SECTION 7 - ADMINISTRATION OF SALARY SCHEDULE

7.1 Salaries

Effective with the pay period that begins March 1, 2016, the County shall increase by three percent (3%) the A Step of each scale in the Salary Table specified in Appendix A.

Effective with the first full pay period following March 1, 2017, the County shall increase by three percent (3%) the A Step of each scale in the Salary Table specified in Appendix A.

7.1.1 Living Wage Minimum Wage Scale

Effective March 29, 2016 all Unrepresented Confidential and Unrepresented employees will have a base hourly rate no less than $15.00 per hour.

To implement this provision, employees who have a base hourly rate less than $15.00 per hour shall be moved to the salary step in the salary scale most equivalent to but not less than $15.00 per hour.

This provision is applicable to both current employees and future hires.

Section 7.1.1 does not apply to intern job classifications.

7.2 Salary Upon Employment

A. Except as otherwise provided herein, appointment to any position in any class shall be made at the minimum rate, and advancement to rates greater than the minimum rate shall be within the limits of the salary scale for the class.

B. In exceptional cases after reasonable effort has been made to obtain employees for a particular class at the minimum rate, employment of individuals who possess special qualifications higher than the minimum qualifications prescribed for the particular class may be authorized at a higher rate than the minimum upon recommendation of the appointing authority with the approval of the County Administrator. The appointing authority may authorize an advanced step salary placement through Step E. County Administrator approval continues to be required for advance step placements for Steps F through I.

7.3 Salary – Consideration Upon Reappointment or Return

A full-time or part-time employee who resigns in good standing and is reappointed on a full-time, part-time, or extra-help basis in the same or closely related class in the same or in a lower salary scale within five (5) years of resignation, shall not be paid less than two (2) steps below the step paid at the time of resignation. Approval of the County Administrator is only required if the person is rehired at a step which exceeds the step paid at the time of resignation. The appointing authority may authorize an advanced step placement through Step E. County Administrator approval continues to be required for advance step placements Steps F through I.
7.4 Salary - Extra-Help to Extra-Help or Permanent Appointments

A. An extra-help employee who is appointed to an allocated part-time or full-time position in any class and without a break in service, shall be paid at a step in the appropriate salary scale which is nearest in the amount to that of the step received while employed in the extra-help position. Employment at a higher salary step not to exceed the maximum of the scale may be authorized upon recommendation of the appointing authority and approval by the County Administrator. The appointing authority may authorize an advanced step placement through Step E. County Administrator approval continues to be required for advanced step placements for Steps F through I.

B. An extra-help employee who is appointed to another extra-help job without a break in service shall receive the salary rate step in the new scale which is closest to but not exceeding the rate paid in the former range. This provision does not apply to extra-help employment in more than one extra-help position.

C. When an extra-help employee returns within one (1) year from the date of termination to the same position, which the employee previously occupied or to a similar position paid on the same salary scale, the employee shall receive the same step of the scale as the employee received upon separation. Such employee shall be considered for merit increase when the employee's total hours in pay status before and after separation and restoration equal the number of hours required for a merit increase.

7.5 Salary Upon Restoration

Any full-time or part-time employee displaced, laid off, or voluntarily demoted in lieu of layoff, and reappointed within two (2) years in the same class from which separated, or in a closely related class in the same salary scale, or in a lower salary scale than the class from which separated, shall be paid at the same step in the salary scale as the employee was paid at the time of displacement, layoff or voluntary demotion, or the step of the scale which is closest to but not exceeding the rate the employee is currently being paid as a County employee, whichever is greater. Such employees shall be considered for merit increase when the employee's total hours in paid status before and after separation and restoration equal the number of hours required for merit increase.

7.6 Salary Upon Promotion

A. Except as otherwise provided herein, any full-time or part-time employee who is promoted to a position of a class allocated to a higher salary scale than the class from which the employee was promoted shall receive the salary step rate of the appropriate scale which would constitute an increase of salary most closely equivalent to but not less than five percent (5%) of the employee's step rate before promotion, but not less than the minimum salary scale for the new class nor greater than the maximum salary scale of the new class.

B. An employee who receives a promotion from any classification not in Administrative Management Unit 50 to a classification in Administrative Management Unit 50 allocated to a higher salary scale than the classification from which the employee was promoted shall receive the salary step of the appropriate scale that would constitute an increase of salary most closely equivalent to but not less than ten (10) percent of the employee's salary step before promotion but not less than the minimum salary step of the new class or greater than the maximum salary step of the new class.

C. If a promotion occurs on the same day a merit increase is due and approved, the merit increase shall be computed first and subsequently the increase due to promotion.
D. An employee who is promoted shall be considered for a merit increase when the employee's total hours in pay status, exclusive of overtime subsequent to promotion, equals one thousand forty hours (1,040). The effective date of the merit increase shall be in accordance with Section 7.21 (Merit Increase – Effective Date).

7.7 Salary - Upon Promotion - Advanced Salary Step
Upon promotion of a full-time or part-time employee to a new class, the appointing authority may recommend to the County Administrator that the person being promoted receive a rate of pay that is higher than that to which the employee is entitled but in no way exceeds the top of the scale. The appointing authority may authorize an advanced salary step placement through Step E. County Administrator approval continues to be required for advance step placements for Steps F through I.

7.8 Salary - Upon Demotion During Probation (Failed Probation)
A full-time or part-time employee who, during the employee's probationary period, is demoted to a class which the employee formerly occupied in good standing during the same period of continuous employment in paid or unpaid status, shall have the employee's salary reduced to the salary the employee would have received if the employee had remained in the lower class. The employee's eligibility for merit advancement shall be determined as if the employee had remained in the lower class throughout the employee's period of service in the higher class.

7.9 Salary - Upon Involuntary Demotion
A full-time or part-time employee, to whom the circumstances described in Section 7.8 above do not apply, who is demoted involuntarily to a position of a class which is allocated to a lower salary scale than the class from which the employee is demoted, shall have the employee's salary reduced to the salary in the scale for the new class next lower than, but not more than five percent (5%) lower than the salary received before demotion, except that such employee will not be paid more than the maximum of the scale of the class to which the employee is demoted. The employee's eligibility for merit advancement shall not change as a result of demotion.

7.10 Salary - Upon Voluntary Demotion
A full-time or part-time employee, to whom the circumstances described in Section 7.8 above do not apply, who is demoted voluntarily or who displaces as a result of layoff to a position in a class which is allocated to a lower salary scale than the class from which the employee is demoted, shall receive the highest salary step in the scale for the new class which does not exceed the salary received before demotion, but not exceeding the maximum of the salary for the new class. The employee's eligibility for merit advancement shall not change as a result of demotion.

7.11 Salary - Upon Reappointment from Voluntary Demotion
Any full-time or part-time employee who is demoted voluntarily and who is reappointed on a full-time or part-time basis in the same class within two (2) years shall be reappointed at either the same step the employee received at the time of demotion or the salary step nearest the amount of the employee's present salary step, whichever is greater.
7.12  **Temporary Assignment to a Higher Class (Amended 3/19/13)**
An employee assigned by the appointing authority to perform the majority of duties of a limited term project position, with the approval of the County Administrator and the Director of Human Resources, or to a higher classification to fill a vacancy caused by resignation, termination, promotion, or an extended leave of absence, must complete the required personnel forms and must meet the minimum qualifications of the higher classification or position. Such employee shall be paid according to the salary of the scale for the new class which would constitute an increase in salary at the step most closely equivalent to five percent (5%) greater than the employee's salary before promotion, but not less than the minimum salary of the new class, or not greater than the maximum salary of the new class or a salary rate assigned to the limited term project position. The employee shall receive this salary as long as the employee continues to serve in such assignment and shall be entitled to receive any authorized increases for the higher class as described in section 7.13 below.

