential Salary Schedule. However, if the Library Director or designee finds that the appointee has extraordinary qualifications, or that a higher step is necessary in order to recruit, appointment at any step in the range may be made.

1.2 ADVANCEMENT IN RATE OF COMPENSATION: NON-MANAGEMENT

a. Advancement in Steps

(1) Employees who maintain a satisfactory level of performance shall be advanced at twelve (12)-month or 2,080-hour intervals to succeeding steps of the assigned salary range. An employee who is at a salary step lower than the highest step, and demonstrates exceptional performance, or as needed for retention, may be advanced to a higher step in the salary range for that classification at any time, subject to approval by the Library Director. The anniversary date will be adjusted to the effective date of the step increase.

(2) Time spent on leave of absence without pay of 10 or fewer consecutive workdays shall not affect the step advancement eligibility date. For leaves in excess of ten (10) consecutive working days without pay, the step increase anniversary date shall be extended by the total amount of time spent on leave of absence without pay.

b. Denial of Step Advancement and Reduction in Grade

All employees who do not maintain a satisfactory level of performance may be denied step advancement and may be reduced within grade upon approval of the Library Director. Employees who are reduced in grade or denied advancement may request the Library Director to review the action.

c. Effective Date of Step Advancement

For employees maintaining a satisfactory level of performance, advancement to succeeding steps of the assigned salary range shall become effective at 2,080-hour intervals from the anniversary date of the first increase.

1.3 EFFECT OF CLASSIFICATION CHANGE ON RATE OF COMPENSATION: NON-MANAGEMENT

a. Movement to a Higher Classification

(1) When an employee moves from one classification to another classification in a higher

salary range through examination, temporary appointment, reallocation or reclassification of a position, the employee shall receive an increase of not less than 5% of the employee's hourly rate, or the rate provided for in step "1" of the higher classification, whichever is greater, but not to exceed the maximum rate of the higher classification.

(2) Staff appointed to a management classification shall receive an increase comparable to a full in-grade salary step from their prior position.

b. Movement to Another Position in the Same Classification or to a Classification with the Same Salary Range

(1) When an employee moves to another position in the same classification or to another classification within the same salary range, the employee shall maintain the same salary and same anniversary date.

1.4 RATE OF COMPENSATION UPON RETURN TO AUTHORITY SERVICE: NON-MANAGEMENT

a. An employee re-employed after layoff or reinstated after a leave of absence of up to one year shall return at the same salary step paid at the time of departure.

b. If an employee is re-employed within one year of resignation to the same or lower classification than that in which last employed, the employee may be placed at any step in the given classification at the discretion of the Library Director, but not to exceed the step received immediately prior to leaving Authority service. If that step is other than the maximum step of the salary range, the anniversary date for subsequent in-grade adjustments shall be the date of re-employment.

1.5 RATES HIGHER THAN THE HIGHEST STEP (Y-RATE): NON-MANAGEMENT

a. Whenever the salary of an employee exceeds the highest step of the salary range established for a classification, the Library Director may designate such salary as a "Y-rate." As long as an employee's salary remains above the highest step of a given classification, the employee shall not receive further salary increases. Upon promotion to a higher classification, the employee shall immediately advance to that step of the higher classification next above the "Y-rate." The employee shall then be eligible for advancement to succeeding steps in the range, as outlined in this Resolution.

b. A Y-rate may apply when an employee's position is reallocated to a classification with a lower salary range. The Y-rate shall not apply in instances of discipline, layoff or voluntary demotion.

1.6 TEMPORARY WORK IN HIGHER CLASSIFICATION: NON-MANAGEMENT

- a. An employee temporarily assigned in writing to perform the duties of a higher classification shall be compensated for the duration of the out-of-classification assignment on the grade the out-of-classification duties are assigned and on the step that provides for not less than a five percent (5%) increase of the employee's hourly rate, except that the employee may be placed on the highest step of the grade if that is the maximum allowable for the class.
- b. A temporary appointment to a management classification requires the approval of the Library Director. Fringe benefits shall be based on the employee's regular classification. The salary for the management classification shall be determined by the Library Director.
- c. Employees are not eligible to receive out-of-class compensation while on paid leave.

1.7 SALARY ADJUSTMENTS: NON-MANAGEMENT

- a. Effective the first payday in July, 2021, all unrepresented non-management employees will receive a base wage adjustment of two and one-half percent (2.5%).

1.8 MANAGEMENT BROADBAND

The Library Director is authorized to change the number of management positions by adding or deleting positions, adding new or redefining the duties of existing management positions, and adjusting the salary of individual managers or positions. The Library Director shall review the broadband on an annual basis and recommend modifications to the Authority Board.

**ARTICLE 2
HEALTH AND WELFARE**

The following are Authority-designated, non-vested benefits of employment and, as such, may be modified.

2.1 FRINGE BENEFIT PLAN

The Fringe Benefit Plan shall be applicable to all full-time unrepresented employees. The Fringe Benefit Plan, including Management Leave for employees who are less than full-time, shall be established by the Library Director on a case-by-case basis, not to exceed the Fringe Benefit Plan for comparable full-time employees.

