

Sec. 303 Declared Natural Disaster: In the event and during the period of an officially declared natural disaster affecting any portion of the

30 minutes for the remote call out).
remotely resolves the repair call in 25 minutes, he/she will be paid while remotely responding to the repair call (i.e. if the employee required to physically report to a County or customer site, then the employee will be paid in quarter-hour increments for all time worked repair call is resolved remotely, without the IT employee being subject to the one hour minimum credit outlined above. If the physically report to a County of Riverside site, or customer site, will an IT employee covered under the provisions of this Resolution to IT - Remote Repair Call Any after-hours repair call that requires

status, shall receive minimum credit for one hour of work.
emergency on an overtime basis, whether or not in standby duty FLSA non-exempt employee called back to work to meet an Minimum Overtime on Call-Back: Except as indicated below, an

Sec. 302 compensation shall cease when said employee reports to work.
Notwithstanding any prior work practice to the contrary, said shall be in addition to the employee's regular salary entitlement of such duty beyond the regular work period. Said compensation otherwise off duty shall be paid one (1) hour pay for eight (8) hours specifically on standby duty, an FLSA non-exempt employee Standby Duty: When placed by the agency/department head

Sec. 301 PREMIUM PAY
ARTICLE 3

Sec. 212 Electronic Fund Deposit of Payroll Employees shall be required to receive payroll funds by electronic deposit. Employees shall receive a Statement of Earnings (pay stub) through an electronic pay advice system. The electronic pay advice system will permit employees to view/print current and previous bi-weekly pay advice/stubs.

With approval of the County Executive Officer, or designee, persons entitled to compensatory time off under this provision may be paid in lieu of receiving compensatory time off. If payment is to be made then the number of hours to be paid shall be specified by the agency/department head or designee. Upon termination, persons employed in the classifications listed in Appendix I shall be paid for any accumulated compensatory time off which has not been taken, not to exceed sixty (60) hours.

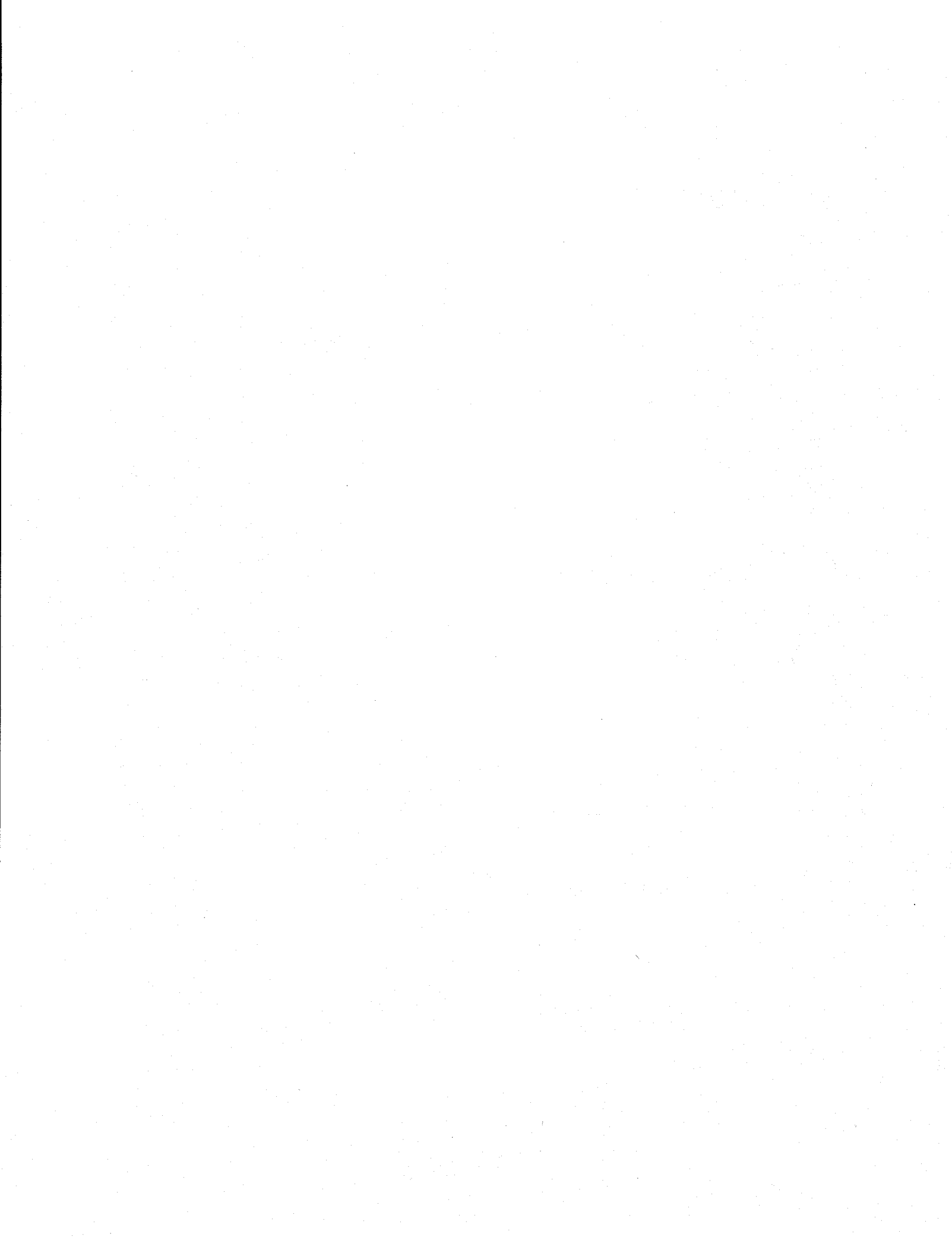
County of Riverside, and notwithstanding any other provision of this Resolution, the following provisions shall apply:

A. Any officer, in order to perform the work of his/her agency/department or a civil defense function, may employ emergency employees without reference to the salary or classification plans at rates which appear to be prevailing for the type of work to be performed at the time of such employment.

B. For the same purpose, any officer may employ on a paid overtime basis his/her current employees at hourly rates equivalent to their current compensation basis.

C. Any employee who reports to his/her regular or a designated place of employment or to a civil defense assignment shall be deemed to be employed in his/her usual position in a regular payroll status. Any employee who, without adequate reason for absence under the terms of this Resolution, fails to so report shall be deemed absent without leave and shall not be paid during such absence.

D. The Board of Supervisors may authorize payment on a paid overtime basis, at the rate of one and one-half times the employee's current regular rate, for those employees who are not otherwise entitled to time-and-a-half overtime and who are required to perform emergency services during a County-declared emergency. "Emergency services," as used in this subsection, shall be such services the Board of Supervisors authorizes.



The use of motorcycles, mopeds, and similar types of vehicles for the conduct of County business is expressly prohibited, with the exception of the Sheriff's Department sworn personnel.

3. Provide a copy of a valid driver's license, which is appropriate for the class of vehicle to be operated. If any restrictions apply, the employee must notify his/her supervisor of the restrictions and/or any and all changes in the license (i.e. suspended, etc.).

2. Insure the vehicle in minimum limits required by the State of California. In addition, employees must have their policies of insurance endorsed to reflect business use. Such insurance must be maintained at all times while employed in a position where it is required or may be required to use a personal vehicle while in the course and scope of employment. In the event of an incident or accident, the County does not assume responsibility for any physical damage to an employee's personal vehicle.

1. Complete County of Riverside "Authorization to Drive Riverside County Vehicle or Private Vehicle for County Business," Form, authorizing the employee to use his/her personal vehicle, which must be approved by the agency/department head.

B. If an employee is required to use his/her personal vehicle while in the course and scope of his/her employment, the employee must, prior to using said vehicle, do the following:

A. Employees who are required to use their personal vehicles for County business shall be reimbursed at the Internal Revenue Service (IRS) standard mileage rate. Elected Officials and County executives eligible for the Executive Vehicle Benefit described in Section 304 (C) and (D) are also eligible for this reimbursement. Adjustments to the County rate, if any, shall be made pursuant to and concurrent with the IRS rate changes. To receive the reimbursement, the employee must provide proof in the format required by the County that the miles were business related and provide an accounting of every business mile to be reimbursed, which shall include information for each business use (recorded at or near the time of the business use) of the date, the business purpose and place of each trip, in addition to the mileage.

Sec. 304 Mileage Reimbursement:



C. Elected Officials designated as eligible for Tier 1 of the Executive Vehicle Benefit as delineated in Appendix III of Salary Ordinance of 440, shall be eligible to receive an Automobile Allowance of \$550.00 per month, or be furnished with a County vehicle as provided under existing County policies and procedures.

D. Other County executives designated as eligible for Tier 2 of the Executive Vehicle Benefit as delineated in Appendix III of Salary Ordinance 440, shall be eligible to receive an Automobile Allowance of \$550.00 per month.

Sec. 305 Maintenance Pay:

A. Rates for maintenance, including living quarters, meals, or laundry service, furnished by the County to any officer or employee shall be fixed by a resolution of the Board of Supervisors from time to time. Payment therefore shall be made by a deduction from compensation or by performance of additional services, as may be determined by the Board of Supervisors.

B. No charge for meals shall be made where the same are furnished for the convenience of the County, such as for employees at County institutions who are required by the nature of their duties to take their meals in connection with such employment. No person shall receive maintenance at any institution unless on duty at such institution.

C. Nothing herein shall prohibit the furnishing of meals on a cost basis where necessary or convenient. It shall be the duty of each officer to make certain that the provisions of this section are complied with as to all employees, agency/departments, and institutions under his/her control and to keep the Auditor properly informed as to any payroll deductions required hereunder.

D. Medical interns and resident physicians at the Riverside County Regional Medical Center shall be furnished without charge medical and hospital care for acute illnesses and injuries contracted or sustained by them during the period of their employment. Whether an illness or injury qualifies under this provision shall be determined by the Hospital Administrator with the advice of the Chief of Medical Staff.

Sec. 306 Moving Expenses-Current Employees: Upon the written request of an agency/departments head, the Human Resources Director and the County Executive Officer may authorize payment of all or part of the actual and necessary expenses hereafter incurred for moving



travel to and from the location of the course and for time actually exceeded 40 hours every two years. Time granted shall be used for of Registered Nurses approved courses. Time granted shall not granted time by their appointing authority to attend California Board of Tuition and/or Registration Fee: Eligible employees may be

A.

Sec. 308 Education for Continued Licensing of Registered Nurses:

11:00 p.m. and 7:00 a.m. differential of \$1.20 per hour for the time actually worked between the hours of 1:00 p.m. and 7:00 a.m. shall be paid a night scheduled shift that ends after 11:00 p.m. and who perform work otherwise addressed in this Section working their regularly Night Shift: FLSA non-exempt employees whose positions are not

C.

between 3:00 p.m. and 11:00 p.m. evening differential of \$.60 per hour for the time actually worked between the hours of 3:00 p.m. and 11:00 p.m. shall be paid an scheduled shift that ends after 6:00 p.m. and who perform work not otherwise addressed in this Section working their regularly Evening Shift: FLSA non-exempt employees whose positions are

B.

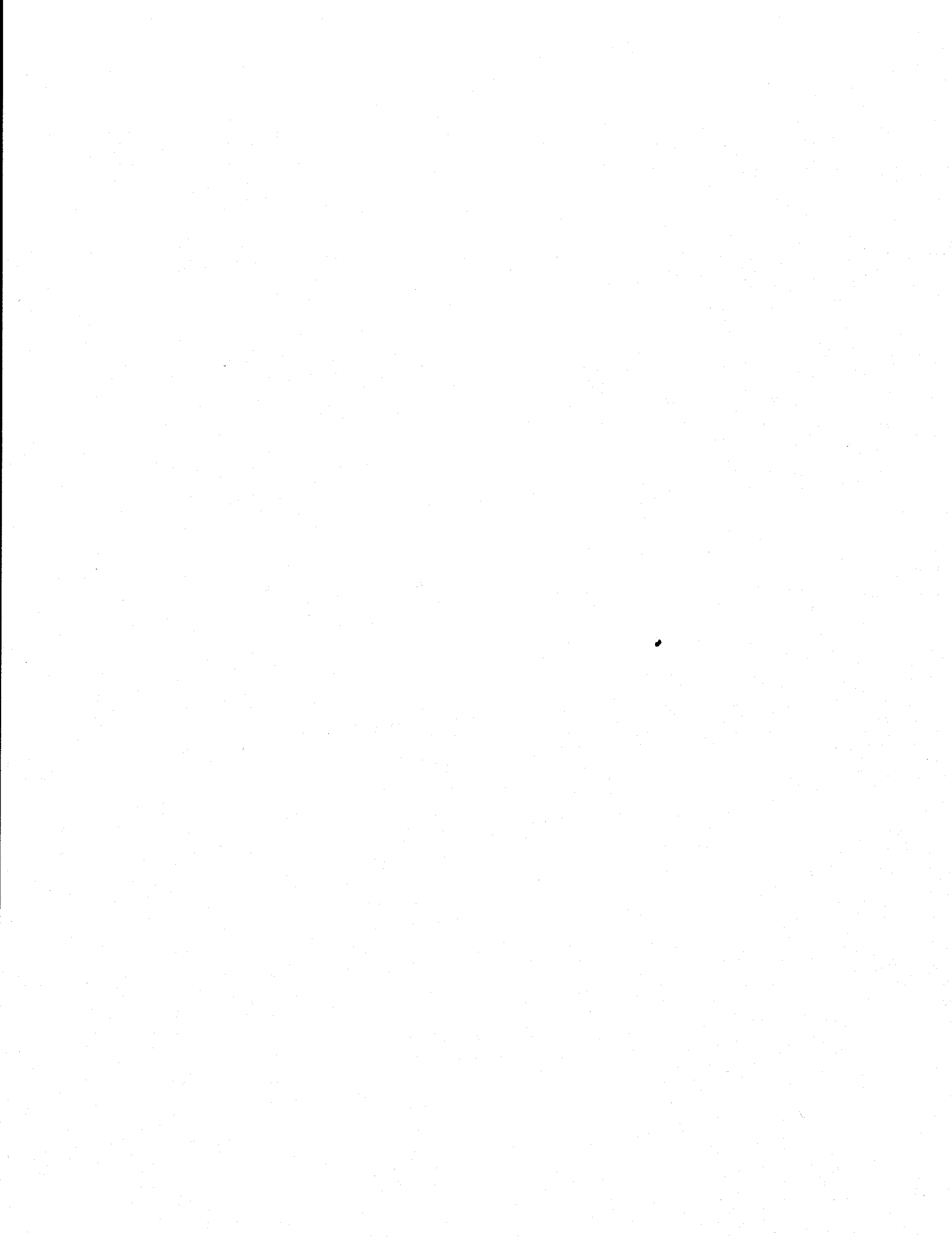
shift differential is payable in tenths of an hour. sick leave, holiday pay, or standby duty. The hourly rate for each for shift differentials. Shift differentials do not apply to vacation, provided herein, only FLSA non-exempt employees shall be eligible

A.

Sec. 307 Shift Differentials:

the household and immediate family of an employee from one part of the County to another, when the headquarters of the employee is permanently changed for the convenience of the County. Such authority shall be obtained in advance of the change, shall be subject to such reasonable conditions as the County Executive Officer may require, shall specify the maximum amount authorized, and shall not be granted more than once in any one year period for any one employee, nor for any employee until he or she has been continuously employed by the County for at least one year preceding the authorization. If the employee voluntarily terminates his or her employment with the County within one year of the payment of the expenses set forth herein, the employee shall, within 30 days of the effective date of the voluntary termination of employment with the County, reimburse the County the full amount of any payment received by the employee for the expenses set forth herein.

Sec. 307



The scope of this policy covers all full time and part time employees who are assigned work on a regular and continuing basis that requires a second language to effectively meet the service demands of the County's customers.

Scope

Sec. 309 Bilingual Pay:

Mandatory critical care course hours required in the Riverside County Regional Medical Center (RCRMC) shall not be deducted from an employee's hours in education for continued licensing. The County shall pay the cost of mandatory courses offered by the RCRMC. Courses offered outside of the RCRMC must receive prior approval of the RCRMC in order to be paid.

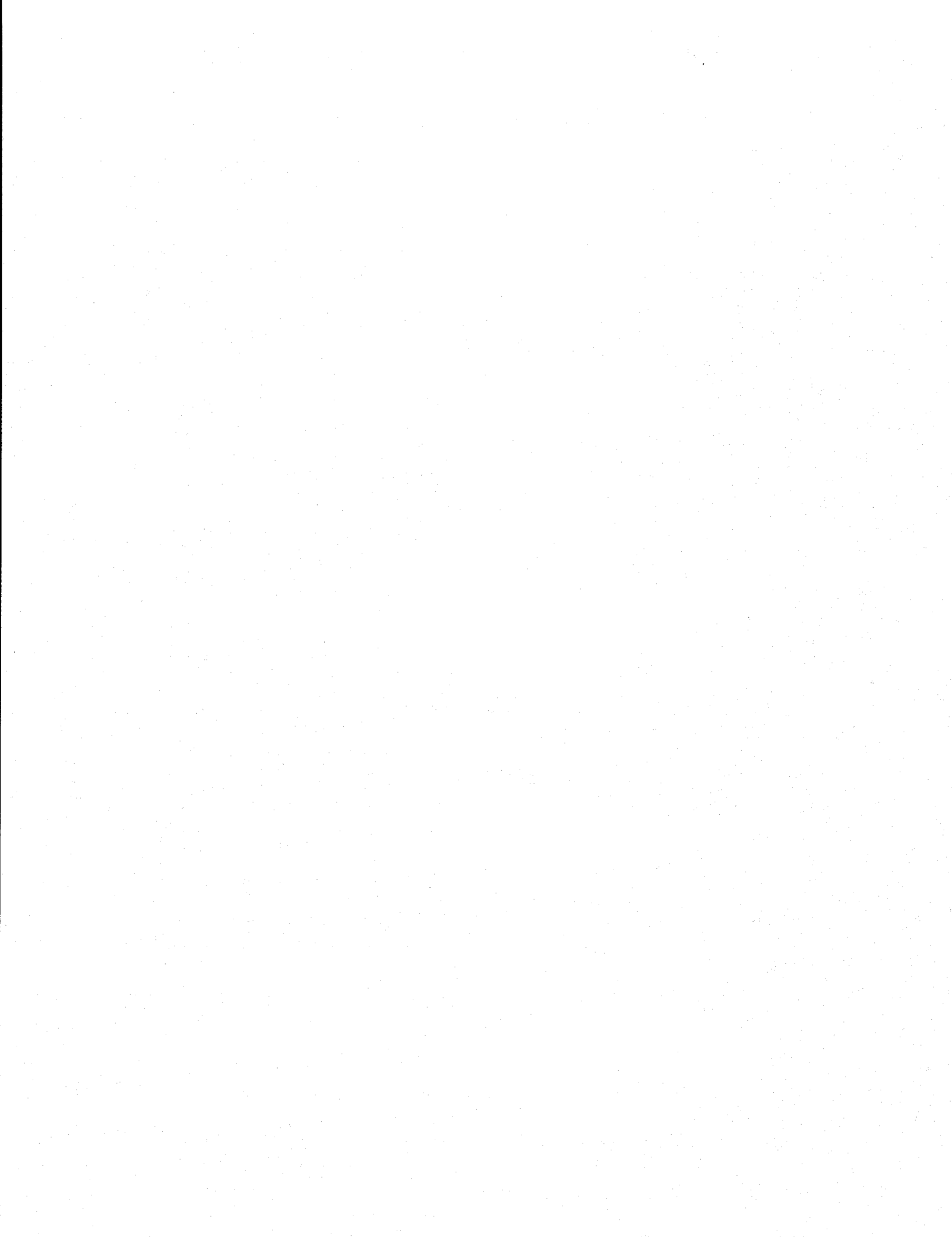
1. The location, date, time, subject, and number of contact hours of the course to be attended;
2. The number of hours needed to renew the employee's professional license; and,
3. The date the employee's current license expires.

Procedure: An eligible employee desiring education time must request approval from the appointing authority a reasonable time in advance of the requested date or dates. A request for education time shall be in writing and state:

1. Have completed six months of continuous service with the County in a full-time, regular position or a part-time position normally working at least 40 hours in a pay period;
2. Have not completed the minimum number of hours required to renew the employee's professional licenses; and,
3. Be employed in a classification that requires the employee to be licensed to practice as a Registered Nurse.

B. Eligible Employees: In order to be eligible for paid education time, an employee shall:

spent in course attendance. The granting or denial of education time shall be at the discretion of the employee's appointing authority.



Eligibility Factors

Eligibility Factors require use of a second language at least five times per week or once per day for eligibility.

Skill Levels

Definitions of Skill Levels:

- Level 1: Basic Oral Communication
 - Employees at this level perform bilingual translation
- Level 2: Task Completion
 - Employees at this level perform bilingual translation as well as written translation.
- Level 3: Written translation, and medical and legal interpretation
 - Employees at this level perform complex verbal and written translation.

Compensation

Employees who have qualified for bilingual compensation will receive additional compensation as follows:

- Level 1: \$40 per pay period (\$0.50 per hour)
- Level 2: \$60 per pay period (\$0.75 per hour)
- Level 3: \$80 per pay period (\$1.00 per hour)

Payment of bilingual pay will be pro-rated based on the hours actually worked to the maximum amount indicated per pay period.

Testing Administration

Oral and written examinations will be administered by the Human Resources Assessment Center as follows:

- Level 1: Basic oral/reading test
- Level 2: Written
- Level 3: Complex Level Written

The Bilingual Pay Program is administered by Human Resources.

All current County Employees receiving bilingual pay under the previous system will continue to receive the rate of pay they are receiving, as long as they continue in their current position. Qualified Employees, whose

A. Group 1 employee, contract employee, or other employee who serves At Will to the Board of Supervisors or County Executive Officer, may, subject to the terms and conditions set forth below, be eligible to have his/her salary increased to a maximum of fifteen steps beyond the regularly assigned top step of his/her current salary grade or salary set forth in an existing contract. Such increase(s) shall not be subject to the Step Advance provisions set forth under Section 402 of this Resolution but shall, instead be accomplished by certification to the County Executive Officer, based upon completed performance appraisals, of an affected employee's "outstanding performance."

