ORDINANCE NO.

An ordinance of San Bernardino County, State of California, to amend Sections 13.0613, 13.0614, 13.0617, 13.0617n, 13.0628, 13.0629, 13.0660 of the San Bernardino County Code, and to add Sections 13.0661, and 13.0662 to the San Bernardino County Code relating to compensation and working terms and conditions for the Exempt Group, County-Wide Elected Officials, Election Workers, Swim Complex Employees, Extra-Help Employees, Recurrent Employees, Public Service Employees, Career Pathway Workers, and Temporary Workers.

The Board of Supervisors of the County of San Bernardino, State of California, ordains as follows:

SECTION 1. Section 13.0613 of the San Bernardino County Code is amended, to read:

13.0613 Salaries and Working Conditions of the Exempt Group.

(a) Exempt Group. The Exempt Group consists of employees who formulate and administer significant executive policy, employee relations responsibilities, and/or County confidential proprietary information. Positions are placed in the Exempt Group only by specific approval of the Board of Supervisors.

(b) Definitions. The following definitions apply to the terms used in Section 13.0613 unless another definition is specified.

(1) APPOINTING AUTHORITY refers to the department head of the employee's department as specified in Section 10 of Article II of the County Charter and County Code section 12.2400. It also includes any person who is designated as acting department head, employees acting for the department head during the absence of the department head, and/or employees delegated all authority to act on behalf of the appointing authority on a regular basis.

(2) BASE RATE OF PAY or BASE HOURLY RATE means the employee's base hourly wage, excluding differentials and other pay above the base

hourly wage.

(3) BASE BIWEEKLY SALARY or BIWEEKLY BASE SALARY means an employee's base hourly rate, excluding any differentials or other pay above the base hourly rate, multiplied by the base hours paid (e.g., REG, SCK, VAC, etc.) each pay period. Base hours paid does not include time without pay or disability payments such as short-term disability or workers' compensation.

(4) CALENDAR YEAR refers to pay period 1 through 26, or 27 when applicable, of the same year.

(5) COUNTY SERVICE or CONTINUOUS SERVICE refers to the total length of service from an employee's most recent beginning (hire) date in a regular position with no separation from County employment.

(6) COUNTY-WIDE ELECTED OFFICIAL refers to a County officer who is elected to a County-wide office pursuant to the law. County-wide elected officials consist of the Assessor/Recorder; Auditor-Controller/Treasurer/Tax Collector; Sheriff/Coroner/Public Administrator; and the District Attorney.

(7) DATE OF HIRE or HIRE DATE refers to the effective date of the most recent date of hire in a regular position.

(8) DIRECTOR OF HUMAN RESOURCES refers to the incumbent in the Director of Human Resources position. It also includes any person who has been designated as acting Director of Human Resources, employees acting for the Director during the absence of the Director of Human Resources, and/or employees delegated authority approval on a regular basis by the Director of Human Resources.

(9) FISCAL YEAR ordinarily refers to pay period 15 of one year through pay period 14 of the following year.

(10) PAID HOURS refers to hours actually worked or the use of accrued leave time such as vacation, paid time off, sick, holiday, or compensatory time. It does not include unpaid hours or disability payments (excluding Labor Code section 4850 time) such as short-term disability or workers' compensation.

(11) PAID STATUS refers to any pay period in which an employee codes paid hours.

(12) REGULAR POSITION refers to a position authorized by the Board of Supervisors that may be budgeted at either a full-time or part-time level, and that may be in either the classified or unclassified service. It does not include recurrent, extra-help, ordinance, contract and other contingent positions.

(13) REGULAR STATUS refers to the completion of a required probationary and/or trainee period in a regular classified position in the employee's current or prior position, as applicable.

(14) SERVICE HOURS refers to paid hours from an employee's most recent date of hire in a regular position and during an employee's regular tour of duty, up to 80 hours per pay period. Time without pay, disability payments (excluding Labor Code section 4850 time), medical emergency leave and overtime hours do not count as service hours.

(c) Salary Schedules, Wage Increases, Classifications, and Salary Rates, and Step Advancements.

(1) Salary Schedules. The salary schedules for Exempt Group and all non-represented employees are as on file with the Clerk of the Board of Supervisors.

(2) Wage Increases. The following wage increases shall be included in the salary schedules for Exempt Group employees and all non-represented employees, as are on file with the Clerk of the Board of Supervisors:

~~Effective February 24, 2024, the County shall provide all classifications in the Exempt Group with a three percent across the board salary increase.~~

Effective February 22, 2025, the County shall provide all classifications in the Exempt Group with a three percent across the board salary increase, subject to the following:

If the County's Discretionary "Property Related Revenue", as defined in the "Discretionary General Funding and Restricted Funds" section of the County's Budget

Book, are less than a two percent increase in 2023-24 compared to 2022-23 and/or if statewide 2011 Realignment Sales Tax Collections from Fiscal Year 2023-24, representing collections from September 2023 through August 2024, decline by more than four percent compared to 2022-23, then the County may, upon approval of the Board of Supervisors, defer this three percent increase until August 23, 2025.

Effective February 21, 2026, the County shall provide all classifications in the Exempt Group with a three percent across the board salary increase, subject to the following:

If the County's Discretionary "Property Related Revenue", as defined in the "Discretionary General Funding and Restricted Funds" section of the County's Budget Book, are less than a two percent increase in 2024-25 compared to 2023-24 and/or if statewide 2011 Realignment Sales Tax Collections from Fiscal Year 2024-25, representing collections from September 2024 through August 2025, decline by more than four percent compared to 2023-24, then the County may, upon approval of the Board of Supervisors, defer this three percent increase until August 22, 2026.

(3) Revenue Sharing. For every one percent (1.00%) in "Property Related Revenue" growth received in Fiscal Year 2023-24 above four percent (4.00%), as defined in the "Discretionary General Funding and Restricted Funds" section of the County's Budget Book, the County will provide a one-half percent (0.50%) equity adjustment on February 22, 2025, up to a maximum equity of one percent (1.00%).

If Statewide 2011 Realignment Sales Tax Collections from Fiscal Year 2024-25, representing collections from September 2024 through August 2025, are greater than a zero percent (0.00%) increase, then for every one percent (1.00%) in Property Related Revenue growth received in 2024-25 above four percent (4.00%), the County will provide a one-half percent (0.50%) equity adjustment on February 21, 2026, up to a maximum equity of one percent (1.00%).

(4) List of Exempt Group Classifications.

(A) Exempt—Executive County Administrators.

	EXECUTIVE COUNTY ADMINISTRATORS		
Job Code	Classifications	Benefit Group	Salary Grade
01115	Agricultural Commissioner/Sealer	B	85B
03489	Assistant Executive Officer	B	101B
10030	Assistant Executive Officer - Human Services	B	101B
13111	Behavioral Health Medical Director	C	119C
03485	Chief Executive Officer	B	~~116B~~120B
01246	Chief Information Officer	B	97B
03515	Chief Probation Officer	B	~~93B~~97B
03310	Clerk of the Board of Supervisors	B	84B
03488	County Chief Financial Officer	B	~~100B~~101B
03487	County Clerk[1]	N/A	N/A
03495	County Counsel	B	107B
03500	County Librarian	B	86B
04228	Director of Aging and Adult Services	B	88B
04237	Director of Airports	B	83B
04383	Director of Arrowhead Regional Medical Center	B	118B
04300	Director of Behavioral Health	B	97B
04255	Director of Child Support	B	92B
04260	Director of County Museum	B	81B
04273	Director of Economic Development	B	83B
01256	Director of Emergency Management	B	88B
04276	Director of Fleet Management	B	81B
03482	Director of Government Relations	B	83B
10004	Director of Human Resources	B	98B
04320	Director of Land Use Services	B	91B
03493	Director of Legislative Affairs	B	83B
18200	Director of Preschool Services	B	87B
04289	Director of Project and Facilities Management	B	87B
04340	Director of Public Works	B	97B

04356	Director of Purchasing	B	82B
04365	Director of Real Estate Services	B	86B
18143	Director of Risk Management	B	84B
04386	Director of Transitional Assistance	B	92B
04390	Director of Veterans' Affairs	B	81B
04250	Director, Children and Family Services	B	97B
04280	Director, Community Development and Housing	B	86B
18160	Director, Regional Parks	B	89B
04278	Director, Workforce Development	B	83B
04272	Economic Development Administrator	B	92B
16345	Public Defender	B	101B
08048	Public Health Director	B	97B
18080	Registrar of Voters	B	87B
	[1]Salary for this position is set at $1, not a salary grade.		

(B) Exempt—Associate Administrators.

	ASSOCIATE ADMINISTRATORS		
Job Code	Classification	Benefit Group	Salary Grade
01061	Administrative Analyst I	D	56D
01066	Administrative Analyst II	C	66C
01068	Administrative Analyst III	C	73C
01060	Administrative Analyst Trainee	D	45T_D
01289	ARC Administrative and Financial Manager	C	73C
01292	ARC Project Administrator	C	57C
01288	ARC Public and Legislative Affairs Officer	C	62C
19173	ARMC Associate Chief Financial Officer	C	83C
19160	ARMC Chief Financial Officer	B	100B
01621	ARMC Chief Operating Officer	B	102B
19145	ARMC Finance and Budget Officer	C	77C
14031	ARMC Physician Administrator	C	107C
03098	Assistant Agricultural Commissioner/Sealer	C	75C
01280	Assistant Assessor	B	82B
01286	Assistant Auditor-Controller/Treasurer /Tax Collector	B	84B

01380	Assistant Chief Information Officer	C	92C
01297	Assistant Chief Probation Officer	C	~~85C~~90C
12149	Assistant County Librarian	C	73C
04229	Assistant Director of Aging and Adult Services	C	78C
04238	Assistant Director of Airports	C	73C
01373	Assistant Director of Behavioral Health	C	86C
04254	Assistant Director of Child Support	C	85C
04257	Assistant Director of Children and Family Services	C	85C
01255	Assistant Director of Emergency Management	C	77C
10019	Assistant Director of Human Resources	C	87C
01377	Assistant Director of Medical Services	C	117C
18219	Assistant Director of Preschool Services	C	78C
04331	Assistant Director of Public Health	C	86C
04342	Assistant Director of Public Works	C	92C
04355	Assistant Director of Purchasing	C	77C
04393	Assistant Director of Real Estate Services	C	81C
18144	Assistant Director of Risk Management	C	77C
04391	Assistant Director of Transitional Assistance	C	84C
04286	Assistant Director of Workforce Development	C	78C
01410	Assistant District Attorney	B	97B
01622	Assistant Hospital Administrator - Ambulatory Services	C	74C
03024	Assistant Investment Officer	D	66D
03114	Assistant Public Defender	B	97B
01294	Assistant Recorder	B	82B
18079	Assistant Registrar of Voters	C	78C
01532	Assistant Sheriff	C	93C - SAF
19172	Associate Chief Nursing Officer	C	86C
01625	Associate Hospital Administrator Professional Services	C	86C
01599	ATC Public Affairs Officer	C	57C
01666	Auditor-Controller/Treasurer/Tax Collector Division Chief	C	78C
01668	Auditor-Controller/Treasurer/Tax Collector Manager	C	71C
15054	Banking & Settlement Compliance Manager	D	62D
01067	Board of Supervisor's Administrative	B	73B

	Analyst		
10000	BOS Chief of Staff	B	84B
02027	Building Official	C	82C
19957	Business Solutions Division Chief	C	82C
01076	Chief Administrative Analyst	C	80C
03070	Chief Appraiser	C	78C
01340	Chief Assistant County Counsel	B	100B
03107	Chief Assistant District Attorney	B	100B
03512	Chief Communications Officer	B	89B
04302	Chief Compliance Officer -Behavioral Health	C	80C
03095	Chief Data Officer	C	92C
03099	Chief Deputy Clerk of Board of Supervisors	C	73C
01264	Chief Deputy County Museum	C	65C
19522	Chief Deputy Director of Sheriff's Administration	C	91C
03105	Chief Deputy District Attorney	C	94C
03115	Chief Deputy Public Defender	C	94C
03116	Chief Deputy Recorder	C	78C
03120	Chief Deputy Registrar of Voters	C	65C
03021	Chief Deputy Treasurer	C	80C
05177	Chief Engineering Geologist	C	74C
04393	Chief of Facilities Management	C	81C
15025	Chief Information Security Officer	C	92C
03111	Chief Learning Officer	B	81B
19165	Chief Medical Information Officer	C	107C
19166	Chief Medical Officer	C	114C
19164	Chief Nursing Officer	C	93C
16382	Chief of Animal Care and Control	C	81C
03175	Chief of Assessment Services	C	78C
~~03083~~	~~Chief of Clinical Operations~~	~~C~~	~~73C~~
03499	Chief of County Counsel's Administration	C	70C
03106	Chief of District Attorney's Administration	C	73C
10002	Chief of Environmental Health Services	C	81C
13138	Chief of Homeless Services	B	81B
04290	Chief of Operations Community Revitalization	C	80C
01077	Chief of Project Management	C	81C
03195	Chief of Public Defender's Administration	C	70C
03221	Chief Public Works Engineer	C	88C
01252	Chief Technology Officer	C	92C

03522	Chief Vision Officer	C	80C
03078	Child Support Chief Attorney	C	91C
03278	Children’s Network Officer	C	69C
10025	Code Enforcement Chief	C	82C
12151	Community Services Finance and Operations Chief	C	73C
03503	County Chief Operating Officer	B	102B
01062	County Compliance, Ethics and Privacy Officer	C	76C
03396	County Communications Manager	C	62C
03496	County Counsel Research Attorney I	C	62T_C
03497	County Counsel Research Attorney II	C	71C
01078	County HIPAA Security Officer/Assistant Privacy Officer	C	72C
03504	County Labor Relations Chief	B	92B
13274	County Marketing, Media & Communications Coordinator	D	59D
19863	County Surveyor	C	84C
03150	Departmental IS Administrator	C	80C
19961	Deputy Chief of Business Solutions Development	C	77C
16401	Deputy Chief of Community Health Services	C	76C
16275	Deputy Chief Probation Officer	C	~~81C~~84C
04085	Deputy County Counsel I	C	64T_C
04095	Deputy County Counsel II	C	73T_C
04100	Deputy County Counsel III	C	80T_C
04105	Deputy County Counsel IV	C	86C_C
04107	Deputy County Counsel V	C	89C_C
13124	Deputy Director Behavioral Health Administrative Services	C	83C
03153	Deputy Director of Behavioral Health Program Services	C	83C
04292	Deputy Director of Fleet Management	C	74C
~~12121~~	~~Deputy Director of Governmental & Legislaive Affairs~~	~~B~~	~~73B~~
04321	~~Assistant~~Deputy Director of Land Use Services	C	84C
18182	Deputy Director of Regional Parks	C	77C
04287	Deputy Director of RES Facilities Management	C	74C
04394	Deputy Director of RES Leasing & Acquisition	C	76C

01074	Deputy Director of RES Project Management	C	77C
18146	Deputy Director of Risk Management	C	71C
04124	Deputy Director, Administrative Services	C	75C
04299	Deputy Director, Behavioral Health Quality Management	C	83C
04256	Deputy Director, Child Support	C	74C
18162	Deputy Director, Children and Family Services	C	74C
04119	Deputy Director, Community Development and Housing	C	74C
04118	Deputy Director, Department of Aging and Adult Services	C	74C
04282	Deputy Director, Economic Development	C	74C
18201	Deputy Director, Preschool Services	C	74C
18167	Deputy Director, Program Development	C	74C
04288	Deputy Director, Public Works	C	88C
01331	Deputy Director, Sheriff's Coroner Division	C	75C - SAF
18163	Deputy Director, Transitional Assistance	C	74C
04397	Deputy Director, Veterans Affairs	C	74C
04275	Deputy Director, Workforce Development	C	74C
04060	Deputy Executive Officer	B	91B
16411	Deputy Public Information Officer	C	66C
~~03493~~	~~Director of Legislative Affairs~~	~~B~~	~~83B~~
16278	Director of Probation Administration	C	80C
~~04289~~	~~Director of Project and Facilities Management~~	~~B~~	~~87B~~
19162	Director of Public Relations and Marketing	C	68C
04402	District Attorney Assistant Chief Investigator	C	83C - SAF
04395	District Attorney Chief Investigator	C	89C - SAF
04406	District Attorney, Public Affairs Officer	C	73C
06041	Economic Development Manager	C	69C
~~16111~~	~~EMACS Manager~~	~~C~~	~~71C~~
01253	Emergency Management Deputy Director	C	71C
05145	Emergency Medical Services Assistant Administrator	C	70C
01615	EPIC Systems Administrator	C	82C
06035	Field Representative	B	63B
03506	Finance and Administration Projects Coordinator	D	58D

03502	Government Relations Analyst	C	66C
08040	Health Officer	C	1~~01~~114C
08050	Healthcare Program Administrator	D	70D
13126	Homeless Services Officer	C	72C
06062	Housing Agency Finance Officer	C	66C
04291	Housing Development Manager	C	68C
16087	Human Capital Management Analyst Trainee	D	53T_D
16088	Human Capital Management Analyst	D	61D
16103	Human Capital Management Project Manager	D	68D
~~16119~~	~~Human Resources Administrative Manager~~	~~C~~	~~73C~~
16095	Human Resources Analyst I	D	60D
16098	Human Resources Analyst II	D	68D
16100	Human Resources Analyst III	C	71C
16094	Human Resources Analyst Trainee	D	47T_D
16091	Human Resources Assistant	D	33D
10027	Human Resources Deputy Director	C	84C
16110	Human Resources Division Chief	C	80C
16115	Human Resources Business Partner I	D	65T_D
16116	Human Resources Business Partner II	C	72C
16101	Human Resources Investigator	D	68D
16109	Human Resources Manager	C	75C
16093	Human Resources Specialist	D	41D
16092	Human Resources Technician	D	35D
05108	Human Services Administrative Manager	D	~~60D~~62D
04414	Human Services Auditing Chief	C	75C
05101	Human Services Program Integrity Division Chief	C	74C
03023	Indigent Defense Analyst	D	56D
15024	IT Chief Finance Officer	C	80C
01302	IT Deputy Chief	C	77C
15022	IT Division Chief	C	82C
15023	IT Finance Officer	C	71C
15020	Information Services Security Officer	C	78C
15033	Investment Analyst	D	64D
15032	Investment Analyst Trainee	D	51T_D
01667	Investment Officer	C	73C
05092	Labor Negotiator	C	80C
03511	Labor Relations Analyst	D	60D
03523	Labor Relations Deputy Chief	C	84C

01251	Land Development Chief	C	82C
03112	Learning and Organizational Development Division Chief	C	73C
12102	Legislative Analyst	C	70C
04267	Marketing and Events Manager	C	62C
03176	Network Services Division Chief	C	82C
19656	Organizational Development Business Partner	C	63C
01250	Planning Director	C	82C
09999	Principal Administrative Analyst	C	77C
16220	Principal Appraiser	C	69C
03100	Principal Assistant County Counsel	B	94B
10024	Principal Management Analyst	B	84B
19856	Probation Health Services Manager	C	81C
16360	Public Health Chief Financial Officer	C	~~81C~~ 82C
16551	Public Health Dental Director	C	87C
16358	Public Health Division Chief	C	~~80C~~ 82C
16385	Public Health Medical Director	C	97C
16405	Public Health Veterinarian	C	87C
16410	Public Information Officer	B	83B
04304	Public Information & Government Compliance Officer	C	62C
04341	Public Works Chief Financial Officer	C	80C
01638	Quality and Accreditation Administrator	C	88C
16389	Quality and Compliance Officer	C	75C
18031	Real Estate Services Manager	C	67C
18141	Risk Assessment Officer	C	70C
01600	SAP Chief	C	80C
16102	Senior Human Resources Investigator	C	72C
03509	Senior Labor Relations Analyst	C	72C
03510	Senior Labor Relations Officer	C	75C
16089	Senior Human Capital Management Analyst	D	65D
04207	Sheriff's Deputy Director of Administrative Services	C	84C
19521	Sheriff's Administrative Manager	C	73C
19465	Sheriff's Captain	C	83C - SAF
19460	Sheriff's Deputy Chief	C	88C - SAF
19518	Sheriff’s Executive Officer of Corrections and Support Services	C	88C
19520	Sheriff's Financial Manager	C	80C
19517	Sheriff’s Finance Officer	C	75C

19507	Sheriff's Health Services Administrator	C	84C
04123	Special Assistant Deputy District Attorney	C	88C
04126	Special Assistant to the District Attorney	B	97B
03505	Strategic Initiatives Chief	C	80C
19196	Strategy and Business Development Officer	C	77C
19822	Supervising Deputy County Counsel	C	92C
16120	Supervising Human Resources Business Partner	C	75C
16096	Supervising Human Resources Technician	D	43D
21005	Undersheriff	B	98B - SAF
17351	Victim Services Chief	C	71C

(C) Exempt—Executive Assistants.

	EXECUTIVE ASSISTANTS		
Job Code	Classification	Benefit Group	Salary Grade
01059	Administrative Aide (K)	C	57C
03101	Administrative Aide to the County Counsel	C	~~57C~~ 58C
01598	Auditor-Controller/Treasurer/Tax Collector Executive Assistant	C	~~57C~~ 58C
05282	CEO Executive Assistant	C	62C
05281	CEO Executive Assistant - Unclassified	C	60C
16019	County Counsel Law Clerk	C	58C
19046	County Counsel Lead Secretary	D	48D
03498	County Counsel Paralegal	D	50D
03507	County Counsel Senior Paralegal	D	54D
05279	District Attorney's Executive Assistant	C	58C
05320	Executive Assistant	D	~~57D~~ 58C
05292	Executive Administrative Assistant I	D	46D
05291	Executive Administrative Assistant II	D	49D
05293	Executive Administrative Assistant III	D	53D
05256	Executive Secretary, Board of Supervisors	C	52C
03280	Secretary, Civil Service Commission	D	45D
05290	Senior Executive Administrative Assistant	C	56C
19540	Sheriff's Special Assistant	C	~~57C~~ 58C

(D) Notwithstanding the salary as established by this chapter, the Board of Supervisors may establish salary, benefits, and other terms and conditions of employment by contract for the classifications listed in this section.

(5) Salary Rates and Step Advancements.