The fringe benefit plan for unrepresented employees shall be as follows:

a. Basic Life Insurance

Authority-paid basic life insurance shall be:

| Group | Amount |
|----------------|---------------|
| Non-management | \$20,000 |
| Management | \$50,000 |

b. Supplemental Life Insurance

Unrepresented employees may purchase out-of-pocket supplemental life insurance subject to the restrictions specified in the insurance carrier's plan documents.

c. Minimum Hours of Work Requirement

In order to receive the full Authority contribution toward Health and Welfare benefits referenced below in subsection (e), an employee must be in paid status a minimum of sixty (60) hours per pay period. The contribution toward Health and Welfare benefits for employees in paid status from 30 to 59 hours per pay period will be pro-rated to the number of hours in paid status. If the employee is not in paid status for at least thirty (30) hours per pay period, the employee shall not be eligible for any Authority contribution. In that event, the Authority shall deduct from the employee's paycheck the amount needed to pay for the insurance plans the employee has selected. If this deduction from the employee's paycheck cannot be made in its entirety, it is the responsibility of the individual employee to pay for the remaining amount.

d. Premium Payment with Separation Date During First Pay Period of the Month

In the event an employee separates from Library Authority employment in the first pay period of the month, the health premium that would have been deducted from the second

paycheck of the month shall instead be deducted from any remaining leave balance payment due to the employee upon separation. In the event the remaining leave balance is insufficient to cover the entire amount of the remaining premium due, it is the responsibility of the individual employee to pay for the remaining amount. This payment may be accomplished through deduction from final pay or by personal check made payable to the Sacramento Public Library Authority.

e. Health and Welfare Contribution to Unrepresented Employees

(1) Effective January 1, 2020, the Authority-paid contribution shall be as follows:

- i. For employee only, the Authority contribution will be the lowest-cost health and dental plan.
- ii. For employee +1, the Authority contribution will be eighty percent (80%) of the lowest- cost health premium and lowest-cost dental premium.
- iii. For employee +2, the Authority contribution will be eighty percent (80%) of the lowest- cost health premium and lowest-cost dental premium.
- iv. If a high- deductible option becomes available in an amount lower than the lowest-cost health rate and is selected by an employee, the employer contribution is limited to the actual high-deductible premium, plus dental.

(2) Vision insurance shall be offered to employees at their expense.

(3) The balance of the health and welfare contribution, if any, may be utilized to purchase benefits in the IRS Section 125 cafeteria plan, including the Authority- sponsored health and dental plans, short-term disability plans, and/or supplemental life insurance for eligible employees and qualified dependents, if any. Any amount of the health a n d welfare contribution that is not spent in the cafeteria plan will be paid to the employee in cash and treated as taxable income. To be eligible for a cash payment, employees must be enrolled in an Authority-sponsored health insurance plan.

f. Long-Term Disability Insurance

Unrepresented management employees shall receive Authority paid long-term disability insurance.

2.2 FLEXIBLE SPENDING ACCOUNTS

a. Unrepresented employees may participate in an Authority-established Flexible Spending Account (FSA), as permitted by Internal Revenue Service Regulations:

(1) Out-of-pocket costs for Authority- sponsored health and dental insurance premiums;

- (2) Unreimbursed health-care expenses up to IRS-allowed limits;
- (3) Dependent care reimbursement up to IRS-allowed limits.
- b. Administrative costs shall be paid by the employees participating in FSA for subparagraphs (2) and (3) above.
- c. Employees shall be informed about the procedures, rules and the forfeiture of unused FSA funds.

2.3 DEFERRED COMPENSATION PLAN

Unrepresented employees may participate in the Authority's deferred compensation plan, as long as the deferred compensation salary limit is not exceeded.

2.4 SECTION 401(A) MONEY PURCHASE PLAN

Management employees may participate in the Authority-sponsored 401(A) Money Purchase Plan. The plan consists of an employee contribution of 5% and employer contribution of 4%.

2.5 STATE DISABILITY INSURANCE

- a. The Authority shall maintain State Disability Insurance (SDI) and Paid Family Leave (PFL) at the employee's cost.
- b. The intent of this program is to enable eligible employees who file for SDI or Paid Family Leave (PFL) benefits in accordance with applicable rules and procedures to integrate such benefits with their own available leave balances. Integration occurs when the SDI or PFL benefit and the monetary value of the employee's leave balance combine to provide a bi-weekly adjusted net income that does not exceed 100% of the employee's regular net income, so long as available leave balances and SDI or PFL eligibility permits. The regular net income is the employee's gross income, less any required deductions, such as taxes, retirement and SDI or PFL insurance premiums, as well as any other mandatory deductions. Other employee-authorized deductions shall be made from the resultant net pay. Eligible part-time employees shall be included in this program on a pro-rata basis.
- c. Eligible employees shall use SDI or PFL on an integrated basis, *using all available paid leave hours to include* compensatory time off (CTO), holiday credit earned (HCE), paid time off (PTO) and catastrophic leave (CAT), subject to the provisions of Article 3, Section 3.7.c. Paid leave hours must be used in that order.

- d. Employees choosing not to integrate are responsible for their share of health premiums and leave hours will cease to accrue.
- e. Integration of SDI or PFL with accrued leave balances must follow the procedures established by the Authority, which the Authority shall, in its sole discretion, implement to ensure the equitable application of the program.
- f. Integration of SDI or PFL with accrued-leave balances shall take place only if the employee submits a request for integration in writing to Human Resources, using the Authority-provided form.
 - (1) The Authority shall make leave payments to the employee in the usual manner, except that the net pay, including SDI or PFL benefits and net Authority pay, shall not exceed 100% of the employee's regular net pay. If SDI or PFL benefits equal or exceed 100% of the regular net pay, no Authority payment shall be made.
 - (2) Temporary pay allowances, such as overtime compensation or out-of-class pay, shall not be considered when determining the employee's gross or net pay.
 - (3) PTO, CAT leave and Holiday pay or credit will accrue on a prorated basis during the period of integrated SDI or PFL, based on the number of hours integrated from the employee's paid leave balances.
- g. Any pay period during which an unrepresented non-management employee is on the integrated leave and SDI or PFL program shall count toward step advancement on the Confidential Salary Schedule.
- h. If the employee exhausts all available leave balances, but continues on SDI or PFL, the Authority compensation, including leave accruals, shall cease.
- i. The Authority shall continue its contributions toward the employee's health, dental, life and retirement contributions in accordance with established laws. The employee shall be responsible for payment of premiums required to maintain medical insurance coverage when Authority contributions cease due to exhaustion of the employee's FMLA or integrated leave balances.
- j. Any period of absence during which an employee is receiving SDI or PFL benefits, but is not receiving leave integration payments, shall be deemed a leave of absence without pay.
- k. In the event the Authority determines that legislative, administrative or judicial determinations cause changes that in any way restrict, reduce or prohibit this program operation, it shall immediately and automatically terminate.
- l. For purposes of calculating the integration provision, exempt employees shall be considered to work a 40-hour work week, eight hours per day, five days per week.