B. A Group 1 or Group 2 employee who serves At Will to an At Will Group 1 County agency/department head may, subject to the terms and conditions set forth below, be eligible to have his/her salary increased to a maximum of five steps beyond the regularly assigned top step of his/her current salary grade or salary set forth in an existing contract. Such increase(s) shall not be subject to the Step Advance provisions set forth under Section 402 of this Resolution but shall, instead be accomplished by certification to the County Executive Officer, based upon completed performance appraisals, of an affected employee's "outstanding performance." The continuation of increases granted pursuant to the provisions of this Section shall not be automatic, and failure to sustain "outstanding performance" shall cause the employee's pay to revert to the regularly assigned step for his/her classification. Eligibility for additional steps granted to all employees as part of changes to the Management Resolution shall not be adversely affected by the employee's status in steps granted beyond the regularly assigned step pursuant to the provisions of this Section. Salaries granted pursuant to this provision shall be reported to PERS as compensation earned.

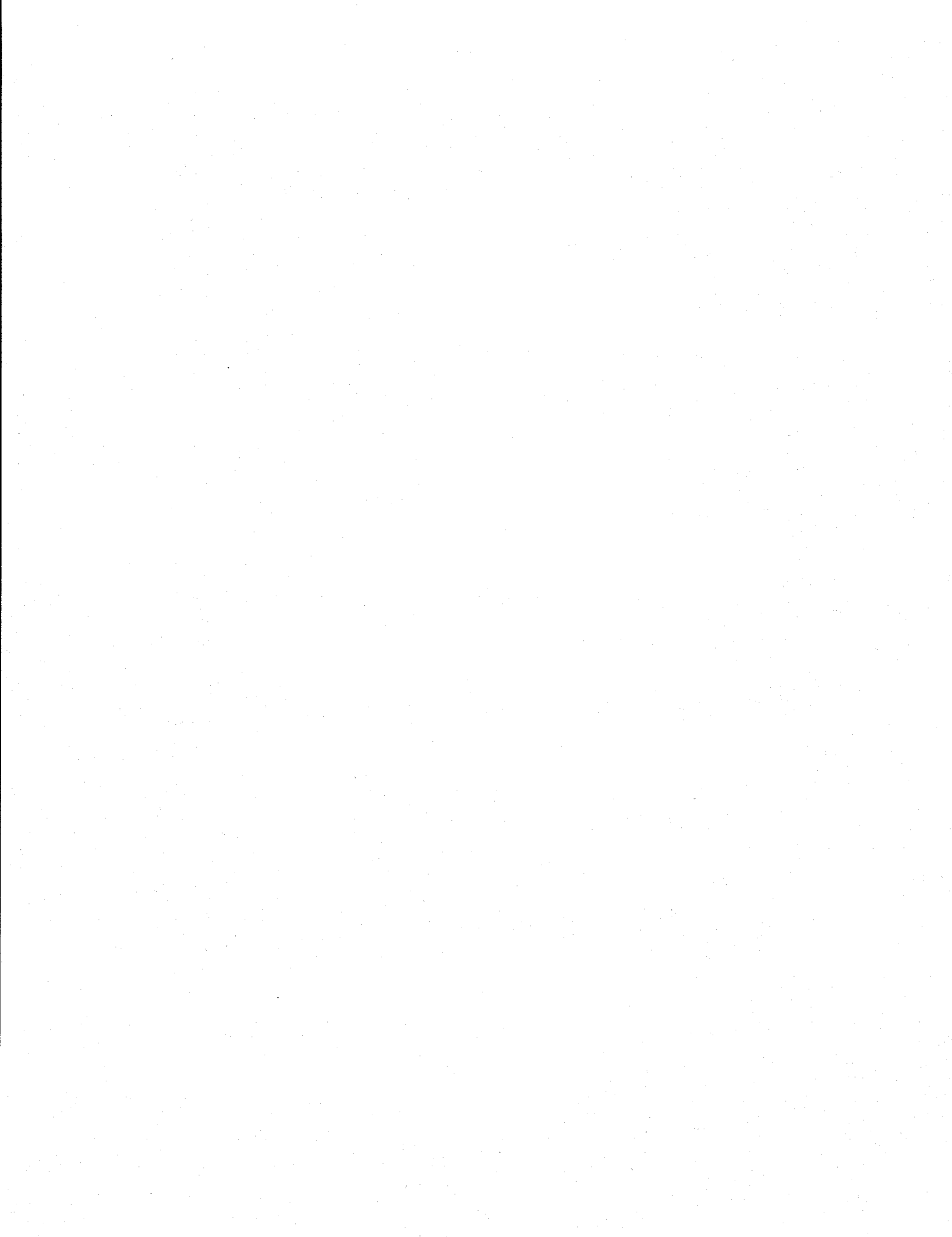
Formatted: Indent Left: 0.5", Hanging: 0.5", No bullets or numbering

Sec. 311 Executive Performance Recognition Plan:

Long Term Disability Plan: The Long Term Disability (LTD) Plan applicable to employees covered under this Resolution has a required waiting period to qualify for benefits of 30 days.

Sec. 310 Designation of positions eligible to receive bilingual pay is the responsibility of the supervisor with the approval of Human Resources. All future recruitments for a position designated as such should include the requirement of bilingual skills.

positions are designated by departmental supervisors as requiring/desiring bilingual skills, are encouraged to test for higher skill levels if required by the agency/department.

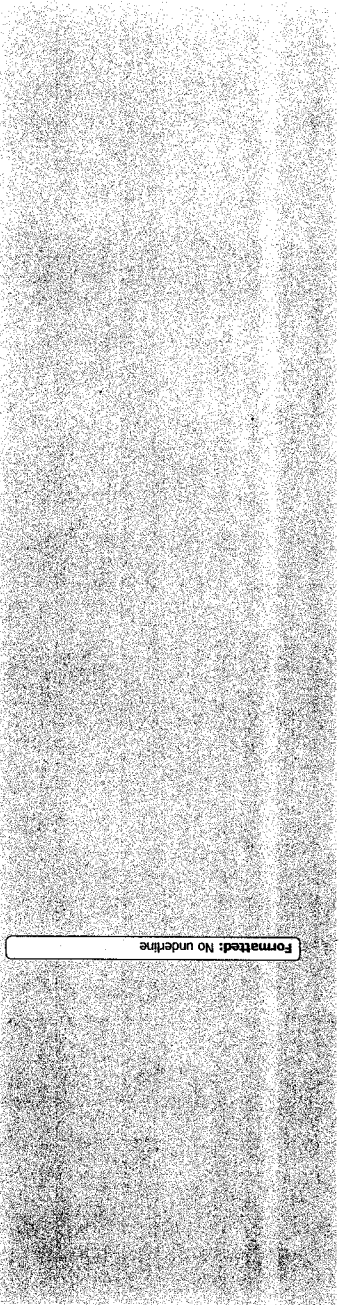


B. A Group 1 or Group 2 employee who serves At-Will to an At-Will County Executive Officer, based upon completed performance Resolution but shall, instead be accomplished by certification to the Step Advance provisions set forth under Section 402 of this in an existing contract. Such increase(s) shall not be subject to the assigned top step of his/her current salary grade or salary set forth increased to a maximum of nine steps beyond the regularly and conditions set forth below, be eligible to have his/her salary Group 1 County agency/department head may, subject to the terms

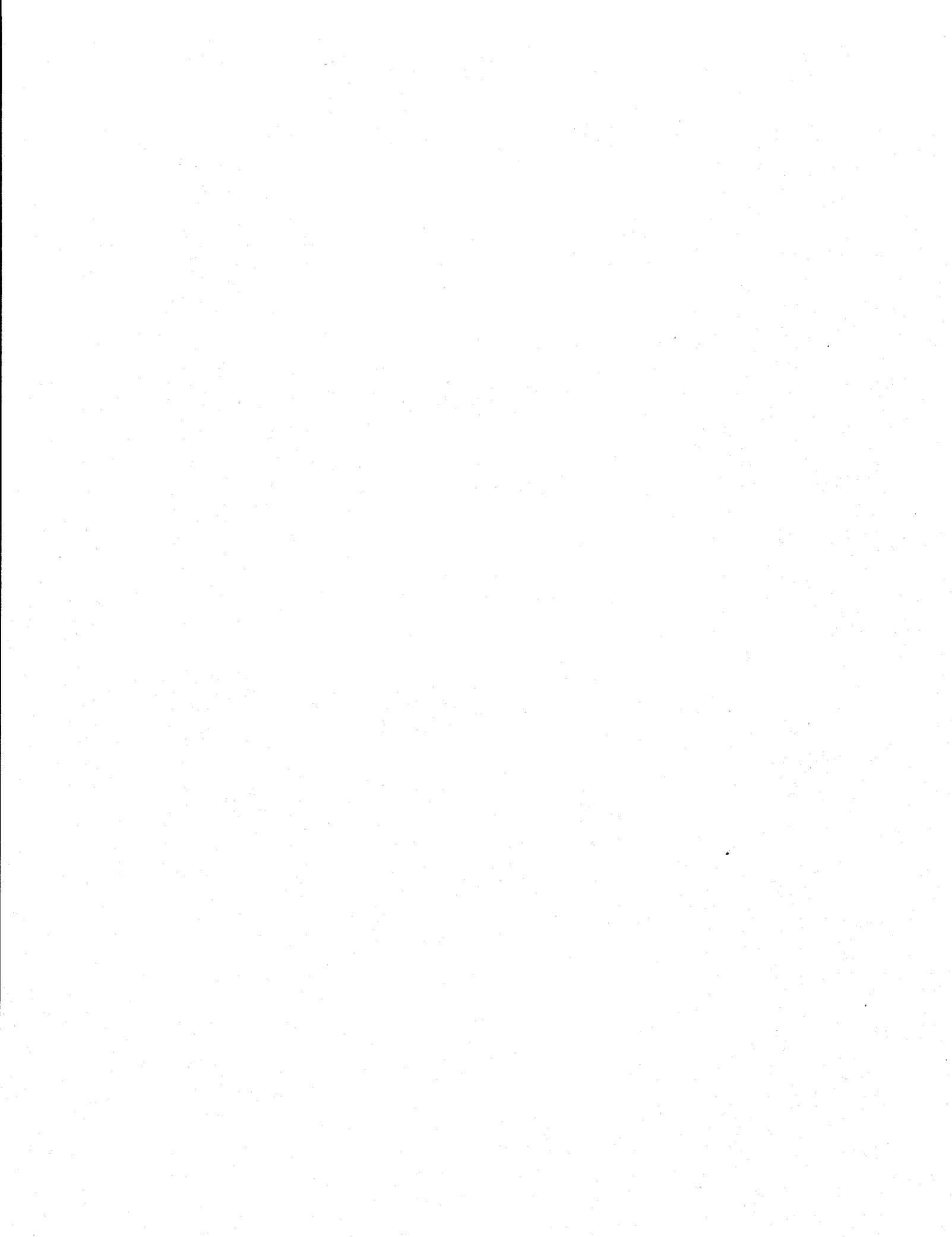
A. A Group 1 employee, or other employee who serves At-Will to the Board of Supervisors or County Executive Officer, may, subject to the terms and conditions set forth below, be eligible to have his/her salary increased to a maximum of fourteen steps beyond the regularly assigned top step of his/her current salary grade or salary set forth in an existing contract. Such increase(s) shall not be subject to the Step Advance provisions set forth under Section 402 of this Resolution but shall instead be accomplished by certification of the County Executive Officer, based upon completed performance appraisals. The continuation of increases granted pursuant to the provisions of this Section shall not be automatic, and failure to sustain high performance standards may cause the employee's pay to revert to a lower step within the applicable salary range. Eligibility for additional steps granted to all employees as part of changes to the Management Resolution shall not be adversely affected by the employee's status in steps granted beyond the regularly assigned step pursuant to the provisions of this Section. Salaries granted pursuant to this provision shall be reported to PERS as compensation earned.

Sec. 311 The Performance Recognition Plan: The Performance Recognition Plan provides incentives for performance. Eligible employees are those who are in leadership positions and who manage other employees or programs and have significant influence on the achievement of organizational objective.

The continuation of increases granted pursuant to the provisions of this Section shall not be automatic, and failure to sustain "outstanding performance" shall cause the employee's pay to revert to the regularly assigned step for his/her classification. Eligibility for additional steps granted to all employees as part of changes to the Management Resolution shall not be adversely affected by the employee's status in steps granted beyond the regularly assigned step pursuant to the provisions of the Section. Salaries granted pursuant to this provision shall be reported to PERS as compensation earned.



Formatted: No underline



C. Effective with the performance evaluations conducted in the fourth quarter of calendar year 2013, all other Management employees in Group 2 or Group 3 who have reached the actual top step of their salary grade and who is not an At-Will employee described in subsection "A" or "B" of this Section may, subject to the terms and conditions set forth below, be eligible to have his/her salary increased to a maximum of five steps beyond the regularly assigned top step of his/her current salary grade. Such increase(s) shall not be subject to the Step Advance provisions set forth under Section 402 of this Resolution but shall, instead be accomplished by certification to the County Executive Officer based upon completed performance appraisals. The continuation of increases granted pursuant to the provisions of this Section shall not be automatic. An evaluation rating of "below standards" by failing to sustain acceptable performance standards, may result in the loss of up to two steps for his/her classification. Eligibility for additional steps granted to all employees as part of changes to the Management Resolution shall not be adversely affected by the employee's status in steps granted beyond the regularly assigned step pursuant to the provisions of the Section. Salaries granted pursuant to this provision shall be reported to PERS as compensation earned.

D. Law Enforcement Executive Management classifications, excluding Chief Deputy Director, Sheriff's Administration (Article 21) and Unrepresented and Management Attorneys (Article 22) covered by this Resolution under Article 311 are ineligible for the Performance Recognition Plan in fiscal years 2012/2013 and 2013/2014.

E. Elected officials shall not be eligible for the PRR Plan; however, staff reporting to an elected official in classifications covered by this Section, are eligible under the PRR plan.

F. Employees who have met their applicable 12-month probationary period (initial, promotional, lateral or demotion) will receive a one-

Formatted: Font: (Default) Arial

Formatted: List Paragraph, Justified, Numbered + Level: 1 + Numbering Style: A, B, C, + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Tab after: 1" + Indent at: 1"

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Font: Bold

Comment [HR13]: Is it at the level of the County agency/department head?

Formatted: Not Highlight

Formatted: Not Highlight

step increase at the end of their probation and begin participating in the Performance Recognition Plan.

ARTICLE 4
PAY PRACTICES

New Employees:

Sec. 401

A. Except as otherwise provided by this Resolution, a new employee shall be appointed at the first step of the salary grade. The agency/department head with the prior approval of the Human Resources Director and the County Executive Officer may appoint a new employee in a specified classification to any step within the salary grade if the employee has: (1) qualifications substantially greater than the minimum for the classification; and (2) experience, which if it had been obtained in the position applied for, would have made the employee eligible for the advanced step proposed.

B. When the Human Resources Director and the County Executive Officer authorize a position to be filled at such step higher than the first step of the salary grade, the Human Resources Director and the County Executive Officer may also advance all incumbents of positions in the same classification earning less than the step authorized to the same or one of said higher steps, fixing the minimum initial salary on such advanced step. The anniversary date shall be the first day of the pay period that is not less than one year (26 pay periods) in a paid status thereafter, not including overtime. When such an incumbent employee is already on that step, his/her anniversary date shall not change.

C. Notwithstanding the provisions of (A) and above, there shall be up to an additional four steps (approximately 11% which shall be reserved for those specific classifications in a specific agency/department designated by the Human Resources Director, subject to the approval by the County Executive Officer, as "difficult to recruit". Further, different locations or regions may qualify for difficult to recruit designation or for different levels (i.e. percentages) of compensation under a difficult to recruit designation.

D. This designation shall be granted based upon a determination by the Human Resources Director, subject to approval by the County Executive Officer, on a specific classification and specific agency/department basis, that a serious recruiting or retention problem exists for specific classification(s) in a specific agency/department,



Subsequent merit increases for employees not compensated at the top of the salary grade(s) for the specific classifications in the specific agency/department affected by

4.

recruitment to fill a vacancy in that specific classification in the specific agency/department. received by an employee hired as the result of an open salary adjusted to an amount no less than the lowest salary approval by the Human Resources Director, have their classification may, upon a review of their qualifications and agency/department, who have completed less than one year assigned to the affected specific classification in the specific All other regular full-time and regular part-time employees

3.

employee. same salary grade and step as that granted to the new classification(s), such employee(s) shall be placed on the at the top of the salary grade for that specific who has successfully completed one year or more of service the specific classification in the specific agency/department permanent, regular full-time or regular part-time employee in pursuant to Section 401(B)(1) exceeds that for any present the specific classification in the specific agency/department in the event the salary granted to a newly hired employee

2.

pursuant to Section 401(B). up to and including a step on the salary grades established be at any step on the salary grade for his/her classification specific classification in the specific agency/department may the initial salary placement for newly hired employees in the Upon prior authorization of the Human Resources Director,

1.

or that the increases granted to subordinate "difficult to recruit" classifications in the specific agency/department has created serious compaction problems, and that a percentage increase up to and including four steps (approximately 11%) would assist the County in recruiting and retaining employees in the specific classification(s) in the specific agency/department. Advancements to any of these salary grades in the specific agency/department shall not be automatic nor shall a determination have any bearing on the same or similar classifications within the agency/department or in any other agency/departments with same or similar classifications. Upon such determination and approval, any increase granted pursuant to these provisions shall be implemented in the specific agency/department as follows:

the provisions of this Section may be granted pursuant to Section 402 of this Resolution.

5. In the event the Human Resources Director determines the circumstances that created the recruiting or retention problems for any or all classifications in the specific classification in the specific agency/department no longer exist, he/she shall advise the County Executive Officer of his/her findings. If the County Executive Officer concurs, he/she shall declare the provisions described above operative for such specific classification(s). At that time, the salary for any employee compensated at a rate above that to which he or she would otherwise have been entitled shall be frozen and shall not be increased until the regular salary for the specific classification exceeds the rate established pursuant to the provisions described above.

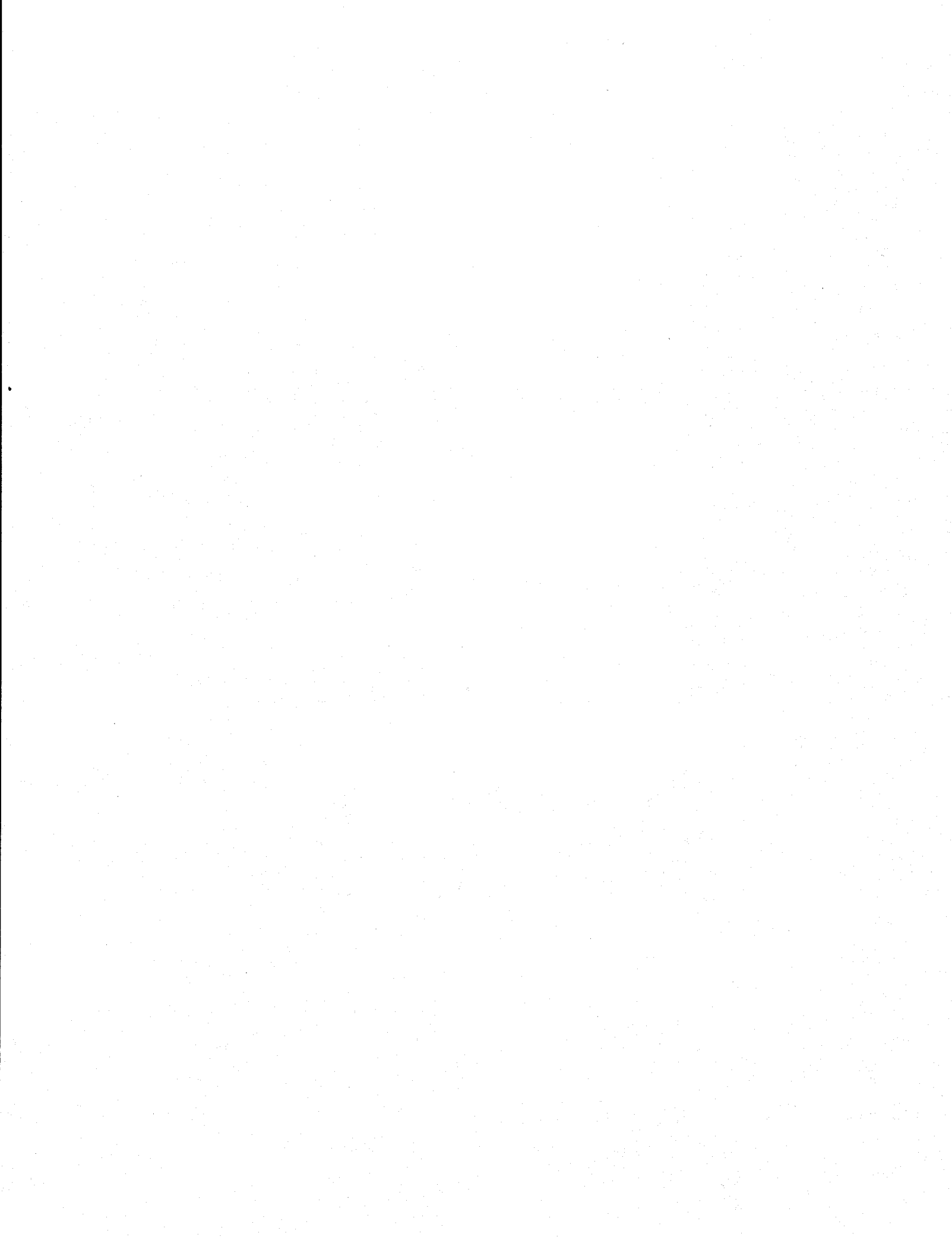
Sec. 402 Step Advance:

A. Effective August 13, 2009, the provisions of the Section as they relate to step increases were suspended. Effective July 12, 2012 the provisions of this Section as they relate to step increases shall resume except that they will do so in one-step increments instead of two steps as previously provided (except for the Unrepresented Attorney Management job classifications listed in Article 22 which will be restored at the customary two (2) steps). Effective the first pay period in July 2014, for Groups 2, 4 & 5 only, the provisions of this Section as they relate to step increases shall be restored to the customary two-step increments. For Law Enforcement Executive Management, see Article 21 for merit increases restoration.

B. Applicability of Step Increases: The compensation of each regular employee who is paid on a step basis on a salary grade, and whose pay is below the highest step, shall be considered for increase upon his or her anniversary date, except as otherwise provided.

The first anniversary date as a result of an original appointment shall be the first day of the pay period following the completion of one year (26 pay periods) in a paid status in the position not including overtime.

The first anniversary date as a result of promotion or reclassification which involved a salary increase shall be the first



day of the pay period following the completion of six months (13 pay periods) in a paid status in the position not including overtime.

Re-employment at a rate other than that of the first step of a salary grade shall be considered an original appointment for purpose of fixing the anniversary date.

The second anniversary date shall be the first day of the pay period following the completion of an additional one year (26 pay periods) in a paid status, not including overtime, and subsequent anniversary dates shall occur at like intervals.