(A) Eligibility for Step Advancement. Employees shall be hired at Step 1 of the established base salary range, except as otherwise provided in this subdivision. Variable entrance steps may be established if justified by recruitment needs through Step 10~~8~~ with the approval of the appointing authority and through the top step with the approval of the Director of Human Resources or designee.

Within the base salary range, all step advancements will be made at the beginning of the pay period in which the employee completes the required number of service hours. However, when an employee reaches the required number of service hours with 80 hours in each pay period, the step advancement will be made at the beginning of the next pay period. Approval for advancement shall be based upon completion of the required length of service hours in the classification, satisfactory work performance, and appointing authority recommendation.

Completed service hours shall be defined as regularly scheduled hours in a paid status, up to 80 hours per pay period. Overtime hours, disability payments, medical emergency leave, and time without pay shall not count toward step advancements. Unless otherwise approved by the Board of Supervisors, step advancements within a base salary range shall be based upon a one-step increment, approximately two and one-half percent. The employee shall be eligible for step advancements after completion of increments of 1,040 hours until the top step of the range is reached.

An appointing authority may request, in limited exceptional circumstances and with adequate justification, the adjustment of the salary step or salary rate of an employee to maintain salary equity within the system, to prevent undue hardship or unfairness due to the application of any rule or policy, or to correct any salary inequity, subject to the recommendation of the Director of Human Resources and the final approval of the Chief Executive Officer or his/her designee. The Director of Human Resources may authorize the adjustment of the salary step or salary rate of an employee to correct any payroll error or omission, including any such action which may have arisen in any prior fiscal year.

(B) Implementation of Classification Study Results.

(I) Upgrading. An upgrading is the reclassification of a position from one classification to another classification having a higher base salary range. Whenever an incumbent employee is upgraded as a result of such reclassification, pursuant to the Personnel Rules, such employee's step placement in the new salary range shall be governed by the subdivision on "Promotions."

(II) Downgrading. A downgrading is the reclassification of a position from one classification to another classification having a lower base salary range. When a position is downgraded, the incumbent employee may continue at the same salary rate where the salary rate is within the new base salary range. Where an incumbent receives a salary rate greater than the maximum of the new base salary range, the Director of Human Resources may authorize continuation of the same salary rate to the incumbent employee that the employee received prior to the downgrading of the position by placing the employee on an "X" step, provided that the employee shall receive no future salary rate increases until the salary range maximum of the new classification exceeds the "X" step.

(C) Salary Rate Adjustment. A salary rate (equity) adjustment is a change in the salary range assignment of an existing classification as a result of a compensation study. Step placement for incumbent employees whose classification is assigned to a higher base salary range shall be determined as follows, unless this process is waived by the Chief Executive Officer:

(I) If the employee's original base rate of pay is less than Step 1 of the newly designated pay range, the employee shall be placed on Step 1 of the new range. The employee shall be eligible to advance to the next step upon receiving a satisfactory rating after completion of 1,040 hours, in accordance with the requirements of Subsection 13.0613(c)(4)(A). Subsequent step advances shall be administered in accordance with Subsection 13.0613(c)(4)(A).

(II) If the employee's original base rate of pay falls within the newly designated pay range, and the salary adjustment granted is at least two salary ranges, the employee shall be placed upon the step in the new range that is approximately a five percent salary increase, not to exceed the maximum step of the new range. If the employee's original base rate of pay falls within the newly designated pay range, and the salary adjustment granted is less than two salary ranges, the employee shall be placed upon the step in the new range that is approximately a two and one-half percent salary increase, not to exceed the maximum step of the new range. The employee shall be eligible to advance to the next step upon receiving a satisfactory rating after completion of 1,040 hours, in accordance with the requirements of Subsection 13.0613(c)(4)(A). Subsequent step advances shall be administered in accordance with Subsection 13.0613(c)(4)(A).

(D) Demotion. A demotion is the appointment of an employee from an incumbent position to a position in a different classification for which the maximum rate of pay is lower. An employee demoted for disciplinary reasons shall be placed on the step within the base salary range of the class to which the employee demoted as provided in the order of demotion.

An employee demoted for non-disciplinary reasons who returns to their former classification during the probationary period or within 2,080 service hours of promotion, shall be returned to the same salary step within the base salary range for the former classification that the employee was on prior to promotion. No credit shall be granted for hours worked at the promoted level for the next step advance due date.

An employee demoted for non-disciplinary reasons shall be placed on a step closest to, but not less than, their current base rate of pay on the salary range of the classification to which the employee demotes, not to exceed the top step of the applicable range, with the approval of the appointing authority and the Director of Human Resources.

An employee who demotes for non-disciplinary reasons to a trainee classification for which the journey level classification is higher than the classification they demoted from, shall be placed on a step closest to, but not less than, their current base rate of pay on the salary range of the classification to which the employee demoted. Employees whose current base rate of pay exceeds the top step of the salary range to which the employee demoted shall be placed on the “X” step and retain their current base rate of pay. Provided that the “X” step continues to be above the top step of the demoted classification range, the employee shall receive no future salary rate increases until the employee has promoted to the journey level classification.

An employee who demotes for non-disciplinary reasons to a trainee classification for which the journey level classification is lower than the classification they demoted from shall retain the same salary rate, provided that the salary rate does not exceed the top step of the journey level classification. If the salary rate is higher than the top step of the journey level classification, the employee shall be placed at the top step of the base salary range of the lower journey level classification.

(E) Promotion. A promotion is the appointment of an employee from one classification to a classification having a higher base salary range. A promoted employee shall receive ~~at least~~ the entrance rate of the new range or ~~a two-step or five percent salary increase, (i.e., mathematically closest to five percent) whichever is greater~~, at least a five percent (5%) salary increase. An advanced step may be provided by the Appointing Authority up to a seven and a half percent (7.5%) increase in total not to exceed ~~provided that no employee is thereby advanced in step nor advanced above~~ the top step of the higher base salary range. At the request~~discretion~~ of the appointing authority and with the approval of the Director of Human Resources, an employee may be placed at a~~ny~~ step above a seven and a half percent (7.5%) increase, not to exceed the top step of the higher base salary range.~~within the higher base salary range.~~ Promotions shall be effective only at the beginning of a pay period unless the Director of Human Resources approves an exception.

(d) Job Sharing and Part-time Employment. The County will make reasonable accommodation for employees who desire to share their positions with other qualified employees or eligible persons or to work on a part-time basis. Jobs may be shared on an hourly or daily basis. All benefits for job sharing and part-time employees shall be pro-rated on regularly scheduled hours except as may otherwise be provided. Benefits not subject to proration include the following leaves: blood donation, examination time, and bereavement. Further, where a specific benefit provides a minimum hour requirement (e.g., must be full-time, or scheduled hours) job sharing and part-time employees shall be required to meet the minimum hour requirement in order to receive the benefit.

(e) Hours of Work.

(1) Employees shall be required to work during such hours as necessary to carry out the duties of their position as designated by the appointing authority, and such hours may be varied so long as the work requirements and efficient operations of the County are assured.

(2) The nature of Fair Labor Standards Act (FLSA) exempt employment for certain affected Exempt Group classifications is such that intermittent, occasional overtime is needed to fulfill the responsibilities and requirements of the position. Usually, additional time and effort are proportionate to the importance and level of the responsible position. These factors of time and effort are incorporated when the compensation level of FLSA-exempt positions is established. In those instances in which a position's work extends well beyond the normal hours of employment, the Chief Executive Officer may authorize additional compensation in the form of cash payment or compensating time off, generally on a pre-approved and prescheduled basis. Circumstances for such compensation would include implementation of the intent of a Board of Supervisors approved program or emergency response.

(3) For FLSA-covered employees in the Exempt Group classifications, overtime is determined by the legal requirements of the FLSA. For FLSA-covered employees, the following overtime provisions apply.

(A) Definition. OVERTIME shall be defined as all hours actually worked in excess of 40 hours a work period. For purposes of defining overtime, paid leave time, excluding sick leave as provided in Subsection 13.0613(e)(3)(B), shall be considered as time actually worked. Overtime shall be reported in increments of full 15 minutes and is non-accumulative and non-payable when incurred in units of less than 15 minutes. Overtime shall not affect leave accruals.

(B) Sick leave that is not pre-approved and sick leave used by employees on leave restriction shall not be considered as time actually worked for the purpose of calculating overtime. PRE-APPROVED shall mean notice to management at least 48 hours prior to the beginning of the leave.

(C) Overtime Compensation. Any employee authorized by the appointing authority or authorized representative to work overtime shall be compensated at premium rates, i.e., one and one-half times the employee's regular rate of pay. Payment for overtime compensation shall be made on the first payday following the pay period in which such overtime is worked, unless overtime compensation cannot be computed until some later date, in which case, overtime compensation will be paid on the next regular payday after such computation can be made.

In lieu of cash payment, upon request of the employee and approval of the appointing authority, an employee may accrue compensating time off at premium hours. Cash payment at the employee's regular rate of pay shall automatically be paid for any compensating time which exceeds 80 hours, for any such time which has not been taken within 26 pay periods after being accrued, or for any hours on record immediately prior to promotion, demotion or termination of employment.

(D) Variable Work Schedule. An appointing authority, with agreement of an affected employee, may arrange for that individual to take such time off as necessary to ensure that an employee's actual time worked does not exceed 40 hours within a given work period.

(E) Work Period. The work period for purposes of overtime commences at 12:01 a.m. Saturday and ends at 12:00 midnight the following Friday of each week. The pay period and workweek may be adjusted in accordance with FLSA requirements.

(f) Insurance Programs.

(1) Medical and Dental Coverage Insurance.

(A) All eligible employees scheduled to work 40 hours or more per pay period in a regular position must enroll in a medical and dental plan offered by the County. Employees who fail to elect medical and dental plan coverage will be automatically enrolled in the medical broad network HMO plan and dental HMO plan with the lowest biweekly premium rates available in the geographical location of the employee’s primary residence. Medical and dental plan coverage will become effective on the first day of the pay period following the first pay period in which the employee is scheduled to work 40 hours or more and be in paid status.

(B) To continue enrollment in County-sponsored medical and dental plan coverage, an employee must remain in a regular position scheduled to work for a minimum of 40 hours per pay period and be in paid status or be on an approved leave for which continuation of medical and dental coverage is expressly provided under this subdivision, or be eligible for and have timely paid the premium for COBRA continuation coverage.

(C) Eligible employees may elect to enroll their dependents upon initial eligibility for medical and dental insurance. Thereafter, newly eligible dependents may be enrolled within 60 days of obtaining dependent status, such as birth, adoption, marriage, or registration of domestic partnership.

(D) Notification of a mid-year qualifying event must be submitted to Human Resources in accordance with procedures adopted by Human Resources.

Employees are responsible for notifying the County within 60 days of dependent's change in eligibility for the County plans.

(E) Dependent(s) must be removed mid-plan year when a dependent(s) becomes ineligible for coverage under the insurance plan eligibility rules, for example, divorce, over-age dependent, or termination of domestic partnership.

(F) Enrollment elections must remain in effect for the remainder of the plan year unless an employee experiences an IRS qualifying event.

(G) Premiums for coverage will be automatically deducted from the employee's pay warrant. Failure to pay premiums will result in loss of coverage for the employee and/or the dependents. If the employee does not have sufficient earnings to cover the deduction for premiums, the employee must make alternative payment arrangements that are acceptable to Human Resources.

(H) Employees eligible for medical plan coverage who are also enrolled in a comparable group medical plan sponsored by another employer or are covered by a spouse, domestic partner, or parent who is also employed with the County may elect to discontinue enrollment in County-sponsored medical plan (opt-out or waive).

(I) Employees who, prior to July 9, 2005, elected to opt-out of County-sponsored medical plan coverage and continue to opt-out will receive the following biweekly amount: Employees scheduled for 61 to 80 hours per pay period shall receive $161.54 per pay period. Employees scheduled for 40 to 60 hours per pay period shall receive $80.77 per pay period. To receive these amounts, the employee must be in paid status.

(II) Employees scheduled to work 61 to 80 hours who, prior to July 9, 2005, elected to waive medical plan coverage to a spouse, domestic partner, or parent employed by the County and continue to waive will receive $230.00 per pay period; employees scheduled for 40 to 60 hours who continue to waive shall receive $115.00 per pay period.

(III) New opt-outs or waives (i.e., new employees and current employees who opted-out or waived effective July 9, 2005, and any time thereafter) scheduled for 61 to 80 hours per pay period will receive $40.00 per pay period; new opt-outs or waives scheduled for 40 to 60 hours shall receive $20.00 per pay period.

(I) Employees eligible for County-sponsored dental plan coverage who are also enrolled in a comparable group dental plan sponsored by another employer or are covered by a spouse, domestic partner, or parent who is also employed with the County may elect to discontinue enrollment in their County-sponsored dental plan.

(J) The rules and procedures for electing to opt-out of or waive County-sponsored medical and dental plan coverage are established and administered by Human Resources.

(I) Employees may elect to opt-out of or waive County medical and/or dental plan coverage(s) within 60 calendar days of the effective date of gaining other employer group coverage. Proof of initial gain of other employer group coverage is required at the time that opt-out or waive is elected.

(II) Employees may also elect to opt-out of or waive County medical and/or dental plan coverage during an annual open enrollment period. All employees who are newly opting-out or waiving during an open enrollment period must provide verification of other group coverage.

(III) Except as required at the initial opt-out/waive election, employees are not required to provide verification of continued coverage unless requested by the plan administrator.

(IV) Employees who voluntarily or involuntarily lose their other employer group medical and/or dental plan coverage must enroll in a County-sponsored medical and/or dental plan within 60 calendar days. Enrollment in the County-sponsored plan will be provided in accordance with the requirements of the applicable plan.

(V) There must be no break in the employee’s medical and/or dental plan coverage between the termination date of the other employer group coverage and enrollment in a County sponsored medical and/or dental plan. Terms and conditions of the applicable plan will determine the required retroactive enrollment period and premiums required to implement coverage. Failure to notify the County of loss of group coverage within 60 calendar days will require the employee to pay their insurance premiums retroactively on an after-tax basis.

(K) For employees assigned to work in the Needles, Trona, and Baker work locations, the County will establish a Needles Subsidy. To be eligible for the Needles Subsidy the employee must be enrolled in a medical plan and receive the MPS. The Needles Subsidy will be paid by the employee's department and will be equal to the amount of the premium difference between the indemnity medical plan offered in these specific work locations and the HMO medical plan with the most comparable benefit design (e.g., similar copayment amounts, out-of-pocket maximums, etc.) provided by the County. The applicable subsidy amount shall be paid directly to the provider of the County-sponsored medical plan in which the eligible employee has enrolled. This Needles Subsidy will be established each year when premiums change for the County-sponsored medical plans. The subsidy will be discontinued when the HMO plan used in the comparison above in this paragraph becomes available to the employees.

(2) Term Life Insurance.

(A) County Paid Life Insurance. The County will pay the premium for a term life policy, the amount of which is based on the eligible employee's scheduled hours. Employees scheduled from 40 to 60 hours per pay period shall receive $25,000.00 in coverage. An employee scheduled from 61 to 80 hours shall receive $50,000.00 in coverage. Life insurance will become effective on the first day of the pay period following the employee’s first pay period in which the employee is in paid status. For pay periods in which the employee is not in paid status, the employee shall have the option of continuing life insurance coverage at the employee’s expense.

(B) Voluntary Life Insurance. In accordance with the procedures established by Human Resources, eligible employees may purchase, through payroll deductions, term life insurance subject to carrier requirements. New employees shall become initially eligible to participate in this program on the first day of the pay period following the pay period in which the employee is in paid status. Participation will continue as long as premiums are paid timely. If the employee does not have sufficient earnings to cover the deduction for premiums, the employee must make alternative payment arrangements that are acceptable to Human Resources.

(3) Group Universal Life. Eligible employees may purchase, through payroll deductions, group universal life insurance subject to carrier requirements and approval. The benefit levels for such insurance shall be equivalent to no more than three times the employee's annual base earnings. Employees who purchase group universal life insurance shall be provided a County contribution towards the biweekly premium based on the following schedule:

Benefit Group	County Contribution
Benefit Group A	100 percent of the premium for benefit level equal to the annual base salary
Benefit Group B	50 percent of the premium for benefit level equal to the annual base salary or 100 percent of the premium for benefit level equal to one-half of the annual base salary
Benefit Group C	25 percent of the premium for benefit level equal to the annual base salary
Benefit Group D	25 percent of the premium for benefit level equal to the annual base salary

If the employee does not have sufficient earnings to cover the deduction for premiums, the employee must make alternative payment arrangements that are acceptable to Human Resources.

(4) Accidental Death and Dismemberment Insurance. Exempt Group employees may purchase amounts of accidental death and dismemberment insurance coverage for themselves and dependents through payroll deduction. New employees shall become initially eligible to participate in these programs on the first day of the pay period following the first pay period in which the employee is in paid status. Participation

will continue as long as premiums are paid timely. If the employee does not have sufficient earnings to cover the deduction for premiums, the employee must make alternative payment arrangements that are acceptable to Human Resources. The benefits will be provided subject to carrier requirements and will be administered by Human Resources.

(5) Long-Term Disability Insurance. The County will provide Exempt Group employees with long-term disability insurance subject to carrier requirements and approval. The benefit levels are subject to carrier requirements. Integration of leave balances (e.g., sick, vacation, etc.), either partially or fully, are allowed in conjunction with long-term disability benefits.

(6) Short-Term Disability Insurance. The County will provide an employer paid short-term disability insurance plan for Exempt Group employees. This benefit shall apply to Exempt Group employees in regular positions who are regularly scheduled to work 40 hours or more per pay period. The short-term disability insurance plan benefit coverage shall be governed by the plan document that has been approved and adopted by the Board of Supervisors for Exempt Group employees and is subject to carrier requirements and approval. The short-term disability insurance plan benefit coverage shall include a provision for a seven consecutive calendar day waiting period from the first day of disability before benefits begin. Benefits shall be 55 percent of base salary up to a weekly maximum established by a formula that incorporates the State of California for the State Disability Insurance fund maximum. Benefit payments terminate when the employee is no longer disabled or after receiving 180 days of benefits at which time the employee would be eligible for long-term disability benefits if still medically disabled.

(7) Vision Care Insurance. Subject to carrier requirements, the County will pay the premiums for vision care insurance for employees who are in paid status and their eligible dependents.

(g) Leave Provisions.

(1) Sick Leave. Sick leave with pay is an insurance or protection provided by the County to be granted in circumstances of adversity to promote the health of the individual employee. It is not an earned right to time off from work. SICK LEAVE is defined to mean the authorized absence from duty of an employee because of physical or mental illness, injury, pregnancy, confirmed exposure to a serious contagious disease, for a medical, optical, or dental appointment, for certain purposes related to being a victim of domestic violence, sexual assault or stalking, or other purpose authorized herein.

(A) Definition.

(I) FAMILY MEMBER. A FAMILY MEMBER, as defined by Labor Code section 245.5, is a parent, child, spouse, registered domestic partner, grandparent, grandchild, sibling, or any person designated by the employee at the time the employee requests paid sick days. An employee shall not identify more than one "designated person" as a family member in a 12-month period from the first date of designation. PARENT means a biological, foster, adoptive, or stepparent, a legal guardian of the employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child ~~of the employee, or the employee's spouse or registered domestic partner~~. CHILD means a biological, foster, or adopted child, a stepchild, a legal ward, a child of a domestic partner, or a child to whom the employee stands in loco parentis. DOMESTIC PARTNER is defined by Family Code section 297.

(II) EXTENDED FAMILY. EXTENDED FAMILY is defined as, ~~parent/~~sibling-in-law, aunt, uncle, niece, nephew, or any step relations as defined herein.

(B) Accumulation. Employees in regular positions shall accrue sick leave for each payroll period completed, prorated on the basis of 3.69 hours per pay period, except as provided in Subsection 13.0613(g)(14). Earned sick leave shall be available for use the first day following the payroll period in which it is earned. Employees in regular positions paid less than 80 hours per pay period or job-shared positions shall receive sick leave accumulation on a pro rata basis. There shall be no limit on sick leave accumulation.

(C) Compensation. Approved sick leave with pay shall be compensated at the employee's base rate of pay. The minimum charge against accumulated sick leave shall be 15 minutes.

(D) Administration.

(I) Investigation. It shall be the responsibility and duty of each appointing authority to investigate each request for sick leave and to allow sick leave with pay where the application is determined to be proper and fitting, subject to approval of the Director of Human Resources.

(II) Notice of Sickness. In 24-hour departments, the appointing authority or designee should be notified at least two hours prior to the start of the employee's scheduled tour of duty of a sickness on the first day of absence and must be notified at least one hour prior to the start of the employee's scheduled tour of duty. In other departments, the appointing authority or designee must be notified within one-half hour after the start of the employee's scheduled tour of duty of a sickness on the first day of absence.

It is the responsibility of the employee to keep the appointing authority informed as to continued absence beyond the first day for reasons due to sickness or occupational disability. Failure to make such notification shall result in denial of sick leave with pay. If the employee receives a doctor's off-work order and provides notice of same to the appointing authority, the employee is not required to contact the department daily. If the employee does not have an off-work order or has not notified the appointing authority that one has been issued, the employee shall be required to contact the department daily in accordance with the timeframe above.

(III) Review. The Director of Human Resources may review and determine the justification of any request for sick leave with pay and may, in the interest of the County, require information from a doctor to support a claim for sick leave pay.

(IV) Proof. A doctor’s certificate or other adequate proof shall be provided by the employee in all cases of absence due to illness if requested by the appointing authority. All requests for proof of illness shall be made in compliance with the Labor Code and other law.

(V) Improper Use. Evidence substantiating the use of sick leave for willful injury, gross negligence, intemperance, trivial indispositions, instances of misrepresentation, or violation of the rules defined herein will result in denial of sick leave with pay and shall be construed as grounds for disciplinary action up to and including termination.

(E) Sick Leave for Other than Personal Illness/Injury.

(I) Family Sick Leave. A maximum of one-half of the employee’s annual accrual of earned sick leave per calendar year may be used for attendance upon family members who require the attention of the employee. Upon approval of the appointing authority, the employee may use part of this annual allowance for attendance upon members of the employee’s extended family residing in the employee's household who require the attention of the employee.