2.6 RETIREE HEALTH CONTRIBUTION

Employees hired on or after July 1, 2011, are not eligible to receive the Retiree Health Contribution, as approved by the Sacramento Public Library Authority Board in Resolution 13-07.

2.7 RETIREE HEALTH SAVINGS PLAN

The Authority shall provide to all full-time and part-time employees covered by the Resolution a Retirement Health Savings (RHS) Plan as selected by the Authority. The RHS Plan is a medical expense reimbursement program that accumulates assets to pay for medical expenses in retirement on a tax-free basis.

- a. Effective July 1, 2021, the Authority shall contribute \$40 per the first two (2) pay periods each month (\$80 a month) to eligible full-time and part-time employees' RHS accounts.
- b. Effective July 1, 2021, part-time employees hired on or after July 1, 2021 and in paid status less than forty (40) hours per week shall receive contribution on a pro-rata basis. Part-time employees hired on or before June 30, 2021 shall receive the full RHS contribution.

**ARTICLE 3
LEAVES**

3.1 PAID TIME OFF (PTO)

- a. Time off with pay shall be earned by unrepresented full-time employees based on the equivalent of full-time service from the date of appointment. Paid time off (PTO) shall be earned over twenty-four (24) pay periods per year, which shall be the first two (2) pay periods of each month. PTO will cease to accrue once the unused balance totals the accrual maximum specified in 3.1.
- b. Eligible employees shall accrue and accumulate PTO in accordance with the following schedule:

| Years of Service | Accrual Rate | Accrual Maximum |
|-------------------------|----------------------|------------------------|
| During first 5 Years | 7 hours, 40 minutes | 400 hours |
| 6 through 10 years | 9 hours, 20 minutes | 450 hours |
| 11 through 15 years | 10 hours, 20 minutes | 500 hours |
| 16 through 20 years | 11 hours, 00 minutes | 520 hours |
| 21 through 25 years | 11 hours, 20 minutes | 540 hours |
| 26 years and more | 11 hours, 40 minutes | 560 hours |

- c. Unrepresented non-management part-time employees shall accrue PTO on a pro-rata basis.
- d. Accrued PTO may be taken upon approval and at the discretion of the employee's supervisor or manager. In order to avoid undue disruption of work activities or to minimize conflicts with other employees' paid time off, the supervisor or manager may place reasonable seasonal or other restrictions on the use of accrued paid time off.
- e. An employee who separates from Authority service shall be paid the monetary value of his/her accrued PTO as of the date of separation or may invest the value of his/her accrued PTO in the Authority's deferred compensation plan.
- f. An employee who is called to active military duty from a reserve status may request a payout equal to the monetary value of his/her accrued PTO prior to deployment.
- g. An employee must be in paid status to accrue PTO.

3.2 HOLIDAYS

a. The following shall be the recognized paid holidays under this Resolution:

| Holiday | Date |
|------------------------------------|-----------------------------|
| New Year's Day | January 1 |
| Martin Luther King, Jr.'s Birthday | Third Monday in January |
| President's Day | Third Monday in February |
| Cesar Chavez Day | March 31 |
| Memorial Day | Last Monday in May |
| Independence Day | July 4 |
| Labor Day | First Monday in September |
| Veteran's Day | November 11 |
| Thanksgiving Day | Fourth Thursday in November |
| Day after Thanksgiving Day | Friday after Thanksgiving |
| Christmas Eve | December 24 |
| Christmas Day | December 25 |
| Floating Holiday | Employee's Discretion |

b. Administration of Holidays

- (1) The actual dates as listed above shall be considered as the employee's holiday.
- (2) Pay for recognized holidays, accrual of the Floating Holiday and accrual of Holiday Credit is based on the employee's full-time equivalent (FTE) and is paid at the employee's straight time rate of pay. 1 FTE is 8 hours and 0.5 FTE is 4 hours.
- (3) An unrepresented non-management employee who is scheduled to work on a recognized holiday shall receive holiday pay plus time and one-half (1 1/2) compensation for working the holiday.
- (4) If the recognized holiday falls on the employee's scheduled day off, the employee shall accrue holiday credit for the hours of the holiday equal to the employee's regular shift hours.
- (5) To be eligible for holiday pay, employees shall be in paid status on the last scheduled workday before, and the first scheduled workday after, the recognized holiday.

c. On New Year's Eve, all libraries will close no later than 5:00 PM.

d. Floating Holiday

- (1) Employees shall accrue a single 8 (eight) hour Floating Holiday per year as of July 1 each fiscal year. Employees are expected to use the Floating Holiday during the fiscal year July 1 - June 30.

- (2) Employees may not carry over more than eight (8) hours of Floating Holiday credit from one fiscal year to the next. Any hours in excess of eight (8) not used by November 1 of the next fiscal year shall be paid at the employee's straight-time rate on the first full pay period of December in the same calendar year.
- (3) An employee terminating for any reason or going on a leave of absence without pay for a period exceeding ninety (90) days shall be paid for all accrued floating holiday time not used at the straight-time rate.

e. Holiday Credit

- (1) Employees may accumulate holiday credit up to a maximum of eighty (80) hours in a calendar year and are expected to use all holiday credit hours within the calendar year earned. Employees may not carry over more than eight (8) hours of holiday credit from one calendar year to the next. Any hours in excess of eight (8) not used by November 1 of the current calendar year shall be paid at the employee's straight-time rate on the first full pay period of December in the same calendar year.
- (2) Holiday credit may be taken by the employee at the discretion of the supervisor or manager, and must be taken prior to requesting and being approved to take other accrued leave.