7.13  **Temporary Promotion - Merit Increase Eligibility (Amended 3/19/13)**
Temporary assignments shall be administered in the following manner:
A. If an employee assigned to a higher class has not yet reached the “I” step in the lower class, in-service hours while temporarily assigned to a higher class shall count as time served in the lower class for purposes of merit increase(s). If employee reaches the “I” step of the lower class while temporarily assigned, all subsequent in-service hours worked while assigned to the higher class will begin counting toward a merit increase in the higher class.
B. If an employee is at the “I” step of the lower class when assigned to the higher class, in-service hours while temporarily assigned to a higher class shall count as time served in the higher class for purposes of merit increase(s) beginning with the first hour assigned in the higher class.
C. An employee who is subsequently reassigned by the appointing authority within 12 months of the ending date of the most recent temporary assignment shall be considered for a merit increase in the higher class when the employee’s total cumulative hours in the higher class are in accordance with Subsection 7.19 –Merit Advancement. However, if the employee received credit toward a merit increase in the lower class for hours worked in a temporary assignment as provided in Subsection 7.13 (a), such hours shall not also count toward a merit increase in the higher class.

7.14  **Salary - Upon Transfer (Amended 11/2/10)**
A full-time or part-time employee who transfers from one allocated position to another allocated position in the same job class shall be placed at the same salary step that the employee was receiving prior to the transfer. A full-time or part-time employee who transfers form one allocated position in a job class to another allocated position in a closely related job class as defined in the Civil Service Rules for which s/he possesses the minimum qualifications shall be paid in the new scale nearest in amount to what the employee received prior to transfer.

7.15  **Salary - Upon Reallocation of Class**
An employee in a position of a class which, is reallocated from one salary scale to another, shall continue to receive the same salary step.
7.16 **Salary - Upon Reclassification of Position - Same Salary Scale**
Whenever a position is reclassified to a class, which is allocated to the same salary scale, the incumbent shall retain the same salary received prior to the reclassification if the incumbent is appointed to fill the position in accordance with the Civil Service Rules.

7.17 **Salary - Upon Reclassification of Position - Higher Salary Scale**
Except as otherwise provided herein, whenever a position is reclassified to a class which is allocated to a higher salary scale, the salary of the incumbent shall be provided by this Section upon promotion if the incumbent is appointed to fill the position in accordance with the Civil Service Rules.

7.18 **Salary - Upon Reclassification of Position - Lower Salary Scale**
Whenever a position is reclassified to a class, which is allocated to a lower salary scale, the salary of the incumbent shall be provided by this Section upon voluntary demotion if the incumbent is appointed to fill the position in accordance with the Civil Service Rules. Whenever the effect of a reclassification is to reduce the salary of an incumbent, the Board of Supervisors may, upon recommendation by the Director of Human Resources, direct that the incumbent shall continue to receive the previously authorized salary until termination of employment in the position, or until a percentage increase in pay may be authorized, whichever occurs first. Appropriate records shall show an incumbent as being paid at a special fixed rate (Y-Rate) of the salary scale for the employee's class.

7.19 **Merit Advancement (Amended 3/19/13)**

A. **Merit Advancement Within Salary Scales:** Merit increases within a scale shall not be automatic. They shall be based upon merit and shall be made only upon written approval by the employee’s appointing authority. Merit increases shall be made within the appropriate salary scale for the class by computing the new salary step rate which is most closely equivalent to two and a half (2 ½), five (5), seven and a half (7 ½), or ten (10) percent higher than the previous base hourly salary subject to the criteria below in 7(b). The usual merit increase for Satisfactory or Exceeds Standards, as documented by a written performance evaluation, shall be five (5) percent. The department head has the option of giving no increase or a two and a half (2 ½) percent increase for less than overall satisfactory performance.

To request a flexible merit increase (any other than five percent (5%), or to award a merit in advance of eligible date), the appointing authority must complete the Flexible Merit Increase form and attach the employee’s performance evaluation then forward to the County Administrator for approval. This Section shall not be grievable or appealable under any County resolution, ordinance, policy or practice. An employee whose merit increase is denied by the appointing authority may, upon request, meet and discuss with the appointing authority the reasons for the denial. The decision of the appointing authority shall be final.

B. **Merit - Special Advancement:** Either (1) or (2) can be chosen, but may not be combined. Increase cannot exceed ten percent (10%) in the previous twelve (12) months.

1. Upon recommendation of the appointing authority and approval by the County Administrator, an employee may be given a five percent (5%) merit step advancement before regularly scheduled as provided in section 7.20. Such special salary advancement shall be documented by an overall Outstanding rating with no areas of improvement.
needed in the written performance evaluation. Only one such special increase can be given in a
twelve (12) month period or in the first twelve (12) months following appointment to the
position.

2. An employee may be advanced in the salary scale based on merit at seven and one half percent
(7 ½%) or ten percent (10%) increase, documented by an overall Outstanding rating in the
written performance evaluation with no areas rated Improvement Needed. A seven-and-one-half
percent (7 ½%) or ten percent (10%) increase must have the recommendation of the appointing
authority and approval by the County Administrator.

7.20 Merit Increase – Total Hours Required
Each employee shall be considered for an initial merit increase when the employee's total hours in pay status
exclusive of overtime within the current class equals one thousand forty (1,040) hours. Each such employee
shall be considered for subsequent merit increases when the employee's total hours in pay status exclusive
of overtime, at each step to which advanced, equals two thousand and eighty (2,080) hours.
Notwithstanding the above, employees in the classification of Student Intern, Law Clerk or Senior Law
Clerk may be considered for a merit increase following the completion of each school semester of internship
experience with the approval of the Director of Human Resources. This Section shall not be grievable or
appealable under any County resolution, ordinance, policy or practice. An employee whose merit increase
is denied by the appointing authority may, upon request, meet and discuss with the appointing authority the
reasons for the denial. The decision of the appointing authority shall be final.

7.21 Merit Increase – Effective Date
The effective date of the merit increase shall be the start of the work day during which the employee
becomes eligible for the merit increase. (Amended 12/15/09)

7.22 Salary for Extra-Help Employment on Three Step Scale
Notwithstanding other provisions of this Resolution, each person employed as an Unrepresented
extra-help employee in a position wherein the salary scale is established pursuant to a negotiated
Memorandum of Understanding between the County and Operating Engineers, Local 39 shall be paid
within a three step system, the steps being E, G, and I of the respective salary scale listed in the current
Memorandum of Understanding. Appointment to any Unrepresented position shall be made at the
minimum rate, i.e., Step E.

7.23 Salary Reduction In Pay Upon Discipline
For a full-time or part-time Confidential or Other Unrepresented employee who has his/her pay reduced in
accordance with Civil Service Rule 10.4, the reduction in pay shall apply to regular hours worked, including
hours treated as hours worked, currently paid administrative leave, jury duty, military leave and
compassionate leave. The rate reduction excludes premiums, overtime, vacation and compensatory time
accruals and usage, and vacation, sick and compensatory time pay off. Pursuant to Civil Service Rule 10.4,
a reduction in pay shall not exceed five (5) percent of the employee's salary step prior to the reduction and
shall not exceed one thousand forty (1,040) hours in duration. Section 7.23 does not apply to Administrative
Management employees.
SECTION 14 - HEALTH AND WELFARE BENEFITS FOR ACTIVE EMPLOYEES
(Amended 3/15/16)

14.1 Active Employee Health Plans
An eligible employee is allowed only to enroll either as a single subscriber in a County offered medical, dental, vision plan and/or dependent life insurance, or as the dependent spouse/domestic partner of another eligible County employee/retiree, but not both.