(II) Bereavement. A maximum of three days earned sick leave may be used per occurrence for bereavement due to the death of an employee’s family member as defined in section 13.0613(g)(1)(A)(I), except for a person “designated” by the employee for sick leave purposes, and for any member of the employee’s extended family as defined in section 13.0613(g)(1)(A)(II) or any relative who resided with the employee.

(III) Birth/Adoption. A maximum of 40 hours earned sick leave may be used per occurrence for arrival of an adoptive child at the employee’s home. An employee may utilize on an annual basis no more than 40 hours of accumulated sick leave per calendar year for the birth of his or her child.

(IV) Medical, Optical or Dental Appointments. The employee may use sick leave for medical, dental or optical appointments; however, every effort should be made to schedule the appointments at a time of day that will minimize the employee's time off work.

(F) Return-to-Work Medical Clearance.

(I) Under any of the following circumstances, all employees who have been off work due to an illness or injury will report to the San Bernardino County Center for Employee Health and Wellness for a medical evaluation of condition and authorization to return to work before returning to work.

(i) Employees whose treating physician or other qualified medical provider has ordered job modification(s) as a condition for either continuing to work or for returning to work after an illness or injury. This applies to both occupational and non-occupational illness or injury.

(ii) Employees who have been off work due to communicable diseases such as, but not limited to, chicken pox and measles.

(iii) Employees who have been absent on account of serious medical condition, when so directed by appointing authority.

(II) Employees are required to attend return-to-work medical appointments at the Center for Employee Health and Wellness on their own time; however, mileage for attending such appointments are eligible for reimbursement pursuant to the expense reimbursement provision, Subsection 13.0613(j).

(III) It is the responsibility of the employee to obtain written notice from the medical provider of authorization to return to work with or without job modification. To ensure all necessary and relevant medical information is provided, the County shall make available forms to be completed by the medical provider. It is the responsibility of the employee to provide verbal notice to his or her appointing authority immediately upon receipt of the medical provider's authorization to return to work, and no later than 24 hours after receipt of the notice. The appointing authority or designee will schedule an appropriate medical evaluation for the employee with the Center for

Employee Health and Wellness prior to the employee's return to work. The employee shall provide the medical provider's written notice of authorization to return to work to the Center at or prior to the employee's scheduled appointment time.

(IV) Exceptions to the above requirements may be made on a case-by- case basis by the Center for Employee Health and Wellness.

(V) The employee is obligated to attend the appointment as scheduled under the conditions outlined above. If the employee fails to adhere to the procedure, the employee is required to use sick leave or leave without pay for any work hours missed. If required notice has been provided, and there is a delay between the employee's appointment with the Center and the start of his or her scheduled tour of duty on the day that he or she was released to return to work, the County will pay for work hours missed, without charge to the employee's leave balances.

(VI) The final decision on the employee's ability to return to work rests with the medical provider at the Center. In the event the employee is not released to return to work by the medical provider at the Center, the employee's status would continue on sick leave or, where there is no balance, leave without pay.

(G) Workers' Compensation. Employees shall receive full salary in lieu of Workers' Compensation benefits and paid sick leave for the first 40 hours following an occupational injury or illness, if authorized off work by order of an accepted physician under the Workers' Compensation sections of the California Labor Code. Thereafter, accumulated paid leave may be prorated to supplement such temporary disability compensation payments, provided that the total amount shall not exceed the regular gross salary of the employee. Employees eligible for salary continuation pursuant to Labor Code section 4850 are not entitled to this paid time.

(H) Employees covered by Labor Code section 4850 who are injured in the line of duty are entitled to full salary in lieu of Workers' Compensation benefits and sick leave for a period not to exceed one year. After the employee has used one full year of such "4850 time", said employee may use accumulated paid leave with pay with the approval of the appointing authority to augment temporary disability payments if said employee is still temporarily disabled by order of an accepted physician under the Workers' Compensation sections or until said employee is retired.

(I) Separation. Unused sick leave shall not be payable upon separation of the employee, except as provided in the Retirement Medical Trust Fund, Subsection 13.0613(k)(4) and as provided below.

Upon the death of an active employee with five or more years of continuous service from the most recent date of hire in a regular position, the estate of the deceased employee will be paid the cash value for the unused sick leave balances according to the sick leave conversion formula below only up to 1,000 hours~~,~~ and will not go into the Trust.

Sick Leave Balance as of Date of Separation for Death	Cash Payment Percent of Hours of Sick Leave Balance
480 hours or less	30 percent
481 to 600 hours	35 percent
601 to 720 hours	40 percent
721 to 840 hours	45 percent
841 to 1,000 hours	50 percent

(J) Sick Leave Conversion. While employed by the County, employees who have contributed to a public sector retirement(s) for over five years and have not withdrawn the contribution from the system(s) may exchange accrued sick leave hours in excess of 200 hours for ~~v~~Vacation ~~time~~Leave or Paid Time Off (PTO) hours on the following basis:

Sick Leave Balance at Time of Conversion	~~Sick Leave to Vacation Leave~~ Conversion Ratio
201 to 599 hours	3 sick hours to 1 hour ~~v~~Vacation/PTO
600 to 799 hours	2.5 sick hours to 1 hour ~~v~~Vacation/PTO
800 or more hours	2 sick hours to 1 hour ~~v~~Vacation/PTO

Any such exchange must be made in ten-hour increments of accrued sick leave under the procedures established by the Director of Human Resources. Employees may elect this exchange once per calendar year.

(2) Vacation Leave.

(A) Definition. VACATION is a right, earned as a condition of employment, to a leave of absence with pay for the recreation and well-being of the employee. If an employee has exhausted sick leave, vacation leave may be used for sick leave purposes upon a special request of the employee and with the approval of the appointing authority.

(B) Accumulation. Employees in regular positions scheduled to work 80 hours per pay period shall accrue, on a pro-rata basis, vacation leave for completed pay periods. Such vacation leave shall be available for use on the first day following the pay period in which it is earned, provided an employee has worked six pay periods from the employee's hire date. Employees in regular positions paid less than 80 hours per pay period or job shared positions shall receive vacation leave accumulation on a pro-rata basis.

Length of Service from Hire Date	Annual Vacation Allowance
Hire date through 8,320 service hours	80 hours
Over 8,320 and through 18,720 service hours	120 hours
Over 18,720 service hours	160 hours

The maximum vacation leave accrual balance that may be carried over to a future calendar year shall be 480 hours. However, the maximum vacation leave accrual balance that may be carried over into a future calendar year for an employee with a balance of more than 480 hours at the end of calendar year 2010 shall be such employee’s vacation leave balance at the end of pay period 26 of calendar year 2010. Thereafter, the maximum vacation accrual balance for those employees with a balance greater than 480 hours at the end of calendar year 2010 shall be adjusted annually at the end of each calendar year and shall never be increased. Any vacation leave accrual balance in excess of the employee’s maximum leave accrual balance at the end of the calendar year shall be cashed out and paid in accordance with Subsection 13.0613(g)(2)(E)(II).

(C) Administration.

(I) Vacation periods should be taken annually with the approval of the appointing authority at such time as will not impair the work schedule or efficiency of the department but with consideration given to the well-being of the employee.

(II) The minimum charge against accumulated vacation leave shall be 15 minutes. Vacation leave shall be compensated at the employee's base rate of pay, except as otherwise provided in this Plan.

(III) When a fixed holiday falls within a vacation period, the holiday time shall not be charged against an employee's earned vacation benefits.

(IV) Employees not planning to return to County employment at the expiration of a vacation leave, except those retiring, shall be compensated in a lump sum payment for accrued vacation and shall not be carried on the payroll. Retiring employees may elect to use vacation leave to enhance retirement benefits or be compensated in a lump sum payment for accrued vacation leave.

(D) Prior Service. New employees hired into the County in regular positions who have been employed by a public jurisdiction or private sector in a comparable position or a position which has prepared such employees for an assignment to a position in the Exempt Group may receive credit for such previous experience in the former agency(s) in determining their vacation accrual rate. Such determination as to the comparability of previous experience and amount of credit to be granted rests solely with the Director of Human Resources or designee. Requests for prior service credit should be made at the time of hire or as soon as possible thereafter but in no event later than one year from the employee's hire date.

(E) Conversion of Vacation Leave to Cash.

(I) Elective Conversion. An employee may sell back vacation leave at the base hourly rate of the employee as hereinafter provided, upon approval of the appointing authority. Eligible employees may exercise these options under procedures established by the Director of Human Resources. In lieu of cash, the employee may designate that part or all of the value of vacation leave be contributed to the County's 401(k) Defined Contribution Plan or 457(b) Deferred Compensation Plan. In order to sell back vacation leave prior to termination or retirement, an employee may exercise the following options:

Option 1. Future Accruals. An employee must make an irrevocable election during the month of December, specifying the number of hours to be sold back from the next calendar year's vacation leave accrual. Such election must be made in increments of not less than ten hours and may not exceed 160 hours. All designated hours remaining in the last pay period of the calendar year will automatically be converted into cash in the last pay period of the calendar year.

Option 2. Existing Accruals. Existing accruals may be cashed out in whole hour increments with a minimum cash out of ten hours and will be subject to a ten percent penalty.

(II) Automatic Conversion. At the end of the last pay period of the calendar year, an employee shall automatically have any vacation leave accruals in excess of the employee's maximum vacation leave accrual balance converted to cash. Such automatic vacation leave cash out shall be paid in pay period 1 of the next calendar year.

(3) Holiday Leave.

(A) Fixed Holidays. All employees in regular positions except as modified in Subdivision (i) shall be entitled to the following holidays:

January 1

Third Monday in January

Third Monday in February

Last Monday in May

June 19

July 4

First Monday in September

Second Monday in October
November 11
Thanksgiving Day
Day after Thanksgiving
December 24
December 25
December 31

(B) Floating Holidays. Employees in regular positions shall be entitled to a total of eight hours floating holiday time annually provided that the employee is not on unpaid leave for the entire pay period and is in paid status for the pay period where the floating holiday time is to accrue. Eight hours floating holiday time shall be accrued during the first pay period prior to the third Monday in January.

Floating holidays accrued shall be available for use on the first day following the pay period in which they are accrued, with the approval of the appointing authority. Appointing authorities have the right to schedule employees' time off for accrued holidays to meet the needs of the service but with consideration given to the well-being of the employee. Employees in regular positions budgeted less than 80 hours per pay period or job-shared positions shall receive floating holiday accruals on a pro-rata basis.

(C) Maximum Holiday Leave Accrual Balance

(I) The maximum holiday leave accrual balance that may be carried over to a future calendar year shall be 112 hours. However, the maximum holiday leave accrual balance that may be carried over into a future calendar year for an employee with a balance of more than 112 hours at the end of calendar year 2010 shall be such employee's holiday leave balance at the end of pay period 26 of calendar year 2010. Thereafter, the maximum holiday accrual balance for those employees with a balance greater than 112 hours at the end of calendar year 2010 shall be adjusted annually at the end of each calendar year and shall never be increased.

(II) Effective pay period 14 of calendar year 2022, the maximum holiday leave accrual balance will increase to 120 hours. The maximum holiday leave balance that may be carried over to a future calendar year shall be 120 hours. However, employees with a grandfathered balance of more than 120 hours shall carry over their maximum grandfathered accrual balance in accordance with Subsection 13.0613(g)(3)(C)(I). Any holiday leave accrual balance in excess of the employee's maximum holiday leave accrual balance at the end of the calendar year shall be cashed out and paid in accordance with Subsection 13.0613(g)(3)(G)(II).

(D) When a fixed holiday falls within a vacation period, the holiday time shall not be charged against an employee's earned vacation benefits.

(E) Whenever an employee is required to work on a fixed holiday or the fixed holiday falls on an employee's regularly scheduled day off, the employee shall accrue, on an hour-for-hour basis, up to a total of eight hours floating holiday time.

(F) When a fixed holiday falls on a Saturday, the previous Friday will be observed as the fixed holiday except that when the preceding Friday is also a fixed holiday, the preceding Thursday will be observed as the fixed holiday. When a fixed holiday falls on a Sunday, the following Monday will be observed as the fixed holiday except that when the following Monday is also a fixed holiday, the following Tuesday will be observed as the fixed holiday.

(G) Conversion of Holiday Leave to Cash.

(I) Elective Conversion. An employee may sell back holiday time at the base hourly rate of the employee as hereinafter provided, upon approval of the appointing authority. Eligible employees may exercise this option under procedures established by the Director of Human Resources. In lieu of cash, the employee may designate that part or all of the value of holiday time to be contributed to the County's 401(k) Defined Contribution Plan or 457(b) Deferred Compensation Plan.

In order to sell back holiday time prior to termination or retirement, an employee may exercise the following options:

Option 1. Future Accruals. An employee must make an irrevocable election during the month of December, specifying the number of hours to be sold back from the next calendar year's holiday time accrual. Such election must be made in increments of not less than eight hours and may not exceed the annual amount to be accrued for the next calendar year. All designated hours remaining in the last pay period of the calendar year will automatically be converted into cash in the last pay period of the calendar year.

Option 2. Existing Accruals. Existing accruals may be cashed out in whole hour increments with a minimum cash out of eight hours and will be subject to a ten percent penalty.

(II) Automatic Conversion. At the end of the calendar year, an employee shall automatically have any holiday leave accruals in excess of the employee's maximum holiday leave accrual balance converted to cash. Such automatic holiday leave cash out shall be paid in pay period 1 of the next calendar year.

(H) Grandfathered Holiday Time. An employee promoted from the Safety Management and Supervisory Unit to the Exempt group who has any grandfathered holiday time at the time of promotion, will be allowed to retain such grandfathered holiday time. Such time may be used or compensated at the time of retirement or separation under the same terms and conditions as are applicable to Safety Management and Supervisory Unit employees.

(4) Special Leaves of Absence Without Pay.

(A) General Provisions. A special leave of absence without pay may be granted to an employee who:

(I) Is medically incapacitated to perform the duties of the position;

(II) Desires to engage in a relevant course of study which will enhance the employee's value to the County;

(III) Takes a leave of absence pursuant to the Federal

Family Medical Leave Act (FMLA), the California Family Rights Act (CFRA), and/or Pregnancy Disability Leave (PDL) provisions of the Fair Employment and Housing Act (FEHA);

(IV) For any reason considered appropriate by the appointing authority and the Director of Human Resources.

(B) Exempt Group employees eligible to receive the automobile allowance, portable communication device allowance, bilingual compensation, or special assignment compensation will have these benefits suspended while on unpaid leave and upon exhausting short-term disability insurance benefits. These benefits will cease the day following the end of the individual's short-term disability insurance benefits. Employees off work without pay for disciplinary reasons shall not receive the above listed benefits until they return to full time status.

(C) Type of Leave of Absences. There are four types of leaves of absences. All requests must be in writing and require the approval of the appointing authority or designee and the Director of Human Resources or designee. Upon request, the appointing authority or designee and the Director of Human Resources or designee may grant successive leaves of absence. All benefits shall be administered in accordance with the appropriate section of this code.

(I) Leave of Absence with Right to Return. Leaves of absence with right to return may be granted to employees in regular positions for a period not exceeding one year. The employee remains in his or her position.

(II) Family Leave. Leaves of absence will be granted in accordance with the FMLA, the CFRA, and/or the PDL provisions of FEHA. This leave can be concurrent with use of paid leave or leave of absence without pay with right to return.

An employee on an approved leave of absence without pay under this provision will continue to receive the benefits outlined in Subsection 13.0613(k)(1)(B)(III) for a period of six pay periods. Certification from a health care provider is required for all instances of medical leave under this provision. Employees are required to inform supervisors of the need for leave at least 30 days before commencement where possible.

In instances where the leave is for the birth or placement of a child and both husband and wife are County employees, both employees are limited to a total of 12 weeks between them.

(III) Leave of Absence without Right to Return.

(i) Definition. Leaves of absence without right to return may be granted to employees with regular status for a period not exceeding one year. Employees without right to return shall be removed from their position. Retirement contributions shall remain in the system and cannot be requested for distribution until the expiration of the leave. The employee shall be eligible to purchase medical benefits pursuant to federal Consolidated Omnibus Reconciliation Act of 1985 (COBRA).

(ii) Return Process. An employee may return to the same department in the classification from which the employee took the leave of absence with the approval of the appointing authority and the Director of Human Resources. Alternatively, the employee may apply through Human Resources by the last day of the leave of absence. The employee will be placed on the eligible list for the classification from which he or she took the leave of absence without examination. Placement on the eligible list will be administered in accordance with the requalification provisions of the Personnel Rules. If the employee does not return to a regular position within 90 calendar days of the expiration of such a leave the employee shall be terminated from County service. If reemployed, the employee shall be required to serve a new probationary period. The Director of Human Resources or designee has the discretion to waive the requirement to serve a new probationary period.

(iii) Benefits Upon Return. An employee who returns to a regular position within 90 days after the expiration of the leave of absence without right to return shall retain his or her hire date for purposes of leave accruals and step advances; except that the employee will not receive service credit for the period of time the employee is on the leave of absence without right to return. To be reemployed and retain the above benefits, the employee must be appointed to a position no later than 90 calendar days after the date of expiration of the leave of absence. The 90 days shall run concurrently with the first 90 days of the one-year period provided in the reemployment subdivision.

(IV) Long-Term Medical Leave of Absence.

(i) Definition. An employee with regular status who suffers from a serious condition may be placed on a medical leave of absence for up to one year, only after FMLA, CFRA and/or PDL have been exhausted. However, if an employee meets the service requirements for eligibility for a disability retirement, the long-term medical leave of absence may be extended. The employee is responsible for providing documentation from a qualified health practitioner prior to approval. The County retains the right to request medical documentation regarding the employee's continued incapacity to return to work.

The employee will be removed from his or her position so that the department may fill behind the employee. Retirement contributions shall remain in the system and cannot be requested for distribution until the expiration of the leave. The employee shall be eligible to purchase benefits pursuant to the federal Consolidated Omnibus Reconciliation Act of 1985 (COBRA).

Upon the employee's ability to return to work or the expiration of the leave of absence, whichever comes first, the employee will have the right to return to the classification within the department from which he or she took a leave of absence when a funded vacancy for which the employee meets the qualifications is available. If the employee does not return to work by the expiration date of the leave, or the soonest date after that for which the department has a vacancy (but in no event later than 90 days following the expiration of the medical leave of absence), the employee relinquishes the right to return.

(ii) Upon return from a medical leave of absence, the employee shall retain hire date for purposes of leave accruals and step advances; except that the employee will not receive service credit for the period of time the employee is on the medical leave of absence.

(5) Medical Emergency Leave. The particulars of the Medical Emergency Leave policy are as follows:

(A) The employee must have regular status with the County or one year of continuous service in a regular position with the County.

(B) The employee must meet all of the following criteria before he or she becomes eligible for Medical Emergency Leave donation: (1) be on an approved medical leave of absence for at least 30 calendar days (160 working hours) exclusive of an absence due to a work related injury/illness; (2) submit a doctor's off work order verifying the medical requirement to be off work for a minimum of 30 calendar days (160 working hours); (3) have exhausted all useable leave balances prior to initial eligibility for Medical Emergency Leave donations—subsequent accruals will not affect eligibility; and (4) have also recorded at least 40 hours of sick leave without pay during the current period of disability.

(C) An employee is not eligible for Medical Emergency Leave if he or she is receiving Workers' Compensation wage replacement (e.g., Coding TTD, etc.). An employee eligible for State Disability Insurance and/or short-term disability must agree to integrate these benefits with Medical Emergency Leave.

(D) Vacation, holiday, administrative leave or annual leave, as well as compensatory time, may be donated by employees only on a voluntary and confidential basis, in increments of eight hours (or in the case of holiday leave four hours) not to exceed a total of 50 percent of a donor's annual vacation, holiday, administrative leave, annual leave or compensatory time accrual per employee. The donation may be made for a specific employee on the time frames established by the Human Resources Department. The employee (donee) using/coding the Medical Emergency Leave will be taxed accordingly.

(E) The donation is to be utilized for the employee's Medical Emergency Leave only; the donation to one employee is limited to a total of 1,040 hours per fiscal year. The maximum of 1,040 hours shall be prorated for those scheduled less than 40 hours per week. Example: An employee who is regularly scheduled 20 hours per week is eligible for a maximum donation of 520 hours of Medical Emergency Leave.

(F) Medical emergency leave shall be administered in accordance with procedures approved by Human Resources.

(6) Compulsory Leave. If, in the opinion of the appointing authority, employees are unable to perform the duties of their position for physical or psychological reasons, they may be removed from duty without pay or may use appropriate accrued paid leave for which they are eligible. In addition, such employees may be required to submit to an examination by either a physician or other competent authority designated by the Director of Human Resources or by their own physician or practitioner, as appropriate. If the examination report of the competent authority (e.g., physician, appropriate practitioner) shows the employee to be in an unfit condition to perform the duties required of the position, the appointing authority shall have the right to compel such employee to take sufficient leave of absence with or without pay, to transfer to another position without reduction in compensation, and/or follow a prescribed treatment regimen until medically qualified to return to unrestricted duty. An employee who has been removed from duty for physical or psychological reasons by the appointing authority, and was required to submit to an examination, may not return to duty until such time as medical clearance has been obtained.

Employees shall be required to meet all qualifications for employment (e.g., licensure, certification, etc.). Employees who become disqualified to perform the duties of their position (e.g., fail to maintain required licenses) shall be immediately removed from duty without pay unless permitted to use appropriate accrued paid leave for which they are eligible and may be subject to appropriate disciplinary action.

(7) Military Leave. As provided in the California Military and Veterans Code section 395 et seq., and any amendment thereto, and the Federal Uniformed Services Employment and Reemployment Rights Act of 1994, a County employee, regular, extra-help, per diem, or recurrent may be entitled to the following rights concerning military leave:

(A) Definition. MILITARY LEAVE is defined as the performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority and includes active duty, active duty for training, initial active duty for training (weekend drills), full-time National Guard duty, and a period for which an employee is absent for the purpose of an examination to determine the fitness of the person to perform any such duty.

(B) Notice and Orders. All employees shall provide advance notice of military service unless military necessity prevents the giving of notice or the giving of notice is impossible or unreasonable. Where available, copy of military orders must accompany the request for leave.