3.3 MANAGEMENT LEAVE

- a. Effective July 1 each fiscal year, unrepresented management employees shall be credited with sixty (60) hours of management leave time. Employees appointed after July 1 of a fiscal year shall be entitled to a pro-rated share of sixty (60) hours of management leave time based upon the number of full months remaining in that fiscal year. Proration also will occur in the event an employee has been unable to report to duty for medical or non-medical reasons, in a paid or unpaid status, for a continuous 30-day period. Management leave time shall be usable upon being credited, subject to the approval of the immediate supervisor. Employees are expected to use their management leave time during the fiscal year July 1-June 30. The Authority will determine annually if management leave will be continued.
- b. Management employees may not carry over more than forty (40) hours of Management Leave from one fiscal year to the next. Any hours in excess of forty (40) not used by June 30 shall be paid at the employee's straight-time rate on the pay period including June 30. No employee shall have more than one hundred (100) hours of Management Leave on July 1. Any hours that were carried over (1-40 hours) not used by November 1 of the next fiscal year shall be paid at the employee's straight-time rate on the first full pay period of December in the same calendar year. No employee shall have more than sixty (60) hours of Management Leave after the first full pay period of December.

- c. Upon separation from Authority service, any balance of unused management leave shall be paid out.

3.4 PARENTAL LEAVE BENEFIT

The following Parental Leave Policy shall apply to all employees:

- a. Full-time unrepresented employees shall be eligible for a maximum parental leave of four (4) weeks consisting of up to one hundred-sixty (160) hours of continuous paid time off within six (6) months of birth or adoption. Part-time unrepresented employees shall be eligible for parental leave consisting of up to eighty (80) hours of continuous paid time off within six (6) months of birth or adoption. Unused parental leave shall have no cash value.
- b. To be eligible for the paid leave, an employee must have completed at least 2,080 hours of service from the most recent date of hire preceding either (a) the birth of a child who resides with the employee and for whom the employee has legal custody, or (b) the adoption of a child under age six (6) who resides with the employee and for whom the employee has physical and legal custody, including the pre-adoption period. Court-appointed legal guardians and foster parents do not qualify for parental leave. Parental leave shall be used continuously. At the discretion of the Library Director, parental leave may be used intermittently or on a reduced schedule if a timely request is made by the employee.
- c. Eligible employees shall have the right to only one leave of absence per pregnancy or adoption, regardless of the number of children involved (e.g., twins). The duration of Authority-paid leave shall not change based on a change in employment status, such as from part-time to full-time regular.
- d. Upon return from parental leave on the date previously authorized, employees shall be reinstated in the classification last held.
- e. Eligible employees shall have the right to extend parental leave beyond the four (4) weeks of Authority-paid leave to the maximum six (6) months of leave by adding accrued and available hours of PTO, if applicable, other usable leave credits, and/or unpaid leave to their initial request for parental leave. The total period of absence from work, including the four (4) weeks of paid parental leave, shall not exceed six (6) months.
- f. Paid parental leave shall be considered as being in paid status for purposes of eligibility for recognized holidays occurring during such leave.
- g. The Authority shall have the right to promulgate a policy and procedure to implement and administer the parental leave benefit.

3.5 COURT LEAVE

- a. An employee shall be granted pay for those hours absent from work for the following reason(s):
 - (1) Testify in response to a subpoena issued by a court of competent jurisdiction in a matter to which the employee is not a party;
 - (2) Serve on a jury;
 - (3) Report for jury duty examination; or
 - (4) Testify in a proceeding in which the employee was a witness while on Library business.
- b. Employees shall notify the supervisor or manager immediately upon receiving the subpoena or jury summons. Pay for work time lost shall be computed at the employee's regular rate of pay at the time of such absence.
- c. An employee must provide the Library with a statement signed by an official of the court certifying the employee's service as a witness or juror or appearance in court for such compensation paid. Pursuant to the California Code of Civil Procedure Section 215, any remuneration received from the court, less transportation allowance, must be returned to the court by the employee.
- d. The Library may require the employee to elect to be on telephone alert for the appearance.

3.6 CATASTROPHIC LEAVE PLAN

- a. All full-time unrepresented employees shall accrue catastrophic leave at the rate of 1 hour, 40 minutes in each of the first two (2) pay periods of every month (equivalent to 40 hours annually). A part-time employee shall accrue catastrophic leave on a pro-rata basis calculated on actual paid hours.
- b. Purpose of Leave

Catastrophic leave may be taken to attend to the employee's own serious health condition or the serious health condition of a member of the employee's family, provided that the condition is anticipated to last for greater than 30 consecutive days.
- c. Eligibility
 - (1) Catastrophic leave may only be used by regular employees who have exhausted all available paid leave balances in excess of 80 hours.
 - (2) Catastrophic leave shall have no cash value and will be forfeited upon the employee's separation from employment with the Authority.

- e. Catastrophic leave may not be applied to the Leave Donation Plan.
- f. Family Members
 - (1) Parent: The biological, foster or adoptive parent, a stepparent or a legal guardian of the employee. Parent does not include “parent-in-law.”
 - (2) Child: Biological, adopted or foster child, stepchild or legal ward of the employee or the employee’s registered domestic partner.
 - (3) Spouse: A husband or wife as defined or recognized under State law for purposes of marriage.
 - (4) Domestic Partner: A domestic partner registered with the state of California
- g. Catastrophic leave hours shall be used on a consecutive, continuous and uninterrupted basis. No intermittent leave shall be permitted for use of catastrophic leave hours except at the discretion of the Library Director.
- f. Coordination with FMLA/CRFA Leave:
If the employee has not previously exhausted leave under the Family Medical Leave Act or California Family Rights Act, catastrophic leave will run concurrently with these leaves.
- g. The Library Director shall promulgate and distribute a policy and procedure for the administration of catastrophic leave.