1. The provisions of this section shall be subject to other specific provisions of this Resolution affecting a change of anniversary dates.

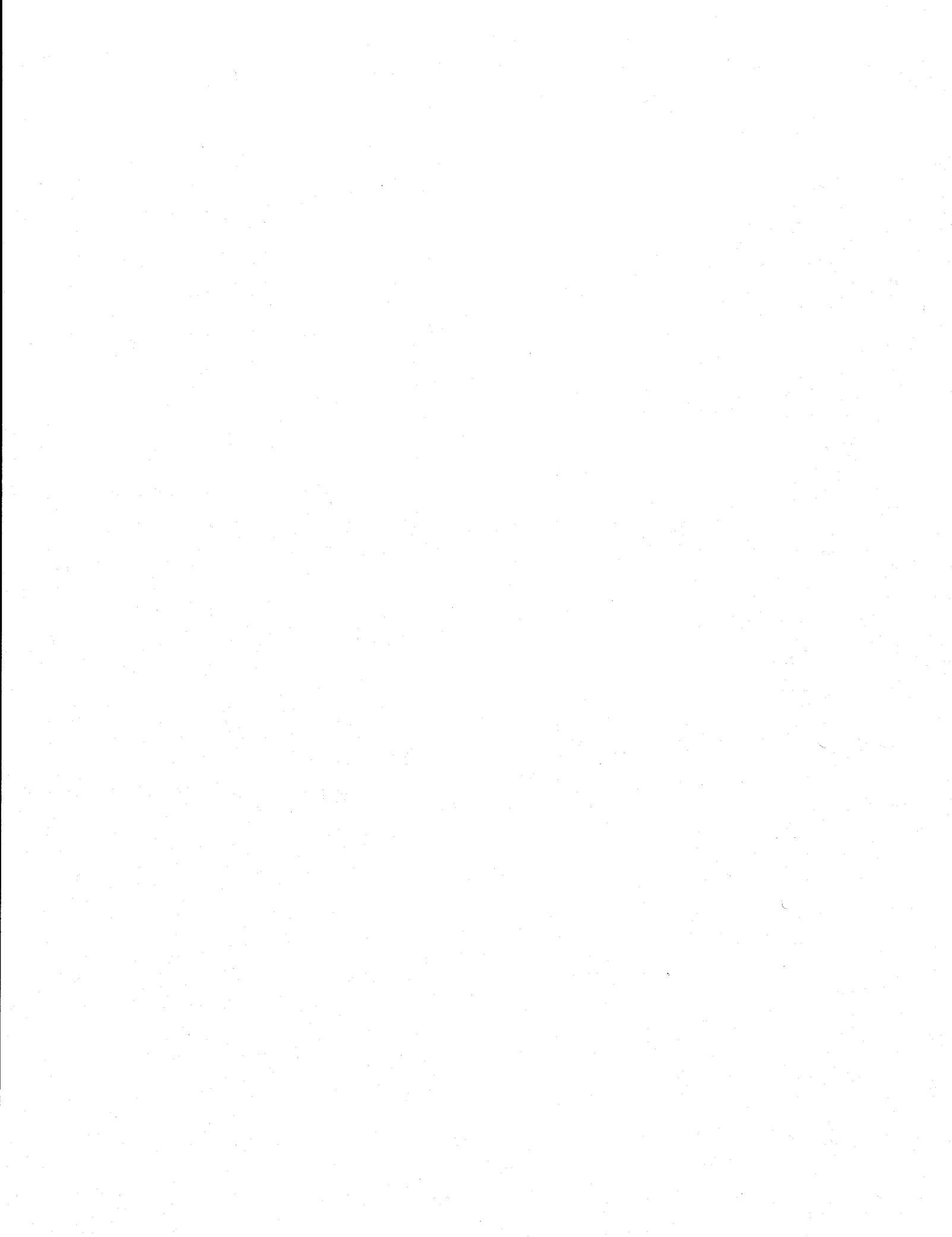
2. If, through error, the anniversary date of an employee is overlooked or a notice herein required is delayed or omitted, a resulting failure to increase the compensation may be cured by then taking the action hereinabove required, and the employee shall be paid at the increased rate from the anniversary date.

Sec. 403 Pay Increases by Salary Steps: Every anniversary salary increase shall be to the step rate as provided in Section 402. Such salary increases shall be given unless there is an affirmative decision of the agency/department head to deny the increase.

Sec. 404 Denial of Step Increase: The agency/department head may disallow a step increase only after the performance evaluation is reviewed and approved by the Human Resource Director or a designee. If the increase is not granted, the agency/department head shall state the reasons on the form, which shall be given to the employee for signature. The agency/department head shall reconsider the step increase at least quarterly, and may allow it effective on the first day of any pay period after the date it could have been granted. The responsibility for submitting a written allowance of increase, after its denial, shall be with the agency/department head. The anniversary date shall be postponed until an increase is allowed.

Re-employment:

Sec. 405 A. Upon recommendation of the agency/department head and approval of the Human Resources Director, former regular employees may be re-employed in the same classification which



Promotion: On promotion the employee's salary shall be at a rate on the new salary grade which is two (2) steps higher than the closest salary step on the new salary grade to the employee's step

Sec. 407

When a retiree under the *Public Employees' Retirement Law* is employed or re-employed, his/her retirement status must be specified in the documentation of appointment to a permanent or temporary position.

The Human Resources Director may allow the employment or re-employment for up to 960 hours of actual work within any fiscal year, without loss of benefits, as specified in Section 21224 of the *Public Employees' Retirement Law*. That section permits the temporary employment only during an emergency to prevent stoppage of public business, or because the restored employee has skills needed in performing specialized work of limited duration. During the employment or re-employment, the retiree is to be paid at a rate not less than the minimum, nor more than that paid other employees performing comparable duties.

Re-employment of Retired Persons: An employee who is retired under the *Public Employees' Retirement Law* and who is receiving retirement benefits shall not be employed or re-employed in any position for compensation without the prior written approval of the Human Resources Director. Consistent with the requirements of the *Public Employees' Retirement Law* for discontinuance of retirement benefits, the retiree may be employed or re-employed.

Sec. 406

Whenever a former regular employee is or has been re-employed within twenty-four months after termination, he or she may, on recommendation of the employing officer, and with the approval of the Human Resources Director and the County Executive Officer, be allowed all or a portion of credit for prior County service and hours in step for setting the Annual Leave accrual rate, anniversary date, and accrued sick leave, not exceeding the amount that was lost on separation.

C.

Re-employment after military service shall conform to the requirements of the *California Military and Veterans Code* and the *Federal Uniformed Services Employment and Reemployment Rights Act (USERRA)*, but in other respects shall be in accordance with this Resolution.

B.

they previously occupied at the same step of the salary grade as the step applicable at the time of their termination, provided they were terminated in good standing.

The anniversary date shall be determined in accordance with this Article, except that the first anniversary date shall be the first day of the pay period following the completion of six months (13 pay periods) in a paid status, not including overtime, in the new classification. Thereafter, anniversary dates shall be on the first

B.

The salary of an incumbent of a position reclassified to a classification on a higher salary grade shall be at the rate which is two (2) steps higher than the closest salary step on the new salary grade to the employee's step on the salary grade of the former position, where the new salary grade is able to accommodate the increase.

The salary of an incumbent of a position reclassified to a classification on the same salary grade shall not change. The anniversary date shall not change.

A.

Reclassification:

Sec. 410

Permanent employees who, within one year (26 pay periods) following a promotion, voluntarily demote to their previously held classification may return to the step of the previously held classification from which they promoted. Demotion under this section shall be with the mutual agreement of the employee and involved agency/department head(s) and an opening must exist. The anniversary date shall not change.

B.

On demotion, the employee's salary shall be at the rate of the same step on the new salary grade as was applicable to the previous salary grade. If the step on the previous salary grade is a higher step number than is available on the new salary grade, the salary shall be at the highest step available on the new salary grade. The anniversary date shall not change. The effective date of all demotions shall coincide with the first working day of a pay period.

A.

Demotion:

Sec. 409

Transfer: On transfer the employee's salary shall be the same as that paid previously. The anniversary date shall not change.

Sec. 408

On the salary grade for the former position where the new salary grade is able to accommodate the increase. The effective date of all promotions shall coincide with the first working day of a pay period. The anniversary date shall be determined as if the date of promotion were the date of employment.

When the absence ceases or the vacancy is filled, the employee shall return to his/her regular position and his/her salary and anniversary date shall be re-determined as if the temporary promotion had not occurred. Any step increases which would have been due in his/her regular position shall be allowed.

B.

A regular employee may be promoted on a temporary basis to fill a vacant position as a result of a leave of absence of the incumbent of that position or pending appointment of another person to that position. Such promotion is designated a "temporary promotion". The salary of an employee temporarily promoted shall be determined as if the temporary promotion were an original appointment to the position.

A.

Temporary Promotion:

Sec. 411

At the discretion of the Human Resources Director and the County Executive Officer the benefits of an incumbent of a position reclassified to a classification represented by a recognized employee organization, and if the new classification is not eligible for the same benefits, shall be entitled to a special flexible benefit amount as long as service continues in the new classification. The new flexible benefit amount will be determined on a case-by-case basis by the Human Resources Director and the County Executive Officer.

D.

The effective date of a reclassification shall coincide with the first working day of a pay period.

The salary of an incumbent of a position reclassified to a classification on a lower salary grade may be frozen at the hourly rate of pay immediately prior to the date of the downward reclassification and may not be increased until the maximum of the salary grade assigned to the new classification exceeds the hourly rate of pay the incumbent was earning immediately prior to the establishment of the frozen rate. The anniversary date shall not change.

C.

The salary of an incumbent of a position reclassified to a classification on a lower salary grade shall be placed on a step of the new salary grade which is closest to, but not higher than, the employee's current rate of pay. Where the employee's current rate of pay exceeds the maximum of the new salary grade, it shall be reduced to the maximum. At the discretion of the Human Resources Director and the County Executive Officer the salary of an incumbent of a position reclassified to a classification on a lower salary grade may be frozen at the hourly rate of pay immediately prior to the date of the downward reclassification and may not be increased until the maximum of the salary grade assigned to the new classification exceeds the hourly rate of pay the incumbent was earning immediately prior to the establishment of the frozen rate. The anniversary date shall not change.

day of the pay period following each additional one year (26 pay periods) in a paid status.

Such increased compensation shall be effective on the first day of the pay period during which the finding called for in subparagraph (A) above is made. This addition to base salary shall be effective only for the period necessary to maintain the base salary of the supervisor/manager at a rate of five and one-half percent (5.5%) above that received by the subordinate.

When the conditions authorizing this increase cease to exist then the base salary of the supervisor/manager shall be adjusted to the base salary he/she would have attained except for the provisions of

above that received by the subordinate.

Such increased compensation shall be effective on the first day of the pay period during which the finding called for in subparagraph (A) above is made. This addition to base salary shall be effective only for the period necessary to maintain the base salary of the supervisor/manager at a rate of five and one-half percent (5.5%) above that received by the subordinate.

When the conditions authorizing this increase cease to exist then the base salary of the supervisor/manager shall be adjusted to the base salary he/she would have attained except for the provisions of

above that received by the subordinate.

Such increased compensation shall be effective on the first day of the pay period during which the finding called for in subparagraph (A) above is made. This addition to base salary shall be effective only for the period necessary to maintain the base salary of the supervisor/manager at a rate of five and one-half percent (5.5%) above that received by the subordinate.

When the conditions authorizing this increase cease to exist then the base salary of the supervisor/manager shall be adjusted to the base salary he/she would have attained except for the provisions of

above that received by the subordinate.

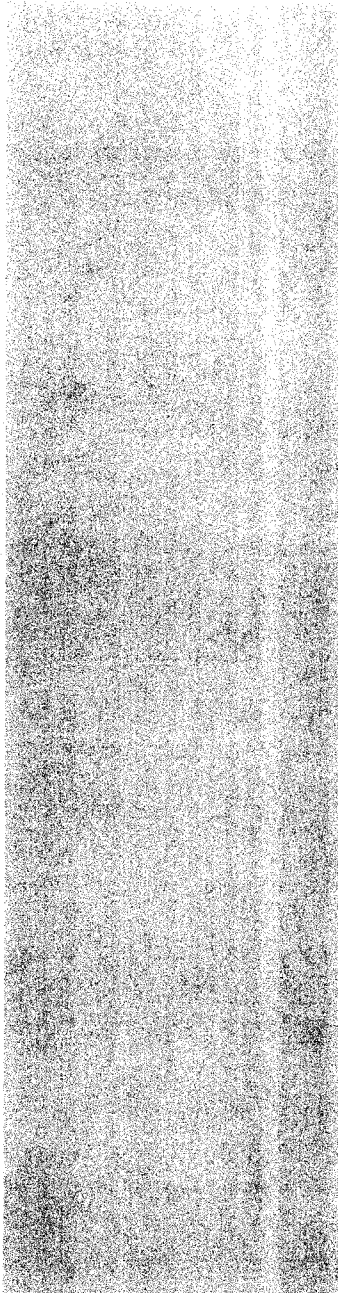
Such increased compensation shall be effective on the first day of the pay period during which the finding called for in subparagraph (A) above is made. This addition to base salary shall be effective only for the period necessary to maintain the base salary of the supervisor/manager at a rate of five and one-half percent (5.5%) above that received by the subordinate.

When the conditions authorizing this increase cease to exist then the base salary of the supervisor/manager shall be adjusted to the base salary he/she would have attained except for the provisions of

above that received by the subordinate.

Such increased compensation shall be effective on the first day of the pay period during which the finding called for in subparagraph (A) above is made. This addition to base salary shall be effective only for the period necessary to maintain the base salary of the supervisor/manager at a rate of five and one-half percent (5.5%) above that received by the subordinate.

When the conditions authorizing this increase cease to exist then the base salary of the supervisor/manager shall be adjusted to the base salary he/she would have attained except for the provisions of



Additional Compensation to Supervisors/Managers:
C. An employee temporarily promoted pursuant to the provisions set forth in (A) above shall be entitled to receive the benefits assigned to the higher classification.

Sec. 412

Between April 30, 2009 and June 27, 2012, this Section may be suspended by the County Executive Officer, in whole or in part, for whatever period of time he/she deems appropriate due to budgetary restraints.

A person, occupying a supervisory/management position may have his/her base salary increased by two steps to a rate approximately 5.5% (approximately two steps higher means within 10 cents per hour plus or minus of a two-step increase) above the base salary rate of any of his/her subordinates, not including information Technology subordinates, provided that:

A. The appointing authority, the Human Resources Director, and the County Executive Officer find that he/she is exercising substantial supervision/management over the subject subordinate and that he/she is satisfactorily performing the full supervisory/managerial duties of the position;

B. The organization is a permanent one approved by the County Executive Officer;

C. Both the supervisor and subordinate have been appointed to full-time positions; and

D. The classifications of both the supervisor's/manager's and subordinate's positions are appropriate to the organization and their duties.

this Section. The effective date of said adjustment shall be the first day of the pay period following the action creating the changed condition.

The provisions of this Section shall not, under any circumstances, be applied retroactively. Furthermore, it shall be the responsibility of the supervisor/manager to assure that payments made pursuant to this Section cease when the conditions which resulted in such payments no longer exist.

Sec. 413

Post-Employment Accounts: For each regular employee covered under this Resolution who has five years of regular County service and who is separating from County employment, the County shall provide post-employment accounts wherein the payable value of qualifying final accrued leave balances will be deposited, up to the legal limit. Qualifying leave balances include annual leave, vacation, extra vacation, holiday balance, and the amount of sick leave payable pursuant to Sec. 708. This does not include compensatory time off for overtime. Special Pay Accounts are tax-deferred investment funds. The employee may also elect a Health Savings Account, designed to be free of taxes, which may be used for future health care costs. A participant fee is charged for Health Savings Accounts. Qualifying leave balances of a separating employee who does not make an election will default to a Special Pay Account.

ARTICLE 5
GENERAL PERSONNEL PROVISIONS

Out-of-Classification Assignments:

Sec. 501

~~Between April 30, 2009 and June 27, 2012, this Section may be suspended by the County Executive Officer, in whole or in part, for whatever period of time he deems appropriate due to budgetary restraints.~~

No regular employee shall be assigned to exercise the powers or classification for an accumulated period of 480 hours or more during any one calendar year. Such accumulated hours of such assignment(s) shall be credited toward qualifying experience for possible promotion only when such assignments have been authorized or verified by the agency/departments head or designee in writing.

Sec. 502

Relatives: No officer shall appoint his/her spouse or registered domestic partner - or the spouse or registered domestic partner of

any other officer superior to him/her - in any capacity for compensation. No such spouse or registered domestic partner shall be eligible for appointment to or continued employment in the same position of any such person who succeeded thereto pursuant to any provision of law. Continued employment shall be deemed to include promotion, demotion, or transfer, if such employee is otherwise qualified.

Except as otherwise provided herein, no person shall be denied the opportunity for employment or continued employment because such person is related to any person presently employed by the County of Riverside. However, in no instance shall a County officer or employee execute direct supervision over or initiate or participate in decisions (including but not limited to initial employment, retention, promotion, or work assignments) specifically pertaining to another County employee who is closely related. "Closely related" means husband, wife, father, mother, sister, son, daughter, son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, sister-in-law, and the equivalent step relationships or relationships through a domestic partnership.

Should such relationship occur, the employee(s) may promote, transfer, or voluntarily demote to position(s) which the employees are eligible and selected to fill. The promotion, transfer or voluntary demotion must be accomplished by one of the employees within approximately six (6) months.

Sec. 503

Retirement:

A. Purchase of Military Service Credit as Public Service (Miscellaneous and Safety Members). Pursuant to Section 21024 of the Public Employees' Retirement Law, an employee may elect to purchase up to four years of service credit for any continuous active military or merchant marine service prior to employment with the County provided, however, that the employee must contribute an amount equal to the contribution for current and prior service that the employee and the County would have made with respect to that period of service.

B. Post-Retirement Survivor Allowance (Miscellaneous and Safety Members): Pursuant to the provisions of Sections 21624 and 21626 of the Public Employees' Retirement Law, an allowance may be continued to a surviving spouse upon the death of a member after retirement.

C. Post-Retirement Survivor Allowance to Continue After Remarriage (Miscellaneous Members Only), Effective December 24, 1998, the County amended its contract with PERS by adding the provisions of Section 21635 that permits the post-retirement survivor allowance to continue after the remarriage of the surviving spouse.

D. PERS Retirement Benefit (EPMC): Per Government Code Sec. 20636 (c)(4), effective July 2, 1998, the County elected to pay the employee's share of compensation earnable (currently approximately 8% for Miscellaneous members and approximately 9% for Safety members) as Employer Paid Member Contributions and report the same percent (value) of compensation for all PERS members covered under the provisions of this Resolution. Effective immediately the EPMC is amended as follows:

All employees hired in Groups 1 - 76 on or after December 1, 2011, will pay the full member contributions (8% for Miscellaneous and 9% for Safety), and the County will not provide EPMC.

a. Effective December 1, 2011, employees in Groups 1, 2, 3, & 6-8 hired prior to December 1, 2011, will pay 4% toward their member contributions, and the County will no longer provide or report that portion (value) as EPMC or as compensation to CalPERS.

b. Effective December 1, 2011, employees in Groups 4 & 5 hired prior to December 1, 2011, will pay 3% toward their member contributions, and the County will no longer provide or report that portion (value) as EPMC or as compensation to CalPERS.

c. Effective July 12, 2012, employees hired prior to December 1, 2011, in Groups 1, 2, 3, & 6-8, will pay an additional 4% toward their member contributions (Law Enforcement Executive Management employees will pay 5%), and the County will no longer provide or report any EPMC or as compensation to CalPERS.

o Effective July 12, 2012, employees hired prior to December 1, 2011, in Groups 4 & 5, will pay an additional 3% toward their member contributions, and the County will no longer provide or report that portion (value) as EPMC or as compensation to CalPERS.

d. Effective June 27, 2013, employees hired prior to December 1, 2011, in Groups 4 & 5, will pay an additional 2% toward their

member contributions, and the County will no longer provide or report any EPMC or as compensation to CalPERS.

E. Single Highest Year: The provisions of Section 20042 of the *Public Employees' Retirement Law* (Single Highest Year) shall apply to all miscellaneous and safety employees covered under the provisions of this Resolution.

F. Three Year Final Compensation. At such time that the County Board of Supervisors executes a CalPERS permissible contract amendment, the provision of Section 20037 of the *Public Employees' Retirement Law* (Three Year Final Compensation) will be implemented for employees who are hired on or after that date, or who become members of the CalPERS Safety plan on or after that date.

G. 1959 Survivor Benefits (Safety members Only): The provisions of Section 21574.5 of the *Public Employees' Retirement Law* shall apply to safety employee members.

H. Pre-Retirement Optional Death Benefits: The provisions of Section 21548 of the *Public Employees' Retirement Law* (Pre-Retirement Optional Death Benefit) shall be applicable to safety employee members covered under the provisions of this Resolution.

I. Retirement Calculations (Miscellaneous Members): The percentage of final compensation to be provided for each year of credited prior and current service for Miscellaneous members covered under the provisions of this Resolution shall be determined in accordance with Section 21354.3 of the *Public Employees' Retirement Law* subject to the reduction provided therein for Federal Social Security (3% at age 60 Full and Modified formula).

J. Retirement Calculations (Safety Members): The percentage of final compensation to be provided for each year of credited prior and current service for Safety members covered under the provisions of

2% @ 60. At such time that the County's Board of Supervisors executes a CalPERS permissible contract amendment the percentage of final year compensation to be provided for each year of credited service for miscellaneous employees hired on or after and who first become members on or after the date of implementation shall be determined in accordance with Section 21353 of the *Public Employees' Retirement Law* (2% at age 60).

i. The County's contribution to the Deferred Compensation Plan will be made in accordance with the terms of the official Riverside County Plan document.

M. In-Plan Contributions: Elected officials who are not members of PERS shall have an amount equal to what the County's normal contribution to their retirement would have been if they were members of the PERS system deposited on their behalf to a qualified 401(A) Money Purchase Plan.

L. Such repayment will only be made if the employee is still in the employ of the County on the date of the repayment. 401(a) of Certain At-Will Positions: Effective January 9, 2003, if any incumbent Deputy Director I, CHA; Deputy Director II, CHA; Deputy Director for Environmental Health; Administrative Director, CHA; Animal Services Chief; Chief Finance Officer, CHA; Chief Finance Officer, RCR/MC or Chief of Medical Services, CHA; accepts employment At-Will then an additional \$150 per bi-weekly pay period shall be contributed to the 401(a) Money Purchase Plan for each such employee accepting At-Will status.