If an employee is also eligible to cover their dependent child/children, each child will be allowed to enroll as a dependent on only one employee or retirees’ plan (i.e., an employee and his or her dependents cannot be covered by more than one (1) County offered health plan).

An eligible employee is:
A County of Sonoma probationary or regular full-time or probationary or regular part-time employee (refer to Section 14.2.6 regarding plans offered and pro-rata benefits for part-time employees).

An eligible dependent is (as defined in each plan document/summary plan description):
- Either the employee’s spouse or domestic partner; or
- A child based on your plan’s age limits or a disabled dependent child regardless of age.

14.2 Enrollment in County Offered Health (Medical, Dental, Vision, Life Insurance) Plans
Election to enroll in the County offered health plan will take place within the first 31 days following date of hire to permanently allocated position of .40 FTE or greater, or it will be made during an annual open-enrollment period. Enrollment in vision and basic life insurance is automatic. Mid-year enrollment can only be permitted as allowed by IRC Section 125 or as required by HIPAA or other applicable regulations. The effective date of benefits will be the first of the month following date of hire or initial eligibility.

14.2.1 County Offered Medical Plans
The County will offer at least a PPO plan, and a Kaiser HMO plan. The benefit provisions are outlined in the Summary Plan Description or Evidence of Coverage.

14.2.2 County Contributions Toward Active Employee Medical Administrative Management and Department Heads
Effective with the pay period beginning July 19, 2016, medical plan coverage in this Section 14.2.2.1 will be paid on a semi-monthly basis (24 payments per year). The County shall contribute a flat dollar amount not to exceed $500 per month ($250 semi-monthly) toward the cost of any County offered medical plans for any eligible full-time regular Administrative Management and Department Head employee and their eligible dependent(s). This is the full and total contribution amount the County will contribute toward medical benefits for active regular Administrative Management employees and Department Heads and their dependent(s). The County shall contribute to part-time eligible employees on a pro-rated basis, in accordance with Section 14.2.6.

14.2.2.1 County Contributions Toward Active Employee Medical - For Eligible Unrepresented
Confidential (BU 0051) and Unrepresented (BU 0000) Full-Time and Part-Time Employees

a. Effective March 1, 2016 for coverage through May 31, 2016, the County shall contribute a flat dollar amount not to exceed $229.98 per pay period ($500 per month) toward the cost of any County offered medical plans for any eligible full-time regular employee and their eligible dependent(s).

b. Effective the pay period beginning May 10, 2016, with the intent to have premiums paid in the pay period(s) required for coverage to be effective June 1, 2016, the County shall contribute up to maximum of the following amounts based on level of coverage for Unrepresented Confidential and Unrepresented employees enrolled in County-offered medical coverage for any eligible full-time and part-time employees and their eligible dependent(s). The amounts listed below shall include the conversion of the current County HRA contributions for active employees in Section 14.3 to medical contributions.

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee only</td>
<td>$557 per month ($278.50 semi-monthly)</td>
</tr>
<tr>
<td>Employee plus one</td>
<td>$1,113 per month ($556.50 semi-monthly)</td>
</tr>
<tr>
<td>Family</td>
<td>$1,575 per month ($787.50 semi-monthly)</td>
</tr>
</tbody>
</table>

This is the full and total contribution amount the County will contribute toward medical benefits for active regular employees and their dependent(s).

c. Effective the pay period beginning May 23, 2017, with the intent to have premiums paid in the pay period(s) required for coverage to be effective June 1, 2017, the County shall contribute up to maximum of the following amounts based on level of coverage for Unrepresented Confidential and Unrepresented employees enrolled in County-offered medical coverage for any eligible full-time and part-time employees and their eligible dependent(s). The amounts listed below shall include the conversion of the current County HRA contributions for active employees in Section 14.3 to medical contributions.

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee only</td>
<td>$580 per month ($290 semi-monthly)</td>
</tr>
<tr>
<td>Employee plus one</td>
<td>$1,158 per month ($579 semi-monthly)</td>
</tr>
<tr>
<td>Family</td>
<td>$1,638 per month ($819 semi-monthly)</td>
</tr>
</tbody>
</table>

This is the full and total contribution amount the County will contribute toward medical benefits for active regular employees and their dependent(s).

The County shall contribute to part-time eligible employees on a pro-rated basis, in accordance with Section 14.2.6.

Medical plan coverage in Section 14.2.2.2 will be paid on a semi-monthly basis (24 payments per year).

14.2.3 Dental Benefits

The County offers dental and orthodontic benefits to full and part-time regular employees and their eligible dependent(s). Benefits provisions, co-payments and deductibles are outlined in the Evidence of Coverage. The employee contribution is $14.13 semi-monthly ($28.26 per month).
For Administrative Management employees and Department Heads, the semi-monthly deductions will be effective the pay period beginning July 19, 2016, for coverage beginning August 1, 2016.

Dental Benefits coverage in Section 14.2.3 will be paid on a semi-monthly basis (24 payments per year)

The County shall contribute to part-time eligible employees on a pro-rated basis, in accordance with Section 14.2.6.

14.2.4 Vision Benefits
The County offers vision and computer vision care benefits to full-time active employees and their dependent(s) with no employee contribution.

Part-time employees will automatically be enrolled in the vision benefit and the County shall contribute to part-time eligible employees on a pro-rated basis, in accordance with Section. Benefits provisions, co-payments and deductibles are outlined in the Evidence of Coverage.

14.2.5 Life Insurance
The County shall offer a basic term-life insurance plan in the amounts specified below for an allocated full-time equivalent position of sixty (60) hours or more (0.75 FTE or more) with no employee contribution. Enrollment in basic life insurance is automatic, based on eligibility.

Confidential Employees: One and one half (1-1/2) time the annual salary computed on the basis of 26.089 times the bi-weekly salary in effect at the time of death. Administrative Management and Department/Agency Heads: Two (2) times the annual salary computed on the basis of 26.089 times the bi-weekly salary in effect at the time of death. Unrepresented Employees. Ten thousand dollars ($10,000).

Effective August 1, 2016, the life insurance coverage amount for Unrepresented employees will be in an amount equal to one and one half (1-1/2) times their annual base salary. Enrollment in basic life insurance is automatic, based on eligibility.

Each eligible and enrolled employee may purchase through payroll deduction, dependent coverage of $5,000 for each eligible dependent. For all other plan benefits and provisions, refer to the insurance policy document. Eligible employees may purchase additional life insurance coverage for themselves at their own expense upon initial eligibility or during the annual enrollment periods specified in Section 14.2 (Participation in County Offered Health (Medical, Dental, Vision, Life Insurance) Plans). Confidential, Unrepresented, Administrative Management, and Department/Agency Head employees may purchase supplemental coverage in increments one times (1X) to four times (4X) the basic coverage to a maximum of $500,000, in accordance with the insurance carrier’s policy. Effective 7/19/2016 Unrepresented employees may purchase supplemental coverage in increments of $10,000 not to exceed the maximum of $500,000 which includes the County paid basic term life insurance plan and additional life insurance coverage purchased by the employee, in accordance with the insurance carrier’s policy.

Participating employees and the County will be required to follow the insurance company’s contracted

Deleted: The
requirements with respect to the maximum amounts and the necessity for evidence of insurability in order to be eligible to receive the benefit as may be amended from time to time and may be based on actual participation by County employees in the program. An employee enrolled in supplemental coverage who moves from one age bracket to the next higher bracket will have to pay the rate of the higher age bracket beginning the January of the year in which the employee moves to the higher age bracket.