3.7 LEAVE DONATION PLAN

- a. A regular employee, whether represented or unrepresented, may donate to or receive from an unrepresented or a represented employee, usable leave credits, except catastrophic or sick- leave credits. Participation in this plan is voluntary.
- b. All donations shall be made and accepted in writing using Authority- provided forms and procedures.
- c. The donation shall be made in a minimum of four (4)-hour increments of accrued time.
- d. Donations shall be on an hour-for-hour basis, regardless of the pay rates of the donor and recipient.
- e. Donated hours shall be kept in a pledge status until used. Donations shall be date-stamped as they are received and used in date-stamped order. As needed, pledged hours shall be debited from the donor’s leave balance and credited to the recipient’s PTO balance.

- f. Management employees may only receive donations from management employees. A non-management employee may not receive donations from a subordinate employee where a direct supervisor/subordinate relationship exists. Any exception to this paragraph must be approved by the Library Director or designee.
- g. To be eligible to request donations, an employee must:
 - (1) Be incapacitated and unable to work due to a prolonged catastrophic non-industrial illness or injury that is estimated to last for at least thirty (30) calendar days, or to provide necessary care for a family member as defined in 3.7(d), who is incapacitated for at least 30 days; and,
 - (2) Have exhausted all usable leave balances except for 80 hours of PTO; and,
 - (3) Be on an approved leave of absence.
- h. All donated hours must be used on a continuous and uninterrupted basis and will be paid at the rate of pay and normal work schedule of the recipient, along with all usable hours accrued, until the earliest of the following event occurs:
 - (1) All leave balances, including both the donated and accrued leave, are exhausted; or
 - (2) The employee returns to work at his/her normal work schedule; or
 - (3) The employee's employment terminates.
- i. Donations received while a recipient is still utilizing previously donated and related accrued leave time may be used immediately thereafter. Hours donated subsequent to exhausting all donated hours shall be accumulated and utilized along with related accrued leave hours in amounts equal to the recipient's normal bi-weekly work hours.
- j. Used donated leave time shall count toward the application of Authority service and benefits in the same manner as when the employee is on paid leave.
- k. Used donated leave time shall be subject to the recipient's normal payroll deductions.
- l. The Authority shall promulgate a policy and procedure to implement and administer leave donation.

3.8 INDUSTRIAL DISABILITY LEAVE

- a. An employee who has suffered a work-related illness or injury in the performance of assigned duties shall immediately undergo such medical examination as the supervisor, manager or designee deems necessary. The employee shall not be considered absent from duty during the time required for such an examination. Failure or refusal of the employee to undergo such medical examination shall constitute a waiver on the part of the employee

of the leave benefits of this section.

- (1) An employee who has suffered a work-related injury or illnesses shall immediately inform his/her supervisor of such injury and shall complete any forms provided to him/her within 24 hours of receipt.
- b. An employee who is unable to perform any appropriate work assignments because of disability incurred in the performance of assigned duties shall be entitled to the following disability leave benefits, in addition to those provided pursuant to the California Workers' Compensation Insurance Act:
- (1) During any period of disability due to a work-related illness or injury for which payment is not provided under workers' compensation insurance, the employee shall use any leave with pay that he/she has accrued, excluding Catastrophic Leave. If it is the determination of workers' compensation insurance that the employee should have received payment, the amount of paid leave utilized will be credited back to the employee.
 - (2) During any period of disability for which payment is provided under workers' compensation insurance, the employee shall elect to either:
 - i. Retain any workers' compensation benefits received during the pay period and receive a partial paycheck in an amount so that the partial pay and the workers' compensation benefits taken together are equivalent to the employee's regular full pay. The employee shall use accrued paid leave, excluding Catastrophic Leave, for purposes of this integration; or,
 - ii. Retain any workers' compensation benefits received during the pay period(s) as total compensation. If the employee chooses to retain the compensation benefits provided by workers' compensation, the employee shall not receive a paycheck for the pay period from SPL. It shall be the responsibility of the employee to pay the employee's share of any insurance premiums.
- c. All disability leave provisions of this section shall terminate on the date of the employee's recovery from disability, receipt of permanent disability under workers' compensation insurance, retirement, separation from Authority employment or death, whichever occurs first. In cases where workers' compensation is not immediately payable, the employee shall use accrued paid leave during the first initial three (3) days of an industrial accident.

The employee's paid-leave accrual shall be credited for the amount of paid leave utilized when it is determined by workers' compensation that:

- (1) The accident is, in fact, work-related;
- (2) Time off and duration thereof are warranted; and

- (3) Workers' compensation pays the employee for the initial three (3)-day waiting period.
- d. The Authority has the right to require that the treatment of work-related injuries or illnesses be provided by an Authority- designated physician in accordance with Sections 4600 and 4601 of the Labor Code. This does not preclude the employee from seeking treatment from a physician of the employee's choice, designated in advance as provided bylaw.
 - e. An employee who has suffered work-related illness or injuries and is utilizing accrued paid leave while on workers' compensation is considered to be in paid status and shall continue to accrue PTO.
 - f. An employee who has suffered a work-related illness or injuries shall immediately inform his/her supervisor of such injury and shall complete any forms provided to him/her within 24 hours of receipt.
 - g. The Authority may make alternative assignments, retrain employees, or as provided under the Government Code.
 - h. An employee who has suffered a work-related injury or illness is encouraged to schedule doctor appointments/medical examinations outside of his/her normal work hours. If doctor appointments/medical examinations are scheduled during the employee's work hours, the employee's accrued paid leave balances, e.g. Paid Time Off (PTO), Holiday Credit (HCE), shall be utilized. If the employee does not have accrued paid-leave balances, the time taken to attend doctor appointments/medical examinations shall be unpaid leave (LWOP).

3.9 BEREAVEMENT LEAVE

The Library Director shall authorize bereavement leave for a regular unrepresented employee on active pay status in the event of a death in the employee's household or of an immediate family member.