(C) Temporary Active Duty. Any employee who is a member of the reserve corps of the Armed Forces, National Guard, or Naval Militia shall be entitled to temporary military leave of absence for the purpose of active military training, encampment, naval cruises, special exercises or like activities provided that the period of ordered duty does not exceed 180 calendar days, including time involved in going to and returning from such duty. While on paid status, an employee on temporary military leave shall receive the same vacation, holiday, and sick leave, step advances, and benefits that would have been enjoyed had the employee not been absent, providing such employee has been employed by the County for at least one year immediately prior to the date such leave begins. In determining the one-year employment requirement, all time spent in recognized military service, active or temporary, shall be counted. An exception to the above is that an uncompleted probationary period must be completed upon return to the job. Any employee meeting the above one-year employment requirement shall be entitled to receive his or her regular salary or compensation, pursuant to Subsection 13.0613(g)(7)(E).

(D) Full-Time Active Duty. Employees who resign from positions to serve in the Armed Forces for more than 180 days, shall have a right to return to former classification upon serving written notice to the appointing authority, no later than 90 days after completion of such service. Returning employees are subject to a physical/psychological examination. Should such employee's former classification have been abolished, then the employee shall be entitled to a classification of comparable functions, duties, and compensation if such classification exists, or to a comparable vacant position for which the employee is qualified.

The right to return to former classification shall include the right to be restored to such civil service status as the employee would have if the employee had not so resigned; and no other person shall acquire civil service status in the same position so as to deprive such employee of this right to restoration.

Eligible employees are also entitled to the reemployment and benefit rights as further described in the Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. sections 4301 to 4333. Specifically, a returning employee will receive restoration of original hire and benefit date, salary step, vacation accrual rate, sick leave balance (unless the employee has received payment for unused sick leave in accordance with provisions contained herein), the retirement plan contribution rate, and retirement system contributions (provided the employee complies with any requirements established by the Retirement Board). However, such employee will not have accrued vacation, sick leave, or other benefit while absent from County employment, except as provided in the temporary duty provision.

(E) Compensation. This provision does not include an employee's attendance for inactive duty, commonly referred to as weekend reserve meetings, muster duty, or drills. Employees must use their own time to attend such meetings. Should the meetings unavoidably conflict with an employee's regular working hours, the employee is required to use vacation or holiday leave, leave without pay, or make up the time. Employees who are called in for a medical examination to determine physical fitness for military duty must also use vacation leave, leave without pay, or make up the time. Employees cannot be required to use their accrued leave. Any employee meeting the requirements in (C) and (D) shall be entitled to receive their regular salary or compensation for the first 30 calendar days of any such leave. Pay for such purposes shall not exceed 30 days in any one fiscal year and shall be paid only for the employee's regularly scheduled workdays that fall within the 30 calendar days.

(F) Extension of Benefits. The County recognizes the increased requirements of the military due to the current threats facing the United States of America and, as such, has established a program under which employees may be eligible for an extension of benefits. Employees who are called to active duty as a result of the activation of military reservists beginning in September 2001, and who are eligible to receive the 30 calendar days military leave compensation, and are on an involuntary order as defined by Enclosure 4 of the Department of Defense Instruction 1215.06 shall receive the difference between their base County salary and their military salary starting on the thirty-first calendar day of military leave. The difference in salary shall continue for the period approved by the Board of Supervisors. During this period, the County will continue to provide the employee the benefits and all leave accruals as were provided prior to such active duty. Retirement contributions and service credit will be granted if the employee had enough pay to cover the entire retirement system contribution. If the employee does not receive enough pay to cover the retirement system contribution, no contribution or credit will be given. Employees should note that the accidental death and dismemberment (AD&D) plan contains a war exclusion.

If the employee becomes eligible for full County payment for the first thirty days of military leave provided in (C) of this subsection, the extended payments provided under this section shall be suspended and shall be continued after the 30 days compensation has been completed. No compensation shall be paid beyond the thirty days leave period, unless such compensation is expressly approved by the Board of Supervisors. The County may unilaterally extend the benefits of this subsection upon the approval of the Board of Supervisors.

(8) Political Leave. Any employee who is a declared candidate for public office (i.e., a candidate who has filed the appropriate documents) shall have the right to a leave of absence without pay with or without right to return for a reasonable period to campaign for the election. Such leave is subject to the conditions governing special leaves of absence without pay contained herein.

(9) Jury Duty Leave. Employees in regular positions who are ordered/summoned to serve jury duty including Federal Grand Jury duty shall be entitled to base pay for those hours of absence from work, provided the employee waives fees for service, other than mileage. Such employees will further be required to deliver a "Jury Duty Certification" form at the end of the required jury duty to verify such service. When practicable, the appointing authority will convert an employee's regular tour of duty to a day shift tour of duty during the period of jury duty. Employees required to serve on a jury must report to work before and after jury duty provided there is an opportunity for at least one hour of actual work time. Employees volunteering to serve on a Grand Jury shall be granted a leave of absence without pay to perform the duties of a member of the Grand Jury, in the same manner as provided in Subsection 13.0613(g)(4).

(10) Examination Time. Employees having regular status in regular positions at the time of application, or employees who do not have regular status but have previously held regular status and continuously remained a County employee, shall be entitled to a reasonable amount of time off with pay for the purpose of attending all examination processes (e.g., selection interviews, etc.) required for selection to a different County position. Employees are responsible for notifying and obtaining approval from their immediate supervisor prior to taking such leave. Examination time off shall not be charged against any accumulated leave balances and shall be compensated at the employee's base hourly rate.

(11) Witness Leave. Employees in regular positions shall be entitled to a leave of absence from work when subpoenaed to testify as a witness, such subpoena being properly issued by a court, agency, or commission legally empowered to subpoena witnesses. This benefit shall not apply in any case in which the subpoenaed employee is a party to the action or the subpoena has arisen out of the employee's scope of employment. Witness leave shall not be charged against any accumulated leave balances and shall be compensated at the employee's base hourly rate. This benefit will be paid only if the employee has demanded witness fees at the time of service of the subpoena, and such fees are turned over to the County.

(12) Blood Donations. Employees in regular positions who donate blood without receiving compensation for such donation, may have up to two hours off with pay to recover with prior approval of the immediate supervisor for each such donation. This benefit shall not be charged to any accumulated leave; provided, however, if the employee is unable to work, any time in excess of two hours may be charged to accumulated sick leave or be taken as leave without pay. Evidence of each donation must be presented to the appointing authority to receive this benefit.

Employees in regular positions who are apheresis donors may have up to four hours off with pay to recover with prior approval of the immediate supervisor for each such donation, provided no compensation is received for such donation. This benefit shall not be charged to any accumulated leave; provided, however, if the employee is unable to work any time in excess of four hours may be charged to accumulated sick leave or be taken as leave without pay. Evidence of each apheresis donation must be presented to the appointing authority to receive this benefit.

(13) Bereavement Leave. Employees in regular positions may use up to ~~two~~ three days paid leave, not charged to the employee's personal leave balances, per occurrence for bereavement due to the death of an employee's family member as defined in Subsection 13.0613(g)(1)(A)(I) except for a person "designated" by the employee for sick leave purposes. One additional day shall be granted if the employee travels over

~~1,06~~600 miles from his or her residence to the bereavement service(s). This additional day shall not be charged to the employee's personal leave balances. The appointing authority may request verification of distance traveled. All employees are entitled to a total of 5 days of unpaid bereavement leave. The five days of leave shall include paid leave under this section, and use of sick leave as defined in section 13.0613(g)(1)(E)(II) above.

An employee who has been with the County for 30 days or more may utilize Bereavement Leave for each occurrence of reproductive loss. Reproductive loss includes failed adoption, failed surrogacy, miscarriage, stillbirth, and unsuccessful assisted reproduction as defined by California Government Code section 12945.6. The leave may be non-consecutive, but must be taken within 3 months of the event as defined by California Government Code section 12945.6(a)(7). If an employee experiences more than one reproductive loss event in a 12-month period, Bereavement Leave for reproductive loss shall not exceed 20 days within a 12-month period.

(14) Leave Accruals While on Disability Leave. Employees receiving the benefits of workers' compensation or short-term disability leave receive partial replacement of their income through these benefits. Employees on these types of disability leaves may choose to fully integrate, partially integrate, or not integrate personal leave time with these disability payments.

The maximum amount the employee receives from integrating leave time with disability payments shall not exceed 100 percent of the employee's base salary. Paid personal leave time coded on the employee's time and labor report will be limited to the amount of leave necessary to integrate benefits to the level designated by the employee. When the exact amount is not known, a good faith estimate may be made and the amount will be adjusted later as necessary. If any overpayments are made, the employee will be required to repay that amount. An employee who knowingly receives payment in excess of his or her regular base salary is required to report it to his or her Departmental payroll clerk.

Employees who are fully integrating accrued leave time with disability benefits and shall be eligible to receive full accruals of vacation and sick leave. Employees who are not fully integrating shall earn pro-rated vacation and sick leave accruals based upon paid leave time coded on the time and labor report only.

Employees who are fully integrating paid leave time with disability benefit(s) will be eligible for fixed holiday pay provided that they are on the payroll for the entire pay period and have no unapproved leave for the pay period. Employees who are partially integrating or not integrating paid leave time with disability benefits will be paid for holidays in accordance with the holiday leave provisions in Subsection 13.0613(g)(3).

(15) Behavioral Health Education and Training Leave. Effective pay period 1 of each year, each regular full-time employee in the classifications of Behavioral Health Medical Director and Assistant Director of Medical Services in paid status shall be credited with a bank of forty (40) hours of Education and Training Leave with pay to attend (e.g. online, in person, etc.) a Medical Board of California and/or Osteopathic Medical Board of California approved continuing medical education courses, seminars, training programs, conferences, workshops, or classes, including those necessary to obtain and/or maintain licensure or certifications. Employees who are not in paid status (i.e., not coding paid hours) who later return to paid status during that calendar year or employees hired after pay period 1 shall receive a prorated Education and Training Leave bank at the time of appointment based upon the annual rate of forty (40) hours per calendar year.

Written requests for such leave must be submitted and approved in advance before the leave is to be taken at least ninety (90) calendar days prior training. Employees shall provide verification of available Education and Training Leave hours when requests are submitted for approval. Such leave bank shall be reflected on the employee's pay stub. Requests that do not meet the timeframe above may be considered on a case-by-case basis at the sole discretion of the Appointing Authority. Use of Education and Training Leave shall not be counted as time worked for overtime purposes.

Education and Training Leave hours must be used by the end of the calendar year. If any Education and Training Leave hour(s) remain at the end of pay period 26 (or 27 when applicable), Education and Training Leave hours shall not carry over into the next calendar year, nor be permitted for cash out. If promoting from a position that already credited the employee Education Leave, the employee is not entitled to additional hours.

(h) Relocation. Employees who are required by order of their appointing authority to change their principal place of residence because of a reassignment to meet the needs of the service or because of layoff will be granted time off with pay not to exceed two work days and up to $400.00 reimbursement toward the actual cost of relocating their personal furnishings and belongings.

(i) Special Assignment Compensation. Increases in pay may be granted to recognize the temporary assignment of additional responsibilities that are significant in nature and beyond the normal scope of the position. No award shall be made in any situation related to a vacation, short-term illness or other relief which is six weeks or less. The duration of such assignments is not intended to exceed one calendar year except in unusual circumstance approved by both the appointing authority and the Director of Human Resources. Employees will normally not be in a probationary status. The employee shall be required to meet standards for satisfactory performance.

Compensation shall be awarded in pay period increments and shall be in the form of a specified percentage of the employee's base pay. The Director of Human Resources will determine the amount in increments of one-half percent from a minimum of two and one-half percent up to a maximum of seven and one-half percent. The additional compensation will be computed at the specified percentage of the current base pay of the employee for each pay period. Such increases in pay shall not affect an employee's step advancement in the base range pursuant to the salary rates and step advancements subdivision.

Requests for special assignment compensation may be initiated by the appointing authority or an employee via the appointing authority. The appointing authority and the employee bear mutual responsibility for initiating the compensation request in a timely manner and adhering to the compensation provisions defined in this provision. It is important to obtain Human Resources Department review of the request in advance of the date the employee begins the assignment, since there is no guarantee that the request will be approved. Special assignment compensation is to be effective only with the Director of Human Resources written approval, assignment of the greater level of duties, and signed acceptance by the employee.

This provision shall not be utilized to circumvent or provide additional compensation over and above that which may be provided in the subsection on assignment to vacant higher position and the Personnel Rules. These aforementioned provisions are mutually exclusive concepts and as such there shall be no dual or multiple requests based on the same facts.

(j) Expenses Incurred in Conducting County Business and Expense Reimbursement.

(1) General Provisions. Employees in the Exempt Group shall be reimbursed for all expenses incurred in connection with the conduct of County business, including, but not limited to, travel, lodging, meals, laundering, gratuities, and other related costs. Payment for actual expenses is subject to the approval of the appointing authority. The Chief Executive Officer, Assistant Executive Officers, and County officers with department head status may incur necessary County expenses involved with activities and functions of their departments and arrange for the County to be billed directly for such expenses.

The purpose of this subdivision is to define the policy and procedures by which employees shall report and be reimbursed for necessary expenses incurred on behalf of San Bernardino County, except as may be otherwise provided in this code.

(2) Responsibilities. It shall be the responsibility of each appointing authority or designee to investigate and approve each request for expense reimbursement. It shall be the responsibility of each employee to obtain prior approval

from the appropriate appointing authority or designee to incur a business expense or to exceed maximum allowable amounts provided in Section (7) below.

Prior approval may be in the form of standing orders issued by the appointing authority. Failure to obtain prior approval may result in denial of any expense claim (or excess amount) not pre-approved.

(3) Travel Authorization.

(A) Travel outside the State of California must be approved by the Chief Executive Officer or designee. Requests for such travel shall be submitted to the County Administrative Office on a travel request form.

(B) The appointing authority or designee shall initiate travel requests. The Chief Executive Officer and Auditor-Controller/Treasurer/Tax Collector shall be notified in writing of all such designees.

(C) The appointing authority or designee is authorized to approve necessary travel within the State of California and use of transportation mode consistent with this subdivision.

(4) Authorization for Attendance at Meetings.

(A) Appointing authorities may authorize attendance at meetings at County expense when the program material is directly related to an important phase of County service and holds promise of benefit to the County as a result of such attendance.

(B) Authorization for attendance at meetings without expense reimbursement, but on County time, may be granted when the employee is engaged on the County's behalf, but from which the gain will inure principally to the benefit of the employee and only incidentally to the County.

(5) Records and Reimbursements.

(A) Requests for expense reimbursements should be submitted once each month and within one year of the date that the expense was incurred.

(B) Receipts or vouchers which verify the claimed expenditures will be required for all items of expense, except:

(I) Subsistence, except as otherwise provided in this subdivision;

(II) Private mileage (e.g., mileage to the airport);

(III) Telephone or other communication-related charges including Wi-Fi and internet access fees if needed to conduct County business;

(IV) Other authorized expenses of less than $1.00.

(C) Claims for expense reimbursement totaling less than $1.00 in any fiscal year shall not be paid.

(D) Reimbursement shall not be made for any personal expenses such as, but not limited to, entertainment, barbering, personal grooming, alcoholic beverages, etc.

(E) Except as otherwise provided in this subdivision, expense reimbursements shall be made on an actual cost basis.

(F) If the receipt is unavailable, the employee may submit a signed statement with an explanation of expenses (i.e., itemized list of expenses with location, date, dollar amount, and reason for expenses) and an explanation as to why the receipt is unavailable.

(G) Expense reimbursements may be made via electronic fund transfer into the financial institution of the employee's choice or by pay card. Employees who fail to make arrangements for direct deposit shall receive reimbursements via pay card.

(6) Transportation Modes.

(A) The general rule for selection of a mode of transportation is that mode which represents the lowest expense to the County. Where an employee is given the choice between several means of travel (e.g., use of County vehicle vs. own personal vehicle, flying vs. driving, etc.) and the employee chooses the option that is more costly, the employee shall only be reimbursed for the lesser cost option. For example, if an employee chooses to drive his or her own vehicle when offered a County vehicle, the employee shall not be entitled to any reimbursement. Similarly, if the cost of flying on an airplane is less than the cost of driving, the employee shall only be reimbursed for the amount the County would have paid for the flight.

(B) Travel via Private Automobile.

(I) Reimbursement for use of privately-owned automobiles to conduct County business shall be at the IRS allowable rate. Reimbursement at this rate shall be considered as full and complete payment for actual necessary expenses for the use of the private automobile, insurance, maintenance and all other transportation related costs. The County does not provide any insurance for private automobiles used on County business. The owner of an automobile is responsible for the personal liability and property damage insurance when the vehicle is used on County business.

(II) When employees, traveling on official County business, leave directly from their principal place of residence rather than from their assigned work location, mileage allowed to the first work contact point shall be the difference between the distance from the residence to the assigned work location and the distance from the residence to the first work contact point. If the first work contact point is closer than the assigned work location, no mileage shall be allowed. If the employee departs from the last work contact point directly to the residence, the same principle governs.

(III) Employees may have multiple assigned work locations. Mileage allowed is based on the assigned work location for that day. When employees have more than one assigned work location in a standard tour of duty, mileage shall be allowed between assigned work locations. In no case will mileage be allowed between the employee’s residence and the assigned work location.

(C) Travel via Air.

(I) Commercial Aircraft. When commercial aircraft transportation is approved, the “cost of public carrier” shall mean the cost of air coach class rate including tax and security surcharges. Travel via charter aircraft shall be limited to emergencies, or when other types of transportation are impractical or more expensive. Specific prior approval for travel via charter aircraft must be obtained from the Chief Executive Officer or designee.

(II) Private Aircraft. When private aircraft transportation is approved by the Chief Executive Officer or designee, reimbursement will be as follows:

(i) Reimbursement for use of aircraft owned or rented and flown by County personnel will be for equivalent road miles at the first mile rate of the current private automobile use reimbursement schedule. Landing or tie-down fees will be reimbursed similar to auto parking charges.

(ii) Reimbursement for trips to and from the following destinations will be limited to the cost of public carrier except when justified by unusual circumstances as determined by the Chief Executive Officer or designee: Sacramento, San Francisco, Oakland and San Jose.

(iii) Authorized charter flights with a licensed charter service providing the aircraft and pilot will be reimbursed at actual cost. Charter flights must be individually approved by the Chief Executive Officer or designee prior to departure.

(iv) The employee or owner of the aircraft must maintain on file, with the County's Risk Management Department, a current policy for aviation comprehensive general liability insurance, which includes the County as an additional insured and covers all operations performed by or on behalf of the employee or owner of the aircraft for bodily injury and property damage with a combined single limit of not less than $1,000,000.00, per occurrence and $2,000,000.00, general aggregate.

(D) Travel via Rental Vehicles. Reimbursement will be provided for the cost of a rental vehicle used for business purposes if such use is approved by the appointing authority. Rental vehicles are covered for liability and vehicle physical damage under the County's self-insurance program. Reimbursement will not be provided for the additional costs incurred if any employee purchased any additional insurance or signs a collision damage waiver (CDW) when renting a vehicle for County business. Requests for reimbursement for gasoline for rental vehicles must be accompanied by a copy of the rental agreement or rental receipt and gasoline receipt.

(E) Travel via Ride-Share Service, Taxi, or Public/Mass Transit. Reimbursement will be provided for the cost of using a ride-share service, (e.g., Uber or Lyft), taxi, or public/mass transit (e.g., bus, streetcar, and ferry) if such expenses are incurred for County business and approved by the appointing authority.

(F) Incidental Travel Expenses. Reimbursement will be provided for the cost of incidental travel expenses such as bridge tolls, road tolls and parking fees if such expenses are incurred as part of County business and approved by the appointing authority. Valet parking will not be reimbursed unless self-parking is not available or security is a concern.

(7) Subsistence.

(A) Subsistence allowances for lodging and meals shall not be allowed without prior approval of the appointing authority or designee as necessary for the purpose of conducting County business. Meal and lodging selections should represent a reasonable cost to the County and be generally consistent with the rates established by the General Services Administration (GSA). Excess charges greater than the allowances listed below in Subdivisions (B) and (C) may be authorized under special conditions, such as a convention or conference requirement (e.g., lodging at the hotel where the conference is held) or if County business requires lodging and meals in an area of unusually high cost (i.e., Non-Standard Areas as established by the GSA). Employees may be reimbursed for expenses in high cost areas for the actual cost incurred, but generally not to exceed the per diem amounts established by the GSA for that area and month. Receipts are mandatory to obtain reimbursement for all lodging expenses, and except as provided below, for all meal expenses claimed.

(B) An employee may be reimbursed for lodging expenses at actual cost, generally not to exceed the standard lodging per diem rate as established by the GSA, except as otherwise provided in Subdivision (A) above.

(C) Except as otherwise provided in Subdivision (A) above, reimbursements for meal expenses for up to three separate meals per day may be provided as follows:

(I) With receipts~~s~~. An employee may be reimbursed for meal expense at actual cost not to exceed eleven dollars ($11.00) for breakfast; fifteen dollars ($15.00) for lunch; and twenty-four dollars ($24.00) for dinner, all plus tax and up to 15 percent gratuity.

(II) Without receipts. An employee may be reimbursed for meal expense at per diem rates not to exceed six dollars ($6.00) for breakfast; nine dollars ($9.00) for lunch; and nineteen dollars ($19.00) for dinner, all plus tax and up to 15 percent gratuity.

(D) Where the cost of a meal is included as part of a registration charge for an event (e.g., continental breakfast at a conference or training seminar) or in the cost of lodging, an employee may not claim reimbursement for that meal.

(8) Expense Advances. Advancement of funds for business expenses can be obtained from the Auditor-Controller/Treasurer/Tax Collector's Office through submission of the appropriate form. Advancements shall not exceed the per diem allowances set forth herein. The minimum amount to be advanced is $50.00.

(9) County Credit Cards. The appointing authority may issue a County credit card to an employee and require business expenses be paid for with said card. If unauthorized charges are placed on the card, the employee shall be required to reimburse the County.

(k) Medical Insurance and Retirement System Contributions.

(1) Medical Insurance Contributions.

(A) Section 125 Premium Conversion Plan.