14.2.6 Part-Time Employee – Health Benefits
A. Part-time employees in allocated positions of thirty two (32) hours or more biweekly (0.40 FTE minimum) shall be eligible to participate in the County’s medical, dental, and vision plans and the County’s contribution toward their premiums shall be pro-rated. Pro-ration shall be based on the number of pay status hours in the pay period, excluding overtime and including periods of qualified FMLA, CFRA and CDPL leaves without pay.
B. A part-time Unrepresented Administrative Management and Unrepresented Confidential employee, whose allocated position is 0.75 FTE or greater bi-weekly, shall receive medical, dental and vision coverage as if the part-time employee were a full-time employee. Said part-time employee shall receive life insurance and long-term disability insurance in accordance with the employee's FTE.
C. Except for part-time (0.75 FTE+) employees referred to in this Section 14.2.6(b), part-time employees shall not be eligible to participate in the County's life insurance program

14.3 Health Reimbursement Arrangement (HRA) Contribution (Amended 3/15/16)
Effective the pay period beginning on May 10, 2016, the County shall cease contribution to the HRA account described in this section. Effective the pay period beginning May 10, 2016, the County will instead convert such HRA contributions into medical insurance premiums.

Between March 1, 2016 and May 9, 2016, all eligible Confidential and Unrepresented full and part time employees enrolled in a County sponsored medical plan will receive a contribution into a Health Reimbursement Arrangement (HRA) and can participate in the HRA plan based on county medical plan enrollment as described herein. Eligible employees who waive medical coverage and are not enrolled in a County sponsored medical plan will not receive a contribution into the HRA. For active Confidential and Unrepresented employees meeting the above criteria, the County will contribute an amount equal to 2.25% of the employee’s base pay.

The County will contribute to eligible Confidential and Unrepresented part-time employees on a pro-rated basis, in accordance with Section 14.2.6.

County contributions pursuant to this section will be available to Plan participants for reimbursement of eligible medical care expenses as incurred by an eligible employee or dependents(s) as under Internal Revenue code sections 105 and 106. Effective July 1, 2016, employees will be able to access accumulated funds by submitting eligible expenses for reimbursement but may not use HRA funds to offset premium costs for County medical coverage.

HRA contributions made pursuant to this section are separate and apart from HRA contributions and benefit eligibility for Retiree Medical for employees hired on or after January 1, 2009, pursuant to Section 15.6.
Health benefits in this Section 14 are available only to active employees.

Section 14.3 does not apply to extra-help employees and unrepresented employees in the job classifications of: 0841 - Assistant Executive Officer LAFCO, 2537 - Forensic Psychiatrist, 2536 - Mental Health Physician, and 2535 - Public Health Physician.

14.4 Employee Assistance Program
The County provides an Employee Assistance Program (EAP) for all Salary Resolution employees.

14.5 Long-Term Disability
The County shall provide and pay the premium for a Long-Term Disability (LTD) benefit as described in the applicable plan document to all full and part-time employees (0.40 FTE minimum) who meet the eligibility requirements. The benefit waiting period is the longer of 60 days, or the period you elect to receive paid leave. Employees eligible to receive LTD benefits are not required to exhaust sick leave before receiving LTD benefits, but an employee who chooses to use sick leave or other paid leave after the sixtieth (60th) day of disability is not eligible to receive any LTD benefits until the employee stops using paid leaves. LTD benefits cannot be supplemented with any paid leave. LTD benefits will be offset by any applicable income, such as short-term disability benefits, social security and social security disability benefits, etc.

14.5.1 Long-Term Disability Claims Dispute
The claims dispute process is described in the Summary Plan Description or Evidence of Coverage. Human Resources-Risk Management Division will assist employees with claims dispute.

14.6 Workers' Compensation Claims Disputes
Any dispute by an employee over a claim processed through workers’ compensation shall be resolved solely through the appropriate appeal procedures of that system.

14.6.1 Workers’ Compensation Temporary Disability – Supplementing with Paid Leave
An employee not entitled to the benefits of Labor Code Section 4850 who is absent from work by reasons of industrial injury, compensable by temporary disability shall supplement such compensation with enough paid leaves to increase his/her gross earnings to equal his/her regular bi-weekly base salary as follows:

- All sick leaves shall be taken until the remaining sick leave balance is 40 hours or less.
- Once the sick leave balance is forty (40) hours or less, the employee may elect to supplement by taking any combination of the remaining sick leave, vacation, and/or compensatory time off up to his/her base salary.
- Employees whose sick leave balance is forty (40) hours or less may also elect not to supplement at all.

An employee shall accrue vacation leave and sick leave only during such portion of absence from work due to industrial injury for which the employee uses previously earned vacation leave, sick leave or compensatory time off.
**14.7 Medical/Pregnancy Disability Leave**

When an employee exhausts all but forty (40) hours of sick leave and goes on medical or pregnancy disability leave without pay, the County will make its normal contribution to the employee's medical, dental, vision care, life insurance and LTD benefits for a period not to exceed thirteen (13) pay periods per disability. Beginning with the fourteenth (14th) pay period, the employee will be entitled to continue coverage through COBRA Continuation of Coverage and is responsible for making a timely election and paying COBRA premiums by the due date. Prior to the exhaustion of the thirteenth (13th) pay periods, the County will provide reasonable advance notice of the employee's obligations regarding the opportunity to continue employee-paid benefits.

An employee who returns to work from medical or pregnancy disability leave without pay prior to the exhaustion of the thirteen (13) pay periods of entitlement under this Section (14.7) shall not have the thirteen (13) pay period entitlement reduced for any pay period in which the employee is in pay status for at least fifty percent (50%) of the employee's allocated full time equivalent as specified in this Section 14.7 (Medical/Pregnancy Disability Leave). If the employee returns to medical or pregnancy disability leave without pay for the same condition, the thirteenth (13) pay period time frame will continue where it left off and will be reduced only for those pay periods when the employee's pay status hours fall below fifty percent (50%) of the allocated full-time equivalent.

The County's thirteen (13) pay period Medical Leave without pay benefit entitlement shall run concurrent with Family Medical Leave Act (FMLA), California Family Rights Act (CFRA), and California Pregnancy Disability Leave (CPDL).

The employee's entitlement under COBRA law begins when the employee is no longer eligible for a county contribution toward medical benefits. When the employee returns to fifty percent (50%) allocated full time equivalent in pay status, eligibility for a county contribution toward health benefits is regained. Benefit coverage begins the first of the following month.

**14.7.1 Health Benefits During Leaves of Absence – Non-Medical Leaves Without Pay**

If an employee is on an unpaid absence or goes on leave without pay, either of which reduces the employee's time in pay status to less than fifty percent (50%) of the employee's allocated full-time equivalent (FTE) in a pay period, the County will cease to pay its normal benefit contributions.

The employee must pay the total benefit premium(s), if the employee desires to continue coverage. If an employee is on an unpaid absence or goes on leave without pay, either of which reduces the employee's time in pay status to not less than fifty percent (50%) of the employee's regular schedule in a pay period, the County will continue to pay its normal benefit contributions.

**14.7.2 Continuation of Health Benefits Coverage (Revised 3-19-13)**

An employee, who is entitled to continued benefit coverage as specified in Section 14.7 or 14.7.1, must notify the Auditor-Controller-Treasurer-Tax Collector's office (ACTTC) no later than five (5) County business days after the first (1st) day of the leave of absence, of the employee's intent to continue insurance coverage.

A Request for Leave Without Pay form signed by the employee and his/her appointing authority shall be
forwarded to the ACTTC’s office when leave is authorized. To assure continued insurance coverage, premiums shall be paid by the employee to the ACTTC’s office no later than the last day of the pay period or the date specified in the notice. If the employee fails to pay the premium by the last day of the pay period, he/she will receive one (1) reminder notice. In order to prevent a lapse in coverage due to non-payment, the employee shall pay a $25.00 late charge in addition to the premium amount due by the date specified in the reminder notice.