- a. Immediate family is defined as: spouse, child, stepchild, parent, step-parent, parent-in-law, sibling, grandchild, grandparent, a domestic partner registered with the State of California, or any individual who resided with the employee at the time of death.
- b. A full-time regular employee shall, upon written request, be granted up to three (3) days with pay for any one (1) death. In the event that the employee needs to travel to a location more than 300 miles away from the city of Sacramento, an employee may use up to two (2) additional days for travel, which time shall be taken from Catastrophic Leave time. The employee will be required to submit documentation for the need to take these additional days.
- c. Bereavement leave shall be pro-rated for part-time employees.

- d. The Library Director may, at his/her sole discretion, grant bereavement leave for deaths of other persons if it is determined that special circumstances are applicable.
- e. Bereavement leave is not accrued or carried over from year to year, and has no cash value at the time of an employee's separation.
- f. An employee must provide documentation of the need to take bereavement leave; documentation may be provided upon the employee's return to work.

3.10 FAMILY AND MEDICAL LEAVE (FMLA)

The Library Director shall coordinate a request for Leave of Absence for Medical reasons under FMLA and other applicable federal or state laws.

3.11 LEAVES OF ABSENCE WITHOUT PAY

- a. Upon written request and approval by the Library Director, a leave of absence without pay may be granted to any regular unrepresented employee for up to six (6) months. The unpaid leave of absence may be extended by the Library Director based on unusual and special circumstances. Unpaid leaves of absence for non-medical reasons may not be granted for absences that can be covered by paid-time-off accruals, except the employee may maintain an accrual balance of forty (40) hours of PTO. Leave under this section shall not be granted to seek or accept other employment.
- b. Requests for Leave of Absence without Pay shall be submitted to the Library Director and shall state specifically the reasons for the leave, the date when the leave is to begin, and the date of return.
- c. Military Leave shall be granted as required by state and federal law.
- d. An employee shall not accrue paid time off (PTO), catastrophic leave (CAT) or Retiree Health Savings (RHS) while on leave of absence without pay. Health Benefits shall be applied in accordance with Article 2 Health and Welfare section 2.1 (c).
- e. The Library Director may revoke a leave of absence if the reason for granting such leave was misrepresented or has ceased to exist. Such misrepresentation is also grounds for disciplinary action.
- f. An employee on an approved leave of absence without pay is eligible to return to his/her classification at the completion of such leave.
- g. The employee shall not be entitled to selectively intersperse paid leave with unpaid leave for the purpose of accruing benefits or qualifying for Authority insurance contributions.

3.12 REINSTATEMENT: VOLUNTARY RESIGNATION

The Library Director may waive the hiring process and re-hire an unrepresented employee who has voluntarily resigned. To be eligible the employee shall be rehired within one year of their resignation date. The employee shall be re-employed into the classification from which they resigned. The employee will accrue PTO and other benefits as a new hire.

- a. Employee's classification seniority date shall be adjusted for the months absent due to resignation (e.g. classification seniority date 1/1/2018 will become 7/1/2018 for an absence of 6 months).

3.13 LEAVE INCENTIVE CREDIT: NON-MANAGEMENT

- a. Full-time regular employees who use twelve (12) hours or less of unanticipated leave from January 1 through June 30 or July 1 through December 31 shall receive eight (8) hours Leave Incentive Credit following the six (6)-month period in which it was earned.
- b. Part-time regular employees who work forty (40) or more hours per pay period and who use six (6) hours or less of unanticipated leave shall receive four (4) hours of Leave Incentive Credit following the six (6)-month period in which it was earned.
- c. Leave Incentive Credit not utilized by the employee's last workday of the designated six (6)- month period shall be forfeited. Leave Incentive Credit shall not accrue to Paid Time Off or Catastrophic Leave balances and shall have no monetary value.
- d. "Unanticipated leave" is leave requested within forty-eight (48) hours of the absence.
- e. Regular employees must be continuously on the Authority payroll and eligible to earn and use Leave Incentive Credit during the entire period designated. Any employee on an unpaid leave of absence during a portion of the designated period is excluded for that time period. Any employee who receives workers' compensation or SDI integration during the period designated is excluded from participation for that time period.
- f. This program does not restrict an employee's ability to use Paid Time Off as authorized.

ARTICLE 4
REIMBURSEMENTS AND ALLOWANCES

4.1 REIMBURSEMENTS AND ALLOWANCES

a. Reimbursement for privately-owned vehicles

- (1) Unrepresented non-management employees required to utilize their private vehicles for official Authority business shall be reimbursed for such use at the Internal Revenue Service (IRS) business mileage deduction rate and in compliance with the Authority's Travel Policy and Procedures, which can be found on the staff intranet.
- (2) The Library Director may offer management employees a vehicle allowance not to exceed \$400 and Authority-provided parking. This allowance is compensation for the use of privately-owned vehicles on Authority business. The monthly vehicle allowance shall be in lieu of the payment of all mileage, except for out-of-county travel on Authority business.
- (3) This benefit shall be pro-rated in the event that the management employee has been unable to report to duty for medical or non-medical reasons, in a paid or unpaid status, for a continuous 30-day period.
- (4) Any privately-owned vehicle operated on Authority business by any employee shall be insured against liability in persons and property, including wrongful death, in an amount no less than the minimum coverage required by the State of California for bodily injury and property damage.

b. Authority-Paid Monthly Public Transit Pass for Non-Management Employees

- (1) Unrepresented non-management employees may receive one of the following public transit allowances:
 - i. 100% Authority-paid Sacramento Regional Transit District (SRTD) monthly pass;
 - ii. Non-zone sticker; or
 - iii. Reimbursement for SRTD-equivalent passes for other public transit regulated by the Public Utilities Commission.
- (2) The Library Director shall promulgate a policy and procedure to implement and administer the transit pass benefit.

4.2 PARKING ALLOWANCE

Unrepresented non-management employees who work at the Central Library and drive to work shall be reimbursed for full parking costs. The employee is not eligible for this allowance if the employee has elected the Authority-Paid Monthly Public Transit Pass benefit, is purchasing a monthly parking space in the county garage, or is not incurring parking expenses.