K. If due to financial restrictions payment is not possible during 2012 then the amount may be contributed during 2013. At the discretion of the County Executive Officer, employees may have the amount of the reduced contributions (i.e. \$25 per bi-week) deposited to their 401(a) money purchase plan in one or more lump sums, as determined by the County Executive Officer, during 2012.

401(a) Money Purchase Plan: The County shall contribute \$50.00 per bi-weekly pay period to a 401(a) Money Purchase Plan for each enrolled regular employee covered under this Resolution. This contribution provided by contract or other authority.

2% @ 50. At such time that the County's Board of Supervisors executes a CalPERS permissible contract amendment the percentage of final year compensation to be provided for each year of credited service for safety employees hired on or after who first become safety members on or after the date of implantation shall be determined in accordance with Section 21362 of the Public Employees Retirement Law (2% at age 50).
this Resolution shall be determined in accordance with Section 21362.2 of the Public Employees Retirement Law (3% at age 50).

Merit System/Veterans Preference: Appointments and promotions shall be made on the basis of merit and ability. Each officer shall

Sec. 505

termination.
discipline under the Disciplinary Procedure up to and including who continue to smoke in non-designated areas may be subject to attend the program without charge and on County time. Employees Smoking Program for employees. Employees are authorized to In order to assist employees, the County has instituted a Stop

of the County.
It is the responsibility of the agency/department head and agency/departmental supervisors to enforce the non-smoking policy

areas (e.g. stairwells, hallways, restrooms, etc.).
owned or leased, where smoking is allowable including shared must identify rooms or areas within each building, whether County declaration. If there are exceptions, the agency/department head buildings or areas, the agency/department head shall make that there is no smoking allowed in an agency/department or certain Each agency/department must have a written smoking policy. If

assigned vehicle fleet as no-smoking areas.
The County may designate up to 100% of its unassigned and

shall apply to County employees and the general public.
designees will jointly identify common smoking areas. This policy In shared buildings or floors, agency/department heads or their

23, smoking in County facilities is prohibited.
Non-Smoking Policy: Pursuant to Board of Supervisors Policy A-

Sec. 504

hereunder.
employer's share, with interest, of the contribution made retirement association and buy back prior service credit shall have a contractual obligation to reimburse the County for the Section 31648.5 of the Government Code to join the provision, an elected official who exercises rights under this As a condition of accepting contributions under this

officials who are in CalPERS
employee contribution, if any otherwise provided to elected CalPERS, plus an amount equal to the current pick-up of the will be based on the "normal cost" as determined by ii. The County's contribution to the deferred compensation plan

appoint all necessary employees allowed for his/her agency/department by this Resolution only from among persons certified to him/her by the Human Resources Director as eligible for the respective positions. The Human Resources Director shall determine the methods of evaluating the qualifications of applicants. The methods shall be practical in nature and may involve any combination of written test, oral test, performance test, rating of education, training, and experience and shall take into consideration a system of veteran's preference as may be adopted by the Board of Supervisors, by resolution. The veteran's preference program shall be administered by the Human Resources Director.

ARTICLE 6
PROBATIONARY PERIOD

Sec. 601 Computation: Each regular employee shall be in an initial probationary status from the effective date of his/her initial employment in a position in a paid status until the required initial probationary period, and any extension, is completed without separation from County employment. Computation of the initial probationary period in a paid status does not include overtime, standby, on-call, or military leave of absence. A regular employee who has not completed the initial probationary period serves at the pleasure of the agency/department head and may be released from employment without cause.

A. Length of Initial Probation: Except as set out below, the length of the initial probationary period for employees in classifications covered under this Resolution is one year (26 pay periods) in a paid status.

The length of the initial probationary period for employees in the classification of Deputy Public Defender V (Job Code 78556) is 18 months (39 pay periods) in a paid status.

B. Extension of Initial Probation: The initial probationary period of an employee may be extended by the employing agency/department head with the approval of the Human Resources Director. Extensions of an initial probationary period are discouraged and must be approved by the Human Resources Director or his/her designee in writing at least 80 hours before the end of the existing initial probationary period. Approval is made on a case-by-case basis and must be supported by documentation justifying the request.

1. Agency/Department Heads appointed after November 29, 1983, shall serve at the pleasure of the Board of Supervisors (ie. At-Will). Prior to such appointment, the Human Resources Director shall obtain written acknowledgment from the prospective appointee acknowledging his or her understanding of such At-Will status. Such employee may be terminated from service at any time, without notice,

classifications set forth in below shall be as follows:
 the terms and conditions of employment for employees in the Resolution to the contrary, and except as provided by State law, At-Will employees: Notwithstanding any other provision of this

standby, on-call or military leave of absence.
 probationary period in a paid status does not include overtime, following the promotion, transfer, or demotion. Computation of the shall be made prior to the employee completing 26 pay periods probationary period and the pay and title changes of the return employee prior to the employee completing 26 pay periods in the notice of return to former classification shall be given to the in step at the time of promotion, transfer or demotion. Written number of pay periods of service in a paid status the employee had employee's anniversary date will be re-determined based on the immediately prior to the promotion, transfer or demotion, and the salary step shall be the same step which the employee held agency/department. If the return involves a change in classification, the previously held classification in the former employing agency/department head's request, be returned to a position in time of the promotion, transfer or demotion shall, upon the or demotion, a regular employee who held permanent status at the periods) of service in a paid status following a promotion, transfer classification or lateral transfer: During the first one year (26 pay Probation of Permanent employees following change in

C. Initial Probationary Period Affected by Change in Classification:
 An employee who has not completed an initial probationary period and voluntarily promotes, demotes, or transfers to another classification, shall have his/her initial probationary period automatically extended an additional twelve months (26 pay periods) in a paid status beyond the date of promotion, demotion, or transfers to another classification prior to completing the initial probationary period, including any extensions thereto.

The initial probationary period may be extended once by three months or twice by an additional three months.

E.

D.

C.

The Local Agency Formation Commission (LAFCO) Executive Officer shall be appointed by the Local Agency

Employees in the classification of Supervisor's Board Assistant and Supervisor's Legislative Assistant shall be appointed and serve at the pleasure (i.e. At-Will) of the individual Supervisor holding the office to which such employees are assigned. They may be terminated from service at any time by the Supervisor holding that office without notice, cause, or rights of appeal. Prior to an appointment to any of the above mentioned classifications the Human Resources Director shall obtain written acknowledgment from the prospective appointee acknowledging his or her understanding of such At-Will status.

Assistant Department Heads or the equivalent thereto appointed to a position in that classification authorized by the Riverside County Salary Ordinance, No. 440 after May 4, 1989, shall serve at the pleasure of the agency/department head (i.e. At-Will). Prior to such an appointment, the Human Resources Director shall obtain written acknowledgment from the prospective appointee acknowledging his or her understanding of such At-Will status. Assistant Department Heads or the equivalent thereto who serve At-Will may be removed from their position at any time without notice, cause, or rights of appeal by the agency/department head only after the agency/department head has a minimum of 90 calendar days of service in that position and after consultation with the Human Resources Director and approval of the County Executive Officer. An assistant department head or the equivalent thereto removed from service with the County of Riverside by his or her agency/department head shall be entitled to one (1) month's salary as severance pay for each year of employment with the County of Riverside up to a maximum severance pay equal to six months' salary. Severance pay is not applicable to a situation involving the layoff of an assistant department head or the equivalent thereto.

Assistant Department Heads or the equivalent thereto appointed to a position in that classification authorized by the Riverside County Salary Ordinance, No. 440 after May 4, 1989, shall serve at the pleasure of the agency/department head (i.e. At-Will). Prior to such an appointment, the Human Resources Director shall obtain written acknowledgment from the prospective appointee acknowledging his or her understanding of such At-Will status. Assistant Department Heads or the equivalent thereto who serve At-Will may be removed from their position at any time without notice, cause, or rights of appeal, by the Board of Supervisors. An agency/department head removed from service with the County of Riverside by the Board of Supervisors shall be entitled to one (1) month's salary as severance pay for each year of employment with the County of Riverside up to a maximum severance pay equal to six months' salary.

4.

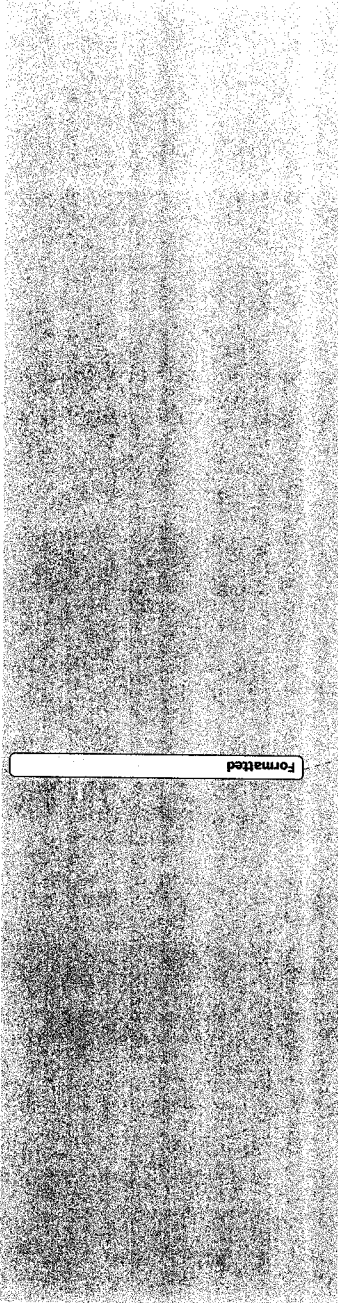
3.

2.

Any employee serving At-Will in the above classifications removed from service by the Sheriff may be entitled to one (1) month's salary as severance pay for each year of employment with the County of Riverside up to a maximum severance pay equal to six (6) months' salary. Severance pay is not applicable to a situation involving the layoff of any incumbent of the classifications listed above.

appointed to a position in that classification authorized by the Riverside County Salary Ordinance, No. 440 shall serve at the pleasure (i.e., At-Will) of the Sheriff. They may be terminated from service at any time by the Sheriff, without notice, cause, or rights of appeal. Prior to the appointment to any of the above classifications, the Sheriff shall obtain a written agreement from the prospective appointee acknowledging his/her understanding of such At-Will status.

37624	Chief Deputy Director, Sheriff's Administration
37584	Chief Deputy Sheriff B
37583	Chief Deputy Sheriff A
37582	Chief Deputy Sheriff
37607	Assistant Sheriff B
37606	Assistant Sheriff A
37605	Assistant Sheriff



Formatted

Employees in the classifications of:

Formation Commission and shall serve at the pleasure and will of the Local Agency Formation Commission (i.e. At Will). Prior to such an appointment, the Human Resources Director shall obtain written acknowledgment from the prospective appointee acknowledging his or her understanding of such At-Will status. Such employee may be terminated from service at any time, without notice, cause or rights of appeal, by the Local Agency Formation Commission. An Executive Officer of LAFCO removed from service with the Local Agency Formation Commission may be entitled to one (1) month's salary as severance pay for each year of employment with the Local Agency Formation Commission up to a maximum severance pay equal to six months' salary. Any such severance pay shall be at the sole discretion of the Local Agency Formation Commission.

5.

appointed to a position in that classification authorized by the Riverside County Salary Ordinance, No. 440 shall serve at the pleasure (i.e., At-Will) of the District Attorney. They may be terminated from service at any time by the District Attorney without notice, cause, or rights of appeal. Prior to the appointment to any of the above classifications, the

- 78539 Assistant District Attorney
- 78535 Chief Deputy District Attorney
- 37672 Assistant Chief District Attorney Investigator
- 37678 Chief District Attorney Investigator

Formatted

Employees in the classifications of:

Any employee serving At-Will in the above classifications removed from service by the agency/department head may be entitled to one (1) month's salary as severance pay for each year of employment with the County of Riverside up to a maximum severance pay equal to six (6) months' salary. Severance pay is not applicable to a situation involving the layoff of any incumbent of the classifications listed above.

his/her understanding of such At-Will status. agreement from the prospective appointee acknowledging classifications, the Community Health Agency Director/Public Health Officer shall obtain a written Director/Public Health Officer, without notice, cause or rights of appeal. Prior to the appointment to any of the above service at any time by the Community Health Agency Director/Public Health Officer. They may be terminated from the pleasure (i.e., At-Will) of the Community Health Agency appointed to a position in that classification authorized by the

- 73556 Deputy Director I, CHA
- 73557 Deputy Director II, CHA
- 74096 Deputy Director for Environmental Health
- 74611 Administrative Director, CHA
- 73523 Chief Veterinarian
- 74140 Chief Finance Officer, CHA
- 73888 Chief of Medical Services, CHA

Formatted

Employees in the classification of:

7.

6.

Regular full-time and regular part-time employees, other than elected officials and employees in Group 4, covered under the provisions of this Resolution shall neither accrue vacation nor sick leave. They shall, instead, earn Annual Leave according to each biweekly pay period of service commencing with the effective date of the employee's initial employment during his/her latest period of County employment according to the following schedule. Absence or time not worked and part-time employment shall cause said pay period's accrual of Annual Leave credits to be reduced on a pro-rata basis.

Annual Leave:

Sec. 701

(Not Applicable to Employees in Group 4) (e-f)

ARTICLE 7
ANNUAL LEAVE

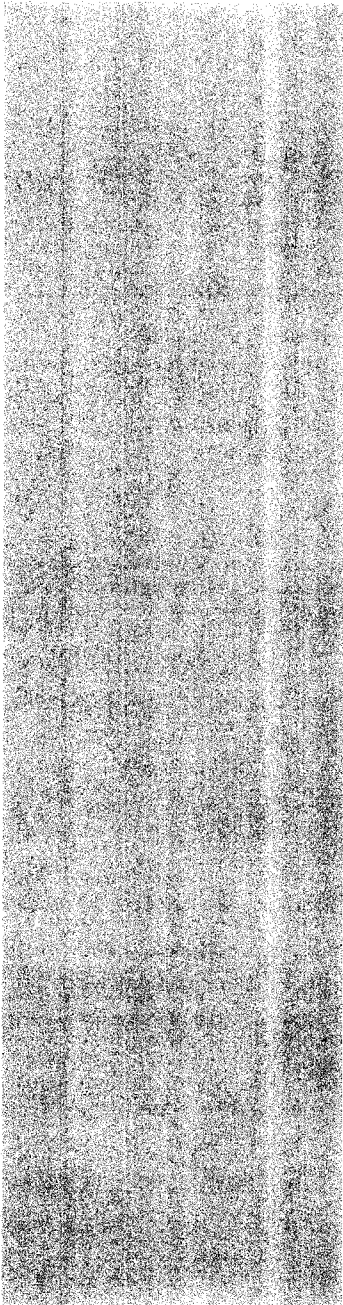
Any employee who receives severance pay in accordance with this article, and who is subsequently hired in another regular position shall forfeit any severance pay pro-rated based upon actual County service interruption.

9

In addition to those classifications specifically mentioned above, any employee appointed to a classification authorized by the Riverside County Salary Ordinance, No. 440 and listed in Appendix II of such Ordinance, shall serve at the pleasure of the agency/department head (i.e. At-Will). He/she may be terminated from service at any time by the agency/department head without notice, cause, or rights of appeal. Prior to the appointment to any of these classifications the Human Resources Director shall obtain a written agreement from the prospective appointee acknowledging his/her understanding of such At-Will status.

8

Any employee serving At-Will in the above classifications removed from service by the District Attorney may be entitled to one (1) month's salary as severance pay for each year of employment with the County of Riverside up to a maximum severance pay equal to six (6) months' salary. Severance pay is not applicable to a situation involving the layoff of any incumbent of the classifications listed above. District Attorney shall obtain a written agreement from the prospective appointee acknowledging his/her understanding of such At-Will status.



A. Accrual Rates: (Groups 1, 2, 3, & 5 & 7, excluding Supervisors Board Assistants and Supervisor's Legislative Assistants. For Law Enforcement Executive Management, see Article 21.)

MONTHS OF SERVICE

(0 to < 36 months)	8.92 hours
(36 to < 108 months)	10.46 hours
(108 or more months)	12.00 hours

BI-WEEKLY ACCRUAL

ALL SERVICE

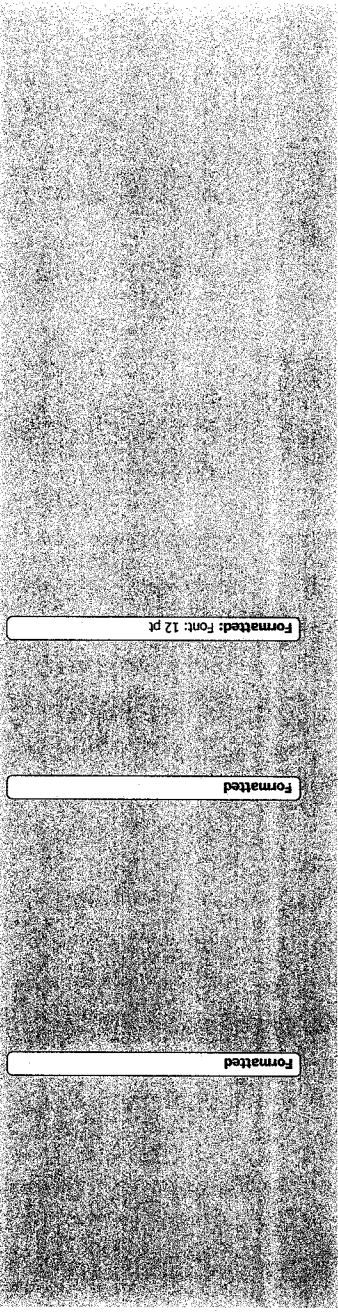
Supervisor's Board Assistant	10.46 hours
Supervisor's Legislative Assistant	12.00 hours

Annual Leave for Unrepresented Attorney Management:

Effective July 12, 2012, the job classifications listed in Article 22 of this Resolution will receive an additional 4 hours per pay period to their annual leave accrual. This additional leave accrual will expire at the end of the last pay period in June 2014. In addition, the maximum accrual for annual leave (or vacation) will be raised by 200 hours.

B. Accrual Rates - Other: Accrual rates for employees covered under the provisions of this resolution, who have an employment agreement with the County or other benefit level approved by the Board of Supervisors, shall accrue Annual Leave at the rate determined by the County Executive Officer.

C. Vacation Conversion: Effective July 2, 1998, accrued vacation banks (including extra vacation) for then current employees were converted to Annual Leave on an hour-for-hour basis. Any regular employee who subsequently transfers or promotes into a classification covered under the provisions of this Resolution shall



Formatted: Font: 12 pt

Formatted

Formatted

Agency/Department Heads: Effective January 1, 2009, an agency/department head who accrues Annual Leave pursuant to the provisions of this Resolution, may request to receive pay in lieu of up to forty (40) hours of Annual Leave per calendar year. Effective July 1, 2010, an agency/department head who accrues Annual Leave pursuant to the provisions of this Resolution, may request to receive pay in lieu of up to eighty (80) hours of Annual Leave per calendar year. Upon approval of the County Executive Officer, such agency/department head may receive pay in lieu of an

A.

Sec. 704 Annual Leave:

Annual Leave may be taken. A regular employee who has been employed in a position, other than a position with the County of Riverside, which has prepared him/her for an assignment to a position in the Management unit may, with prior approval of the County Executive Officer and the Human Resources Director at time of hire, receive credit for such previous experience in determining their Annual Leave accrual rate (and corresponding maximum accrual), including an immediate credit of Annual Leave time, and/or the period of time before Annual Leave may be taken.

Classifications Supervisor's Board Assistants and Supervisors Legislative Assistants shall have no maximum accrual. Maximum Accrual: Unless otherwise approved by the County Executive Officer or indicated below, all employees covered under the terms of this Resolution may accumulate annual leave to a maximum of 1800 hours. Upon approval of the County Executive Officer, additional annual leave may be accrued to a maximum of 2,080 hours. It is the mutual responsibility of the employee and the agency/department head to assure that no employee shall exceed the maximum accrual.

Sec. 703

Annual Usage: During the first twenty-six (26) pay periods of employment, employees shall be encouraged to use no less than forty (40) hours of Annual Leave and, thereafter, employees shall be encouraged to use no less than twenty-six (26) pay periods of Leave in each succeeding twenty-six (26) pay periods of employment. While on Annual Leave, sick leave, holiday leave, or compensatory time off, an employee shall be compensated and receive benefits at the same rate as if he/she were on the job.

Sec. 702

Annual Leave on an hour for hour basis at the time of such transfer/promotion.

have his/her accrued vacation balance similarly converted to

i. The employee notifies his/her agency/department head, or designee, on the first (1st) day of such absence and as often thereafter as directed by his/her agency/department head, or designee:

B. While generally Annual Leave usage is required to be scheduled in advance, the County recognizes that from time to time employees may desire to use Annual Leave for an unforeseen absence due to illness/injury or other personal reason. Annual Leave may be used to restore pay otherwise lost due to such unscheduled absence from work provided that:

A. Annual Leave is to be scheduled at the discretion of the agency/department head, or designee. Each agency/department head shall be responsible for scheduling the Annual Leave periods of his/her employees in such a manner as to achieve the most efficient functioning of the agency/department and of the County service. The agency/department head shall determine when Annual Leave will be taken.

Sec. 705 Annual Leave Usage:

C. Employees who are filling an application for service or disability retirement may request a one-time pay-in-lieu of up to the full 160 hour limit of annual leave, without regard to the limitations provided in Section 704 (A) above. The election must be made no later than six-months prior to retirement.

B. Other Eligible Employees: Effective January 1, 2009, an employee, other than an agency/department head, who accrues Annual Leave pursuant to the provisions of this Resolution, may request to receive pay in lieu of up to forty (40) hours of Annual Leave per calendar year. Effective July 1, 2010, an employee, other than an agency/department head, who accrues Annual Leave pursuant to the provisions of this Resolution, may request to receive pay in lieu of up to eighty (80) hours of Annual Leave per calendar year. Upon approval of his/her agency/department head, such employee may receive pay in lieu of an additional eighty (80) hours of Annual Leave during the same calendar year provided, however, that no employee shall receive pay in lieu of more than 160 hours of Annual Leave in any calendar year.

additional eighty (80) hours of Annual Leave during the same calendar year provided, however, that no agency/department head shall receive pay in lieu of more than 160 hours of Annual Leave in any calendar year.

ii. If requested by the agency/department head or designee, the employee produces a certificate of a physician, dentist, or other legally authorized person to provide health care services on the same level as a physician, or such other proof satisfactory to the agency/department head; and

iii. Any medical certificate provided by the employee be personally signed by the medical provider described at (ii) above and include a written statement indicating the day(s) of the illness/injury and that the illness/injury prevented the employee from being able to work.