Only one (1) reminder notice will be sent. If the employee fails to make proper payment within 30 days of the first due date, the employee's medical, dental, vision, life insurance and Long-Term Disability coverage shall be terminated. Coverage will not be reinstated until the 1st of the month following return to pay status.

14.7.3 Part-Time Employees – Health Benefits During Leave of Absence
Part-time employees shall be eligible to participate in the medical benefit plans and/or the dental plans on a prorated basis, as defined in Section 14.2.6. For pay periods with no pay status hours, pro-ration shall be based on the employee’s FTE. Part-time employees shall be entitled to participate in Long-Term Disability as specified in Section 14.5 (Long-Term Disability).

14.7.4 COBRA
The County provides continuation of health benefits at group rates plus 2% as required by the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1986, including any applicable subsequent amendments or revision where applicable.

14.8 Salary Enhancement Plans
All employees who belong to the retirement system shall have their wages adjusted according to Section 414(h)(2) of the Internal Revenue Code which has the effect of deferring Federal and State income taxes on the employee's retirement contributions.

IRS Section 125:

Premium Conversion
The County shall continue under IRS Code Section 125 to administer a Health Care Premium conversion Plan that allows eligible employees to make their required contributions towards health premiums with pre-tax dollars through payroll deduction. The County will make no contribution to this plan, however, it will bear the cost of administering this benefit.

Health Flexible Spending Account
The County provides a Health Flexible Spending Account (FSA) to enable eligible employees to set aside pre-tax dollars for reimbursement of employee’s qualified medical expenses not reimbursed by the employee’s health insurance plan and will be provided to the maximum amount stipulated in the Plan and consistent with law.

Dependent Care Assistance Program
The County provides a Dependent Care Assistance Program subject to the limitations and maximums as stipulated under law.
14.9 **Benefits: Plan Documents and Other Controlling Documents**
While mention may be made in this resolution of various provisions of benefit programs, specific details of benefits (including disputes and/or appeals) provided under County offered health plans shall be governed solely by the plan documents or insurance contracts and/or policies maintained by the County. The County will bear no responsibility for resolving disputes/appeals between an employee and a contracted health plan vendor. Within this section, vendor refers to insurance company, Knox-Keene organizations licensed in the state of California to provide health benefits, benefits administration, or network management.

14.10 **Extra-Help Employees – Applicable Benefits**
Only benefits required by law and the following sections of Section 14 apply to extra-help employees: sections 14.4 (Employee Assistance Program), 14.9 (Plan Documents and Other Controlling Documents), 14.6 (Workers’ Comp-Claims Dispute), sections 14.11 through 14.17 (Extra-Help Employees – Medical Benefits).

14.11 **Extra-Help Employees - Medical Benefits**
Extra-help employees shall have access to a medical plan. The County will offer all available health plans, excluding the County EPO and County PPO plans, to eligible extra-help employees and their eligible dependant(s) as is provided to regular employees as described in section 14.2.1.

14.12 **Extra-Help Employees; Medical Benefits, Eligibility**
Employees who meet the following criteria will be eligible to begin payroll deductions once both criteria are met:
- Must generally be scheduled to work at least forty (40) hours per pay period, and
- Worked at least one hundred eighty (80) hours in the previous two (2) pay periods.

14.13 **Extra-Help Employees; Contribution Rates for Medical Plan**
Effective with the first premium due, the County contribution shall be up to four hundred dollars ($400) per month.

Pro-ration shall be as follows:
1. For each pay period in which the extra-help employees work forty (40) or more hours, the full County contribution will be paid.
2. For each pay period in which the extra-help employee works more than twenty (20) but fewer than forty (40) hours, the above amounts shall be prorated in proportion to the number of hours worked in the pay period.
3. For each pay period in which the extra-help employee works fewer than twenty (20) hours, no County contribution will be made.

4. Premiums for the plan will be paid in advance on the first two pay dates of the month prior to the coverage effective date and on the first two pay dates of every month thereafter. When payment has been made in full, coverage will take effect on the first of the month following payment and shall end on the last day of the same month. Coverage will be month to month and is dependent on full payment of premiums and subject to continued eligibility.

The employee premiums shall be paid through pre-tax payroll deduction as allowed by IRS Code
Section 125.

14.14 Extra-Help Employees: Continued Coverage and Conditions for Regaining Eligibility for Medical Plan
An extra-help employee who is enrolled in the medical plan who fails to work at least twenty (20) hours in any pay period in which a premium deduction was due, will be eligible to contribute toward the medical coverage by paying the full amount of the premiums by payroll deduction if sufficient funds are available to fully cover the deduction. Premium payments not paid by payroll deduction will be due in the ACTTC’s Payroll Office by the last day of the pay period in which there were insufficient hours worked. A $25 late fee will apply for each payment not received by the due date.

Premium payments not paid by payroll deduction but paid directly to the ACTTC’s Office may be continued for a maximum of three (3) months or upon the exhaustion of any approved CPDL, CFRA, or FMLA benefit period, whichever is later.

A. Employees who choose to pay timely premiums directly to the ACTTC’s Office by cash or check without a lapse in coverage shall resume premium payment by payroll deduction on the first available pay date following their last cash premium payment without a lapse in coverage.

B. Employees who choose to lapse their coverage during a period of absence may do so by notifying the ACTTC’s Payroll Office in writing no later than seven (7) days after the premium due date. Coverage will be lost for the months not paid. Premium payment by payroll deduction shall restart on the first pay date of a month with sufficient funds to cover the cost of premiums due and shall continue until discontinued by a written cancellation notice, non-payment of premiums, a temporary lapse in coverage in accordance with this section, or separation from employment. Coverage will not restart until a full month’s premiums are paid in full.

C. Employees may choose to cancel their coverage by completing the appropriate forms.

D. Employees who fail to make any of the above elections or who fail to pay premiums when due shall receive one notice of payment due and shall have their coverage canceled for failure to respond.

E. The County reserves the right to cancel an employee’s active coverage if the employee lapses coverage more than three (3) times, or a similar frequency that is determined to be an administrative burden.

Employees who choose option (C) or are canceled under item (D) or (E) must wait until the next annual enrollment period to re-enroll.

An employee who loses coverage under this section may be eligible to elect COBRA continuation of coverage if he or she is no longer eligible to pay premiums directly to the Auditor-Controller-Treasurer-Tax Collector’s (ACTTC) payroll division. The failure to pay premiums or the election to lapse or cancel coverage are not COBRA qualifying events.

14.15 Extra-Help Employees: Medical Plan - Dependent Coverage
Covered employees may purchase dependent coverage for eligible dependents at their own expense through pre-tax payroll deduction as allowed by IRS Code Section 125.

14.16 Extra-Help Employees: Enrollment in Medical Plan
Approximately two (2) months prior to the anticipated eligibility date, the County shall provide enrollment
materials to the employee. The employee then has twenty one (21) calendar days to complete and submit the enrollment forms. If coverage is waived upon initial eligibility, election to participate in the medical plan can only be made during an annual open enrollment period designated by the County or as required by law.

14.17 Extra-Help Employees: Medical Benefits & Family and Medical Leave Act (FMLA), California Family Rights Act (CFRA), or California Pregnancy Disability Leave (CPDL)
Eligible extra-help employees who are off work on an FMLA or CFRA or CPDL qualifying leave shall receive a County contribution toward medical insurance equal to the average amount received in the two (2) pay periods immediately preceding the first (1st) pay period of eligible leave. Employees must pay their share of the medical insurance premiums in order to maintain coverage and to continue to be eligible for a County contribution. Employees must file an Extra-Help FMLA/CFRA/CPDL Request for Leave form along with appropriate medical documentation with their department. Upon approval, the leave form signed by the employee and his/her appointing authority shall be forwarded to the ACTTC’s office.