(I) Eligible employees shall be provided with a Section

125 premium conversion plan. The purpose of the plan is to provide employees a choice between paying premiums with either pre-tax salary reductions or after-tax payroll deductions for medical insurance, dental insurance, vision insurance, voluntary life (to the Internal Revenue Service (IRS) specified limit) and accidental death and dismemberment insurance premiums currently maintained for Exempt Group employees or any other programs(s). The amount of the pre-tax salary reduction or after-tax payroll deduction must be equal to the required insurance premium.

(II) Medical and dental coverage elections shall not reduce earnable compensation for purposes of calculating benefits or contributions for ~~the~~ SBCERA.

(III) To be eligible for the Section 125 premium conversion plan, an employee must be eligible to participate in medical, dental, vision, AD&D, and/or life insurance and have a premium deduction for these benefit plans.

(IV) Election of pre-tax salary reductions and after-tax payroll deductions shall be made within 60 days of the initial eligibility period in a manner and on such forms designated by Human Resources. Failure to timely submit appropriate paperwork will result in after-tax payroll deductions for all eligible premiums for the remainder of the plan year.

(V) Once a salary reduction has begun, in no event will changes in elections be permitted during the plan year except to the extent permitted under IRS rulings and regulations, and consistent with the County’s Section 125 plan document. The employee must submit request for a change due to a mid-year qualifying event within 60 days of the qualifying event.

(B) Medical and Dental Subsidies.

(I) The County has established a medical premium subsidy (MPS) to offset the cost of medical and dental plan premiums charged to eligible employees. The MPS shall be applied first to medical plan premiums and then to dental plan premiums. The applicable MPS amount shall be paid directly to the providers of the

County-sponsored medical and dental plans in which the eligible employee has enrolled. In no case, shall the MPS exceed the total cost of the medical and dental insurance premium for the coverage selected.

~~Effective February 10, 2024, the following MPS amounts apply:~~

~~Coverage Type~~	~~Scheduled for 40 to 60 Hours~~	~~Scheduled for 61 to 80 Hours~~
~~Employee Only~~	~~$155.38~~	~~$310.75~~
~~Employee + 1~~	~~$249.94~~	~~$499.87~~
~~Employee + 2~~	~~$351.02~~	~~$702.03~~

~~Effective July 13, 2024, the MPS amounts for employees scheduled for 61 to 80 hours, will increase for each tier (i.e., Employee-Only, Employee + 1, Employee + 2) by 100% of the benefit plan year premium increase of the County's Blue Shield Signature HMO. This new MPS amount shall be the new basis for subsequent years. For example, if the 2024/2025 Benefit Plan Year premium for the Employee-Only tier increases by $20 per pay period, the MPS amount will increase by $20 per pay period (i.e., 100% of $20) and the total MPS for the Employee-Only tier will be $330.75. Employees scheduled for 40 to 60 hours will receive an amount equal to one-half of the MPS for employees scheduled for 61 to 80 hours.~~

~~Effective July 12, 2025, the MPS amounts for employees scheduled for 61 to 80 hours, will increase for each tier (i.e., Employee-Only, Employee + 1, Employee + 2) by 100% of the benefit plan year premium increase of the County's Blue Shield Signature HMO. This new MPS amount shall be the new basis for subsequent years.~~

~~Employees scheduled for 40 to 60 hours will receive an amount equal to one-half of the MPS for employees scheduled for 61 to 80 hours.~~

Effective July 12, 2025, the following MPS amounts apply:

Coverage Type	Scheduled for 40 to 60 Hours	Scheduled for 61 to 80 Hours
Employee Only	$180.10	$360.19
Employee + 1	$299.39	$598.77
Employee + 2	$420.98	$841.96

Effective July 11, 2026, the MPS amounts for employees scheduled for 61 to 80 hours, will increase for each tier (i.e., Employee-Only, Employee + 1, Employee + 2) by 100% of the benefit plan year premium increase of the County's Blue Shield Signature HMO. This new MPS amount shall be the new basis for subsequent years.

Employees scheduled for 40 to 60 hours will receive an amount equal to one-half of the MPS for employees scheduled for 61 to 80 hours.

(II) The County has established a dental premium subsidy (DPS) for all employees who are enrolled in both County-sponsored medical and dental coverage whose premium costs for medical and dental exceeds the MPS. The amount of the DPS shall be up to $9.46, but not to exceed the combined total of the employee's out-of-pocket premium expenses.

(III) Eligibility for MPS and DPS While on Leave.

(i) FMLA/CFRA. Employees who are on approved leave, pursuant to FMLA/CFRA law and whose paid hours in a pay period are less than the required number of hours designated in Subsection 13.0613(f)(1) above will continue to be enrolled in a County-sponsored medical plan and receive MPS and DPS in accordance with applicable law.

(ii) Pregnancy Disability Leave (PDL). An employee on an approved pregnancy disability leave is eligible for continuation of MPS and DPS in accordance with PDL, Government Code section 12945.

(iii) Workers' Compensation. Employees who are on an approved leave based on an approved workers' compensation claim shall continue to receive the MPS and DPS for up to a total of 20 pay periods while off work due to that work injury as long as the employee pays his or her portion of the premiums on time. If any subsequent workers' compensation claims occur during the initial 20 pay periods, the remaining MPS eligibility from the original claim shall run concurrent with any additional approved workers' compensation claims that occur during the initial claim. For example, if the employee is receiving the MPS and DPS for 20 pay periods for an injury and after ten pay periods another workers' compensation claim is approved and the employee is eligible to receive the MPS and DPS for an additional 20 pay periods, ten pay periods will run concurrent with the initial claim, for a total of 30 pay periods. Employees who are still on workers' compensation after the expiration of the initial 20 pay periods shall continue to receive MPS and DPS provided the employee is in paid status.

(iv) Short Term Disability. Employees who are on short-term disability (STD) insurance provided by the County or State Disability Insurance (SDI) shall continue to receive the MPS and DPS provided the employee is in paid status.

(v) Per Episode of Illness or Injury. Employees who are on an approved medical leave of absence and whose paid hours in a pay period are less than the required number of hours will continue to receive the benefits of this Subdivision for up to six pay periods per episode of illness or injury.

(2) Retirement System Contributions.

(A) County Contributions. The County shall pay all required employer contributions to the San Bernardino County Employee's Retirement Association (SBCERA).

(B) Employee Contributions. All employee Retirement System contribution obligations shall be "picked up" for tax purposes only pursuant to this section. The Auditor-Controller/Treasurer/Tax Collector has implemented the pickup of such retirement system contributions under Internal Revenue Code subsection 414(h)(2).

The County shall make member contributions under this subdivision on behalf of the employee which shall be in lieu of the employee's contributions and such contributions shall be treated as employer contributions for purposes of reporting and wage withholding under the Internal Revenue Code and the Revenue and Taxation Code. The amounts picked up under this subdivision shall be recouped through offsets against the salary of each employee for whom the County picks up member contributions. These offsets are akin to a reduction in salary and shall be made solely for purposes of income tax reporting and withholding. The member contributions picked up by the County under this subdivision shall be treated as compensation paid to County employees for all other purposes. County-paid employer contributions to SBCERA under this subdivision shall be paid from the same source of funds used in paying the salaries of the affected employees. No employee shall have the option to receive the retirement system contribution amounts directly instead of having them paid to SBCERA.

Until retirement or separation, all contributions picked up under this subdivision will be considered for tax purposes as employer-paid contributions.

(C) Special Provisions.

(I) Except as provided below, employees who have 30 years of service credit shall not be paid in cash seven percent of earnable compensation. Employees with at least 25 years of service as set forth in Government Code section 31625.3 as of June 18, 2011, and who either already have or thereafter attain 30 years of service credit as set forth in Government Code section 31625.3 shall have one opportunity during the employee's employment to receive cash payments of seven percent of earnable compensation for up to 26 consecutive pay periods.

(II) Employees who are over the age of 60 at the time of hire, and who are in a regular position, and who choose not to be a member of SBCERA, shall be enrolled in the County's 401(k) Salary Savings Plan. The County shall contribute the applicable percent of the employee's biweekly salary as defined in Subsection 13.0613(q) to the Plan, and the employee shall contribute a minimum of three percent of biweekly salary to the plan, not to exceed the annual limits of the Plan as defined in the Internal Revenue Code.

(D) Survivor Benefits. Survivor Benefits are payable to employed general retirement members with at least 18 months continuous retirement membership pursuant to Government Code section 31855.12. An equal, non-refundable employer and employee biweekly contribution will be paid to SBCERA as provided in the annual actuarial study.

(E) Special Provisions for Exempt Safety Employees. The following Subdivision shall apply to all members of the Exempt Group who are safety members of SBCERA, as defined in Government Code section 31469.3, on October 1, 2003.

For Tier 1 safety members of SBCERA, the County adopted a resolution making Government Code section 31664.1 applicable to safety members, effective October 1, 2003. The County also adopted a resolution pursuant to Government Code section 31678.2, applying the formula set forth in Government Code section 31664.1 applicable to all prior safety service credit for every eligible employee under this Subdivision.

For Tier 2 safety members, the applicable retirement formula is as provided by applicable law.

(3) Flexible Spending Account (FSA) for Medical Related Expenses.

(A) General. The County has established a Medical Expense Reimbursement Plan, also known as a Flexible Spending Account (FSA). This plan has been established in accordance with the provisions of Internal Revenue Code section 125. Human Resources will serve as the FSA Plan administrator and will administer the FSA in accordance with the County's plan document. The FSA's plan year will coincide with the County's benefit plan year.

(B) Eligible employees may contribute to the FSA, on a pre-tax basis, an amount up to the Internal Revenue Code's annual maximum. This annual contribution is made by the employee via equal biweekly payroll deductions. The County will also contribute up to $40.00 per biweekly pay period, matching Exempt employee contributions dollar for dollar. Effective February 1, 2020, the County will contribute up to an additional $10.00 per biweekly pay period, matching Exempt employee contribution dollar for dollar, for employees who select the County-sponsored Blue Shield Access + HMO Plan or the Kaiser Choice HMO Plan and elect to enroll in the FSA. FSA participants must elect to enroll each year in order to continue participation. Upon enrolling in the FSA, employees may not change their designated biweekly contribution amount or discontinue making contributions for the remainder of the plan year except as permitted by the Internal Revenue Code. Any unused amounts remaining in an employee's FSA account at the end of the Plan year shall be forfeited except as permitted by the Internal Revenue Code and the County's plan document. Contributions made to the FSA may be used for receiving non-taxable reimbursements of eligible medical expenses not covered by insurance. Eligible reimbursable expenses are those medical expenses that qualify as determined under Internal Revenue Code section 213.

(4) Retirement Medical Trust Fund. A Retirement Medical Trust Fund (RMT) has been established. ~~Exempt Group employees with five or more years of participation in SBCERA are eligible to participate.~~ The RMT ~~trust~~ is a Voluntary Employee Benefit Association (VEBA) and will comply with all the provisions of Internal Revenue Code section 501(c)(9).

The RMT ~~Retirement Medical Trust Fund~~ will be administered by Human Resources as the plan administrator in accordance with the plan document and applicable law.

(A) ~~Retirement Medical Trust FundSick Leave Conversion~~ Eligibility. Exempt Group employees with five or more years of participation in SBCERA are eligible to participate in the RMT~~Trust~~. The purchase of additional retirement credit or other retirement service credit and/or participation in other public sector retirement systems may be counted towards the five-~~-~~year participation ~~service~~ requirement if ~~provided that~~ the employee has not withdrawn their contributions from the other public sector retirement system(s) and the employee is ~~also~~ a current member of SBCERA.

Employees who wish to receive credit for participation in other public retirement systems must provide the Plan Administrator written evidence of participation and that contributions made to the system(s) have not been withdrawn. Requests for prior service credit should be made at the time of hire or as soon as possible thereafter but in no event later than one year from the employee's hire date.

(B) Sick Leave Conversion Formula. At separation from County service for reasons other than death, all eligible employees will be required to contribute the cash value of their unused sick leave balances to the RMT ~~Trust~~ at the rate of 80 percent of the cash value of unused sick leave hours, up to a maximum of 1,500 hours.

(C) County Contribution. The County will contribute to the RMT as follows:

Years of Service	Percentage of Base Salary*
Exempt – 5-9 years	2.00%
Exempt – 10-15 years	2.75%
Exempt – 16 or more years	3.75%
*For purposes of the RMT contribution, base salary is as defined in the RMT plan document.	

~~Employees who wish to receive credit for participation in other public retirement systems must provide the Plan Administrator written evidence of participation and that contributions made to the system(s) have not been withdrawn. Requests for prior service credit should be made at the time of hire or as soon as possible thereafter but in no event later than one year from the employee's hire date.~~

(I) Tuition Reimbursement and Membership Dues. The County shall establish an individual, departmental fund in the amount of $1,000.00 for each fiscal year for each regular employee in the Exempt Group to reimburse employees for tuition costs incurred for job-related education or career development or to reimburse membership dues in professional organization(s), provided each expenditure enhances furtherance of County or continuing educational goals.

Requests for reimbursement must be approved in advance by the appointing authority and shall not be paid in increments less than $10.00 per fiscal year. The individual department fund is in addition to department budgeted and mandated training and memberships. The County shall also pay, in addition to the individual department fund, the membership dues to the State Bar of California for all licensed attorneys in the Exempt Group whose job duties require admission in the State Bar.

Employees who successfully complete job-related education or courses may submit a request to be reimbursed beyond the limit of $1,000.00 to their department head or appointing authority for review. The department head or appointing authority must then request and receive approval from the County Administrative Office to reimburse beyond the limit of $1,000.00 per fiscal year per employee. In order to be eligible for tuition reimbursement under this provision, the employee must take such course work outside regular work hours and shall do no productive work for the County while attending the courses.

If the reimbursement is approved and paid to the employee, and the employee leaves the County prior to completing two years of County service after completing the job-related education or coursework, the employee will reimburse the County according to the following schedule:

Job-related education/course completion date	Reimbursement
Within 9 months	100%
After 9 months, through 18 months	50%
After 18 months, through 24 months	25%
After 24 months	0%

Benefits under the Tuition Reimbursement and Membership Dues Subdivision shall be pro-rated for job share and part-time employees.

(m) Tuition Loan Repayment. The County shall establish a Tuition Loan Repayment Program to assist the Exempt group with student loan obligations and encourage continued County employment.

(1) Eligibility requirements - all requirements must be met before the employee is deemed eligible for loan repayment assistance:

(A) The employee is employed in a regular full time exempt classification.

(B) The employee fully completes the County's Student Loan Repayment Application.

(C) The employee submits proof of the following:

(I) A qualifying degree.

(II) Current statements from an unpaid loan.

(III) The employee is in paid status in the pay period the repayment is made.

(IV) The employee is not participating in another tuition loan repayment program. This does not include participation in any loan forgiveness program.

(V) Employee's last Work Performance Evaluation rating is a "meets standards" or above and not on a work performance improvement plan.

(VI) Employee is not on a current leave restriction plan.

(2) Terms of Loan Repayment Assistance: Employees with 2 or more years of continuous service with the County may apply for tuition loan repayment. Continuous service is defined as the total length of service from an employee's most recent beginning (hire) date in a regular position with no separation from County employment. Employees must complete a new application and submit supporting documentation for each disbursement for loan repayment. Any additional annual incentive will require completion of new one-year continuous periods of Qualifying Service on and after the date of the implementation of this provision. In no event will the payments be combined. If the application meets County requirements, the payment shall be as follows:

(A) After completion of 2 continuous years with the County: A single payment of up to $1,000.

(B) After completion of 3 continuous years with the County: A single payment of up to $1,500.

(C) After completion of 4 continuous years with the County: A single payment of up to $2,000.

(D) After completion of 5 continuous years with the County: A single payment of up to $2,500.

(E) After completion of 6 continuous years with the County: A single payment of up to $3,000.

Payment shall not exceed the total amount of $10,000 per employee.

Eligible employees may receive the payment within thirty days after approval of the required documentation.

(3) Restrictions

(A) Employee must have one or more qualifying student loans (including private loans provided they qualify pursuant to all applicable State and Federal laws, rules, and regulations).

(B) Degree must have been completed and employee must be in active repayment of the loan.

(C) Loans must not be in default status. Employees must provide a written statement from their lender(s) substantiating that the loan(s) are not in default, dated within ten business days of the application for payment.

(D) Payments made on loans in the year prior to the repayment request that are less than the maximum yearly repayment amount will be eligible for the lesser amount paid only.

(E) Employees who separate from County employment are not entitled to prorated payments.

(F) The lender information must be verified annually~~,~~ and must not be older than ten days prior to the application for payment.

(G) If loans have been consolidated, proof of consolidation must be provided.

(H) Employees must show proof of loan payments for each of the prior twelve consecutive months.

(4) Program Details

(A) Payment will be made directly to the employee through EMACS. Payment will be subject to all required payroll deductions, and participants will be responsible for any and all applicable taxes resulting from the payments they receive.

(B) Qualifying Student Loan shall mean a loan (or the portion of a loan, if consolidated) taken and used to cover the cost of an eligible qualifying degree.

The determination of whether or to what extent a loan is a Qualifying Student Loan shall be made based on guidelines established by the Human Resources Department.

(C) Notwithstanding the foregoing, reimbursement under this Section shall be made subject to any additional conditions approved by the appointing authority.

(n) Conditions of Employment. Unless in the classified service, employees in this group serve at the pleasure of their appointing authority.

Should a classified employee's position be abolished, the County will make reasonable efforts to place the employee in a comparable County position based upon the employee's skills, knowledge and abilities, as well as consideration for the employee's length of service with the County. If reasonable efforts to place an exempt classified employee in a comparable County position are unsuccessful, the employee shall be subject to lay-off by written notification by the appointing authority or the Chief Executive Officer, which notification shall be given at least ten working days prior to the effective date of the layoff. An Exempt Group classified employee does not have any bumping rights to other County positions.

(o) Automobiles.

(1) Except for members of the Board of Supervisors, all county Employees in Benefit Groups A and B, Assistant Sheriffs and Sheriff's Deputy Chiefs, and the District Attorney Chief Investigator in a paid status are eligible for a Category I County vehicle under this subdivision with the approval of the Chief Executive Officer.

Such employees may use such vehicles for occasional personal use provided they reimburse the County at the current motor pool variable rate per mile for such use. All automobile users shall be taxed for such personal use in accordance with state and federal tax law and regulation.

Effective August 10, 2024, all county employees in Benefit Groups A and B will no longer be eligible for a Category I County vehicle except employees in the following classifications, Chief Probation Officer, Assistant Chief Probation Officer, Undersheriff, Assistant Sheriff, Sheriff's Deputy Chief and District Attorney Chief Investigator.

(2) All County employees in Benefit Groups A and B, Assistant Sheriffs and Sheriff's Deputy Chiefs, the District Attorney Chief Investigator, and ,the Assistant Chief Probation Officer in a paid status shall receive a biweekly automobile allowance in the amount of $461.54 with no mileage reimbursement, provided they are not assigned a County vehicle pursuant to Subsection 13.0613(o)(1) above. An employee who becomes eligible or ineligible for this benefit in the middle of a pay period will receive a prorated sum of automobile allowance. Employees selecting this allowance shall be required to have a vehicle available at all times for use on County business. This allowance shall be considered complete reimbursement for the acquisition, insurance, maintenance, repair, upkeep, fuel, and all other costs for the required vehicle. At no time shall an employee receive both a County vehicle and the automobile allowance.

(p) Administrative Leave. Effective pay period 1 of each year, an employee in a regular position who is in paid status will be provided with 80 hours of administrative leave time for the employee's use. An eligible employee in a regular position who is part-time or job-sharing shall be eligible for a prorated number of administrative leave hours based on regularly scheduled hours. Employees newly entering the Exempt Group after the beginning of pay period 1 shall receive a prorated number of hours. Such proration shall be based upon the remaining number of pay periods in the calendar year nearest the employee's appointment. Employees not in paid status in pay period 1 shall receive, upon return to paid status, a prorated number of Administrative Leave hours based on the number of pay periods remaining in the calendar year.

Administrative leave may be cashed out at the employee's then current base rate of pay in increments of one hour, upon the approval of the appointing authority, during the calendar year. Any Administrative Leave accrual balances in effect at the end of the last pay period paid in the calendar year will automatically be paid at the employee's then current base rate of pay. Employees may designate that cash outs of Administrative Leave be contributed to the County's 401(k) Plan or 457(b) Deferred Compensation Plan.

Upon termination of employment, unused Administrative Leave will be paid at the current rate of pay.

The County-wide elected officials are not eligible to receive administrative leave.

(q) Contributions to Salary Savings Plan.

(1) Biweekly contributions of Exempt Group employees to the County's 401(k) Defined Contribution Plan will be matched by a County contribution on the basis of two times the employee's contribution. The biweekly contributions of Exempt Group employees in Benefit Groups A, B, and C of up to four percent of biweekly base salary will be matched by a County contribution of two times the employee's contribution, not to exceed eight percent of an employee's biweekly base salary. The biweekly contributions of Exempt Group employees in Benefit Group D to the County's 401(k) Defined Contribution Plan of up to three percent of biweekly base salary will be matched by a County contribution of two times the employee's contribution. The County contribution shall not exceed six percent of an employee's biweekly base salary.

(2) Biweekly contributions of Exempt Group employees in Benefit Groups A and B to the County's 457(b) Deferred Compensation Plan up to one percent of biweekly base salary will be matched by a County contribution on the basis of one times the employee's contribution. The County contribution shall not exceed one percent of the employee's biweekly base salary. The County contribution shall not exceed one and one-half percent of the employee's biweekly base salary. The County contribution shall be deposited in the County's 401(a) Defined Contribution Plan.

(3) Biweekly contributions of Exempt Group employees in Benefit Groups C and D to the County's 457(b) Deferred Compensation Plan up to one percent of biweekly base salary will be matched by a County contribution of one-half times the employee's contribution. The County contribution shall not exceed one-half percent of the employee's biweekly base salary. The County contribution shall be deposited in the County's 401(a) Defined Contribution Plan.

(r) Employment Interview Expenses and Moving Reimbursement.