4.3 TUITION REIMBURSEMENT/PROFESSIONAL DEVELOPMENT ALLOWANCE

The Authority shall reimburse regular unrepresented employees in this unit for the costs associated with professional development, such as approved conference attendance or tuition, books and fees, excluding parking, up to a maximum of \$1,000 per calendar year, relevant to the employee's assignment, as approved by the employee's supervisor or manager, pursuant to the Authority's existing policy for such educational reimbursement.

4.4 PROFESSIONAL MEMBERSHIPS

The Authority shall reimburse unrepresented employees for fees associated with membership in professional organizations up to \$150 per fiscal year for unrepresented non-management employees, and up to \$500 per employee for management employees, upon approval of the Library Director. Such organization must be a recognized professional organization and must be related to the employee's position and classification.

ARTICLE 5
HOURS OF EMPLOYMENT AND OVERTIME

5.1 HOURS OF EMPLOYMENT

- a. The workweek for Authority employees shall begin at 12:01 a.m. on Saturday, and end at 12:00 midnight the following Friday. A non-management, full-time employees' workweek shall consist of forty (40) working hours during the said seven (7)- day period, comprised of five (5) eight (8)-hour work days.
- b. Unrepresented Management employees exempt from the provisions of the Fair Labor Standards Act shall not accrue compensating time off or earn overtime pay for time worked in excess of eight (8) hours per day or forty (40) hours per week, but shall be expected to devote as much time to their employment as may be necessary for the efficient operation of the Authority.
- c. The Library Director may establish alternative workweek schedules for operational reasons. Such alternative workweek schedules are subject to modification or cancellation at any time, with prior notification of ten (10) working days, and must be reviewed and re-approved on an annual basis.
- d. The hours of work and work schedule for part-time employees shall be determined by the supervisor or manager.

5.2 REST PERIODS

- a. Each unrepresented non-management employee shall be afforded rest periods. The length of the rest periods will be fifteen (15) minutes during the first half of the employee's work shift, and fifteen (15) minutes during the last half of an employee's work shift. Employees who work a six (6)-hour workday without a meal period will be allowed two (2) ten (10)-minute rest periods. Employees who work a four (4)-hour work shift will be allowed one fifteen (15)-minute rest period.
- b. Rest periods may not be accumulated, nor will they be scheduled within one hour of the beginning or the end of the workday or meal period.
- c. Whenever it is necessary for an employee to work overtime in excess of two (2) consecutive hours at the end of the workday, the employee shall be granted an additional unpaid meal period, at the option of the employee. This rest period must be scheduled at the end of the employee's regular shift, and prior to working overtime hours.

5.3 LUNCH PERIODS

Unrepresented non-management employees shall be allowed an unpaid lunch period of not less than thirty (30) minutes nor more than one hour that shall be scheduled in the middle of

the workday. Exceptions to the one-hour maximum are subject to prior written approval of the employee's immediate supervisor. If an employee is required to work during a scheduled lunch period by his/her supervisor, the employee shall be given an alternate unpaid lunch period, or compensated for the additional work time, as determined by his/her supervisor.

5.4 OVERTIME FOR UNREPRESENTED NON-MANAGEMENT EMPLOYEES

- a. Unrepresented non-management employees required by their manager or supervisor to work in excess of forty (40) hours in a workweek shall be compensated for such work time at one and one-half (1½) times their regular rate of pay.
- b. As determined by the manager, supervisor or designee, the employee will either be paid or receive Compensating Time Off (CTO).
- c. For the purpose of computing the number of hours worked, all absences with pay shall be counted and included as time worked. Time worked in excess of eight (8) hours in a day or on a recognized holiday shall not be included in determining whether an employee has worked in excess of forty (40) hours in a week.
- d. An employee may accrue up to eighty (80) hours of CTO.
- e. Scheduling of CTO must be approved in advance by the manager or supervisor.
- f. Employees shall not work overtime without the prior authorization of the employee's manager or supervisor except when necessitated by an emergency situation.
- g. Overtime compensation is excluded from retirement calculations of "compensation earnable."

5.5 FURLOUGH

- a. The Authority, in its sole discretion, shall determine whether furloughs are necessary. For example, and without limitation, the Authority may determine that furloughs are necessary if it concludes, in its sole discretion, that revenues and expenditures on a year-to-year basis are not achieving or have not achieved the goals and/or projections of the five-year plan.
- b. Employees working under alternative work schedules shall be moved to a five (5)-to-eight (8) schedule during weeks of furlough.
- c. SPL may designate furlough days either on an individual basis, per arrangement with supervisor and employee; on a "rolling" basis; through System-wide closure; or through a combination of these elements. A "rolling" basis means non-simultaneous closure(s) of one or more branches and Central, with all such branches, including Central, covered by the same number of furlough days. System-wide closure means closure of all branches

and Central simultaneously.

- d. Each incidence of a furlough day will be treated as a day of unpaid leave and employees' paychecks for the pay period in question will be commensurately reduced.
- e. Furloughs shall not reduce fringe contributions or PTO accruals.

ARTICLE 6
MISCELLANEOUS

6.1 OFF-DUTY EMPLOYMENT OF UNREPRESENTED EMPLOYEES

- a. Unrepresented employees shall not engage in any other employment, work, profession, business or enterprise that is inconsistent, incompatible, in conflict with or adversely affects the performance of their duties, or that is inimical to the most effective performance of the mission of the Authority or the best interests of the Authority.
- b. Unrepresented employees shall not accept any off-duty employment without the express consent, in advance, of the Library Director.
- c. An unrepresented employee shall not work:
 - (1) In any employment that will tend to bring discredit upon the Authority or that is detrimental to Authority goals or that will reduce an individual's efficiency or usefulness as an Authority employee.
 - (2) In any employment requiring an affiliation, membership or allegiance tending to influence conduct in a manner inconsistent with the proper discharge of responsibilities to the Authority or the public interest.
 - (3) In any employment for any other municipality or political subdivision of the state or federal government (except by express permission of the Library Director).
 - (4) In any off-duty position while on sick leave or injured-on-duty status.
- d. An unrepresented employee may request authorization for off-duty employment by forwarding a letter of request in duplicate to the Library Director. The letter should provide details concerning the type of employment, expected duration of employment and the employer's name.
- e. The Library Director will notify each unrepresented employee of action taken on the request for off-duty employment by indicating such action on the letter of request and returning it to the individual.
- f. Authorization for off-duty employment may be revoked by the Library Director at any time if it has been determined that the provisions of this Section have not been followed.
- g. The Library Director will notify the employee, by letter, of actions taken to revoke previous authorization for off-duty employment.
- h. Part-time, seasonal or limited-term employees are not subject to the restrictions of this section.