C. Any employee absent for a period of five (5) consecutive workdays due to illness or accident may, at the discretion of his/her agency/department head or the Human Resources Director, be required to have a physical examination by a County approved physician before returning to active duty. Such physical examination shall be performed by a physician designated by the Human Resources Director and shall be at County expense.

D. Sections 705(B) and 705(C) shall also apply to the use of existing sick leave accruals.

E. Annual Leave may be used for absence reasonably required by complications of pregnancy, continuing through delivery and reasonable period of recovery therefrom, to be determined in accordance with a written report or reports of the employees' personal physician, specifying the expected date of delivery and the date that the employee should cease work. In the event the agency/department head believes there are unusual circumstances, or that the full performance of the employee's work without undue hazard is such as to require a longer period of absence, and on the agency/department head's written request to the Human Resources Director, the determination of the period shall be subject to review and change by a physician employed or provided by the County, including a medical examination of the employee if required by such physician. The cost of this examination shall be paid by the County. In no event shall an employee return to work after pregnancy prior to a date to be fixed by her physician in a signed statement that she is physically able to perform the duties of her position.

F. Proof of illness:

Sec. 708 Payout for Unused Sick Leave: Upon service retirement, disability retirement, or death of an employee or officer, and subject to the provisions of any applicable agreement between the employing agency and the Public Employees' Retirement system, unused accumulated sick leave for employees with at least five (5) but less than 15 years of service shall be credited at the rate of fifty percent (50%) of the current salary value thereof provided, however, that the total payment shall not exceed a sum equal to 960 hours of full pay. Unused accumulated sick leave for employees with more than fifteen or more years of service shall be credited at the rate of the current salary value provided, however, that that the total payment shall not exceed a sum equal to 960 hours of full pay. Terminal sick leave pay shall be paid into a Post-Employment Plan account

A. Effective July 2, 1998, current sick leave balances were frozen provided, however, that up to 50% (1/2) of the sick leave balance for employees covered under the terms and conditions of this Resolution was converted to Annual Leave. The remaining sick leave hours may be used until the sick leave is exhausted or, upon retirement, disability retirement, or death of the employee, it may be credited to the employee as provided under the provisions of Section 708 below.

B. Any regular employee who transfers or promotes into a classification covered under the provisions of this Resolution shall, at the time of such transfer/promotion, have his/her sick leave balance converted and/or frozen in the manner described in 707(A) above.

Sec. 707 Prior Sick Leave Accruals:
Account

Sec. 706 Payout Upon Retirement or Termination: Any regular employee who terminates or is terminated shall be credited with all accrued Annual Leave at the same rate as that received on the last day worked or last day of approved leave with pay. Terminal Annual Leave pay shall be paid into a Post-Employment Plan account designated by the employee. Qualifying leave balances of a separating employee who does not make an election will default to a Special Pay Account.

An employee off work or contemplating to be off work due to illness or injury for an extended period of two (2) weeks or more shall provide a comprehensive health statement as to length of absence from the employee's health care provider stating any duties an employee cannot perform and any restrictions or light duty requirements.

designated by the employee. Qualifying leave balances of a separating employee who does not make an election will default to a Special Pay Account.
Sick leave compensation resulting from death shall be made to the persons entitled to it otherwise, in accordance with the Probate Code. Eligibility for a payout under this section is made at the time of separation from County employment and not at a later date.

Sec. 709 Prohibition Against Employment While on Annual Leave: No employee shall be permitted to work for compensation for the County while on Annual Leave without prior approval of the County Executive Officer and his/her agency/departments head.

Sec. 710 Annual Leave Accrual Rate - Elected to Appointed Status: Whenever an elective officer, who has more than three years (780 days) of continuous service, succeeds or is appointed to an appointive position without interruption of service, the Human Resources Director shall ascertain the minimum amount of continuous service rendered by such person and shall report the same to the Board of Supervisors, who shall thereupon determine the number of days of such continuous service, and the Annual Leave accrual rate shall be fixed accordingly.

Sec. 711 Exception to Continuous Service: A previous period or periods of County employment which are interrupted in such a manner as to disqualify such period or periods from being considered in computing continuous service under the provision of this Article may be included in such computation, in full or in part, upon the request of the agency/departments head employing the person involved, and approval by the County Executive Officer.

Sec. 712 Elected Officials Exceptions: Elective County officers are not subject to the provisions of this Resolution relating to Annual Leave.

Sec. 713 Retention of Excess Accruals:

A. Employees covered under the provisions of this Resolution who, as the result of administrative error, have incorrect Annual Leave accrual rates which are subsequently adjusted and whose maximum accrued hours are then in excess of those provided under this Resolution, shall be entitled to maintain such maximum accruals for a period of five (5) years during which time they must reduce their maximum balance to that provided under Section 703, or forfeit the excess accrued hours.

Vacation shall accrue daily at the rate appropriate to the years of service. Accrued vacation may be taken only at a time or times agreeable to the agency/department head. Except as hereinafter

- 1. Zero through 3 years (0 to < 36 months) in a payroll status, 80 hours (10 days);
- 2. years 4 through 9 (36 to < 108 months) in a payroll status, 120 hours (15 days);
- 3. years 10 or more (108 or more months) 160 hours (20 days).

continuous years of service:
vacation with pay in accordance with the record of completion of regular employee in a classification assigned to Group 4 shall be entitled annually to the following number of working hours of vacation

A.

Accrual Rates:

Sec. 801

(Applicable to Group 4 employees only)

ARTICLE 8
VACATION

An employee who is no longer eligible to accrue Annual Leave, as the result of a change in classification to a classification represented by a recognized employee organization, may continue to redeem any Annual Leave balance pursuant to Sec. 704 of this Resolution. If the employee's new classification is entitled to accrue vacation, he/she shall accrue hours at the rate specified under the applicable Memorandum of Understanding. The employee shall be permitted to retain any previously accrued and unused sick leave in his/her sick leave bank. The accrual and use of any sick leave accrued subsequent to the change in the employee's classification shall be subject to the provisions of the Memorandum of Understanding applicable to the employee's new classification.

Employees covered under the provisions of this Resolution who, as the result of a change in classification, are assigned to a bargaining unit represented by a recognized employee organization pursuant to the Employee Relations Resolution No. 99-379, and who have accrued Annual Leave hours, shall be permitted to maintain those accrued hours as Annual Leave. Such hours may continue to be used for vacation, sick leave or other approved leave.

B.

PAID LEAVE
ARTICLE 9

A previous period or periods of County employment which are interrupted in such a manner as to disqualify such period or periods from being considered in computing continuous service under the provision of this Resolution, may be included in such computation, in full or in part, upon the request of the agency/department head of the agency/department employing the person involved, and approval by the County Executive Officer.

A regular part-time employee shall accrue vacation in the same proportion that working hours bear to the normal working hours of a full-time position. The same proportion shall apply in determining payment of earned vacation on termination.

No employee shall be permitted to work for compensation for the County during vacation, except with prior approval of the County Executive Officer and the agency/department head.

Any person whose employment is terminated shall be entitled to pay for all earned vacation as determined under the provisions of this Resolution. For the purpose of this paragraph, vacation shall be deemed earned to the date of termination. While such terminal vacation pay shall be chargeable to the salary appropriation of the agency/department, the position shall be deemed vacant and may be filled provided funds are available therefore. Terminal vacation pay shall be paid into a Post-Employment Plan account designated by the employee. Qualifying leave balances of a separating employee who does not make an election will default to a Special Pay Account.

All employees covered under the terms of this Resolution may accumulate accrued vacation for not more than a maximum of 480 hours. Upon the written request of an agency/department head showing reasonable necessity and good cause, submitted prior to the accumulation of the maximum vacation entitlement, the County Executive Officer may by order temporarily enlarge for a specific employee the maximum accumulation by extending the period of additional vacation accrual for not more than three months, unless a different period shall be specified in the order.

provided, no earned vacation shall accrue in excess of the maximum accumulation. No vacation shall ever be taken for a period exceeding the maximum accumulated.

E.
D.
C.
B.

Sec. 901

Jury Duty: Any employee who shall be summoned for attendance to any court for jury duty during the employee's normal working hours shall be deemed to be on duty and there shall be no loss of salary, but any jury fees received shall be paid into the County treasury. Any employee who shall be called as a witness arising out of and in the course of County employment, shall be deemed to be on duty and there shall be no loss of salary, but any witness fees received shall be paid into the County treasury, together with any mileage allowed if County transportation is used. Any employee designated non-exempt from Fair Labor Standards Act (FLSA) absent as a witness in a private matter shall not be entitled to be paid during such absence.

Sec. 902

Bereavement Leave: The County agrees to allow up to five days of bereavement leave, three of which will be paid, and the additional two days to be deducted from the employee's sick leave or Annual Leave. Eligible employees must be in an active payroll status and be compelled to be absent from duty by reason of the death, or critical illness where death appears imminent, of the employee's father, father-in-law, mother, mother-in-law, brother, sister, spouse, child, grandparent, grandchild, and the equivalent step-relationships or relationships through a domestic partnership. The County has the right to require proper documentation in support of the requested leave.

Sec. 903

Fitness for Duty: With prior approval by the Human Resources Director, an agency/department head, or a designee, when in his/her judgment reasonable cause exists, order an employee off work until such time as the County's Employee Health Medical Director or designee determines that the employee is able to return to work without impairing the health of the public, the employees health, or the health of the other employees in the agency/department.

When the agency/department head, or a designee, orders an employee off work, the agency/department head shall, as soon as possible, schedule an appointment for the employee with the County's Employee Health Medical Director or designee who shall examine the employee for the sole purpose of determining whether or not the employee is able to return to work.

The cost of the above mentioned medical services shall be paid by the County and the employee shall be placed on paid Administrative Leave for that period of time between his/her

A.

placement on leave and the County's receipt of the Employee Health Medical Director's determination.

Sick Leave (Applicable to Employees in Group 4 Only):

Accrual: Every regular full-time or part-time employee who is assigned to a classification in Group 4 shall accrue sick leave pay on a daily basis and computed at the rate of four (4) hours per pay period.

1. A regular part-time employee shall accrue sick leave in the same manner as a full-time employee, except the accrual shall be pro-rated for hours actually worked.

2. Sick leave shall accrue at all times when the employee is in a paid status.

3. Accrued sick leave of any person whose employment is permanently terminated shall automatically be canceled. However, any employee whose employment is terminated while they are on sick leave shall continue to be compensated for the duration of their illness to the extent of their accrued sick leave, but after such termination shall derive no other benefits under this Resolution which result from being in a paid status. Unless the employee shall have retired, payment for sick leave continuing after termination shall be conditioned upon prior receipt of a physician's certificate or other adequate written proof of illness and in the event of any doubt as to future duration of the illness may be paid on biweekly increments as used. If an employee receives a layoff notice, payment for sick leave shall continue conditioned upon receipt of a physician's certificate or other adequate written proof of illness given to the County prior to payment, and payment shall not continue beyond the exhaustion of accrued sick leave.

4. Sick leave may be used for absence reasonably required by complications of pregnancy, continuing through delivery and reasonable period of recovery therefrom, to be determined in accordance with a written report or reports of the employee's personal physician, specifying the expected date of delivery and the date that the employee should cease work. In the event the agency/department head believes there are unusual circumstances, or that the full performance of the employee's work without undue hazard is such as to require a longer period of absence, and on the agency/department

2. An employee off work or contemplating to be off work due to illness or injury for an extended period of two (2) weeks or more shall provide a comprehensive health statement as to length of absence from the employee's health care provider

Proof of Illness:

Every regular employee shall use accrued vacation, then holiday time, and then may use compensatory time, when sick leave has been exhausted due to extended illness or injury unless he/she is on a medical certification program in accordance with B.1 of this section.

Employees on a medical certification program shall have their sick leave usage reviewed at least annually. If the review shows substantial improvement, they shall be removed from the category of having to provide the certificate for each absence.

1. When in the judgment of the agency/department head good reason exists for believing an employee may be abusing sick leave the employee shall be placed on notice in writing. The employee shall also be placed on a medical certification program and be allowed paid sick leave by producing a signed original certificate of a physician, dentist, or other legally authorized person to provide health care services on the same level as a physician or proof satisfactory to the agency/department head. Such certificate shall include a written statement signed by a physician, dentist, or other legally authorized person to provide health care services on the same level as a physician, stating the day(s) of the illness/injury and that the illness/injury prevents the employee from being able to work.

Medical Certification Program:

head's written request to the Human Resources Director, the determination of the period shall be subject to review and change by a physician employed or provided by the County, including a medical examination of the employee if required by such physician. The cost of this examination shall be paid by the County. In no event shall an employee return to work after pregnancy prior to a date to be fixed by her physician in a signed statement that she is physically able to perform the duties of her position.

B.

stating any duties an employee cannot perform and any restrictions or light duty requirements.

Reporting Requirements: In the absence of a more stringent agency/department policy, an employee reporting off work for sick leave usage shall call the employee's supervisor or designee within one (1) hour before or after the employee's scheduled starting time.

Reason for Usage: Use of accrued sick leave shall be allowed for the purpose of preventative medical, dental care, and care of the family. Family is defined to mean a spouse, child, registered domestic partner, child of registered domestic partner, parent, brother, or sister of the employee.

Payout for Sick Leave: Upon service retirement, disability retirement or death of an employee or officer, and subject to the provisions of any applicable agreement between the employing agency and the Public Employees' Retirement System, unused accumulated sick leave shall be credited at the rate of fifty (50) percent of the current salary value thereof for each such person who has had five full years of service in a payroll status provided, however, that the total payment shall not exceed a sum equal to 960 hours of full pay. Terminal sick leave pay shall be paid into a Post-Employment Plan account designated by the employee. Qualifying leave balances of a separating employee who does not make an election will default to a Special Pay Account.

A sick leave payout resulting from death of an employee shall be made to the persons entitled to it otherwise, in accordance with the Probate Code.

Eligibility for a payout under this section is determined at the time of separation from County employment and not at a later date.

**ARTICLE 10
ON THE JOB INJURY**

Workers' Compensation Benefits: An employee or officer who suffers an injury or illness which entitles him/her to benefits under the Workers' Compensation Law, and for which he/she actually receives or obtains medical treatment, shall be entitled to full compensation for the first ten (10) calendar days during which he/she is necessarily absent from duty as the result of such injury or illness, without deduction on account of accrued sick leave or other accrued salary credits. If such absence continues thereafter, he/she shall be paid as salary the difference between the

E.
D.
C.

Air Pollution Emergency: An employee unable to work on a regularly scheduled work day due to an air pollution emergency shall be granted a leave of absence without pay for the period.

Sec. 1101

ARTICLE 11
LEAVES OF ABSENCE
WITHOUT PAY

In the event of substantial doubt whether the disability is compensable pursuant to Section 4850 of the Labor Code, payment of salary shall be withheld, except as to so much thereof as shall be equal to the value of accrued sick leave, Annual Leave, vacation and compensatory time off for overtime, until the issue shall be adjudicated.

4850 Exclusion: The provisions of this Article shall not apply to any peace officer, firefighter, or similar employee as to whom the benefits of section 4850 of the Labor Code are applicable. Sick leave, Annual Leave, vacation, or compensatory time off shall not be applied to absence on account of disability under that statute. Annual Leave benefits shall continue to accrue during such disability, in accordance with the law.

Sec. 1002

In the event of substantial doubt whether temporary disability payments are payable under the Workers' Compensation Law for the disability, or doubt as to the extent thereof, payment on account of sick leave or annual leave shall be withheld, except to the extent authorized by this section, until the issue is determined either by assumption of liability by the compensation insurance carrier or by adjudication of liability.

The right is reserved to make later adjustments between salary and disability benefits to conform to the Workers' Compensation Law, or to conform to later development of facts, including the right to recover any overpayments directly or from future earnings.

temporary disability payments due him/her under the Workers' Compensation Law and his/her regular compensation, to the extent of the value of his/her accrued sick leave or Annual Leave, including, for this purpose, the values, successively, of his/her accrued compensatory time off for overtime and accrued vacation credit. During a period of temporary disability and in the proportion that the employee is paid for the difference between his/her temporary disability payments and his/her regular compensation, he/she shall continue to accrue Annual Leave benefits at the regular rate.

Sec. 1102 Leaves of Absence - In General: An agency/department leave of absence or an official leave of absence without pay may be granted for the following reasons:

- A. Illness or disability when sick leave has been exhausted.
- B. Maternity.
- C. To take a course of study which will increase the employee's usefulness on return to the County.
- D. Personal reasons acceptable to the authority whose approval is required.

Sec. 1103 Agency/Department Leave of Absence: Agency/department leave

of absence up to 480 hours in any one calendar year period may be granted to any employee by the agency/department head. Such leave of absence for an agency/department head shall be granted only by the Board of Supervisors, for such period as the Board may determine. Such leave shall be reported as leave of absence via the agency/department's payroll. The agency/department head, or Board of Supervisors, may require the leave of absence to be for a specified period of time and appropriate conditions may be imposed, such as providing sufficient medical documentation or other evidence substantiating the leave as required by the agency/department head or Board of Supervisors.

An employee on leave of absence for illness or disability reasons will be required to present a return to work statement from the attending physician releasing the employee to full duty, prior to being allowed to return to work. Any release to less than full duty will be allowed only as accommodation as required under the *Americans with Disabilities Act*, the *California Fair Employment and Housing Act*, a County designed temporary modified duty assignment, and/or the County return to work program.

Sec. 1104 Official Leave of Absence: A regular employee may request an official leave of absence exceeding 480 hours, but not exceeding one year (2,080 hours). Official leave of absence may be granted upon written request by or on behalf of the employee, specifying the period and the reason, upon the written recommendation of the agency/department head and with the written approval of the Human Resources Director. Application must be made on a form supplied by the Human Resources Department in advance of the effective date of the leave, unless circumstances make such

Absence without leave of any employee, whether voluntary or involuntary, for five consecutive working days is an automatic resignation from County service, providing the employee upon written agency/department notification does not respond to the agency/department and/or does not provide a satisfactory

A.

Abandonment/Automatic Resignation:

Sec. 1106

Military Leave: Absences on account of military duty are governed by provisions of United States Code Title 38, Chapter 43 and the California Military and Veterans Code.

Sec. 1105

The Human Resources Director shall be promptly notified of the return of any employee from an official leave of absence. The Board of Supervisors shall have the right to cancel or revoke a leave of absence previously granted.

Nothing herein shall prevent the earlier return to duty by the employee, except the agency/department head may require two weeks advance notice of the employee's intention to return.

Such leave may be extended upon further written request containing justification therefore, such request for extension is to be processed in the same manner as the original request. In the case of a request for an extension due to illness or disability, updated information of the same kind submitted for the original request will be required.

An employee on leave of absence for illness or disability reasons will be required to present a return to work statement from the attending physician releasing the employee to full duty, prior to being allowed to return to work. Any release to less than full duty will be allowed only as accommodation as required under the *Americans with Disabilities Act*, the *California Fair Employment and Housing Act*, a County designed temporary modified duty assignment, and/or the County return to work program.

advance request impossible. If the Human Resources Director does not approve the request, it shall be so endorsed and returned to the agency/department head, who may present it to the Board of Supervisors. The Board of Supervisor's action shall be final. Any official leave of absence granted shall be for a specified period and appropriate conditions may be imposed such as the employee providing sufficient medical documentation or other evidence documenting the leave as required by the Human Resources Director or a designee.

The appeal hearing and disposition of the appeal shall be informal, the object being to settle the appeal promptly by the parties. The parties shall have the right to offer evidence by witnesses at the hearing subject to the discretion of the neutral. The neutral may consult with witnesses informally and otherwise investigate the controversy.

3.

Only the employee and one (1) non-attorney representative, the agency/department head or a designee, and the Human Resources Director or a non-attorney designee shall take part in the presentation of any appeal, unless the employee is an attorney who is self-represented. Nothing herein shall prevent an attorney testifying to facts of which the attorney has personal knowledge and that which the attorney may be competent to testify.

2.

Appeals shall be heard by a mutually agreed upon third party neutral (herein referred to as a "neutral") from a list of five neutrals approved by the Human Resources Director. The neutral's decision may be verbal or in writing. The decision of the neutral shall be binding on both parties, neither of which shall have the right of further appeal.

1.

An employee may, within 10 calendar days of service of the second letter from the agency/department, request in writing reinstatement from the Human Resources Director. If denied by the Human Resources Director, the employee may file a further appeal with the Human Resources Director, or designee, within ten (10) working days from service of the denial of reinstatement. Reinstatement may be granted only if the employee makes a satisfactory explanation for the absence and/or the failure to obtain an approved leave of absence, and the neutral finds the employee is ready, able, and willing to resume the discharge of the duties of the position.

B.

explanation for the absence and his/her failure to obtain an approved leave. The notification to the employee must be in writing prior to the agency/department finalizing the resignation and must contain an opportunity within three working days of service for the employee to respond. A second notice, after the time to respond has passed or after the employee has given an unsatisfactory explanation, must be sent to the employee stating the effective date of the abandonment/automatic resignation. Notices may be personally served or served by first class mail (return receipt requested) to the last known address of record of the employee and are complete upon mailing or hand delivery.

a. Dishonesty;

Cause for Action: Any of the following acts of an employee who has permanent status shall be good cause for disciplinary action:

As used in this procedure, "disciplinary action" means termination, demotion, reduction in compensation, suspension, or written reprimand in lieu of suspension (which shall for all purposes have the effect of the equivalent suspension) of an employee.

1. At-will employees covered under the provisions of this Resolution.
2. Employees who have not completed an initial probationary period with the County of Riverside, including any extensions thereto.
3. Permanent employees serving a promotional probationary period when such disciplinary action does not affect any vested rights.

The provisions of this Article do not apply to:

Applicability:

ARTICLE 12
DISCIPLINARY PROCEDURE

4. The judgment of the neutral shall be rendered within five (5) working days of submission of the controversy to him/her. Provided, however, the parties may mutually agree to extend the time in which the judgment may be rendered.
5. The neutral's authority shall be limited to deciding the issues submitted by the parties. The neutral shall have no jurisdiction or authority to add to, delete from, or modify any written provisions of this Resolution.
6. The cost for the service of the neutral and the hearing room, if any, shall be borne by the County. The cost of transcripts, if any, will be borne by the ordering party.
7. The neutral is authorized to dismiss the appeal if the employee fails to appear at the hearing after being notified in writing of the date and time.

Sec. 1202

A.
Sec. 1201

Investigatory Leave of Absence: Pending investigations by the agency/department head, or designee, of accusations of misconduct against an employee, the agency/department head, with the approval of the Human Resources Director or designee, may place the employee on a leave of absence for a period of time not to exceed fifteen (15) working days with pay.