(1) Interview Expense Reimbursement. For employees in Benefit Group C and above, the appointing authority may approve reimbursement of interview expenses incurred by external candidates upon proof/receipts provided. Such reimbursement is restricted to airfare, auto mileage, meals, overnight stay, and airport transit. Employees must submit a request for reimbursement for employment interview expenses within 90 days of hire date to be eligible for the reimbursement. Requests submitted for reimbursement after 90 days from hire date will be denied, unless waived by the appointing authority.

(2) Moving Expense Reimbursement.

(A) The Chief Executive Officer may approve moving expenses up to but not exceeding $10,000.00 for any employee new to County employment for whom the Chief Executive Officer or the Board of Supervisors is the appointing authority or any department head. The Chairperson of the Board of Supervisors may approve such moving expenses for the Chief Executive Officer. Reimbursement of moving expenses in excess of $10,000.00 must be approved by the Board of Supervisors.

(B) The appointing authority may approve moving expenses up to but not exceeding $5,000.00 for employees new to County employment in Benefit Group B or Benefit Group C, not covered by Subsection 13.0613(r)(2)(A), for moving expenses authorized, incurred and documented as a result of accepting the position.

(C) For employees in Benefit Group D the following provision applies. To assist with the recruitment and appointment of qualified individuals to hard-to-recruit positions/classifications, upon request of the appointing authority, the Director of Human Resources may authorize reimbursement of a new employee's relocation-related expenses incurred as a result of accepting employment with the County, as follows:

Miles Relocated	Maximum Reimbursement
250*—1,000 miles	$1,000.00
1,001—2,000 miles	$2,000.00
More than 2,000 miles	$2,500.00

*The 250-mile distance shall only apply if the relocation is from outside San Bernardino County.

(D) Reimbursement may be provided to employees covered in Subsections 13.0613(r)(2)(B) and 13.0613(r)(2)(C) upon initial employment with the County, provided that the employee: (1) is appointed to a regular position; (2) submits original receipts documenting expenses incurred; and (3) agrees to remain employed in the regular position for at least 12 months. Such employees must submit a request for reimbursement for moving expenses within 90 days of hire date to be eligible for the reimbursement. Requests submitted for reimbursement after 90 days from hire date will be denied, unless waived by the appointing authority.

If the employee voluntarily resigns employment prior to completion of 12 months' service, the employee shall be required to reimburse the County for any payment made under this subdivision.

(s) Peace Officer Standards and Training Pay.

(1) General. Peace Officer Standards and Training (POST) certificates are awarded to peace offers who achieve increasingly high levels of education, training, and experience in his or her pursuit of professional excellence. POST base rate of pay adjustments will be uniformly maintained for all County employees.

(2) Qualification. An Exempt Group law enforcement employee, in the Sheriff’s Department or District Attorney’s Office who obtains an Advanced Certificate shall have his or her base rate of pay increased in accordance with the table and procedures set forth below. An Exempt Group law enforcement employee, in the Sheriff’s Department or District Attorney’s Office who obtains a Supervisory Certificate, or a higher POST certificate, or a master’s degree earned through attendance at an accredited university or college, shall have his or her base rate of pay increased in accordance with the table and procedures set forth below. If an employee obtains a Supervisory Certificate and has his or her base rate of pay increased as set forth below, and thereafter obtains a higher POST certificate or a master’s degree, the employee will receive no further

increase in his or her base rate of pay.

(3) Rates.

(A) The rates for POST pay are as follows:

Classification	POST Pay - Flat Amount	
	Advanced POST (hourly)	Supervisory POST (hourly)
Deputy Director, Sheriff's Coroner	$2.74	$4.16
District Attorney Assistant Chief Investigator and Sheriff's Captain	$3.16	$4.79
Sheriff's Deputy Chief	$3.74	$5.66
District Attorney Chief Investigator	$3.39	$5.14
Assistant Sheriff	$4.12	$6.23
Undersheriff	$4.53	$6.85

(B) Effective January 21, 2017, the County added the flat dollar amounts in the table above to the then existing base rate of pay to establish a higher base rate of pay for the employees described in this section who obtained an Advanced Certificate and/or a Supervisory Certificate, or a higher POST certificate, or a master's degree. Once the new higher base rate of pay was established, the County established a new POST Pay of two percent. Effective January 16, 2021, the County shall establish a new POST Pay of three percent. The initial granting of this POST increase to three percent is subject to the discretion of the Chief Executive Officer based on the availability of financial resources. Effective January 29, 2022, the County shall establish a new POST Pay of four percent. Effective January 28, 2023, the County shall establish a new POST Pay of five percent. Effective January 27, 2024, the County shall establish a new POST Pay of six percent. Effective January 25, 2025, the County shall establish a new POST Pay of seven percent.

(C) Effective July 18, 2020, the County shall establish a new POST base pay for employees who obtain a Management POST Certificate. This POST base pay shall be approximately $1.79 per hour above POST base pay effective July 18, 2020, for a Supervisory Certificate or a master's degree. ~~The initial establishment of this new POST base pay for a Management POST certificate is subject to the discretion of~~

~~the Chief Executive Officer based on the availability of financial resources.~~

(D) Effective November 29, 2025, the County shall establish a new POST base pay for employees who obtain an Executive POST Certificate. This POST base pay shall be approximately $1.79 per hour above POST base pay for a Management POST Certificate.

(4) Procedure. The employee shall submit a written request for POST pay to the department with an attached copy of the appropriate POST certificate or official transcript from the accredit university or college. This POST pay shall start the first full pay period following receipt by the County of a valid POST certificate or official transcript. The County shall submit to POST in an expeditious manner, applications by affected employees for the certificates described above.

(t) Dependent Care Assistance Plan. The purpose of this Section 125 Dependent Care Assistance Plan (DCAP) is to permit eligible employees to make an election to pay for certain dependent care expenses with salary reduction from compensation contributed to the plan before federal income or social security taxes are paid to the IRS (“Salary Reduction”) in accordance with Internal Revenue Code sections 125 and 129 and regulations issued pursuant thereto. The DCAP shall be construed to comply with said code sections and to meet the requirements of any other applicable provisions of law. The DCAP will be administered by Human Resources in accordance with the DCAP plan document and applicable law.

(1) To be eligible for this benefit, an employee must be in a regular position.

(2) Enrollment in the plan is required every plan year and is limited to the annual open enrollment period or no later than 60 days following the date of becoming eligible due to a mid-year change in status event. Failure to submit a participation agreement within the time frame shall result in an election to not participate in the plan.

(3) An employee must elect to contribute to the DCAP through salary reduction on forms approved by Human Resources. An employee election to participate

shall be irrevocable for the remainder of the plan year. Once a salary reduction has begun, in no event will changes in elections be permitted during the plan year except to the extent permitted under IRS rulings and regulations and with the plan document.

(4) Pursuant to Internal Revenue Code section 125, any amounts remaining in the employee's account at the end of a plan year must be forfeited except as permitted by the Internal Revenue Code and the plan document.

(u) Vacant Higher Position. Employees directed to continuously perform duties in a vacant higher level regular position for which funds have been appropriated, shall be entitled to a salary rate increase to the higher level for the time actually worked in excess of 160 hours, unless specifically waived by the employee; provided, however:

(1) The appointing authority certifies to the Director of Human Resources, in writing at the time of appointment, that the employee meets minimum qualifications and is assigned and held responsible to fully perform all of the duties normally associated with the higher level position without limitation as to difficulty or complexity of assignments or consequence of action and that the employee shall be required to meet standards for satisfactory performance normally required at the higher level position; and

(2) A written request for salary rate increase to the higher level is directed to the Director of Human Resources for approval; such increase to the higher level shall be determined as if the assignment had been a promotion.

It shall be the responsibility of the appointing authority to initiate such requests and to provide a copy of such request to the employee. Written requests may also be made by the employee through the appointing authority in the same manner. Requests for a salary rate increase should be initiated during the first 30 calendar days of such assignment. Requests for retroactive payment of a salary increase must be filed as soon as possible, but not later than one calendar year after assignment of the higher level duties and must be approved by the Director of Human Resources. Failure to meet this time limitation shall waiver any and all rights to retroactive pay.

The duration of such assignments to vacant higher positions are not intended to exceed one calendar year except in unusual circumstances approved by both the appointing authority and the Director of Human Resources or designee. Such assignments in all circumstances are temporary assignments and at the conclusion of such assignments the respective employee shall be returned to his or her previous classification. Appointments to regular positions of trainees or underfills are exempt from the provisions of this section. Further, this section does not apply to a situation in which there is no vacant higher-level position for which funds have been appropriated. Addition of duties of a higher-level classification to any employee's regular position shall be governed by the Special Assignment Compensation section or the Personnel Rules on Classification, as appropriate. For purposes of this section, a vacant position is defined as an authorized regular position for which funds have been appropriated and which may be: (1) An unoccupied position due to attrition and for which the appointment process has been initiated; (2) A position from which the incumbent is on extended leave of absence; or (3) A new position authorized by the Board of Supervisors for which the appointment process has been initiated.

(v) Personnel Rules. Notwithstanding any other provision in the County Code or the Personnel Rules, those serving in classified service positions have appeal rights under the Personnel Rules, except as otherwise provided herein. Any such appeals shall be heard by a hearing officer selected from the Civil Service Commission Hearing Officer list and appointed by the Civil Service Commission or, upon mutual agreement of the appellant and the County, shall be heard by the Civil Service Commission. If the appeal is heard by a hearing officer, the Civil Service Commission shall either accept or reject the hearing officer's findings and recommendations within 30 days of receipt by the Commission.

The only grounds for rejection of the hearing officer's decision must be for one of the following and the rejection must include specific detail in writing:

(1) The recommendation was procured by corruption, fraud, or other

undue means;

(2) There was corruption on the part of the hearing officer;

(3) The rights of a party were substantially prejudiced by the misconduct of the neutral hearing officer;

(4) The hearing officer exceeded his or her powers;

(5) The rights of a party were substantially prejudiced by the refusal of the hearing officer to postpone the hearing upon sufficient cause being shown therefore, or by the refusal of the hearing officer to properly include or exclude evidence material to the controversy.

Should such be the case, the Commission must state in writing specific reason(s) for the decision (1, 2, 3, 4, or 5) and subsequently conduct and complete a full and fair evidentiary hearing on the appeal within 30 days of rejecting the hearing officer's findings and recommendations unless the hearing cannot for good cause be completed within 30 days.

Those serving in unclassified positions do not have civil service appeal rights as they serve at the pleasure of the appointing authority. Positions in the Exempt Group shall not have rights to the classification appeal procedures under the Personnel Rules.

(w) Reemployment.

(1) A regular employee who has separated County employment, and who is subsequently rehired in the same classification in a regular position within one year (i.e., beginning the first day of work by the 365th calendar day), may receive restoration of salary step, vacation accrual rate, and sick leave balance, unless the employee has received payment for unused sick leave in accordance with the Retirement Medical Trust Subdivision, subject to the approval and conditions established by the appointing authority and the Director of Human Resources. Such employees begin accruing vacation and sick leave and may utilize the same immediately. Restoration of retirement contribution rate shall be in accordance with applicable State law and in

compliance with any requirements established by SBCERA. The employee shall be required to serve a new probationary period, unless waived by the Director of Human Resources. The employee shall be provided a new date of hire for purposes of County seniority.

(2) A regular employee who has separated County employment and who is subsequently rehired to a regular position in the same job family within one year, (i.e., beginning the first day of work by the 365th calendar day), may receive restoration of vacation accrual rate, sick leave, and retirement contribution rate in the same manner as described above. Such employees begin immediately accruing vacation and sick leave and may utilize the same immediately. The employee shall be required to serve a new probationary period, unless waived by the Director of Human Resources. The employee shall be provided a new date of hire for purposes of County seniority.

(3) A regular employee who has separated County employment, and who is subsequently rehired to a regular position in another job family within a 90 calendar day period, must begin the first day of work within 90 calendar days and beginning the first day of work by the ninety-first day, may receive restoration of salary step (in the instance of rehire in a classification at the same pay range as the position originally held), vacation accrual rate, sick leave and retirement contribution rate in the same manner as described above. The employee shall be required to serve a new probationary period, unless waived by the Director of Human Resources. The employee shall be provided a new date of hire for purposes of County seniority.

(4) Reemployment from Layoff. A regular employee who has been laid off from County employment and is subsequently rehired to a regular position shall be reemployed in the same manner as described in the reemployment subdivision. Restoration of retirement contribution rate shall be in accordance with applicable state law and in compliance with any requirements established by SBCERA.

(5) For purposes of this subdivision, a regular employee shall mean an employee in a regular position who held regular status in any classification during the

previous period of County employment.

(x) Recruitment and Referral Bonus Programs.

(1) General. The County shall make available to appointing authorities' recruitment and referral incentive (bonus) programs to assist in the recruitment and appointment of qualified individuals into hard-to-recruit regular positions in the Exempt Group, in accordance with the guidelines established herein.

(2) Program Applicability. Appointing authorities may request authorization to apply the recruitment and/or referral incentive program(s) to assist in filling regular positions in their departments. To apply, said position/classification must have had historical/demonstrable recruitment difficulty. The Director of Human Resources shall have the sole authority to determine the applicability and duration of these program(s) to each requested position/classification and shall certify applicability of the program(s) for each position, by assignment, department, and beginning and ending dates. Such determinations shall not be subject to any review or appeal.

(3) Recruitment Bonus. An employee hired into a regular position/classification certified for participation in this program shall be eligible to receive recruitment bonuses in accordance with the following:

(A) Bonus Amount and Method of Payment.

(I) The eligible employee hired into a position/ classification that is a department head or for whom the Chief Executive Officer or Board of Supervisors is the appointing authority shall receive $2,500.00 upon hire and an additional $2,500.00 upon completion of 2,080 service hours in the position/classification for which the original bonus was granted.

(II) The eligible employee hired into a position/ classification in Benefit Group B or Benefit Group C, not covered by Subsection 13.0613(x)(3)(A)(I), shall receive $1,500.00 upon hire and an additional $1,500.00 upon completion of 2,080 service hours in the position/classification for which the original bonus was granted.

(III) The eligible employee hired into a position/ classification in Benefit Group D shall receive no less than $500.00 and no more than $1,000.00 upon hire and an additional $1,000 upon completion of 2,080 service hours in the position/classification for which the original bonus was granted.

(IV) Each bonus payment shall be considered taxable income and subject to withholding.

(B) Limitations and Exclusions.

(I) No bonus will be paid for any candidate whose name was placed on the eligible list for positions in the classification prior to the beginning date certified by the Director of Human Resources for that classification to be eligible for participation in the referral bonus program. Similarly, no bonus will be paid for any candidate whose name was placed on the eligible list for positions in the classification after the ending date certified by the Director of Human Resources for that classification to be eligible for participation in the referral bonus program.

(II) The bonus payment shall not be considered in determining regular rate of pay for purposes of computing overtime compensation.

(III) The appointing authority shall have sole responsibility and authority to determine eligibility for the second installment of the recruitment bonus. Such determination shall not be subject to review or appeal.

(4) Referral Bonus. Any employee in a regular position who refers a qualified candidate for a position/classification certified for participation in this program who is subsequently hired into the regular position may receive a referral bonus in accordance with the following:

(A) Method of Referral. To be eligible for the recruitment bonus, the County application for employment must contain the name of the referring employee on the application.

(B) Bonus Amount and Method of Payment. The referring employee shall receive a bonus of $250.00 for each referred candidate actually hired into an eligible regular position. An additional $500.00 shall be paid upon that new employee's completion of 2,080 service hours. Said bonus shall be considered taxable income and subject to withholding.

(C) Limitations and Exclusions.

(I) No bonus will be paid for any candidate whose name was placed on the eligible list for positions in the classification prior to the beginning date certified by the Director of Human Resources for that classification to be eligible for participation in the referral bonus program. Similarly, no bonus will be paid for any candidate whose name was placed on the eligible list for positions in the classification after the ending date certified by the Director of Human Resources for that classification to be eligible for participation in the referral bonus program.

(II) Individuals assigned to employee recruitment as a primary function of their position shall not be eligible to receive this bonus.

(III) In cases where more than one employee is named as a "referring party," the referral bonus shall be equally split between the referring employees.

(IV) In cases where the referred employee resigns, transfers out of the eligible position, or is terminated prior to completion of 2,080 service hours, the additional $500.00 shall not be paid.

(V) The referral bonus payment shall not be considered in determining regular rate of pay for purposes of computing overtime compensation.

(VI) The appointing authority shall have sole responsibility and authority to determine eligibility for the second installment of the referral bonus. Such determination shall not be subject to review or appeal.

(y) County Counsel Legal Service Classification.

(1) Application. This section shall apply to all Deputy County Counsel classifications.

(2) Service. The term "service" means service which the appointing

authority finds to be good or superior in work performance and conduct.

(3) Hiring. With the approval of the County Counsel, experienced attorneys may be hired in a classification and at a variable entrance rate commensurate with demonstrated experience, ability, and the needs of the County. Attorneys without experience may be hired as a Deputy County Counsel I at the appropriate entrance step of the applicable salary range.

(4) Deputy County Counsel I. After a period of 1,040 hours of service and a satisfactory rating in a Deputy County Counsel I classification, the Deputy County Counsel I shall be promoted to a Deputy County Counsel II classification. The Deputy County Counsel I shall be terminated if it is found that such promotion is not merited.

(5) Deputy County Counsel II. After a period of 1,040 hours of service and a satisfactory rating in the Deputy County Counsel II classification, an attorney shall be advanced one step increment. After an additional period of 1,040 hours of service and a satisfactory rating, the Deputy County Counsel II shall be promoted to a Deputy County Counsel III classification, or the Deputy County Counsel II shall be terminated if it is found that such promotion is not merited. An attorney hired as a Deputy County Counsel II at some step other than step 1 because of experience, ability, or needs of the County may, after 1,040 hours of service and a satisfactory rating, be promoted to a Deputy County Counsel III classification upon the recommendation of the appointing authority.

(6) Deputy County Counsel III. After a period of 1,040 hours of service and a satisfactory rating in the Deputy County Counsel III classification, an attorney shall be advanced one step increment. After an additional period of 1,040 hours of service and a satisfactory rating, the Deputy County Counsel III shall be promoted to a Deputy County Counsel IV classification or the Deputy County Counsel III shall be terminated if it is found that such promotion is not merited. An attorney hired as a Deputy County Counsel III at some step other than step 1 because of experience, ability, or needs of the County may, after 1,040 hours of service and a satisfactory rating, be promoted to a Deputy County Counsel IV classification upon the recommendation of the appointing authority.

(7) Deputy County Counsel IV. After a period of 1,040 hours of service and a satisfactory rating in the Deputy County Counsel IV classification, an attorney shall be advanced one step increment. Step advancements shall be in one step increments after completion of each additional period of 1,040 hours of service and satisfactory ratings until the top step for the classification is reached.

(8) Attorneys shall only attain regular status at the Deputy County Counsel IV level. An attorney hired as a new employee in the Deputy County Counsel III or Deputy County Counsel IV classification shall serve a combined probationary and training period of 2,080 hours of service. Those promoted to Deputy County Counsel IV from Deputy County Counsel III shall acquire regular status in the higher classification.

(9) Deputy County Counsel V. A Deputy County Counsel IV at the top step of the Deputy County Counsel IV level may be promoted to a Deputy County Counsel V. Eligibility for promotion to Deputy County Counsel V shall be pursuant to criteria approved by the appointing authority. Employees promoted to Deputy County Counsel V shall not obtain regular status as a Deputy County Counsel V as such employee shall serve in a probationary status for the duration of the appointment as a Deputy County Counsel V and may be removed from a Deputy County Counsel V classification by the appointing authority at any time without any right to review or appeal. Additionally, there shall be an annual review by the appointing authority of the performance of each Deputy County Counsel V, and it shall be discretionary with the appointing authority whether to continue each employee's Deputy County Counsel V status. An employee who is removed as a Deputy County Counsel V shall be returned to Deputy County Counsel IV status.

(10) Exceptional Service Compensation. An additional two range increase or an additional four range increase in salary may be paid to attorneys in the classifications of Deputy County Counsel I - V for outstanding ability or work. The range increase shall be effective for a period not to exceed 2,080 hours if such increase is: (1) jointly recommended by the appointing authority and the Chief Executive Officer or his/her

designee. Exceptional Service Compensation ~~Such additional compensation~~ may be renewed for subsequent periods of 2080 hours ~~each year~~ ~~and shall be designated Exceptional Service Compensation~~, and is subject to termination at any time without the right to review or appeal. ~~Employees in the classification of Deputy County Counsel V shall not be eligible for compensation under this subdivision~~.

(11) Removal from Operation of Section. Upon request of the appointing authority and the approval of the Civil Service Commission, an attorney may be removed from the operation of this section.

(z) Bilingual Compensation. Upon the approval of the Director of Human Resources or designee, employees in the classifications listed below~~Executive Assistant category of the Exempt Group~~ required by the appointing authority or designee to perform bilingual translation involving the use of English and a second language (including American Sign Language) as a condition of employment, shall be eligible for bilingual compensation in the amount of $45.00 per pay period. Such compensation shall apply regardless of the total time required per day for such translation. Such employees must be certified as competent in translation skills by Human Resources to be eligible for compensation. The following classifications are eligible for Bilingual Compensation:

- Human Resources Assistant
- Human Resources Specialist
- Human Resources Technician
- Executive Administrative Assistant I
- Executive Administrative Assistant II
- Secretary, Civil Service Commission

(aa) (Repealed by Ord. 4270, passed - -2015).

(bb) (Repealed by Ord. 4270, passed - -2015).

(cc) Portable Communication Device Allowance. All County employees in Benefit Groups A and B in a paid status, shall receive a biweekly portable communication device allowance in the amount of $92.31. An employee who becomes eligible or ineligible for this benefit in the middle of the pay period will receive a prorated amount.

The employee shall purchase a portable communication device capable of sending and receiving cellular telephone calls, and capable of sending and receiving e-mails to and from the County e-mail system. The County shall pay for any license and set up expense for the device if any, and the employee shall pay for the equipment and monthly voice and data plans.

(dd) Probationary Period. Unless a longer probationary period is otherwise provided, all classified employees in the Exempt Group shall serve a probationary period of one year or 2,080 hours.

(ee) (Repealed by Ord. 4306, passed - -2016).