- i. The Sacramento Public Library Authority reserves the right to make changes in schedules that may impact off-duty employment. The Authority is not obligated to alter work schedules or conditions of employment to accommodate off-duty work.

6.2 UNREPRESENTED APPOINTMENTS

- a. Unrepresented employees are considered to be “at will” according to provisions of the California Labor Code, meaning that the employer or employee can terminate the employment relationship at any time, without cause. There shall be no appeal available.
- b. In the event of layoff or in the event they are otherwise released, unrepresented, non-management employees who have previously held a position with the Authority in a represented classification may return to their prior represented classification (at their prior salary step for the represented classification) if they are laid-off or released before completing 2,080 hours (for full-time employee) or 1,040 hours (for part-time employee) in the unrepresented, non-management position. This period shall be extended for all hours of time off due to work related injury, as well as paid or unpaid leave time if the employee is absent on a cumulative basis in excess of twenty (20) workdays. Unrepresented, non-management employees do not have return rights to a prior represented classification in the event of termination as a result of discipline.
- c. Nothing in this Resolution shall be construed to be an express or implied covenant or contract, or to create a property right or tenure for any person appointed to positions that are unrepresented. Unrepresented employees serve at the pleasure of the Library Director.

6.3 PAYROLL OVERPAYMENTS/UNDERPAYMENTS

- a. In the event an overpayment or underpayment has been made in the payment of an employee's salary, overtime payment or leave accruals, balances or usages, the Authority shall, for purposes of future compensation, adjust such compensation to the correct amount, giving written notice to the employee.
- b. In the event an employee received an overpayment in wages or benefits, reimbursement to the Authority shall be accomplished by:
 - (1) Lump sum payment by the employee;
 - (2) A one-time deduction from usable leave credit balances equivalent to the overpayment at the employee's current hourly rate;
 - (3) A repayment schedule through payroll deduction equivalent to the number of pay periods over which the overpayment occurred; and/or
 - (4) Other means, as may be mutually agreed between the parties.

- c. No repayment schedule shall exceed twenty-six (26) pay periods
- d. No action shall be taken to enforce repayment of an overpayment, or to correct an underpayment, unless action is taken within one year from the ending date of the pay period in which the overpayment or underpayment is discovered. "Action is taken," as used in this Section, shall mean written notice to the employee in the case of an overpayment, or written or oral notice to the Authority of an underpayment.

6.4 PERS RETIREMENT PLAN AND CONTRIBUTION

- a. For employees hired on or before December 31, 2012, the Authority's contract with the Public Employees Retirement System (PERS) provides the following structure for unrepresented employees:
 - Modified 2% at age 55
 - One-year highest compensation
 - 2% COLA
 - 25% survivor continuation
 - 50% industrial disability
 - Military service credit
- b. For employees hired on or after January 1, 2013, and who meet the definition of "new member" under Government Code § 7522.04(f), the Authority's contract with the Public Employees Retirement System (PERS) for miscellaneous employees shall provide for the following structure:
 - 2% at age 62
 - Employee contribution rate of 50% of the total normal cost rate
 - Three-year average compensation
 - 2% COLA
 - 25% survivor continuation
 - 50% industrial disability
 - Military service credit
- c. Effective July 1, 2015, management employees hired on or before July 1, 2011, are responsible for paying the full amount of the employee's share of the retirement contribution to the PERS retirement plan.
- d. Employees hired on or after July 1, 2011 are responsible for paying the full amount of the employee's share of the retirement contribution to the PERS retirement plan.

6.5 MODIFIED/ALTERNATIVE DUTY POLICY

The Library provides a Return to Work program for employees who have been injured on the

job. The program provides temporary modified or alternative work as soon after a work-related injury as possible. This is a temporary program. Details of the program are available on the staff intranet.

6.6 BILINGUAL PAY: NON-MANAGEMENT

- a. A differential of five percent (5%) over base rate will be paid to unrepresented non-management employees who meet the following criteria: (1) management has approved a justification form for the employee submitted pursuant to the Authority's Bilingual Pay Policy and Procedure; and (2) the employee has passed the required language skills assessment. Bilingual pay may be discontinued upon occurrence of certain events identified in the Authority's Bilingual Pay Policy and Procedure.
- b. The Bilingual Pay Policy and Procedure is available on the staff intranet.

6.7 DEFINITIONS

- a. Exempt Employee: An employee who has been appointed to a position (either regular or temporary) that is exempt from the overtime provisions of the California Labor Code and Implementing Regulations, and the Federal Labor Standards Act (FLSA).
- b. Non-Exempt Employee: An employee who is in a classification that is subject to overtime.
- c. Provisions of the California Labor Code and Implementing Regulations, and the Federal Labor Standards Act.
- d. Confidential: An employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to information contributing significantly to the development of management positions.
- e. Paid Status: Being paid for time while (1) At work; (2) On PTO or other approved paid time off hours (except administrative leave), including, but not limited to, holidays and holiday credit; (3) On State Disability Leave or State Paid Family Leave and integrating with available leave balances; (4) On workers' compensation leave and integrating with available leave balance; (5) On jury duty; (6) On bereavement leave.

Unpaid leave of absence or disciplinary suspension is not considered Paid Status.