An employee who is eligible for this continued benefit shall notify the ACTTC’s payroll division of the employee’s intent to continue insurance coverage no later than five (5) County business days after the first day of the leave.

To ensure continued insurance coverage, premiums shall be paid by the employee to the ACTTC’s office no later than the last day of the pay period for which premiums were due. If the employee fails to pay the premium by the last day of the pay period, he/she will receive one (1) reminder notice. In order to prevent a lapse in coverage due to non-payment, the employee shall pay a $25.00 late charge in addition to the premium amount by the date specified in the reminder notice. Only one (1) reminder notice will be sent. If the employee fails to make proper payment within 30 days of the first due date, the employee’s continued medical insurance shall be terminated.

SECTION 18 - OTHER COMPENSATION (Amended 3/19/13)

18.1 Fees
County officers and employees who may collect fees and/or other monies on behalf of the County may retain such fees only when specifically authorized by this Resolution or other resolution of the Board of Supervisors.

18.2 Hourly Cash Allowance
The County shall pay each permanent full- and part-time employee, in addition to their hourly regular earning rate from the salary schedule, a cash allowance of three dollars and forty five cents ($3.45) per pay status hour that the employee is in paid status excluding overtime, up to a maximum of eighty (80) hours in a pay period (or approximately a maximum of six hundred dollars ($600.00) per month). Such hourly cash allowance is compensation for services rendered in that pay period and shall be taken into account for purposes of computing employees’ final compensation for pension purposes, as well as all usual taxation as their regular earning rate from the salary schedule. It shall not be included on the salary schedule and shall not be impacted by future increases in the salary schedule. It is not intended as a supplement toward medical, dental, or any other insurance or benefit. (Amended 9/16/08)
18.3 One-time, Lump-Sum, Non-Recurring And Non-Pensionable Payments

18.3.1 Each regular, full time, active employee in Unrepresented Confidential and Unrepresented units in paid status as of March 14, 2016 shall receive a one-time, lump sum, non-recurring, non-pensionable payment in the amount of six hundred twenty dollars ($620).

The above amounts shall be prorated for eligible part time employees in accordance with Section 14.2.6 of the MOU.

The one-time payments will be subject to all applicable federal, state and local tax withholdings. The payments will not be included in wages for computations of overtime, pension, and benefits or for any other purpose.

18.3.2 Each regular, full time, active employee in Administrative Management and Department Head units in paid status as of March 14, 2016 shall receive a one-time, lump sum, non-recurring, non-pensionable payment in the amount of six hundred twenty dollars ($1553).

The above amounts shall be prorated for eligible part time employees in accordance with Section 14.2.6 of the MOU.

The one-time payments will be subject to all applicable federal, state and local tax withholdings. The payments will not be included in wages for computations of overtime, pension, and benefits or for any other purpose.

18.3.2 Each regular, full time, active employee in Administrative Management and Department Head units shall receive a one-time, lump sum, non-recurring, non-pensionable payment in the amount of thirteen thousand five hundred eighty dollars ($13,580) to be paid in two equal installments to those Administrative Management and Department Head employees in active status as of the last day of the pay period and prorated based on FTE.

Installment One: $6,790 pay period beginning July 5, 2016 (must be in active status as of July 18, 2016 to receive installment 1)

Installment Two: $6,790 pay period beginning July 4, 2017 (must be in active status as of July 17, 2017 to receive installment 2)

The one-time payments will be subject to all applicable federal, state and local tax withholdings. The payments will not be included in wages for computations of overtime, pension, and benefits or for any other purpose.

SECTION 22 – VACATION (Amended 3/15/16)

22.1 Vacation - Maximum Accumulation

Each employee designated as Unrepresented Confidential and Unrepresented, other than extra-help employees as defined in the Civil Service Rules, shall accrue and may use vacation leave with full pay providing that the maximum accumulation shall be no more than two hundred eighty (280) hours. Each employee designated as Unrepresented Administrative Management shall accrue vacation at the rate specified in the table in Section 22.3, and the maximum accruals are as specified in the table.
22.2 **Vacation - Part-Time Employees**

Part-time employees shall accrue vacation leave on a pro-rata basis; usage and accrual shall be governed by the same rules and regulations applicable to full-time employees.

22.3 **Vacation - Accrual Rates - (Amended 6/14/16)**

*Effective the pay period beginning July 5, 2016, each employee who has completed the following in-service hours shall accrue vacation at the appropriate rate shown below. In-service hours include all hours in pay status up to a maximum of eighty (80) hours in a pay period. In lieu of overtime, during each year Unrepresented Administrative Management employees and Department Heads have seven and one half (7 ½) days (60 hours) of Administrative Leave added to their vacation accrual. Elected Department Heads shall accrue seventy-seven (77) hours of Administrative Leave. The equivalent days and the maximum accumulation columns below for Appointed Department Heads and Administrative Management employees include both vacation and administrative leave. Rates shown below will be adjusted to reflect any unpaid time in each pay period. The accrual rates and maximum accumulated hours are shown in the chart below:*

<table>
<thead>
<tr>
<th>Years Comp Full-Time Service</th>
<th>No. of Comp In-Service Hours</th>
<th>Vacation Accrual per 80 In-Service Hours</th>
<th>Maximum Accumulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 – 5</td>
<td>8,348 – 10,434</td>
<td>4.94</td>
<td>280</td>
</tr>
<tr>
<td>5 - 10</td>
<td>10,435 - 20,870</td>
<td>5.25</td>
<td>280</td>
</tr>
<tr>
<td>10 – 15</td>
<td>20,871 - 31,305</td>
<td>6.48</td>
<td>280</td>
</tr>
<tr>
<td>15 - 20</td>
<td>31,306 - 41,741</td>
<td>7.09</td>
<td>280</td>
</tr>
<tr>
<td>20 - 25</td>
<td>41,742 - 52,177</td>
<td>7.70</td>
<td>280</td>
</tr>
<tr>
<td>More than 25</td>
<td>52,178 or more</td>
<td>8.01</td>
<td>280</td>
</tr>
</tbody>
</table>

**DELETE ALL REFERENCES TO THE FOLLOWING:**

- 0 - 2
- 0 - 4,173
- 280
- 3.72
- 4,174 - 6,260
- 280
- 4.33
- 3 - 4
- 6,261 - 8,347
- 280
- 4.64
- 4
### Vacation Accrual Rates

<table>
<thead>
<tr>
<th>Years Comp Full-Time Service</th>
<th>No. of Comp In-Service Hours</th>
<th>Accrual Per 80 In-Service Hours</th>
<th>Maximum Accumulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 – 10</td>
<td>0 - 20,870</td>
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<td>More than 25</td>
<td>52,178 or more</td>
<td>8.01</td>
<td>2.30</td>
</tr>
</tbody>
</table>

#### 22.4 Vacation Accrual Upon Reappointment
Each employee with 10,435 in-service hours (five or more years) who resigned in good standing and is reappointed within two (2) years, shall be credited with 4,174 hours (2 years) of service for purposes of new vacation accrual. Each employee who was laid off and is reappointed within two (2) years shall be returned to the place on the accrual table (in Section 22.3, above) that the employee occupied when laid off. (Amended 12/15/09, effective with implementation of HRMS)

#### 22.5 Vacation Schedules
Vacation schedules shall be arranged by appointing authorities with particular regards to the needs of the service, and whenever possible, with regard to the wishes of the employee. Every effort shall be made to arrange vacation schedules so that each employee will take as much vacation in a year as accrues to the employee in that year. Each employee's vacation time may be so divided as the needs of the service require or permit. No employee may take vacation without advance approval of the appointing authority. No employee may take vacation leave in advance of that actually accumulated at the time such leave is taken.