- b. Incompetence;
- c. Inefficiency or negligence in performance of duties;
- d. Neglect of duty;
- e. Insubordination;
- f. Willful violation of an employee regulation prescribed by the Board of Supervisors or the head of the agency/department in which the employee is employed;
- g. Absence without leave;
- h. Conviction of either a felony, or any offense, misdemeanor or felony, involving moral turpitude, or any offense in connection with or affecting the employee's duties other than minor traffic violations. Conviction means a plea of guilty or *nolo contendere* or a determination of guilt in a court of competent jurisdiction;
- i. Discourteous treatment of the public or other employees;
- j. Political activity in violation of federal or state law;
- k. Physical or mental unfitness to perform assigned duties;
- l. Making a material misrepresentation in connection with obtaining or maintaining employment or position;
- m. Conduct either during or outside of duty hours which adversely affects the employee's job performance or operation of the agency/department in which he/she is employed;
- n. Failure to maintain the license, registration, certificate, professional qualifications, education, or eligibility required for the employee's classification when the failure of the employee to maintain such requirements adversely affects the employee's ability to perform his or her job or the performance of the agency/department. The agency/department shall prescribe procedures to insure that employees affected by the requirements are informed of them.
- o. Substance abuse in violation of the County of Riverside Alcohol and Drug Abuse Policy (Board Policy C-10).
- p. Violation of the County's Workplace Violence, Threats and Securities Policy (Board Policy C-27).
- q. Violation of the County's Harassment Policy and Complaint Procedure (Board Policy C-25).

If the investigation is not completed within the fifteen (15) days referenced above, the leave of absence may be extended to a combined maximum of ninety (90) calendar days with approval by the Human Resources Director. In such cases, and except for good cause as determined by the Human Resources Director, the agency/department head will notify the employee in writing as to what specific allegations are being investigated. Additional leave may be granted subject to the approval of the Human Resources Director. In the event the Human Resources Director does not approve the request for additional leave, the employee shall be returned to duty pending the completion of the investigation and the imposition of any disciplinary action provided, however, the agency/department head may alter the employee's duties or assignment until the investigation is completed when he/she determines it is in the County's best interest.

Written Order for Demotion, Suspension, Reduction in Pay, Termination: The continuing employment of every permanent employee shall be contingent upon good behavior. Any such employee may be terminated, demoted, suspended, reduced in pay, demoted and suspended, or reprimanded in lieu of suspension for cause by the appointing authority in the following manner:

A. The appointing authority shall serve upon the employee a Notice of Proposed Disciplinary Action stating the nature of the proposed action and its effective date. Such Notice shall also set forth in writing the reasons for the proposed disciplinary action, a statement of the charges upon which the action is to be based, a notice to the employee that he/she has the right to review the materials being used against him/her, and a statement advising the employee that he/she has the right to respond to the charges.

B. Within seven (7) working days from receipt of the Notice of Proposed Disciplinary Action, unless additional time is otherwise specified by the appointing authority, the employee may respond to the County's proposed action. Such response may be presented orally or in writing.

C. Notwithstanding the above, in cases where the disciplinary action involves a suspension of 80 hours or less the agency/department head, with approval of the Human Resources Director or designee, may suspend the employee immediately. In which case the Notice of Proposed Disciplinary Action, and the opportunity to respond thereto, shall be provided to the employee within the period of suspension or a reasonable time thereafter.

Sec. 1207

Appeals: An employee may appeal any disciplinary action taken against the employee. The appeal shall be in writing and filed with the Human Resources Director or designee within ten (10) working

Reduction in compensation under this section shall consist only of a change within the salary grade from the existing step to a lower step for a specified duration of one or more full pay periods, but not to exceed thirteen (13) pay periods. Reduction in compensation shall not be used as a disciplinary measure for employees who are exempt from the *Fair Labor Standards Act*.

B.

Suspension of an employee shall not be for more than forty (40) working days. Suspension of an employee who is exempt from the *Fair Labor Standards Act* shall be imposed in accordance with the provisions of the Act.

A.

Sec. 1206

Limitations:

If the amended or supplemental notice presents new causes or allegations, the employee shall be afforded a reasonable opportunity to prepare a defense thereto. Any objections to the amended or supplemental causes or allegations may be made orally or in writing prior to the appeal hearing. The employee shall not be required to file a further appeal in the event that an appeal was filed on the original disciplinary action.

B.

At any time before an employee's appeal is submitted to the neutral for decision, the appointing authority may, with the consent of the Human Resources Director, or designee, serve on the employee and file with the Human Resources Director or designee an amended or supplemental notice of disciplinary action.

A.

Sec. 1205

Amended Notice of Disciplinary Action:

At the completion of the period described in (B) above, the appointing authority shall review the employee's response, if any, and make a determination whether to sustain, or amend the proposed disciplinary action. If the appointing authority decides to amend or sustain the proposed action, the employee will be served with a Notice of Disciplinary Action setting forth in writing the reasons for disciplinary action and offering a statement of the charges upon which the action is based. The Notice of Disciplinary Action shall also advise the employee that the action being taken is final, and advise him/her of the right to appeal that action to the Human Resources Director, or designee within ten (10) working days of the date the letter is served on the employee.

D.

The appeal hearing and disposition of the appeal shall be informal, the object being to settle the appeal promptly by the parties. The parties shall have the right to offer evidence by witnesses at the hearing subject to the discretion of the neutral. The neutral may consult with witnesses informally and otherwise investigate the controversy.

D.

Only the employee and one (1) non-attorney representative and the agency/department head or a designee and the Human Resources Director or a non-attorney designee shall take part in the presentation of any appeal, unless the employee is an attorney who is self-represented. Nothing herein shall prevent an attorney testifying to facts of which the attorney has personal knowledge and that which the attorney may be competent to testify.

C.

Appeals shall be heard by a third party neutral (hereinafter referred to as a "neutral") agreed to by the parties from a list of five neutrals approved by the Human Resources Director. The neutral's decision may be verbal or in writing. The neutral's decision shall be binding on both parties.

B.

When disciplinary action results in a suspension of eighty (80) working hours or less, a pay reduction equal to eighty (80) hours or less of gross salary, or a written reprimand in lieu of suspension of eighty (80) hours or less, the appeal shall be determined under the following provisions:

A.

Hearing Procedure - Minor Discipline:

Sec. 1209

Waiver: If an employee fails to appeal the disciplinary action within the time specified, or after appealing, withdraws the appeal, the right to review is waived. Further, after an appeal is filed if the employee, or his/her representative, fails to take the next step to advance the appeal at any point in the process for thirty (30) days the appeal is deemed to be withdrawn and the right to review is waived.

Sec. 1208

- a. Be accompanied by a copy of intent and final notice of disciplinary action served on the employee;
- b. A brief statement of the facts and reasons for the appeal; and,
- c. A brief statement of the relief requested.

days after the date of service of the Notice of Disciplinary Action against which the appeal is made. An appeal shall:

Sec. 1210

Hearing Procedure - Major Discipline:

The parties shall select a neutral from a list of five neutrals approved by the Human Resources Director. The neutral shall be selected by the striking method. The only remaining name after the

party neutral.
Appeals filed in cases of termination, demotion, suspension exceeding eighty (80) working hours, pay reduction exceeding eighty (80) hours of gross salary, or written reprimand in lieu of suspension exceeding eighty (80) hours, shall be heard by a third

The neutral is authorized to dismiss the appeal if the employee fails to appear at the hearing after being notified in writing of the date and time.

Any hearing expense incurred as the result of a postponement or cancellation of a hearing shall be borne by the postponing or cancelling party.

All costs for the service of the neutral and the hearing room, if any, shall be borne by the County. The cost of the transcripts, if any, shall be borne by the ordering party.

The neutral's authority shall be limited to deciding the issues submitted by the parties. The neutral shall have no jurisdiction or authority to add to, delete from, or modify any written provisions of this Resolution.

The judgment of the neutral shall be rendered within five (5) working days of submission of the controversy to him/her. Provided, however, the parties may mutually agree to extend the time in which the judgment may be rendered.

The neutral may modify the disciplinary action, but in no event shall have the authority to increase the disciplinary action imposed to be greater than in Section 1209(A) herein.

The neutral will not substitute his/her discretion and judgment for that of management for sustained charges unless the neutral finds that discrimination, capriciousness, or arbitrary action by the County is proven.

The judgment of the neutral shall be binding on both parties neither of which shall have the right of further appeal.

- B.
- A.
- L.
- K.
- J.
- I.
- H.
- G.
- F.
- E.

striking process shall serve as the neutral. If unable to agree on who should strike first, the first name shall be struck by the party winning the toss of a coin. If the neutral chosen is unable to serve within a time frame acceptable to both parties, the last name struck will serve as the neutral.

The date, time, and venue for the hearing shall be set by the Human Resources Director, or designee, within a reasonable period based on the neutral's availability and other scheduling factors.

The employee and the agency/department head may be represented by counsel or other representative.

It shall be the duty of any County officer or employee to attend a hearing and testify upon the written request of the employee, the agency/department head, or the neutral, provided reasonable notice is given the agency/department employing the officer or employee. The Human Resources Director, or designee, shall arrange for the production of any relevant County record. The neutral is authorized to issue subpoenas.

All appeal hearings involving the termination of an employee shall be reported by a stenographic reporter. All other appeals need not be reported but either the employee or the agency/department head may, at its own expense, provide a reporter for the hearing.

The expenses of the neutral shall be paid by the County. The cost of transcripts, if required, shall be paid by the ordering party. Each party shall make arrangements for and pay expenses of witnesses who are called by such party, except that any County employee called as a witness shall be released from work without loss of compensation or other benefits to attend the disciplinary hearing.

Any hearing expense incurred as the result of a postponement or cancellation of a hearing shall be borne by the postponing or cancelling party.

The neutral is authorized to dismiss the appeal if the employee fails to appear at the hearing after being notified in writing of the date and time.

Within 21 days following the submission of the appeal, the neutral shall submit written findings of fact, conclusions of law, and the decision to the parties together with a copy of the appeal and a summary of the evidence taken at the hearing. The decision of the

J.
I.
H.
G.
F.
E.
D.
C.

neutral shall be final, subject to the right of either party to seek judicial review under Section 1280 et. seq. of the California Code of Civil Procedure.

General Rules

K.

1. The neutral shall confine the decision to issues raised by the statement of charges, including all the supporting documentation, and responses. The neutral shall act in judicial, not legislative manners. The neutral shall not amend, modify, nullify, ignore, add to or subtract from the provisions of this Resolution but, rather, shall interpret and apply its terms.

2. The neutral will not substitute his/her discretion and judgment for that of management for sustained charges, unless the neutral finds that discrimination, capriciousness, or arbitrary action by the County is proven.

3. In the case of suspension/reduction in compensation or demotion, if the action is modified or rescinded, the appellant shall be entitled restoration of pay and/or fringe benefits in a manner consistent with the neutral's decision.

4. In the case of termination, if the neutral finds the order of termination should be modified, the appellant shall be either demoted to an appropriate classification or reinstated to a position in the classification held immediately prior to termination subject to forfeiture of pay and fringe benefits for any period of suspension imposed by the neutral.

5. If the neutral finds the order of termination should be rescinded, the appellant shall be reinstated to a position in the classification held immediately prior to termination and shall receive pay and fringe benefits for all of the period of time between the termination and reinstatement.

6. The County shall not be liable for restoring pay and fringe benefits for any period(s) of time the appellant was reduced or removed from duty which results solely from the appellant's request for written briefs in the appeal proceedings.

7. Restoration of pay and/or benefits shall be subject to the employee's obligation to take reasonable steps to mitigate his/her loss. This will include but not be limited to deduction

Evidence and Procedures Applicable to Major Disciplinary Hearings:

8. The neutral shall render findings sufficient both to enable the parties to determine whether and on what basis they should seek review and, in the event of review, to advise a reviewing court of the basis for the neutral's decision. If the neutral fails to do so either party may request in writing within thirty (30) days of the issuance of the decision that the neutral render such findings.

of all unemployment insurance and outside earnings which the appellant received since the date of termination which would not have been earned had the appellant not been disciplined. The appellant shall supply such outside employment earning records during the period of time in question when requested.

A.

Hearings need not be conducted according to technical rules of evidence. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs.

B.

Hearsay evidence shall be admitted and may be used for the purposes of supplementing or explaining any direct evidence, but shall not be sufficient in itself to support disciplinary action as defined in Section 1201 a. herein, unless it is the type of hearsay admissible over objection in a civil action.

C.

Irrelevant and unduly repetitious evidence shall be excluded.

D.

The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions. In addition, communications between Human Resources Department employees, non-attorney advocates, management or employees of County agency/departments involved in an appeal hearing, and communications between the representative and the employee who is the subject of a personnel action shall be confidential and not subject to disclosure in the appeal hearing.

E.

Oral evidence shall be taken only on oath or affirmation. Any written statements, declarations, or affidavits admitted as evidence shall be made or sworn under penalty of perjury.

F.

Employees not testifying in their own behalf may be called and cross-examined.

Formatted: Font: Arial

- a. a party file and deliver, within a fixed time, to each other party as specified by the neutral, any relevant documents,
- b. any preliminary applications be brought within a fixed time or by a specified date,

At the case management conference the neutral may, whether or not on the application of a party, order that:

- a. the simplification of the issues,
- b. the possibility of obtaining admissions which might facilitate the hearing,
- c. the quantum of damages, in the appropriate case,
- d. any preliminary application by either party,
- e. any other matters that may aid in the disposition of the action or the attainment of justice.

In cases involving hearings in excess of three (3) days the parties must engage in a case management process with the neutral. The case management meeting must be held at least thirty (30) days prior to the first scheduled date for the hearing and may be held telephonically. The neutral shall consider:

the simplification of the issues, the possibility of obtaining admissions which might facilitate the hearing, the quantum of damages, in the appropriate case, any preliminary application by either party, any other matters that may aid in the disposition of the action or the attainment of justice.

The hearing shall be a private proceeding among the County and the employee.

- 1. To call and examine witnesses;
- 2. To introduce exhibits;
- 3. To cross-examine opposing witnesses on any matter relevant to the issue, even though the matter was not covered in the direct examination;
- 4. To impeach any witness regardless of which party first called the witness to testify; and
- 5. To rebut any derogatory evidence.

The employee and the agency/department head shall have these rights:

I.
H.
G.

- January 1, New Year's Day
- Third Monday in January, Martin Luther King, Jr.
- February 12, Lincoln's Birthday
- Third Monday in February, Washington's Birthday
- Last Monday in May, Memorial Day
- July 4, Independence Day
- First Monday in September, Labor Day
- Second Monday in October, Columbus Day
- November 11, Veterans' Day

County Holidays:

Paid Holidays:

ARTICLE 13
HOLIDAYS

Non-Discrimination: Disciplinary actions shall be taken without regard to any protected class under federal or state law.

If the neutral, upon application by either party to the appeal hearing, determines that legal counsel for the other party has unnecessarily prolonged the hearing and/or increased the cost of the hearing beyond the reasonable expectations of the parties at the commencement of the hearing then the neutral is authorized to impose sanctions on the offending party including, but not limited to, ordering such offending party to pay all or part of the non-offending party's increased costs of the hearing, to pay all or part of the non-offending party's attorney fees, to pay all or part of the non-offending party's cost of the neutral, to pay all or part of the non-offending party's costs of the transcripts, or such other relief that the neutral deems appropriate in the circumstances.

and, on making an order the neutral may give other directions that he/she thinks just or necessary.

- c. a statement of agreed facts be filed within a fixed time or by a specified date,
- d. a party deliver a written summary of the proposed evidence of a witness within a fixed time or by a specified date,
- e. experts who have been retained by the parties confer, on a without prejudice basis, to determine those matters on which they agree and to identify those matters on which they do not agree,
- f. the hearing be rescheduled,

Sec. 1212

Sec. 1301

A.

In addition, such employee shall have a choice of:

Working the Holiday Qualifying, FLSA nonexempt employees covered under the provisions of this Resolution who work on a paid holiday shall be paid at their regular rate for the time actually worked.

~~Between April 30, 2009 and June 27, 2012, the paid holiday time and/or the compensatory holiday time off provided for in this Section may be suspended by the County Executive Officer for whatever period of time he/she deems appropriate due to budgetary restraints.~~

Payment for the Holiday:

An employee who is on a leave of absence without pay for either the regularly scheduled working day before the holiday, or the regularly scheduled working day after the holiday shall not be paid for the holiday.

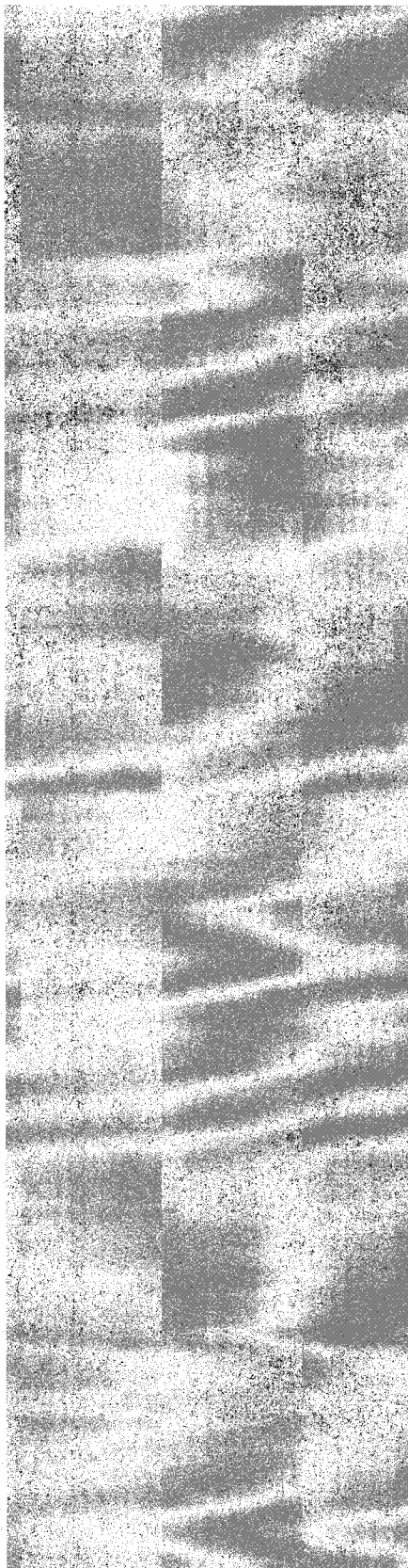
An employee who is terminating employment for reasons other than paid County retirement, and whose last day as a paid employee is the day before a holiday, shall not be paid for that holiday.

A new employee whose first working day is the day after a paid holiday shall not be paid for the holiday.

Only regular and probationary employees in a current paid status shall be eligible for paid holidays. "Current paid status" does not include payments received from outside sources (e.g. disability benefits, worker's compensation benefits, etc.).

Qualifying Factors

- Fourth Thursday in November, Thanksgiving Day (unless otherwise appointed)
- Friday following Thanksgiving
- December 24 and 31 when they fall on Monday
- December 25, Christmas Day
- December 26 and January 2, when they fall on a Friday
- Friday preceding January 1, February 12, July 4, November 11 or December 25, in lieu of such date when such date falls on Saturday; the Monday following in lieu of such date when it falls on a Sunday.



Sec. 1401

Seniority:

- A. Definition of Seniority: Seniority shall be defined as the length of an employee's continuous service with the County, in a regular position, and is based on most recent date of hire.
- B. Definition of Department: Department, for the purposes of this procedure, shall be defined as an agency, department, or district of the County.
- C. Whenever more than one employee in a Department has the same most recent date of hire, seniority shall be determined in the following order: hours of County service from the most recent date of hire, seniority in classification, and seniority in the Department or agency.

ARTICLE 14
LAYOFF AND REINSTATEMENT

4

Scheduling Holiday Compensatory Time Off Holiday Compensatory Time Off shall be scheduled by the agency/department head following a request by the employee and shall be granted within a reasonable time following the request.

3

Part-Time Employees A regular part-time employee shall only receive compensatory holiday pay for the holiday or portion thereof that coincides with his/her regularly scheduled working hours.

2

Not Working the Holiday A full-time employee whose regularly scheduled day off falls on a paid holiday shall be entitled to equal compensatory holiday time off for such a holiday.

When a holiday falls on a normal workday and the employee does not work, the employee shall be paid for not more than eight (8) hours of holiday pay. An FLSA non-exempt employee on an alternative work schedule of more than eight (8) hours a day shall use accrued vacation, holiday time or compensatory time off to make-up the required hours in excess of eight (8).

- a. Receiving compensatory holiday time off not to exceed eight (8) hours for such holiday or;
- b. Being paid for the holiday at the regular rate of pay not to exceed eight (8) hours.

D. Except as otherwise provided in this procedure, an employee shall lose seniority upon resignation, retirement, termination, or removal from all Departmental Reinstatement Lists.

Sec. 1402

Reduction in Force:

A. When it becomes necessary to reduce the work force in a Department, the agency/department head shall designate the job classification(s) to be affected, and the number of employees to be eliminated within the Department. No regular employee shall be laid off in any job classification if there are temporary employees or seasonal employees in an active status in the same job classification within the Department. It is not the intention of the County to use per diem employees for a replacement of regular laid off employees.

B. Any reduction in the number of regular employees holding a job classification designated by an agency/department head for layoff shall be made in the following order of employment status:

1. Temporary promotion employees (return to former classification);
2. Probationary new employees;
3. Probationary transfer employees, probationary promotional employees, and all other regular employees.

C. Layoffs of employees within each classification shall be based primarily on merit and ability, as determined by the Department Head or designee, and reflected in the employees' most recent performance evaluation, with a rating of at least "meets standard" (or equivalent). In the event that two or more employees have at least a "meets standard" rating then the layoff shall be based on seniority, with the least senior employees being laid off first. Whenever an agency/department head believes the best interest of the County requires the retention of an employee with special qualifications, skills, abilities or fitness for his/her position, the agency/department head may prepare a written request to the Human Resources Director to grant an exception to the order of layoff. Subsequent to conducting a review of the request, the Human Resources Director shall forward the request, together with his/her recommendation, to the County Executive Officer for final action. An employee who is laid off out of seniority shall be given written notice of this action.