(ff) Perfect Attendance. Employees in regular, full-time positions ~~in Benefit Groups C and D~~ who do not utilize any sick leave or Paid Time Off (PTO) for sick leave purposes, any leave (e.g., vacation) in lieu of sick leave, or benefits in lieu of sick leave (e.g., workers' compensation, short-term disability partial/full integration, etc.), in a payroll calendar year (i.e., pay period one through pay period 26 or 27, when applicable, of the same year), and who do not record any sick leave without pay or absent without pay, medical emergency leave, or military leave as provided by law during that year, shall accrue 16 hours of perfect attendance leave, for use in the next calendar year. Failure to utilize perfect attendance leave within the calendar year shall result in forfeiture of the same. Perfect attendance leave may not be cashed out.

(gg) Healthy Lifestyles Program. The healthy lifestyle program is available to employees in the Exempt Group. Under this program, Exempt Group employees are eligible for reimbursement for health club or ~~/~~fitness memberships up to $324.00 on an annual basis. ~~Exempt Group employees are also eligible for an annual physical examination through the Arrowhead Regional Medical Center.~~

(hh) Voluntary Time Off. The Voluntary Time Off (VTO) Program is intended to provide Exempt Group employees a means of taking unpaid (i.e., non-compensated) time off work, without losing the following benefits: medical premium subsidy, dental premium subsidy, opt-out/waive amount, vision care, retirement medical trust employer contribution, and life insurance which depend on the employee being in a paid status. The following conditions apply:

(1) VTO may be taken in the same manner as vacation time except that VTO must be used in one-hour increments and is limited to 80 hours per calendar year.

(2) When VTO is taken, leave accruals continue as if the employee was on paid time. VTO time counts as time worked toward satisfying the minimum hour requirement to receive benefits, such as medical premium subsidy, dental premium subsidy, opt-out/waive amount, County-paid life insurance, and County-paid vision care.

(3) VTO does not count as hours worked for purposes of computing overtime, if applicable. County contribution to the retirement system under the retirement system contributions subsection will only be paid if the employee is in a paid status in any pay period in which VTO is used and the employee receives enough earnings to pay his or her retirement contribution in that pay period.

Pursuant to applicable law, Tier 1 retirement system members are eligible for full service credit for the pay period in which VTO is used and the employer contribution would be based on the employees' normal compensation earnable.

Pursuant to applicable law, Tier 2 retirement system members are eligible for a reduced service credit amount for the pay period in which VTO was used and the employer contribution would be based on the employees' actual earnings for that pay period.

(4) VTO may not be used for situations that would otherwise require leave without pay, such as an employee on short-term disability, or in conjunction with leave without pay.

(5) VTO is an entirely voluntary program. No employee may be required to take VTO.

(6) VTO may be taken by request of the employee and upon approval of the appointing authority.

(ii) Retirement Incentive. Eligible employees in identified classifications that meet the requirements for a service retirement from the San Bernardino County Employees' Retirement Association (SBCERA) and who retired on or before June 30, 2009, are eligible to receive a retirement incentive in the amount of $250.00 for each completed quarter of a year of current continuous service in a regular position with the County, payable in five annual payments after retirement. Such annual payments shall be made in July of each year. The Chief Executive Officer may exclude from eligibility classifications or positions assigned to organizational units that must remain filled.

Unless waived by the Chief Executive Officer, vacant positions created by those employees receiving the retirement incentive shall not be filled for a period of five years. Alternatively, departments may fill vacated positions if other positions with an equivalent cost savings remain vacant for a period of five years.

Payments to an eligible employee under this program who returns to work for the County in any capacity after retiring shall be temporarily suspended until the employee again separates from employment with the County.

(jj) (Repealed by Ord. 4306, passed - -2016).

(kk) Retention Pay (formerly Longevity Pay). Exempt Group employees, except those persons who qualify for Probation Retention pay under Subsection 13.0613(oo), shall be eligible for retention pay above the base rate of pay, as indicated below, based on total hours of completed continuous service with the County. Retention pay shall be paid on all paid hours up to an employee’s standard hours and shall not be considered when determining the appropriate rate of pay for a promotion or demotion.

Total Completed Service	Compensation
20,800 continuous service hours (10 years)	1.0%
31,200 continuous service hours (15 years)	3.0%

For purposes of retention pay only, a year of completed County service is defined as 2,080 service hours with the County.

(ll) Certified Public Accountant Stipend. The County shall establish a $750.00

annual Certified Public Accountant (CPA) Stipend for employees in the following classifications who attain and maintain a valid CPA license:

- Administrative Analyst I
- Administrative Analyst II
- Administrative Analyst III
- ARMC Chief Financial Officer
- Assistant Auditor-Controller/Treasurer/Tax Collector
- Assistant Executive Officer
- Auditor-Controller/Treasurer/Tax Collector Division Chief
- Auditor-Controller/Treasurer/Tax Collector Manager
- Chief Administrative Analyst
- Chief Deputy Treasurer
- County Chief Financial Officer
- Deputy Executive Officer
- HS Auditing Chief
- Principal Administrative Analyst
- Public Health Chief Financial Officer
- Public Works Chief Financial Officer
- Sheriff's Financial Manager

The annual CPA stipend shall be paid in a lump sum to eligible employees in regular positions who are licensed CPAs and are in paid status in the pay period that includes July 1 of each year. An eligible employee in a regular position who is part-time or job-sharing shall be eligible for a prorated lump-sum payment based on regularly scheduled hours. An employee who is licensed as a CPA after July 1, or who is appointed after July 1, shall receive a prorated CPA stipend payment at the time of licensure or appointment, as applicable. Such proration shall be based upon the remaining number of pay periods in the fiscal year nearest his or her appointment.

Eligible employees who are not in paid status (i.e., not coding paid hours) in the pay period that includes July 1 shall receive a prorated CPA stipend payment upon return to paid status. Such proration shall be based upon the remaining number of pay periods in the fiscal year nearest their return to paid status. However, an employee who is not in paid status during the entire fiscal year (i.e., not in paid status from pay period 15 of one year through pay period 14 of the following year) shall not receive the annual CPA stipend for the fiscal year(s) during which he or she was not in paid status at all. For example, if an employee is not in paid status from June 2016 through September 2017, and then returns to paid status in October 2017, the employee shall receive a prorated CPA stipend payment for FY 2017/2018 upon their return to paid status but shall not receive the FY 2016/2017 stipend because the employee was not in paid status for the entire 2016/2017 fiscal year. Any employee separating from County employment at the conclusion of a leave of absence shall not receive the CPA stipend.

(mm) Auditing Pay Differential. Employees in the classifications designated below who are required by the appointing authority to directly oversee the auditing functions shall receive a differential of two percent above the employee's base rate of pay for all hours actually worked, up to 80 hours per pay period:

- HS Auditing Chief
- Auditor-Controller/Treasurer/Tax Collector Manager
- Auditor-Controller/Treasurer/Tax Collector Division Chief

Audits must have resulted in the preparation of reports indicating the audits were conducted in accordance with the AICPA, IIA, IFAC, GAGAS, SSAE or PCAOB or other comparable national or international organization or state or federal regulation standards and/or regulations. Eligibility for this differential is at the discretion of the appointing authority.

(nn) Behavioral Health Medical Director Differential. The Behavioral Health Medical Director and the Assistant Director of Medical Services shall receive a five percent differential above the employee's base rate of pay provided such employee is certified as a Diplomate by the American Board of Psychiatry and Neurology. The differential shall be paid for all hours actually worked up to 80 hours per pay period.

(oo) Probation Retention Pay. The Chief Probation Officer, Assistant Chief Probation Officer and Deputy Chief Probation Officers who fall within the definition of "safety member" under Government Code section 31469.4 and have completed 15 or more years of continuous completed service hours in a regular position shall receive Probation Retention pay above their base rate of pay, as indicated below, based on the total hours of continuous completed service in a regular position with the County. Probation Retention pay shall be paid on all paid hours up to an employee's standard hours and shall be excluded when determining the appropriate rate of pay for promotion or demotion. Employees who qualify for Probation Retention pay shall begin to receive the pay following completion of the required service hours.

Completed Continuous Service Hours	Compensation
31,200 continuous service hours (15 years)	2.0%
41,600 continuous service hours (20 years)	An additional 2.0% for a total of 4.0%
52,000 continuous service hours (25 years)	An additional 4.0% for a total of 8.0%

For purposes of Probation Retention pay, a year of completed continuous service hours is defined as 2,080 service hours with the County.

(pp) Captains who are released from active duty but are required by the Sheriff's Department or District Attorney to provide notice where they can be reached and to be able to return to active duty when required by the department shall be assigned to administrative duty. While on administrative duty, an employee shall be free to use the time for his or her own purposes.

Administrative duty requires that employees so assigned shall: (1) leave a telephone number where they can be reached or wear a communicating device; and (2) be able to return to active duty within an hour.

Assignment of administrative duty and approval of compensation shall be made by the appointing authority based upon the needs of the department. Administrative duty shall be compensated at the rate of three hundred ninety dollars ($390.00) per pay period. Captains assigned administrative duty shall receive the pay if the employee works a minimum of twenty-four (24) hours during the pay period that the employee is assigned to administrative duty. Said compensation is exclusive of any other compensation and shall not count as hours worked.

(qq) The County agrees to provide an annual uniform and clothing allowance in the sum of nine hundred dollars ($900.00) to the classifications of Sheriff's Captain, Sheriff's Deputy Chief, Assistant Sheriff, and Undersheriff in regular positions on payroll in a paid status as of pay period 24 to compensate for costs associated with uniform and clothing purchase, maintenance, cleaning and replacement.

Employees on a leave of absence without pay in pay period 24 shall receive the uniform allowance upon return to paid status, provided, however, that an employee who is not in paid status during the entire year (i.e., not in paid status from pay period 24 of one year through pay period 23 of the following year) shall not receive the annual Uniform Allowance for the year(s) during which he/she was not in paid status. For example, if an employee is not in paid status from October 2018 through January 2020, and then returns to paid status in February 2020, the employee shall receive the allowance payment for 2019 upon return to paid status but shall not receive the 2018 allowance because the employee was not in paid status from pay period 24/2018 through pay period 23/2019. Any employee separating from County employment at the conclusion of a leave of absence shall not receive the uniform allowance.

(rr) Direct Deposit (Electronic Funds Transfer). All employees must make and maintain arrangements for the direct deposit of paychecks and reimbursements into the financial institution of their choice via electronic fund transfer. Employees who have not made such arrangements by the end of the 4th pay period after their date of hire shall be subject to disciplinary action. In cases where an employee is unable to make arrangements for electronic fund transfer, the Director of Human Resources may allow an exception to this subsection. Any exceptions granted may be reviewed periodically for continuation, subject to the approval of the Director of Human Resources.

Employees who fail to make arrangements for direct deposit shall receive paychecks and reimbursements via pay card.

(ss) Modified Benefit Option (MBO).

(1) General Provisions.

(A) All full-time employees in regular Exempt Group positions shall be provided an opportunity to convert from a regular position with traditional benefits (i.e., traditional benefit option) to a regular position with modified benefits and a wage differential.

(B) Employees may choose to enroll in the MBO at hire or during the annual open enrollment period and may choose to change to the traditional benefit option during subsequent open enrollment periods.

(C) Employees who select the Modified Benefit Option must commit to work a minimum of 1,560 hours per calendar year.

(D) In order to receive the benefits and wage differential of the MBO, the employee must specifically choose the Option.

(2) Modified Benefit Option Wage Differential.

(A) Employees who select the MBO shall receive a wage differential of 4% above the base rate of pay. The wage differential shall be paid on all paid hours (e.g., REG, PTO, etc.).

(B) The wage differential shall be considered as part of the base hourly rate when calculating the following: County contribution to the employee's Retirement Medical Trust (RMT) account, County match to employee's contribution to 457(b) Deferred Compensation Plan, County match to employee's contribution to County's 401(k) Defined Contribution Plan, differentials paid on a percentage basis (e.g., Retention Pay, POST), sick leave conversion cash-out pursuant to Subsections 13.0613(g)(1)(I) and 13.0613(k)(4), and other leave cash-outs if any. Provided below is an example of how the County's contribution to the RMT would be calculated:

Example: Employee with 17 years of continuous County service and an 80-hour per pay period schedule selects the MBO. The employee's base hourly rate is $70 per hour. This employee is eligible for a County contribution to the RMT equal to 3.75% of the employee's base bi-weekly salary. The County contribution to the RMT is calculated as follows:

80 hours X ($70.00 per hour X 1.04 MBO Wage Differential) = $5,824 base bi-weekly salary for purposes of County contribution to the RMT

$5,824 X 3.75% Contribution Rate = $218.40

The County will contribute $218.40 to the RMT on behalf of the employee that pay period.

(3) Benefits and Leaves. Except as provided in this Subsection, employees who select the MBO shall receive the same benefits and leaves that employees who select the traditional benefit option receive.

(A) Medical Coverage. Employees who select the MBO shall have the same medical plan options as employees who select the traditional benefit option (e.g., Blue Shield HMO, Kaiser HMO, Blue Shield Access + HMO, Kaiser Choice HMO, and Blue Shield PPO).

(B) Medical Premium Subsidy (MPS).

(I) Employees who select the MBO shall receive MPS in the following amounts per pay period:

Effective July 15, 2023, the MPS amounts for employees who select the MBO shall increase to the following amounts per pay period:

Coverage Type	MPS
Employee Only	$215.60
Employee + 1	$392.21
Employee + 2	$550.37

Effective February 10, 2024 through July 11, 2026, the MPS amounts for employees enrolled in the MBO will be based on a percent of the MPS amounts for the Traditional Benefit Option (i.e., 71% Employee Only; 82% Employee + 1; 82% Employee + 2).

(C) Dental Premium Subsidy (DPS). Employees who select the MBO and are enrolled in both County-sponsored medical and dental coverage whose premium costs for medical and dental exceeds the MPS shall be eligible to receive DPS up to $9.46 per pay period, but not to exceed the combined total of the employee's out-of-pocket premium expenses.

(4) Paid Time Off (PTO).

(A) Definition. Employees who select the MBO shall be granted Paid Time Off (PTO) in lieu of any other Vacation or Sick accrual leave provisions. However, employees shall continue to be eligible to receive Administrative Leave as provided in Subsection 13.0613(p). Additionally, employees shall receive holiday pay in accordance with Subsection 13.0613(g)(3), except that employees shall not be eligible for the floating holiday.

(B) Accumulation. Employees who select the MBO shall accrue PTO each pay period as provided in the chart below and shall be eligible for prior service credit in accordance with Subsection 13.0613(g)(2)(D). Employees who have standard hours of less than eighty (80) hours per pay period shall accumulate PTO on a pro-rata basis; provided, however, that the maximum combined vacation and PTO accrual that may be carried over to future calendar years shall not be prorated. PTO shall be available for use on the first day following the pay period in which it is earned.

Service Hours	Annual PTO Allowance	Approximate Accrual Rate Per Pay Period	Maximum PTO Accrual That May Be Carried Over to a Future Calendar Year	Maximum Combined Vacation and PTO Accrual That May be Carried Over to a Future Calendar Year
0 through 8,320 service hours	120 hours	4.62 hours	272 hours	374 hours*
Over 8,320 through 18,720 service hours	160 hours	6.15 hours	362 hours	480 hours*
Over 18,720 service hours	200 hours	7.69 hours	452 hours	586 hours*

*The employee's maximum PTO accrual that may be carried over to a future calendar year may not exceed 272, 362, or 452, as applicable. Additionally, the maximum combined vacation and PTO accrual that may be carried over to a future calendar year for an employee who has a grandfathered maximum vacation accrual balance of more than 480 hours as allowed in Subsection 13.0613(g)(2)(B) shall be this employee's grandfathered maximum vacation accrual balance plus 106 PTO hours. For example, if employee's grandfathered maximum vacation accrual balance is 600 hours, the maximum combined vacation and PTO accrual that may be carried over to a future calendar year shall be 706 hours (600 vacation hours plus 106 PTO hours). As indicated in Subsection 13.0613(g)(2)(B), the grandfathered maximum vacation accrual balance shall be adjusted annually at the end of each calendar year and shall never be increased.

Any PTO accrual balance at the end of the calendar year in excess of employee's maximum PTO accrual that may be carried over to a future calendar year shall be automatically cashed out and paid in accordance with Subsection 13.0613(ss)(4)(E)(II). Additionally, any combined vacation/PTO accrual balance at the end of the calendar year in excess of the employee's allowed maximum combined vacation/PTO balance, in which vacation accruals do not exceed employee's allowed maximum vacation accrual balance, shall be cashed out in PTO hours paid in accordance with Subsection 13.0613(ss)(4)(E)(II). For example, if an employee with a maximum combined accrual balance of 586 has 480 vacation hours (i.e., employee's vacation maximum accrual balance) and 200 PTO hours for a combined accrual balance of 680 hours, 94 PTO hours shall be automatically cashed out in accordance with Subsection 13.0613(ss)(4)(E)(II).

(C) Administration.

(I) PTO for Vacation Leave Purposes. When PTO has been requested for vacation leave purposes, PTO shall be administered according to Subsection 13.0613(g)(2)(C).

(II) PTO for Sick Leave Purposes. When PTO has been requested for sick leave purposes, PTO shall be administered according to Subsection 13.0613(g)(1)(D).

(D) Separation. Employees separating from County employment shall have any unused PTO administered in the same manner that Vacation Leave is administered at separation according to Subsection 13.0613(g)(2)(C)(IV).

Exempt employees who are subsequently hired into a position in a bargaining unit that does not contain the MBO, shall carry over their existing PTO balance and begin accruing vacation, floating holiday, and sick leave immediately.

(E) PTO Cash-Out.

(I) Elective Conversion. An employee may sell back PTO at the base hourly rate of the employee as hereinafter provided, upon approval of the appointing authority. Eligible employees may exercise these options under procedures established by the Director of Human Resources. In lieu of cash, the employee may designate that part or all of the value of PTO be contributed to the County's 401(k) Defined Contribution Plan or 457(b) Deferred Compensation Plan. In order to sell back PTO prior to termination or retirement, an employee may exercise the following options:

Option 1. Future Accruals. An employee must make an irrevocable election during the month of December, specifying the number of PTO hours to be sold back from the next calendar year's PTO accrual. Such election must be made in increments of not less than ten hours and may not exceed 160 hours. All designated hours remaining in the last period of the calendar year will automatically be converted into cash in the last period of the calendar year.

Option 2. Existing Accruals. Existing PTO accruals may be cashed out in whole hour increments with a minimum cash out of ten hours and will be subject to a ten percent penalty.

(II) Automatic Conversion. At the end of the last pay period of the calendar year, an employee shall automatically have any PTO accruals in excess of the employee's maximum PTO accrual balance converted to cash. Such automatic PTO cash out shall be paid in pay period 1 of the next calendar year.

(F) Accrual Carryover Following Benefit Change.

(I) Traditional Benefit Option to Modified Benefit Option.

(i) Employees who convert from the traditional benefit option to the MBO shall carry over and may utilize their existing vacation, holiday, and sick leave balances; provided, however, that the employee shall no longer accrue vacation leave, sick leave, and a floating holiday after converting to the MBO. After converting to the MBO the employee shall be immediately eligible to accrue PTO.

Any vacation leave accrual balance carried over to the MBO that is in excess of the employee's allowed maximum vacation leave accrual balance at the end of the calendar year shall be cashed out and paid in accordance with Subsection 13.0613(g)(2)(E)(II). For example, an employee with a maximum vacation leave accrual balance of 480 hours begins MBO in pay period 16 and carries over 572 vacation hours. This employee then uses 20 vacation hours and has 552 vacation hours at the end of the last pay period of the calendar year. In this example, 72 vacation hours shall automatically cash out in pay period 1 of the next calendar year such that 480 vacation hours carries over to the next calendar year (552 hours – 72 hours = 480 hours).

(ii) Vacation Cash-Out. Employees who met the eligibility requirements for the vacation cash-out prior to selecting the MBO, and predesignated to cash-out vacation leave during the required pre-designation period while in the traditional benefit option, shall remain eligible to cash-out vacation leave. However, employees enrolled in the MBO shall not be eligible to pre-designate to cash-out vacation leave while enrolled in the MBO unless employee intends to convert to the traditional benefit option during next calendar year's open enrollment period and start accruing vacation that calendar year.

Additionally, employees who select the MBO will continue to have the option to cash-out existing vacation accruals according to Subsection 13.0613(g)(2)(E).

(II) Modified Benefit Option to Traditional Benefit Option.

(i) Employees who convert from the MBO to the traditional benefit option shall carry over and may utilize their existing PTO balance (if any) and begin accruing vacation, floating holiday, and sick leave immediately; however, the maximum combined PTO and vacation accrual that may be carried over to a future calendar year shall not exceed this employee's allowed maximum vacation accrual balance at the end of the calendar year as established in Subsection 13.0613(g)(2)(B). Any combined excess leave hours at the end of the calendar year shall be cashed out as PTO hours and paid in accordance with Subsection 13.0613(ss)(4)(E)(II). For example, an employee with a maximum vacation accrual balance of 480 hours begins the traditional benefit option in pay period 16 and carries over 150 PTO hours and 375 Vacation Leave hours and accrues an additional 68 vacation hours through pay period 26 (i.e., total combined leave at the end of calendar year equals 593 hours). In this example, 113 PTO hours shall automatically cash out in pay period 1 of the next calendar year such that 480 total combined vacation/PTO hours carries over to the next calendar year (593 hours – 113 hours = 480 hours). If employee has a grandfathered maximum vacation accrual balance, the grandfathered vacation accrual balance shall be the maximum combined vacation and PTO balance that may be carried over.

(ii) PTO Cash-Out. Employees who met the eligibility requirements for the PTO cash-out prior to converting from the MBO to the traditional benefit option and predesignated to cash-out PTO during the required pre-designation period while in the MBO, shall remain eligible to cash-out PTO. However, employees enrolled in the traditional benefit option shall not be eligible to pre-designate to cash-out PTO while enrolled in the traditional benefit option unless employee intends to convert to the MBO during next calendar year's open enrollment period and start accruing PTO that calendar year.

Additionally, employees who convert from the MBO to the traditional benefit option will continue to have the option to cash-out existing PTO according to Subsection 13.0613(ss)(4)(E)(I).