#### 22.6 Vacation - Payment for Unused Vacation
Each Unrepresented Administrative Management, elected or appointed Department Head, Unrepresented Confidential, or other Unrepresented employee who is separated from the County service shall be entitled to payment in lieu of all unused vacation leave and administrative leave which the employee may have accumulated as of the employee's last day of work and shall be computed on the basis of such employee's base hourly rate at the time of termination.

#### 22.7 Vacation Purchase Plan- Suspended (Amended 3/15/16)
Effective the pay period beginning March 29, 2016, section 22.7, Vacation Purchase Plan shall be suspended.

Each eligible full and part-time Unrepresented and Confidential employee may elect to purchase up to forty
(40) hours of vacation leave each calendar year during their first five (5) years of permanent, probationary or unclassified employment. Vacation purchased shall not exceed two hundred (200) hours. Eligibility will start from the employee's first in-service hour with the County of Sonoma. Eligibility will end upon completion of 10,435 in-service hours. Each eligible employee must submit a signed vacation purchase plan agreement to his or her Departmental Payroll Clerk. Upon receipt the employee's future bi-weekly salary will be reduced by a minimum of two (2) hour increments until the purchase plan agreement has been fulfilled. Purchased vacation will be posted to the employee’s leave balance upon purchase and will be available to the employee the pay period following purchase. All purchases of vacation must be completed prior to the end of the calendar year in which the employee reaches the in-service hours of 10,435. Part-time employees will be eligible to purchase vacation time on a pro-rata basis. Administrative Management is expressly excluded from this provision. (Amended 12/15/09, effective with implementation of HRMS)

The additional vacation purchased is subject to the following guidelines:

a) Purchased vacation must be taken before accrued vacation in Section 22.3.
b) Purchased vacation is subject to the maximum accumulation limits and usage in Section 22.3.
c) Purchased vacation is subject to the same provisions in Section 22.5.
d) Purchased vacation hours when taken as time off will not be included in pay status hours for the purposes of shift pay and premium pay.
e) Vacation Purchased will be paid off at the employee’s base hourly rate at the time of termination.

22.8 Vacation Purchase Plan-Part-Time Employees- Suspended (Amended 3/15/16)
Effective the pay period beginning March 1, 2016, section 22.8, Vacation Purchase Plan- Part-Time Employees shall be suspended.

Part-Time employees will be eligible to purchase vacation time on a pro-rata basis.

22.9 Vacation - Extra-Help Employees
Extra-help employees are not covered by Section 22.

SECTION 23 - SICK LEAVE (Amended 3/15/16)

23.1 Sick Leave Benefit For Employees in Allocated Positions (Not Extra Help)-

23.1.1 Accrual - Rate:
Each Unrepresented Administrative Management, Unrepresented Confidential or other Unrepresented, full-time employee in a regular, allocated position, shall accrue and accumulate sick leave at the rate of 3.680 in-service hours for each completed eighty (80) paid in-service hours.

In-service hours include all hours in pay status excluding overtime. This accrual rate shall be adjusted to reflect any unpaid time in each pay period. Part-time employees, in allocated positions, shall be eligible to receive sick leave on a pro rata basis. Usage and accrual of said benefits shall be governed by the same rules and regulations applicable to full-time employees.

23.1.2 Accrual – Restoration of Accrued Time
When an employee separates from County employment, and returns to County employment within
one year from the separation date, any accrued sick leave remaining on account will be restored to the employee upon rehire, provided the time was not otherwise used, paid out, or converted to service credit. If the separation date is in the middle of the pay period, end of pay period date will apply.

23.1.3 Sick Leave – Use

Earned sick leave credits may, with the approval of the Department Head, be used by the employee, as outlined below.

23.1.3.1 Sick Leave Use – Non- FMLA/CFRA/PDL Leave:

Accrued sick leave for incidents other than FMLA/CFRA/PDL qualifying events may be used as follows:

A. Employee Illness: during the employee’s own incapacity due to illness or injury;

B. Employee Treatment or Examination: during the time needed by the employee to undergo medical or dental treatment or examination;

C. For Care of a Family Member: For diagnosis, care or treatment of an existing health condition of, or preventative care for the employee family member. For leave under this section 23.1.3.1, “family member” is defined as a:

1. child (defined as biological, adopted, or foster child, stepchild, legal ward, or a child to who the employee stands in place of a parent, regardless of age or dependency status);

2. parent (defined as a biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood in place of a parent when the employee was a minor child);

3. employee’s spouse or registered domestic partner;

4. grandparent, grandchild, or sibling of the employee or the employee’s spouse or registered domestic partner.

Sick leave use for family members listed 23.1.3.1c shall not exceed forty-eight (48) hours per occurrence unless extended by joint action of the employee's Department Head and the Director of Human Resources by reason of exceptional hardships. "Occurrence” means per illness or related incidents. The 48 hours do not have be consecutive.

California “Kin Care” (Labor Code 233) provides that an employee may use an amount of paid sick leave each calendar year that is equal to the amount of time that would normally accrue in six month period, and may be used in the same manner as other sick leave described in this section 23.1.3.1. Kin Care provisions run concurrent with other protected leaves and do not extend the maximum period of leave to which the employee is entitled to under FMLA or CFRA.

D. Domestic Violence, Sexual Assault, or Stalking: When an employee is a victim of
domestic violence, sexual assault or stalking, to work to obtain or attempt to obtain any relief, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of themselves or their child(ren); to seek medical attention for injuries caused by domestic violence, sexual assault or stalking; obtain services from a domestic violence shelter, program or rape crisis center as a result of domestic violence, sexual assault or stalking; obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking; participate in safety planning or take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

23.1.3.2 Sick Leave Use - FMLA/CFRA/PDL Qualifying Leave:
In accordance with The Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA), and the Pregnancy Disability Act (PDA) earned sick leave credits may, with the approval of the Department Head, be used by an employee as follows:
A. Employee Illness: During the employee's own incapacity due to illness or injury.

B. Employee Treatment or Examination: During the time needed by the employee to undergo medical or dental treatment or examination.

C. Disabled by Pregnancy: When a woman employee is disabled by pregnancy, which means that in the opinion of her health care provider she is unable because of pregnancy to work at all or is unable to perform any one or more of the essential functions of her job, or to perform these functions without undue risk to herself, the successful completion of her pregnancy, or to other persons.

D. Care of Family Member: When a child, domestic partner or spouse of an employee who is a member of the employee's household or a person for whom the employee is entitled to a Federal Income Tax dependent exemption, or the employee's parent is incapacitated by illness or injury and it is necessary for the employee to care for such child, domestic partner, spouse, or parent.

Child is defined as biological, adopted, or foster child, stepchild, legal ward, or a child to who the employee stands in place of a parent, who is either under 18 years of age or an adult dependent child. An adult dependent child is an individual who is 18 years of age or older and who is incapable of self-care because of a mental or physical disability within the meaning of Government Code section 12926(j) and (l).

Parent for purposes of this Section is defined as biological, foster, adoptive, step-parent, legal guardian or person who stood in place of a parent to the employee when the employee was a child. A biological or legal relationship is not necessary for a person to have stood in place of a parent to the employee as a child. Parent does not include a parent-in-law.
For FMLA/CFRA qualifying events to care for a covered family member incapacitated by illness or injury, employees are allowed to use up to 480 hours of accrued sick leave per eligible event, and not to exceed the number of hours authorized by medical certification. CFRA bonding leave does not qualify for use of sick leave.

Information on FMLA/CFRA/PDL eligibility, documentation, and benefit and pay status is provided under Section 24.3 – Family Care and Medical Leave Under FMLA/CFRA.

23.1.4 Sick Leave – Required Documentation

23.1.4.1 Annual Period- Allocated Employees: The “annual period” is a calendar year. For new employees who begin mid-year, the annual period begins on the employee’s first day of work, restarts on January 1, and runs on calendar year basis thereafter.