D. After consultation with the Human Resources Director or a designee, the agency/department head shall give notice to each

An employee who chooses to be laid off and have his/her name placed on the Departmental Reinstatement List under this section

2. The new work location is more than 40 miles from the employee's current work location or the employee's home, whichever is closer;

1. The employee is being reassigned to a position previously occupied by an employee who was laid off within twenty (20) working days of the effective date of the reassignment; and

An employee not expected to be laid off may in lieu of reassignment elect to be laid off and be placed on the Departmental Reinstatement List if both of the following conditions exist:

Reassignment:

Sec. 1403

Regular employees who elect to demote under this provision shall be placed on the step nearest their present salary within the salary grade of the classification to which they are demoting provided such step shall not exceed present salary.

If an employee who has received official notice of layoff has previously held regular status in another job classification in the County, was not removed therefrom for disciplinary reasons, and the Department Head, or designee, is satisfied that the employee has the merit and ability to perform such job, such employee shall, upon his/her request, be given a transfer or demotion within the Department to such other classification in lieu of layoff unless such action cannot be accomplished without authorization of another position or displacement of an employee with greater seniority, and only if it can be accommodated with the positions funded under the layoff plan. The affected employee must request such transfer or demotion within seven days of written notification of layoff by personal delivery or mailing of a certified letter to the agency/department head.

E.

1. The reason for layoff;
2. The effective date of the action;
3. If laid off out of seniority.

regular employee affected by a reduction in force at least fourteen (14) days prior to the effective date of the action. A list containing the names of the employee(s) to be laid off shall be given to the Human Resources Director. The notice shall include:

shall notify the agency/department head in writing of the decision at least three (3) working days prior to the effective date of reassignment. Such layoff shall be on the same date as the reassignment would have been effective.

Sec. 1404

Employment Counseling and Referral: Prior to the effective date of layoff, every employee given notice of layoff for a period of time longer than one (1) pay period, may schedule an employment counseling session with the Human Resources Department for assistance in determining other employment opportunities within the County for which the employee may qualify.

A.

Only employees who have either been given layoff notices or are currently on a Departmental Reinstatement List shall be referred first to any agency/department requesting a recruitment for classifications from which the employees were laid off.

B.

Employees who meet the minimum qualifications and have either been laid off or have been given layoff notices shall be referred first to agency/departments requesting recruitments for all other classifications.

C.

Agency/departments are required to notify Human Resources in writing why these candidates are unacceptable before outside candidates will be referred.

Sec. 1405

Departmental Reinstatement List:

A.

The name of every regular employee who is laid off, transfers, or demotes in the same Department to a formerly held classification for longer than one (1) pay period due to a reduction in force, or who is laid off in lieu of reassignment under subsection (C) above, shall be placed on the Departmental Reinstatement Lists for all classifications of a currently equal or lower salary grade in which the employee ever held regular status, provided the Department is allocated any positions of such classifications.

B.

Any vacancy to be filled within a Department shall be offered first to individuals named on the Departmental Reinstatement List based on merit and ability, as determined by the Department Head or designee. In the event that two or more employees have relatively equal merit and ability the position shall be offered in order of greatest seniority for the classification of the position to be filled.

Status on Reemployment: Reemployment is defined as being employed by the same or other agency/department into a regular position, only while on a Departmental Reinstatement List, other than that from which the employee had reinstatement rights to. If

Reemployment:

Placement on the salary grade at the previously held step prior to layoff or reduction, or the step which is nearest the employee's current pay rate, whichever is higher, with the employee's hours in a step being the same number of hours which the employee had at the time of layoff.
Credit for all service prior to layoff for the purpose of determining the rate of accrual of Annual Leave or vacation.

Continuation of seniority.

Restoration of all sick leave credited to the employee's account on the date of layoff that have not been paid into a post-employment account.

Status on Reinstatement: Reinstatement is defined as recall by the same Department, from a Departmental Reinstatement List, into a regular position. Upon reinstatement, the employee shall be entitled to:

1. The expiration of two (2) years from the date of placement on the list.
2. Failure to report to work within seven (7) days of mailing of a certified letter containing a notice of reinstatement to a position which is less than forty (40) miles from the last work location or the employee's home, whichever is closer.
3. Failure to respond within seven (7) days of mailing of a certified letter regarding availability for employment. It shall be the responsibility of the employee to notify their agency/department head, in writing, of the employee's current mailing address.
4. Request in writing to be removed from the list.

An employee's name shall be removed from Departmental Reinstatement Lists, for specific classifications, for any of the following reasons:

1. The expiration of two (2) years from the date of placement on the list.
2. Failure to report to work within seven (7) days of mailing of a certified letter containing a notice of reinstatement to a position which is less than forty (40) miles from the last work location or the employee's home, whichever is closer.
3. Failure to respond within seven (7) days of mailing of a certified letter regarding availability for employment. It shall be the responsibility of the employee to notify their agency/department head, in writing, of the employee's current mailing address.
4. Request in writing to be removed from the list.

A.
Sec. 1407

D.
C.
B.

A.
Sec. 1406

C.

reemployed while the employee's name is current on any Departmental Reinstatement List, the employee shall be entitled to:

1. Restoration of all sick leave credited to the employee's account on the date of layoff that have not been paid into a post-employment account.
2. Continuation of seniority shall be credited to the employee upon successful completion of the applicable probationary period.
3. Credit for all service prior to layoff for the purpose of determining the rate of Annual Leave accrual or vacation accrual.

ARTICLE 14A
MANDATORY FURLOUGH

Sec. 1401A

Scope and Implementation:- The mandatory furlough will be effective when authorized by the County Executive Officer and may be terminated at any time by the County Executive Officer. When implemented in an agency/department, the mandatory furlough is applicable to all employees covered by this Resolution within that agency/department.

Sec. 1402A

Length of Furloughs:- Employees shall furlough the number of hours or days established for the agency/department by the County Executive Officer or designee during each fiscal year.

Sec. 1403A

Scheduling: The agency/department head shall work with the County Executive Officer to determine how the mandatory furlough will be implemented in accordance with the budgetary and operational needs of the agency/department. Part-time employees shall furlough on a pro-rata basis.

Sec. 1404A

Additional Mandatory Furloughs:- In the event the County Executive Officer determines that additional mandatory furloughs, beyond the number of hours or days originally established, are required for the agency/department then the affected employees shall be given two pay periods notice of the additional furlough requirements and the reasons therefore, except when the additional furlough requirements are in response to a fiscal emergency that makes providing two pay periods notice impossible or impractical (e.g. external funding is cut off).

Sec. 1405A

Voluntary Furloughs: Employees will be permitted to take additional voluntary furlough time beyond the mandatory furlough required herein in accordance with Board of Supervisors Policy C-31. As indicated in Policy C-31, supervisors and managers are encouraged to approve these requests unless operational needs preclude them from doing so. However, voluntary furloughs will not be granted if they will result in the need for another employee to work overtime to perform the duties that would otherwise be completed by the furloughed employee or otherwise result in net loss of County revenue.

Sec. 1406A

Credit for Voluntary Furlough Hours: In the event a mandatory furlough is implemented, an employee who has taken a voluntary furlough pursuant to Board of Supervisors Policy C-31 adopted 12/23/08 shall be credited the hours taken under the voluntary furlough program towards the hours required by the mandatory furlough program.

Sec. 1407A

Office closure: If, as part of its mandatory furlough plan, an agency/department closes its office(s) on specified days, making it impossible for an employee who has already fulfilled his/her furlough obligation for the calendar year to report to work on those days, then the employee shall either make alternative work arrangements with the agency/department for the period of the closure or use accrued leave, other than sick leave, to cover the period of the closure.

Restrictions: Except as indicated below, no annual leave, vacation, extra vacation, sick leave, overtime, compensatory time off, or other banked leave may be used to offset mandatory furlough time.

Employees may not perform County work while on a mandatory furlough or work additional hours during the workweek in which the mandatory furlough falls to make up for the mandatory furlough time. The mandatory furlough time will not count as hours worked under the *Fair Labor Standards Act (FLSA)* or be counted towards qualification for overtime under the provisions of this Resolution.

Employees will not be permitted to be in their work areas or to perform their official duties during the period of mandatory furlough. Supervisors may not direct employees to work and employees are not to perform work for the County on their own during the period of mandatory furlough.

Supervisors shall not permit an employee, and employees shall not seek or volunteer to work overtime in a week in which mandatory

furlough time is taken. Permitting an employee to earn overtime during a week in which the employee takes mandatory furlough hours would reduce the savings achieved by the mandatory furlough.

Employees who are exempt from the overtime provisions of the FLSA will lose their exemption during any week in which they take a budget-required furlough (i.e. mandatory furlough but not voluntary furlough). These employees must report their actual hours of work during the week of furlough. Exempt employee shall refrain from working any additional hours during the remainder of the furlough week beyond their normal work day in order to avoid the payment of overtime for that week and/or the recapture of time that otherwise would be furloughed.

If required by the operational needs of the department, the employee's agency/department head or designee may revoke a previously scheduled mandatory furlough and the employee will be rescheduled to take the mandatory furlough at some other time prior to June 30th of the same fiscal year.

Retirement:—Employees who submit a letter of intent to retire from the County during any fiscal year in which mandatory furloughs have been authorized will still be required to furlough but may use any banked leave, except sick leave, to receive payment for their mandatory furlough hours. None of these leave hours paid for this purpose will be considered in determining eligibility for overtime.

Should any employee who submits such a notice not retire during the fiscal year identified in the letter of intent then an additional amount of paid leave equal to the amount of paid leave that was used to cover the mandatory furlough time during that fiscal year will be deducted from the employee's leave balances at the end of the fiscal year. In the event the employee has insufficient leave to cover this deduction then the amount will be deducted from the employee's leave accruals in the following fiscal year(s) or from the employee's final paycheck should the employee fail to restore the leave balances prior to his/her departure from the County.

Holidays:—Mandatory furlough hours taken before or after a paid holiday will not affect payment for the holiday unless the employee specifically requests to voluntarily furlough the holiday as well. Additionally an employee, subject to department approval, may take mandatory furlough hours adjacent to other forms of paid leave.

| Sec. 1409A

| Sec. 1408A

Sec. 1410A

Benefits:- Employees subject to mandatory furlough will be allowed to maintain the same level of County contributions for flexible credit allowance, as well as continuation of their other employee benefit plans. They will retain their work status for benefit purposes. Mandatory furlough hours will have no effect on the following benefits:

- Flexible benefit allowance
- Medical/dental/vision/life insurance eligibility and coverage

Rate of differential and premium pay that is included in the compensation base for pension calculation, except to the extent that they are based on the actual number of hours worked. This includes bilingual pay, shift differentials, etc.

Mandatory furlough hours will not cause a break in service or a reduction in employees' service credit for the purposes of seniority, probationary period, or anniversary date/merit salary adjustment.

Mandatory furlough participants who are required to take a block of time off in excess of a full pay period will need to arrange payment of the normal required employee contributions for benefit plans during the relevant pay period(s).

Sec. 1411A

FMLA/CFRA/PDL Leave:- Employees on FMLA/CFRA/PDL qualifying leave on a day (or days) they have been scheduled for mandatory furlough will be required to substitute mandatory furlough hours (unpaid leave) for paid leave on that day (or days) during the FMLA/CFRA/PDL leave.

Sec. 1412A

Military Leave:- Employees on paid military leave will not be scheduled for mandatory furloughs during such leave but will participate in the mandatory furlough at all other times during the fiscal year.

Sec. 1413A

Payroll Issues:- A special time entry code will be established to capture all mandatory furlough hours taken off, and to facilitate continuation of seniority, health and retirement benefit accruals, contributions, and payments. Employer taxes and withholdings will be calculated based on the actual hours worked and benefits received.

Participation in the mandatory furlough will reduce the employee's immediate take home pay. In scheduling mandatory furlough times the department head or designee should attempt to ensure that employees will continue to receive adequate wages to cover their

normal payroll deductions (e.g., tax withholdings, deferred compensation contributions, RSA dues, life insurance, etc.).

Employees who are exempt from the overtime provisions of the FLSA will lose their exemption during any week in which they furlough. In these furlough weeks these employees shall accurately report the hours worked each day on their timesheet for that week.

Workload: -The County acknowledges and recognizes that as a result of the mandatory furlough less work may be performed and that certain delays and/or reductions in service may result. Work expectations shall be commensurate with the reduced schedule.

ARTICLE 15
SPECIAL ADJUSTMENTS & DIFFERENTIALS

Special Medical Care Assignments:

Critical Care: Any Assistant Director of Nursing Services shall be entitled to a salary differential of \$2.00 per hour above their regular rate of pay when assigned in the following critical care areas:

- Emergency Room/Trauma Services
- Intensive Care Unit
- Labor and Delivery
- Neonatal Intensive Care Unit
- Operating Room
- PACU
- PCU
- Pediatrics
- Pediatrics Intensive Care Unit
- Psychiatry

No critical care differential will be paid for working in the critical care area (as herein defined) unless proof of certificate, as required, is on file with the Human Resources Officer at the Riverside County Regional Medical Center. Newly hired employees must have or obtain required certification prior to receiving any critical care differential. The Nursing Office, Human Resources Officer, and/or Staff Development Office will advise all Registered Nurses working in critical care areas as to their status of certification. This shall include certificates needed and names, dates, time(s), and places when courses will be given.

| Sec. 1414A

Sec. 1501

A.

The Board of Supervisors Policy C-10 was enacted to eliminate substance abuse and its effects in the workplace. The policy provides that employees shall not be under the influence of alcohol or drugs while on duty or on a standby or an on-call status; or consume alcohol or illicit drugs while on County property or at work locations or while on duty; or possess controlled substances or prescription drugs without a prescription while on duty. Employees shall not manufacture, sell, provide, distribute, or dispense prescription drugs or controlled substances to any other employee or to any person while on duty unless authorized by law; or sell, provide, distribute, or dispense alcohol to any other employee while such employee is on duty.

ARTICLE 16
ALCOHOL AND DRUG ABUSE POLICY

option of the employee's department head.
two (2) steps higher than that specified for such position, at the compensated at the rates applicable to the salary grade which is Professional Engineer by the State of California, shall be classification plan to be registered, but who is registered as a professional engineering position who is not required by the Engineering, Survey, Architect Licensure: The incumbent of a

E.

worked.
Treatment Services Facility on a pro-rata basis for each hour premium of \$500.00 for each evening shift in the Emergency Any Staff Psychiatrist I, II, III, or IV shall be entitled to a maximum

D.

Inpatient Treatment Facility or Detention Health Facility.
when assigned to the Emergency Treatment Services Facility, differential of \$2.40 per hour worked above their regular rate of pay Any Staff Psychiatrist I, II, III, or IV shall be entitled to a salary

C.

regular rate of pay while performing these services.
compensated at an hourly rate which is 10.2% above his/her incumbent of a Psychiatrist position who shall then be which may only be performed by a licensed physician to the acts of diagnosis, treatment, or prescribing or ordering of drugs Director may assign medical program responsibility for all those or if occupied by a non-medical incumbent, the Mental Health when the Program Chief, Mental Health Service position is vacant, Section 621 and 522 of Title 9, California Administrative Code, Psychiatrist - Mental Health Medical Program: In accordance with

B.

Formatted: Highlight
Formatted: Highlight
Formatted: Highlight
Formatted: Highlight
Formatted: Highlight
Formatted: Highlight

(other than Group 2 Unrepresented Attorneys)
2 Unrepresented Attorneys
(specified management level)

The County's monthly Flexible Benefit contribution for current, regular employees covered under the provisions of this Resolution who waive County medical plan but select another County benefit shall be as follows:

Please see Article 21 for Flexible Benefit Adjustments for Law Enforcement Executives

7	Legislative Assistants, 3, & 6	Eff. PP 25-08	\$371.70
1, 2 (other than Supervisor's Board Assistants and Supervisor's Board	Eff. PP 25-11		\$375.64

For subsequent years, commencing with the second pay period in November of each year, from 2012 through 2015, the semi-monthly premium shall increase by the percent increase in the Kaiser Family rate for the County, not to exceed a total flex benefit of \$823.00 per month.

2 (Supervisor's Board Assistants and Supervisor's Legislative Assistants and only), 4 & 5	Eff. PP 25-12		\$398.18
---	---------------	--	----------

GROUPS SEMI-MONTHLY CONTRIBUTION

The County's monthly Flexible Benefit contribution for current, regular employees covered under the provisions of this Resolution who select a County medical plan shall be as follows:

Sec. 1701 Flex Benefits Programs.

ARTICLE 17 FLEXIBLE BENEFIT PROGRAM AND OPTICAL INSURANCE

Employees are expected to be familiar with and comply with Policy C-10, which is included in this Resolution by reference. For cause, management may condition further employment on successful passage of a drug or alcohol test. A refusal to test shall be considered a positive result.

Formatted

employees in the office of the
Public Defender and County
Counsel not represented by a
bargaining unit)

Formatted: Highlight

To be eligible for the above contribution, an employee must participate in the Flexible Benefit Program and be in a paid status at least 5 hours or be on an approved FMLA/CFRA leave during the pay period. The contribution will be paid in the first two pay dates of the month; no contribution is made in the third pay date of the month.

Flex for Part-Time Employees. Part-time regular employees hired after January 11, 1990, or current employees who become part-time regular employees, are eligible for the Flexible Benefit Program on the following basis:

Employees working 20 to 29 hours per week: 50% of the applicable County of Riverside Flexible Benefits Program contribution for full-time regular employees per month per employee.

Employees working 30 to 39 hours per week: 75% of the applicable County of Riverside Flexible Benefits Program contribution for full-time regular employees per month per employee.

Part time employees who work more or less than their designated status for a fiscal year quarter shall be re-characterized at the end of that quarter based on their actual pattern of work during that quarter.

A. **Plan Selection Requirement.** Employees whose last hire date is on or after November 13, 2003 will be required to select a medical health insurance plan as part of their Flexible Benefit election each year, and will not have the option of waiving all medical health insurance coverage unless the flexible benefit contribution by the County is also waived. Those who fail to either timely elect medical coverage or waive all participation in the flexible benefit plan will be placed in the lowest-priced employee-only PFO medical plan available.

B. **Waiving Medical Coverage.** Employees hired prior to November 13, 2003, may elect to not take medical health insurance coverage, if they provide evidence of group hospital and medical health plan coverage from their spouse or other sources and sign a statement that they are enrolled and covered under another group hospital and medical health plan. Evidence is defined as a dated certificate of coverage, plan enrollment card, policy, etc. Notice of waiver form showing other hospital and medical coverage shall be

1. For employees who retire prior to November 1, 2005, the County shall contribute \$128.00 per month toward premiums

Monthly retiree health contributions for retirees who meet the eligibility conditions listed above are as follows:

An eligible retiree who chooses not to enroll in a medical plan when first retired may elect coverage at any subsequent open enrollment, and receive County contributions toward such coverage.

- You must retire (begin receiving your pension) within 120 days from the date you separate from employment with the County of Riverside;
- You must receive a retirement allowance from CalPERS;
- You must have been eligible for enrollment in a County-sponsored health plan on the date of separation from the County of Riverside.

The County shall contribute a monthly amount toward the payment of premiums for a Riverside County-sponsored medical and hospital health plan for eligible retirees and their dependents. To be eligible, the following conditions must be met:

Retiree Health Contributions

Optical Insurance. The County provides an optical plan to employees covered under the provisions of this Resolution with no premium cost to the employee. Such optical plan is not part of the Flexible Benefits Program described under the provisions of this Article.

If monies remain after waiver of medical health insurance and deduction of other elected benefits, said monies may be taken as cash in the employee's pay.

Cash Back. If monies remain after deduction of elected benefits, said monies may be taken in cash back to the aggregate total of options selected and cash.

While qualifying employees may waive medical health insurance coverage, one of the flexible benefit options must be taken (dental or Flexible Spending Account) to receive cash back.

received by the Human Resources Department within sixty days from date of hire, and annually during Open Enrollment.

B.

A.

Sec. 1703

Sec. 1702

C.

Definition of catastrophic illness or injury. Catastrophic illness or injury is a severe illness or injury which is expected to completely and totally incapacitate the employee for at least two (2) weeks and which creates a financial hardship because the employee has exhausted all accumulated leave at the time the application is submitted. Catastrophic illness or injury is further defined as a debilitating illness or injury of an immediate family member (i.e., the spouse, son, daughter, step-son, step-daughter, foster-son, foster-daughter, parents, grandparents, brother or sister of the employee, registered domestic partner, child of a registered domestic partner, or any other person living in the immediate household of the employee) that results in the employee being required to take time off from work for at least two (2) weeks to care for the family member creating a financial hardship because the employee has

B.

Definition of eligible employees. Only employees in budgeted ("regular") positions are eligible to participate in the Riverside County Voluntary Time-bank Policy.

A.

Procedure. Any agency/department considering establishing a Time-Bank for its eligible employees shall follow the guidelines below:

Sec. 1901

ARTICLE 19
VOLUNTARY TIME-BANK

The County has established a strong commitment to prohibit and to prevent unlawful harassment and/or discrimination in employment, and has set forth a procedure for investigating and resolving internal complaints in Board of Supervisors Policy C-25, which policy is included in this Resolution by reference.

ARTICLE 18
DISCRIMINATION COMPLAINT PROCEDURE

2. For employees who retire on or after November 1, 2005, the County shall contribute \$256.00 per month toward premiums for a Riverside County-sponsored health plan in which the retiree is enrolled.
For employees who retire on or after November 1, 2005, the County shall contribute \$256.00 per month toward premiums for a Riverside County-sponsored health plan in which the retiree is enrolled.

exhausted all accumulated leave at the time the application is submitted.

C. Conditions and procedures under which a Time-Bank for catastrophic illness/injury may be established.

1. Only the agency/department head, upon concurrence from the Human Resources Director, may request establishment of a Time-Bank for an employee within the agency/department who is suffering a financial hardship due to a catastrophic illness or injury.

2. When the agency/department head has determined that an employee would benefit from the establishment of a Time-Bank, the agency/department head will contact the employee to determine if the employee desires to participate in a Time-Bank program. If the employee desires to participate in the Time-Bank program, the agency/department head will contact the Human Resources Department and recommend the establishment of the program.

3. The Time-Bank will be established on behalf of an individual employee. The bank will accept donations of leave from one or more donors.

4. The Time-Bank will be operated by the Human Resources Department. The agency/department head will take actions to help ensure that individual employee decisions to donate or not donate to a Time-Bank are kept confidential and that employees are not pressured to participate.

5. On establishing a Time-Bank program, the Human Resources Department should ensure that only credits that are necessary are donated. All donations are non-retrievable.

D. Conditions under which leave credits may be donated to a Time-Bank.

1. Any employee may donate Annual Leave, vacation, or holiday accrual. Sick leave and compensatory time may not be donated.

An agency/department head who decides that the agency/department will participate in a Time-Bank program will arrange with the Human Resources Department for the establishment of the Time-Bank for the individual. The procedure to be followed must include:

Steps to be taken by the agency/department to establish a Time-Bank program.