(tt) The Director of Human Resources may, in appropriate circumstances, provide an employee who is separating from County employment up to six months of the employee's annual salary and benefits in the form of administrative leave or a lump sum payment. The Director of Human Resources, in consultation with County Counsel, is authorized to approve the administrative leave or payment; provided, however, no administrative leave may be granted or salary paid if allegations of conduct involving misappropriation of public funds or property, misuse or destruction of public property, acts that would constitute a felony or misdemeanor, malfeasance in office or conviction of a crime involving moral turpitude are pending against the employee.

SECTION 2. Section 13.0614 of the San Bernardino County Code is amended, to read:

13.0614 Salaries and Working Conditions of the County-Wide Elected Officials.

(a) Compensation.

(1) Assessor/Recorder and Auditor-Controller/Treasurer/Tax Collector~~County-Wide Elected Officials~~. Section 308 of Article III of the County Charter governs~~establishes~~ the annual salaries of the Assessor/Recorder and Auditor-Controller/Treasurer/Tax Collector~~County-wide elected officials, as defined in section 13.0613(b), except that of the Superintendent of County Schools, and provides that salary is re-evaluated, and adjusted if necessary, every year~~.

(2) Sheriff/Coroner/Public Administrator and District Attorney. Section 309 of Article III of the County Charter governs the annual salaries of the Sheriff/Coroner/Public Administrator and District Attorney.

(b) Benefits—County-Wide Elected Officials.

(1) Notwithstanding any other provisions of the County Code, County-wide elected officials shall receive the same benefits provided to Exempt Group employees in Benefit Group B~~A~~, or as otherwise specified, in Subsections (f), (j), (k), (l),

(o), ~~(p),~~ (q), (s), (t), ~~(cc), and~~ (gg), and (kk) of Section 13.0613, and as otherwise specified by law or the County Code and as modified below.

(A) County-wide elected officials are not required to enroll in County-sponsored medical and dental coverage as described in Subsection 13.0613(f)(1). A County-wide elected official who does not participate in a County-sponsored medical plan will receive an amount of $161.54 per pay period.

(B) County-wide elected officials shall not receive the benefits described in Subsection 13.0613(f)(6) related to short term disability.

(C) County-wide elected officials shall not receive the benefits described in Subsection 13.0613(k)(1)(B)(III) related to eligibility for MPS and DPS while on leave.

(D) County-wide elected officials shall not receive the benefits described in Subsection~~s 13.0613(k)(4)(A) and~~ 13.0613(k)(4)(B) related to sick leave conversion to Retirement Medical Trust Fund (RMT). County-wide elected officials shall be eligible to participate in the RMT upon taking office. The County will contribute to the RMT as follows for County-wide elected officials:

Total Years of Service	Percentage of Base Salary*
0-9 years	2.00%
10-15 years	2.75%
16 or more years	3.75%
*For purposes of the RMT contribution, base salary is as defined in the RMT plan document.	

(E) The County-wide elected officials receive the benefits described in Subsection 13.0613(o)(1) related to automobiles with the following exceptions:

(I) The County-wide elected officials who have a Category I County vehicle assigned to them for use on County business will not be required to reimburse the County for occasional personal use. County-wide elected officials shall be taxed for any such personal use in accordance with state and federal tax law and regulation.

(II) County-wide elected officials who do not have a Category I County vehicle assigned to them shall receive an automobile allowance of $561.54 per biweekly pay period.

~~(III) The District Attorney and Sheriff-Coroner are eligible to have a Category I County vehicle assigned and for an automobile allowance of $750 per biweekly pay period.~~

(F) The County-wide elected officials receive the benefits described in § 13.0613 (cc) related to the portable communication device allowance with the exception that they will receive an allowance of $150.00 per biweekly pay period.

(G) In lieu of other benefits provided to Exempt Group employees, County-wide elected officials shall have five percent of their base salary contributed by the County on their behalf on a biweekly basis to either (1) the County's 457(b) Deferred Compensation Plan, or (2) the County's 401(a) Defined Contribution Plan.

(H) Tier 1 County-wide elected officials shall have $442.53 contributed by the County on their behalf on a biweekly basis to either (1) the County's 457(b) Deferred Compensation Plan, or (2) the County's 401(a) Defined Contribution Plan.

~~(I) Should Article III of the County Charter be modified through additions or amendments that impacts County-Wide Elected Officials as defined in Section 13.0613(b), the benefits described in Subsection 13.0613(p) and Subsection 13.0614(b)(1)(e)(3) shall not apply.~~

(c) Employment Status. A County employee in a regular County position becoming an elected official of San Bernardino County shall be compensated, at the time of termination from regular employment to the time of assuming office, for unused vacation, holidays, and sick leave conversion, if eligible. Should such an elected official return to County employment in a regular position, such employee shall be treated as a new employee and receive a new benefit date except as hereinafter provided. A person who~~that~~ has served as an elected official of the County and who returns or has returned to County employment in a regular position within 90 days after leaving an elected office of the County, shall be entitled for purposes of vacation accrual rates to count all prior County employment, including the time as an elected official of the County. The effective date of any vacation accrual rate adjustment shall not precede the effective date of this amendment

(d) Salary Adjustments. The County Administrative Office, in concurrence with County Counsel, shall conduct the compensation and salary surveys required in Sections 308 and 309 of Article III of the County Charter, and shall report to the Auditor-Controller/Treasurer/Tax Collector and the Board of Supervisors the~~concerning~~ appropriate adjustments to be implemented as required by Sections 308 and 309 of Article III of the County Charter. The Auditor-Controller/Treasurer/Tax Collector shall implement any required adjustments effective ~~December~~ January 1 of the applicable year based on the report of the County Administrative Office.

SECTION 3. Section 13.0617 of the San Bernardino County Code is amended, to read:

13.0617 County Employee Election Worker Program.

(a) Employees, including but not limited to regular employees, Public Service Employees (PSE), extra-help and recurrent employees, and contract employees, who desire to volunteer their services as Election Workers will apply through the San Bernardino County Registrar of Voters and coordinate their intent to serve through their respective department head or designee. Acceptance as an Election Worker is conditional upon the approval of the employee's department head and the Registrar of Voters. For time spent as an Election Worker, County employees will be compensated in accordance with the applicable memorandum of understanding and/or County ordinances, polices, and procedures. For purposes of compensation under this Section, time spent as an Election Worker, including time spent attending a training session during regular work hours or outside of regular work hours, shall be considered as time actually worked under the applicable memorandum of understanding and/or County ordinances, policies, and procedures.

(b) California Elections Law requires that election workers attend a training session prior to each election. This training will be conducted by the Registrar of Voters during and after regular work hours. County employees will be encouraged to attend training during their regular work hours.

(c) Any additional equipment or supplies necessary to carry out Election Worker duties on Election Day will be provided by the Registrar of Voters. The Registrar of Voters will keep affected department heads informed of employees who volunteer for service on Election Day in terms of their attendance.

(d) The Registrar of Voters will reimburse each employee's department for the compensation the employee receives while in election worker training. Regardless of whether the hours worked as an Election Worker on or before Election Day count as overtime, the Registrar of Voters will reimburse an employee's department for any weekly overtime that the department is liable for due to the employee working as an Election Worker on Election Day.

~~(e) This section shall remain in effect until January 16, 20265, and as of that date is repealed, unless a later ordinance that is enacted and effective before January 16, 20265, deletes or extends that date.~~

SECTION 4. Section 13.0617n of the San Bernardino County Code is amended, to read:

13.0617n Salaries and Working Conditions of the ~~Pool Manager~~Swim Complex Employees.

(a) *Wages.* ~~The class of Pool Manager is hereby established.~~ Positions in the Pool Manager class may only be allocated as extra-help or recurrent. A Pool Manager range is established with a starting step of $22~~17~~.00 per hour and steps progressing at

$0.50 per hour up to a maximum of $25~~0~~.00 per hour. Pool Managers may be hired at any step within the pay range as determined by the appointing authority commensurate with their experience and training, subject to approval by the Director of Human Resources or designee. Notwithstanding any other provision in this code, step advances are at the discretion of the appointing authority and may be authorized once a year, at the beginning of the new swim season~~after completion of not less than 1,040 hours worked for~~.

(b) *Wages.* The class of Senior Lifeguard is hereby established. Positions in the Senior Lifeguard class may only be allocated as extra-help or recurrent. A Senior Lifeguard range is established with a starting step of $19.00 per hour and steps progressing at $0.50 per hour up to a maximum of $21.00 per hour. Senior Lifeguards may be hired at any step within the pay range as determined by the appointing authority commensurate with their experience and training, subject to approval by the Director of Human Resources or designee. Notwithstanding any other provision in this code, step advances are at the discretion of the appointing authority and may be authorized once a year, at the beginning of the new swim season.

(c) *Wages.* The class of Lifeguard is hereby established. Positions in the Lifeguard class may only be allocated as extra-help or recurrent. A Lifeguard range is established with a starting step of $17.00 per hour and steps progressing at $0.50 per hour up to a maximum of $19.00 per hour. Lifeguards may be hired at any step within the pay range as determined by the appointing authority commensurate with their experience and training, subject to approval by the Director of Human Resources or designee. Notwithstanding any other provision in this code, step advances are at the discretion of the appointing authority and may be authorized once a year, at the beginning of the new swim season.

(d) For increases related to limited exceptional circumstances refer to County Code ~~Chapter 6~~ Section 13.0655 Salary and Step Adjustments.

(e) *Working Conditions.* Swim Complex Employees ~~Pool Mangers~~ shall be compensated on an hourly rate basis only for hours actually worked and shall receive no other compensation or benefit, except those benefits required by law and as set forth in this subsection. Overtime shall be defined as all hours actually worked in excess of 40 hours per work period. Any Pool Manager authorized by the appointing authority or authorized representative to work overtime shall be compensated at premium rates, i.e., one and one-half times the employee's regular rate of pay.

(1) *PST Deferred Compensation Plan.* Employees covered by this section shall participate in the County's PST deferred compensation plan in lieu of participation in any other retirement plan, program, or benefit. Said employees shall contribute seven and one-half percent of the employee's biweekly base compensation up to seven and one-half percent of the employee's maximum covered wages for Social Security purposes. The employee's contributions to PST deferred compensation shall be automatically deducted from employee's earnings. Employees shall enroll in the plan on forms approved by Human Resources. This subdivision shall not apply to any employee who is otherwise covered by the County retirement system.

(3~~2~~) *Unclassified Service.* Employees covered by this section are in the unclassified service.

SECTION 5. Section 13.0628 of the San Bernardino County Code is amended, to read:

13.0628 Extra-Help Employment.

An ***EXTRA-HELP APPOINTMENT*** means an appointment which is intended to be on less than a year-round basis, including, but not limited to the following: to cover seasonal peak workloads; emergency extra work loads of limited duration; necessary vacation, holiday or sick leave relief; and other situations involving a fluctuating staff. At the end of 2,080 service hours the appointment shall be terminated unless the appointing authority receives approval from the Director of Human Resources to continue the appointment.

Extra-help employees shall be compensated on an hourly basis only for hours actually worked unless otherwise provided for in this Code or required by law. Extra-help employees' salary shall be within the base salary range established for the job level, with commensurate duties, as determined by Human Resources. Notwithstanding any other provision in this code, step advances are at the discretion of the appointing authority after completion of not less than 1,040 hours worked for each step.

For increases related to limited exceptional circumstances refer to County Code ~~Chapter 6~~ Section 13.0655 Salary and Step Adjustments.

Under unusual circumstances and with the approval of the appropriate appointing authority or authorities and the Director of Human Resources, an employee in a regular position may choose to work in an extra-help capacity for the same or another appointing authority and be compensated as such pursuant to this section.

Extra-help employees shall participate in the County's PST deferred compensation plan in lieu of participation in any other retirement plan, program, or benefit. Said employees shall contribute seven and one-half percent of the employee's biweekly base compensation up to seven and one-half percent of the employee's maximum covered wages for Social Security purposes. The employee's contributions to PST deferred compensation shall be automatically deducted from employee's earnings. Employees shall enroll in the plan on forms approved by Human Resources. This Subdivision shall not apply to any employee who is otherwise covered by the County Retirement System.

~~The Director of Human Resources shall have the authority, with the approval of the County's Chief Executive Officer, to provide extra-help employees with COVID-19 Premium Pay consistent with COVID-19 Premium Pay provided to the majority of the bargaining units.~~

SECTION 6. Section 13.0629 of the San Bernardino County Code is amended, to read:

13.0629 Recurrent Employment.

A ***RECURRENT APPOINTMENT*** means an appointment which is made for an indefinite period of time to provide for on- call staffing needs related to variable workload/service demands attendant to such things as fluctuating census or population in institutions, special projects, and annually recurring seasonal peak workloads. Recurrent employees may remain on the payroll system year-round for an indefinite period of time and may be scheduled to work as needed over the course of one or more years. Employees may not exceed 1,547 hours in a year without the express approval of the Director of Human Resources. Recurrent employees shall be compensated on an hourly basis only for hours actually worked unless otherwise provided or required by law. A recurrent employee's salary shall be within the then-current base salary range established for a job classification with commensurate duties. Recurrent employees may be hired up to the midpoint of the appropriate base salary range with the approval of the appointing authority and through the top step of the appropriate base salary range with the approval of the Director of Human Resources; provided, however, that regular employees appointed to a recurrent position of the same classification shall be compensated at the same step in the recurrent position as they are in their regular position. Exceptions may be made subject to the approval of the Director of Human Resources. Notwithstanding any other provision in this code, step advances are at the discretion of the appointing authority after completion of not less than 1,040 hours worked for each step.

For increases related to limited exceptional circumstances refer to County Code ~~Chapter 6~~ Section 13.0655 Salary and Step Adjustments.

Under unusual circumstances and with the approval of the appropriate appointing authority or authorities and the Director of Human Resources, an employee in a regular position may choose to work in a recurrent capacity for the same or another appointing authority and be compensated as such pursuant to this section.

Recurrent employees shall participate in the County's PST deferred compensation plan in lieu of participation in any other retirement plan, program, or benefit. Said employees shall contribute seven and one-half percent of the employee's biweekly base compensation up to seven and one-half percent of the employee's maximum covered wages for Social Security purposes. The employee's contributions to PST deferred compensation shall be automatically deducted from employee's earnings. Employees shall enroll in the plan on forms approved by Human Resources. This subdivision shall not apply to any employee who is otherwise covered by the County Retirement System.

~~The Director of Human Resources shall have the authority, with the approval of the County's Chief Executive Officer, to provide Recurrent employees with COVID-19 Premium Pay consistent with COVID-19 Premium Pay provided to the majority of the bargaining units.~~

SECTION 7. Section 13.0660 of the San Bernardino County Code is amended, to read:

13.0660 Public Service Employees.

The class of Public Service Employee (PSE) is hereby established. Positions in the PSE class may be assigned to entry level duties in a variety of fields and occupations. Positions may only be allocated as extra-help or recurrent and, as such, are in the unclassified service. For layoff purposes, PSE positions are deemed to be the same classification as those positions performing substantially the same duties.

A PSE range is established with a starting step at the state minimum wage per hour and steps progressing at $0.50~~25~~ per hour up to a maximum of $30~~25~~.00 per hour.

PSEs may be hired at any step within the pay range as determined by the appointing authority commensurate with their education and/or training and duties to be performed; provided, however, that the PSE salary is consistent with that of employees in regular positions of the same or similar type or nature and shall be subject to the review and approval of the Director of Human Resources or his/her designee. Notwithstanding any other provision in this code, step advances are at the discretion of the appointing authority after completion of not less than 1,040 hours worked for each step. At the discretion of the A~~a~~ppointing ~~a~~Authority and with the approval of the Director of Human Resources or designee, an employee may be placed at any step within the PSE salary range when there is a change in working conditions or a change involving the performance of more difficult duties and requiring a greater level of skill(s).

For increases related to limited exceptional circumstances refer to County Code ~~Chapter 6~~ Section 13.0655 Salary and Step Adjustments.

PST Deferred Compensation Plan. Employees covered by this section shall participate in the County's PST deferred compensation plan in lieu of participation in any other retirement plan, program, or benefit. Said employees shall contribute seven and one-half percent of the employee's biweekly base compensation or up to seven and one-half percent of the employee's maximum covered wages for Social Security purposes. The employee's contributions to PST deferred compensation shall be automatically deducted from employee's earnings. Employees shall enroll in the plan on forms approved by Human Resources. This subdivision shall not apply to any employee who is otherwise covered by the County retirement system.

~~The Director of Human Resources shall have the authority, with the approval of the County's Chief Executive Officer, to provide Public Service employees with COVID-19 Premium Pay consistent with COVID-19 Premium Pay provided to the majority of the bargaining units.~~

SECTION 8. Section 13.0661 of the San Bernardino County Code is added, to read:

13.0661 Salaries and Working Conditions of the Career Pathway Worker.

(a) Wages. The class of Career Pathway Worker is hereby established. Positions in the Career Pathway Worker class may only be allocated as extra-help or recurrent. A Career Pathway Worker range is established with a starting step of ~~at~~ the state minimum wage per hour and steps progressing at $0.50 per hour up to a maximum of $25.00 per hour. Career Pathway Workers may be hired at any step within the pay range as determined by the ~~a~~Appointing ~~a~~Authority commensurate with program requirements, subject to approval by the Director of Human Resources or designee. Notwithstanding any other provision in this code, step advances are at the discretion of the ~~a~~Appointing ~~a~~Authority and may be authorized once a year, at the beginning of a new program start date.

(b) For increases related to limited exceptional circumstances refer to County Code ~~Chapter 6~~ Section 13.0655 Salary and Step Adjustments.

(c) Working Conditions. Career Pathway Workers shall be compensated on an hourly rate basis only for hours actually worked and shall receive no other compensation or benefit, except those benefits required by law and as set forth in this subsection. Overtime shall be defined as all hours actually worked in excess of 40 hours per work period. Any Career Pathway Worker authorized by the ~~a~~Appointing ~~a~~Authority or ~~authorized representative~~desingee to work overtime shall be compensated at premium rates, i.e., one and one-half times the employee's regular rate of pay.

(1) PST Deferred Compensation Plan. Employees covered by this section shall participate in the County's PST deferred compensation plan in lieu of participation in any other retirement plan, program, or benefit. Said employees shall contribute seven and one-half percent of the employee's biweekly base compensation or up to seven and one-half percent of the employee's maximum covered wages for Social Security purposes. The employee's contributions to PST deferred compensation shall be automatically deducted from employee's earnings. Employees shall enroll in the plan on forms approved by Human Resources. This subdivision shall not apply to any employee who is otherwise covered by the SBCERA~~County retirement system~~.

(2) Unclassified Service. Employees covered by this section are in the unclassified service.

SECTION 9. Section 13.0662 of the San Bernardino County Code is added, to read:

13.0662 Salaries and Working Conditions of the Temporary Worker.

(a) Wages.

(1) The classification of Temporary Worker is hereby established. Positions in this class may only be allocated as extra-help or recurrent positions in one of the following occupations:

(A) Temporary Worker- Administrative

(B) Temporary Worker- Clerical

(C) Temporary Worker- Exempt

(D) Temporary Worker- Management

(E) Temporary Worker- Nurse

(F) Temporary Worker- Nurse Supervisor

(G) Temporary Worker- Probation

(H) Temporary Worker- Professional

(I) Temporary Worker- Safety

(J) Temporary Worker- Safety Management

(K) Temporary Worker- Peace Officer

(L) Temporary Worker- Supervising Peace Officer

(M) Temporary Worker- Supervisor

(N) Temporary Worker- Technical and Craft

(2) Positions in the Temporary Worker classifications may be assigned to various level duties in a variety of fields and occupations.

(3) A Temporary Worker range is established with a starting rate at state minimum wage per hour and max rate at $200.00 per hour.

(4) Temporary Workers may be hired at any hourly rate within the minimum and maximum pay range as determined by the appointing authority commensurate with their education and/or training and duties to be performed; provided, however, that the Temporary Worker salary is consistent with that of employees in regular positions of the same or similar type or nature and shall be subject to the review and

approval of the Director of Human Resources or ~~his/her~~ designee. Notwithstanding any other provision in this code, pay advances are at the discretion of the ~~a~~Appointing ~~a~~Authority after completion of not less than 1,040 hours worked at the rate of 2.5%. At the discretion of the ~~a~~Appointing ~~a~~Authority and with the approval of the Director of Human Resources or designee, an employee may be placed at any hourly rate within the Temporary Worker salary range when there is a change involving the performance of more difficult duties and requiring a greater level of skill(s). Such increases will not be applied retroactively.

(b) Working Conditions.

(1) PST Deferred Compensation Plan. Employees covered by this section shall participate in the County's PST deferred compensation plan in lieu of participation in any other retirement plan, program, or benefit. Said employees shall contribute seven and one-half percent of the employee’s biweekly base compensation or up to seven and one-half percent of the employee's maximum covered wages for Social Security purposes. The employee's contributions to PST deferred compensation shall be automatically deducted from employee's earnings. Employees shall enroll in the plan on forms approved by Human Resources. This Subdivision shall not apply to any employee who is otherwise covered by ~~the County retirement system~~SBCERA.

(2) Employees covered by this section shall be paid at one and one-half times their regular rate of pay for hours worked over 40 hours per work week.

(3) Unclassified Service. Employees covered by this section are in the unclassified service.

SECTION 10. This ordinance shall take effect immediately from the date of adoption.

DAWN ROWE, Chair
Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

LYNNA MONELL, Clerk of the Board of Supervisors

____

STATE OF CALIFORNIA)
) ss.
SAN BERNARDINO COUNTY)

I, LYNNA MONELL, Clerk of the Board of Supervisors of San Bernardino County, State of California, hereby certify that at a regular meeting of the Board of Supervisors of said County and State, held on the ______ day of ___________, 2025, at which meeting were present Supervisors:_____
______
______,
and the Clerk, the foregoing ordinance was passed and adopted by the following vote, to wit:

AYES:SUPERVISORS:

NOES: SUPERVISORS:

ABSENT: SUPERVISORS:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of Supervisors this ____ day of ______________, 2025.

LYNNA MONELL, Clerk of the
Board of Supervisors of
San Bernardino County,
State of California

____
Deputy

Approved as to Form:

LAURA FEINGOLD
County Counsel

By:____________________________
CYNTHIA O’NEILL
Chief Assistant County Counsel

Date:________________________