F.

3. The use of donated credits may be for a maximum of twelve (12) continuous months for any one catastrophic illness.

2. The affected employees will provide verification of their (or immediate family member's) illness or injury on an Attending Physician's Statement to Support Leave or Return from Leave while using time donated under this program.

1. Only the employee for whom the Time-Bank has been established may receive leave credits from the Time-Bank. Such leave credits shall be added to the employee's Annual Leave or vacation balance.

E.

Conditions under which leave credits in a Time-Bank may be used.

6. Employees will use a provided form to submit donations directly to the Human Resources Department. Adjustment to donors and recipient's paid leave balances will be made.

5. Donated leave shall be changed to its cash value and then credited to the recipient in equivalent hours at the recipient's base hourly rate of Annual Leave or vacation leave.

4. An employee may not donate leave hours which would reduce his/her accrued leave balances of Annual Leave, vacation, holiday accrual, compensatory time, or sick leave to less than 168 hours.

3. The donation of leave hours is irreversible. Should the person receiving the donation not use all donated leave for the catastrophic illness/injury, any balance will remain with that person or will be credited to them upon separation.

2. Donations of Annual Leave, vacation, or holiday accrual must be in increments of eight (8) hours or more and drawn from one bank only.

The salary and benefit adjustments described below are applicable to all employees covered by this Resolution except for Elected Officials and attorney classifications now represented by a collective bargaining group.

ARTICLE 20
SALARY AND BENEFIT ADJUSTMENTS

1. Receive from the employee benefiting from the Time-Bank proof of eligibility and a signed agreement allowing publication of the employee's situation.
2. Determined qualification, under the standards above, for the establishment of a Time-Bank.
3. Control the Time-Bank program.
4. The employee benefiting from the Time-Bank and the Human Resources Department will agree on the content of the publicity.
5. Publicize the establishment of the Time-Bank program. The notice will inform all employees of:
 - a. The establishment of the voluntary program.
 - b. Their opportunity to donate.
 - c. How donations are submitted.
6. Notify the agency/department head immediately if the program cannot be established and the reason(s).
7. Immediately investigate any allegations of pressure or coercion in the solicitation of donations for the Time-Bank and take appropriate action.

The Human Resources Department will:

1. Receipt of written approval from the employee to announce the need for a Time-Bank transfer.
2. Notify the Human Resources Department of the need for the program and coordinate the program's establishment.
3. Require that employee donations be made directly to the Human Resources Department to ensure that employees' decision to donate or not donate is kept confidential.

First pay period in July, 2012 – Single payment of one thousand

payments:
Effective the first pay period in July 2012 all classifications in
Groups 4, 5, and 6 (Supervisor's Board Assistants and
Supervisor's Legislative Assistants) shall receive the following

Advanced Grade Recognition

Law Enforcement Executive Management Classifications, [redacted] and [redacted] (Article 21) and Unrepresented and Management Attorneys (Article 22) covered by this Resolution under Article 311 are ineligible for the wage increases outlined in Section B above.

Resolution.
denied, pursuant to the Step Advance provisions set forth in this
same manner as other step increases and shall be granted, or
the increase provided under this provision shall be treated in the
compensated at the top step of the salary grade for a year or more,
increase provided herein. For any employee who has not been
at the time of the addition, shall receive the one-step salary
step of the salary grade for his/her classification for a year or more
salary grade. Any employee who has been compensated at the top
additional step (approximately 2.71%) added to the top of their
2014 and 2015, Groups 4, 5 and 6 shall receive and one (1)
2.0% wage increase. Effective the first pay period of July 2013,
Legislative Assistants only, 4, and 5; classifications shall receive a
2 (Supervisor's Board Assistants and Supervisor's Board
elected officials and Board of Supervisors Members), 2, 3, 4, 5 & 6
employees who are covered in Groups 1 (excluding independent
Effective the first pay period in July 2013, 2014 and 2015,

Advance provisions set forth in this Resolution.
increases and shall be granted, or denied, pursuant to the Step
this provision shall be treated in the same manner as other step
of the salary grade for a year or more, the increase provided under
For any employee who has not been compensated, at the top step
addition, shall receive the one-step salary increase provided herein.
grade for his/her classification for a year or more at the time of the
employee who has been compensated at the top step of the salary
(approximately 2.71%) added to the top of their salary grade. Any
by this Resolution shall receive one (1) additional step
Effective the first pay period in July 2012, all classifications covered

Formatted: Font: Not Bold

C.

B.

A.

Employees in the classifications described above shall neither accrue vacation and sick leave nor be granted administrative leave. They shall, instead, earn annual leave according to each biweekly pay period of service commencing with the employee's initial anniversary date assigned to an employee during his/her latest period of County employment according to the following schedule. Absence or time not worked and part-time employment

A.

Investigator classification.
Attorney Investigator, or Assistant Chief District Attorney Administration, Sheriff-Correctional Chief Deputy, Chief District Chief Deputy Sheriff, Chief Deputy Director, Sheriff's only applicable to employees in an Undersheriff, Assistant Sheriff, Annual Leave: The provisions of Sections 2101 through 2105 are

Sec. 2101

Effective August 9, 2012: Flex increase of \$58.00/month (From \$751.28 to \$809.28/month)

Flexible Benefit Increases for job classifications in Article 21:

Formatted: Font: 12 pt

Please refer to Article 17, Flexible Benefit and Optical Insurance for Law Enforcement Executive Management Flexible Benefit Adjustments (with the exception of the below adjustment):

This Article provides salary and/or fringe benefit adjustments (as specified) for employees in an Undersheriff, Assistant Sheriff, Chief Deputy Sheriff, Chief Deputy Director, Sheriff's Administration, Sheriff, Correctional Chief Deputy, Chief District Attorney Investigator or Assistant Chief District Attorney Investigator, or Sheriff's Executive Officer classifications. Unless specifically provided herein, this Article is not intended to alter, amend, add to, or subtract from the existing wages, hours, and other terms and conditions of employment set forth for these employees in applicable County Ordinances, Resolutions, or minute orders.

**ARTICLE 21
SALARY AND FRINGE BENEFIT ADJUSTMENTS
LAW ENFORCEMENT EXECUTIVE MANAGEMENT**

First pay period in July, 2013 - Single payment of one thousand dollars (\$1000.00).

dollars (\$1000.00).

Formatted: Indent: Left: 1", Tab stops: 1", Left + Not at 0"

shall cause said pay period's accrual of annual leave credits to be reduced on a pro-rata basis.

Accrual Rates:

MONTHS OF SERVICE BI-WEEKLY ACCRUAL

(0 - < 36 months)	8.92 hours
(36 - < 108 months)	10.46 hours
(108 or more months)	12.00 hours

Effective July 12, 2012, job classifications in Article 21 will receive an additional 4 hours per pay period to their annual leave accrual. This additional leave accrual will expire at the end of the last pay period in June 2014.

Sec. 2102

Annual Usage: During the first twenty-six (26) pay periods of employment, employees shall be encouraged to use no less than forty (40) hours of annual leave and, thereafter, employees shall be encouraged to use no less than eighty (80) hours of annual leave in each succeeding twenty-six (26) pay periods of employment. While on annual leave, sick leave, holiday leave, or compensatory time off, an employee shall be compensated and receive benefits at the same rate as if he/she were on the job.

Sec. 2103

Maximum Accrual:

A. Employees in the classifications described in Section 2101 shall not accrue more than 2600 hours of annual leave.

It is the mutual responsibility of the employee and the agency/department head to assure that no employee shall exceed said maximum accrual.

B.

Vacation Conversion: Effective February 11, 1999, accrued vacation banks (including extra vacation) for then current employees in one of the classifications described in Section 2101 were converted to Annual Leave on an hour-for-hour basis to a maximum of 2,400. Any regular employee who subsequently transfers or promotes into one of these classifications shall have his/her accrued vacation balance similarly converted to annual leave on an hour for hour basis at the time of such transfer/promotion.

C.

Prior Sick Leave Accruals:

Formatted. Indent: First line: 0"

Formatted



Effective July 29, 2010, the County shall contribute \$50.00 per biweekly pay period to a 401(a) money purchase plan for each enrolled regular employee in the Correctional Chief Deputy classification.

B.

Effective September 14, 2006, the County shall increase the contribution from \$20.00 to \$50.00 per biweekly pay period to a 401(a) money purchase plan for each enrolled regular employee in an Undersheriff, Assistant Sheriff, Chief Deputy Sheriff, Chief Deputy Director, Sheriff's Administration, Sheriff, Sheriff's Executive Officer, Correctional Chief Deputy, Chief District Attorney Investigator, or Assistant Chief District Attorney Investigator classification.

A.

Deferred Compensation:

Sec. 2106

Resolution which are not specifically modified by Sections 2101 through 2104 above and are otherwise appropriate to this Article shall be included by reference.

Sec. 2105

Other Provisions: Those provisions contained in Article 7 of this Resolution which are not specifically modified by Sections 2101 through 2104 above and are otherwise appropriate to this Article shall be included by reference.

Sec. 2104

Annual Leave Redemption: An employee may request to receive pay in lieu of up to forty (40) hours per calendar year of Annual Leave. Effective July 1, 2010, an employee may request to receive pay in lieu of up to eighty (80) hours (160 hours upon approval of the agency/department head) per calendar year of Annual Leave.

2.

Any regular employee who transfers or promotes into a classification described in Section 2101 of this Resolution shall, at the time of such transfer/promotion, have his/her sick leave balance converted and/or frozen in the manner described in 2103 (C)(1).

1.

Effective February 11, 1999, current sick leave balances were frozen provided, however, that up to 50% of the sick leave balances was converted to annual leave. The combined maximum hours of sick leave so converted, when added to vacation hours converted under (B.) above, did not exceed the maximum accruals set forth in Sec. 2103 (A.) above. Any remaining sick leave hours may be used until the sick leave is exhausted or, upon retirement, disability retirement, or death of the employee, it may be paid as provided under the provisions of Section 708 of this Resolution.

For all employees identified in this section the \$50 per biweekly pay period contribution will be reduced to \$25 per biweekly pay period from June 4, 2009, to June 30, 2010.

Such repayment will only be made if the employee is still in the employ of the County on the date of the repayment.

P.O.S.T. Certificate Pay

Sec. 2107

Any Assistant Sheriff, Chief Deputy Sheriff, Chief District Attorney Investigator, or Asst. Chief District Attorney Investigator who proves that he/she possesses a valid Intermediate Certificate, but not an Advanced Certificate, issued to them by the Commission on Peace Officer Standards and Training of the State of California, shall be compensated at a rate applicable to the position which is 7.0% higher than otherwise specified for such position. If they prove that they possess a valid Advanced Certificate issued to them by said Commission, whether or not they possess the Intermediate Certificate, they shall be compensated at a rate which is 12.0% higher than that specified for such position. The increase in P.O.S.T. pay is effective June 28, 2012.

The applicable rate for possession of the Intermediate Certificate shall be indicated in the Table and Index by the letter "A" following the classification title, and for the Advanced Certificate, by the letter "B", each with an appropriate code number, but in the departmental sections the basic position code number and classification title shall be deemed to include positions occupied by incumbents possessing either of said certificates.

Salary Adjustments

Sec. 2108

Chief Deputy Sheriff (B) and Correctional Chief Deputy

A.

Effective June 28, 2012:
• 15% adjustment to pay for Chief Deputy Sheriff (B)
• 18% for Correctional Chief Deputy

Assistant Sheriff (B)

B.

Effective June 28, 2012:
• 15% adjustment to pay

Undersheriff

C.

74254	County Counsel
78517	Assistant County Counsel
78515	Principal Deputy County Counsel
78528	Chief Assistant District Attorney
78539	Assistant District Attorney

**ARTICLE 22
SALARY ADJUSTMENTS FOR MANAGEMENT ATTORNEYS AND
UNREPRESENTED ATTORNEYS**

A. This premium sunset on June 30, 2012. Effective July 12, 2012, the previous value of the Master's degree compensation level, five percent (5%), will be added to the base salary for the positions of ~~Chief Deputy Sheriff~~, ~~Chief Deputy Sheriff~~, ~~Chief Deputy Sheriff~~, ~~Director~~, ~~Sheriff's of Administrative Services~~, ~~Assistant Sheriff (B)~~, and ~~Undersheriff~~. This adjustment will not be permanent and will run concurrently with the Education Incentive premium in the current LEMU MOU (expires June 30, 2017). Should the LEMU Educational Incentive not continue beyond June 30, 2017, this adjustment for the job classifications outlined above shall be removed. Salaries granted pursuant to this provision shall be reported to PERS as compensation earned. This provision will also apply to Chief District Attorney Investigator and Assistant Chief District Attorney Investigator.

A.

Education Incentive

Sec. 2109

F. For all job classifications in Article 21, any employee promoting from another bargaining unit wherein the employee has not taken or completed all or a portion of the 10% (one time) compensation reduction, shall complete temporary wage reductions of up to 3% per year until a total 10% reduction is completed.

F.

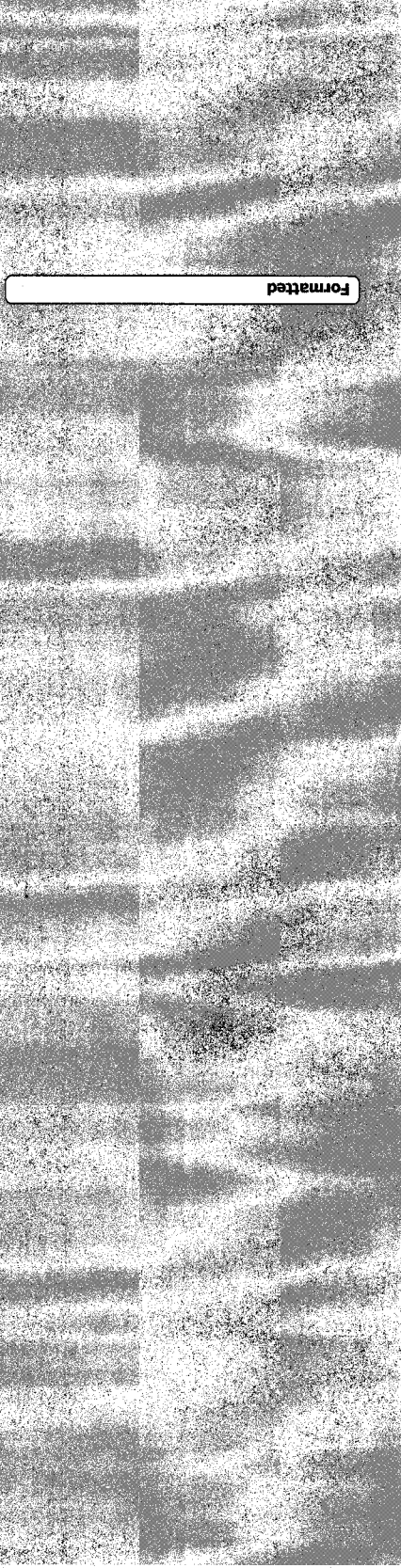
E. Restoration of Merit Increases: For all job classifications in Article 21, Effective July 12, 2012, the merit increases will be restored at one (1) step only. Effective the first pay period in July 2013, the merit increases will be restored to the customary two (2) steps.

E.

D. Effective July 11, 2013, a 2% COLA and a top step (2.71%) shall be applied to the job classifications in Article 21.

D.

- 7.5% adjustment to pay Effective June 28, 2012:

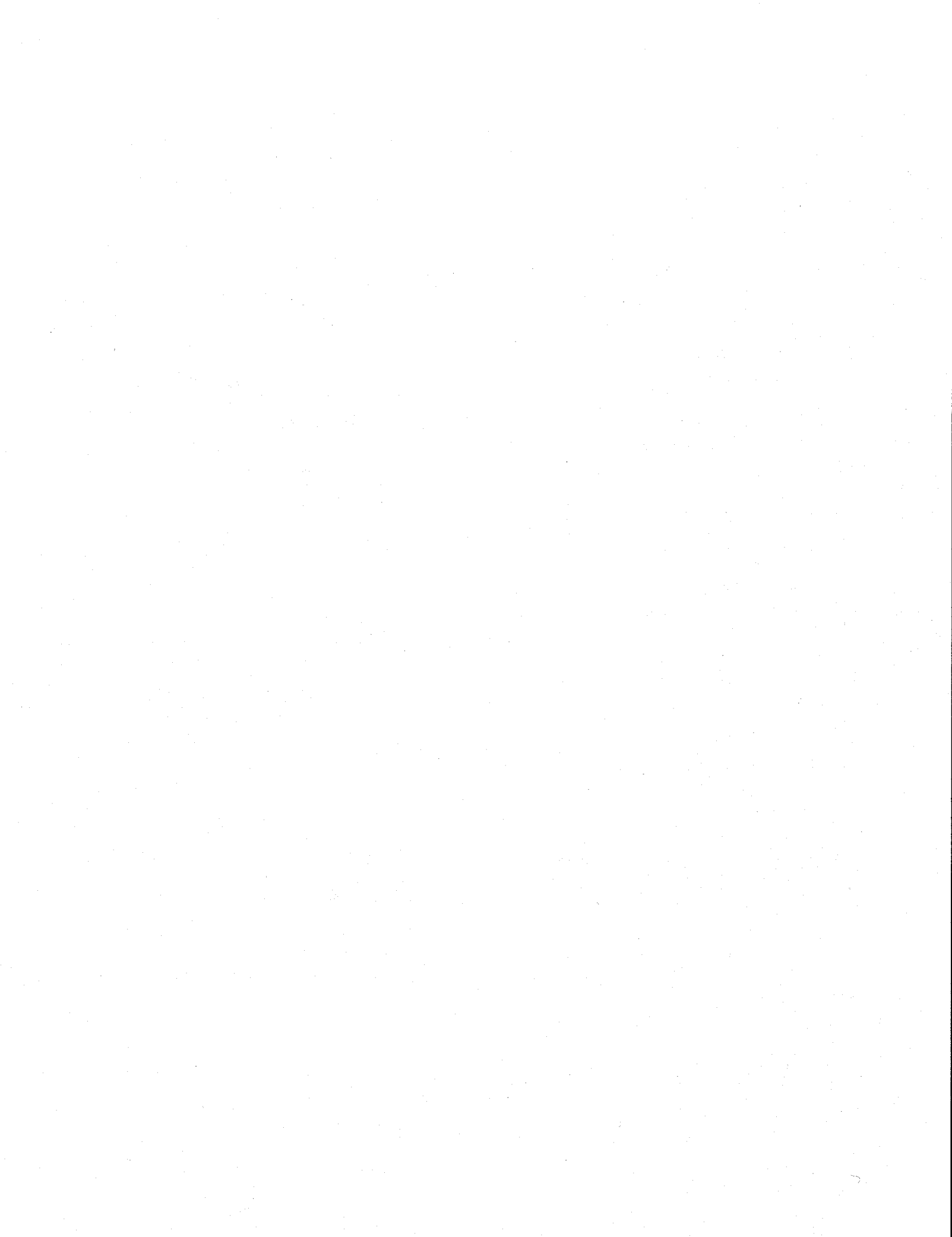


Formatted

Compensation Adjustments for Unrepresented Attorney Management

78535	Chief Deputy District Attorney
78536	Supervising Deputy District Attorney
74245	Public Defender
78557	Assistant Public Defender
78555	Supervising Deputy Public Defender
37490	Chief Deputy Child Support Attorney
37491	Supervising Deputy Child Support Attorney

- A. Supervising Deputy District Attorney
Effective July 12, 2012:
• 7.0% adjustment to pay
- B. Chief Deputy District Attorney
Effective July 12, 2012:
• 9.0% adjustment to pay
- C. Assistant District Attorney and Chief Assistant District Attorney
Effective July 12, 2012:
• 5.0% adjustment to pay
- D. Supervising Deputy Public Defender, Principal Deputy County Counsel, and Supervising Deputy Child Support Attorney
Effective July 12, 2012:
• 7.0% adjustment to pay
- E. Chief Deputy Child Support Attorney
Effective July 12, 2012:
• 9.0% adjustment to pay
- F. Assistant County Counsel and Assistant Public Defender
Effective July 12, 2012:
• 5.0% adjustment to pay
- G. County Counsel
Effective July 12, 2012:
• 7.0% adjustment to pay



INDEX

A	Abandonment Advanced Step Alcohol Annual Leave Appeal At-Will Employees Automobile Allowance	50 16 74 35, 48, 83 55 31 10
B	Bereavement Leave Bilingual Pay	43 13
C	Call Duty Case Management Process Compensatory Time off Comprehensive Health Statement Continuous Service Controlled Substances Critical Care Course Critical Care Differential	8 61 6 39, 46 41 74 13 73
D	Demotion Difficult to Recruit Disciplinary Action Discrimination Complaint Discrimination Drug or Alcohol Test Drugs	21, 52 16 52 56, 59, 77 4 52 74 74
E	Executive Performance Recognition Plan Exempt	14 5
F	Fitness for Duty Flexible Benefit	44 74, 75
G	Good Cause	52
H	Harassment Health Savings Accounts Holidays	77 24 63
I	Ill-It Drugs In-lieu Contributions	74 28
J	Jury Duty	43
L	Layoff Leave of Absence Long Term Disability	65 48 14
M	Ment Systems Mileage Rate Military Leave Money Purchase Plan Moving Expenses	29 9 50 28, 85 11
N	Natural Disaster Non-Smoking Policy	8 29
O	Optical Plan Out-of-Class Assignments Overtime	77 24 5
P	People-Soft Post-Employment Accounts Prescription Drugs Probationary Period Extension of Initial Probation Initial Probation Professional Engineer Program Chief, Mental Health Promotion	6 24 74 30 30 74 73 20

Formatted: Index 1, Tab stops: Not at 2.74"

Formatted: No underline

Formatted: No underline

Formatted: No underline

INDEX

R

Reclassification	21
Reduction in Compensation	52
Reemployment	68
Re-employment	19
Registered Nurses approved courses See Tuition	
Reinstatement	68
Reinstatement Lists	67
Relatives	24
Retirement	25
3%@50	27
3%@60	27
Return to Former Class	31

S

Salary and benefit adjustments	81
Seniority	64
Shift Differentials	11
Sick Leave	44
Single Highest Year	26
Special Pay Accounts	24

W

Workers' Compensation	47
Written Reprimand	52

V

Vacation	42
Veterans Preference	29

T

Temporary Promotion	22
Time-Bank	78
Transfer	20
Tuition	12

S

Standby	8
Step Increases	18
Substance Abuse	74
Suspension	52

Formatted: No underline

Formatted: No underline

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: B. Holmsdorn

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: _____ **Agenda #** 3.12

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** _____ **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. **YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.**

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.