23.1.4.2 First Forty-Eight Hours: For new employees, the first 48 hours, or number of hours equal to 6 days of the employees regular schedule (whichever is greater), of accrued sick leave used by an employee in the first annual period will be applied to and subject to the provisions of California paid sick leave laws, until January 1st, and on a calendar year thereafter. During this period, if the need for paid sick leave is foreseeable, the employee shall provide reasonable advanced notice. If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable. If the County has reasonable suspicion of sick leave abuse, a signed medical certification may be required for each use of accrued sick leave to the extent permissible by law.

23.1.4.3 Subsequent Hours: For use of accrued sick leave beyond the first 48 hours or number of hours equal to six (6) days in the annual or calendar period (consecutive or non-consecutive), as described above, a signed medical certification may be required for each use of sick leave. Reasonable medical certification of incapacity shall be required for sick leave use of more than forty-eight (48) consecutive work hours duration.

23.1.4.4 Reasonable certification may be required, within a reasonable time after the absence, when an unscheduled absence occurs to obtain relief if the employee is a victim of domestic violence, sexual assault, or stalking, in accordance with Section 23.1.3.1(d) of this Agreement. Such certification shall be treated as confidential. Certification may be provided directly to Human Resources and shall not be disclosed to any person except to the affected employee, or as provided by law.

23.1.4.5 FMLA/CFRA/PDL: If use of accrued sick leave is for an FMLA, CFRA, or PDL qualifying event, medical certification is required, in accordance with the law and as outlined in the Medical Leave Policy.

23.2 Sick Leave Benefit for Extra Help Employees

For the purposes of this Section 23.2: “Extra Help” includes employees working in Temporary,
Intermittent, Seasonal, or Paid Intern positions, as defined in the County’s Civil Service Rules. The provisions of this section do not apply to Retiree Extra Help, Volunteers or Student Volunteers.

23.2.1 Annual Period- Extra Help: The annual period is a calendar year. For new Extra Help employees who begin mid-year, the annual period begins on the employee’s first day of work, restarts on January 1, and runs on a calendar year basis thereafter.

23.2.2 Eligibility – Extra Help Employees:
Effective July 1, 2015, Extra Help employees are eligible for sick leave benefits as described in this section 23.2 after thirty (30) calendar days of employment with the County. A break in service does not restart the 30 day eligibility period unless the break is a year or more from the end of the last pay period in which the employee was in paid status.

23.2.3 Accrual - Extra Help Employees:
Extra Help accrue and accumulate sick leave at a rate of 1 hour per 30 hours worked, including overtime (pending further clarification or interpretation of the law), up to a maximum accumulation of seventy-two (72) hours. Accrued sick leave hours, when used, do not accrue additional sick leave hours. Accrual begins from the first day of work, but accrued time may not be used until the first pay period following completion of the 30 day eligibility requirement. Leave may not be used in advance of accrual, and is considered “accrued” on the first day of the subsequent pay period. Hours spent on Jury Duty, County release time, or County approved educational leave or training will count toward accrual of sick leave hours.

23.2.4 Accrual – Restoration Of Accrued Time
When an Extra Help employee separates an assignment and returns to County employment within one year of the termination date, any accrued sick leave remaining on account will be restored to the employee’s Extra Help sick leave bank upon re-hire. If the termination date is in the middle of the pay period, end of pay period date will apply.

23.2.5 Accrual – Change in Employment Status
Refer to Section 23.3.

23.2.6 Sick Leave – Use, Extra Help
23.2.6.1 Use Limits – Extra Help
Earned sick leave credits may, with the approval of the Department Head, be used by the employee in increments of not less than 1 hour, and not to exceed thirty-six (36) hours in the employee’s annual period. Accrued paid sick leave must be used prior to using leave without pay for sick leave eligible events except as allowed under CFRA qualifying leaves, below. When used, sick leave hours are not considered hours worked and do not accrue additional hours of sick leave. The hours are included in merit hours.

23.2.6.2 Use – Extra Help, Non- FMLA/CFRA/PDL Leave:
Accrued sick leave for incidents other than FMLA/CFRA/PDL qualifying events may be used as follows:
A. Employee Illness: during the employee’s own incapacity due to illness or injury;

B. Employee Treatment or Examination: during the time needed by the employee to undergo medical or dental treatment or examination;

C. Family Member: For diagnosis, care or treatment of an existing health condition of, or preventative care for the employee family member. For leave under this section 23.2.5.2, “family member” is defined as a:
   1. child (defined as biological, adopted, or foster child, stepchild, legal ward, or a child to who the employee stands in place of a parent, regardless of age or dependency status);
   2. parent (defined as a biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood in place of a parent when the employee was a minor child);
   3. employee’s spouse or registered domestic partner;
   4. grandparent, grandchild, or sibling of the employee or the employee’s spouse or registered domestic partner.

D. Domestic Violence, Sexual Assault, Stalking: When an employee is a victim of domestic violence, sexual assault or stalking, to work to obtain or attempt to obtain any relief, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of themselves or their child(ren); to seek medical attention for injuries caused by domestic violence, sexual assault or stalking; obtain services from a domestic violence shelter, program or rape crisis center as a result of domestic violence, sexual assault or stalking; obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking; participate in safety planning or take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

Use of paid sick leave for any reasons under this section 23.2.5.2 may not exceed thirty-six (36) hours in an annual period unless extended by joint action of the employee's Department Head and the Director of Human Resources by reason of exceptional hardships.

California “Kin Care” (Labor Code 233) provides that an employee may use an amount of paid sick leave each calendar year that is equal to the amount of time that would normally accrue in six month period, and may be used in the same manner as other sick leave described in this section 23.2.6.2. Kin Care provisions run concurrent with other protected leaves and do not extend the maximum period of leave to which the employee is entitled to under FMLA or CFRA.
23.2.6.3 Use – Extra Help, FMLA/CFRA/PDL Qualifying Leave:
Extra Help employees may be eligible for protected leave under the family Medical Leave Act (FMLA), the California Family Rights Act (CFRA), or the Pregnancy Disability Act (PDA), for certain, qualifying events. FMLA/CFRA/PDL eligibility requirements are detailed under Section 24.3 and in the County’s Medical Leave Policy. The same qualifying reasons, definitions of family members, and eligibility requirements apply to Extra Help and employees in allocated positions, and are outlined in 23.1.3.2, above.

23.2.7 Extra Help Sick Leave – Required Documentation
23.2.7.1 Documentation for Paid Sick Leave: Accrued sick leave used by an employee in each annual period (up to 36 hours annually) will be applied to and subject to the provisions of all applicable paid sick leave laws. During this period, if the need for paid sick leave is foreseeable, the employee shall provide reasonable advanced notice. If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable. If the County has reasonable suspicion of sick leave abuse, a signed medical certification may be required for each use of accrued sick leave to the extent permissible by law. If use of time under this section is a FMLA or CFRA qualifying event, medical certification for those programs is required in accordance with the law and as outlined in the Medical Leave Policy (same requirements as Allocated employees).

23.2.7.2 Documentation for Unpaid Sick Leave: For any leave in excess of 36 hours in an annual period, or any unpaid sick leave, a signed medical certification may be required for each use of leave. Reasonable medical certification of incapacity (if applicable) shall be required for any leave of more than forty-eight (48) hours duration.

23.2.7.3 Reasonable certification may be required, within a reasonable time after the absence, when an unscheduled absence occurs to obtain relief if the employee is a victim of domestic violence, sexual assault, or stalking, in accordance with Section 23.2.6.2(d) of this Agreement. Such certification shall be treated as confidential. Certification may be provided directly to Human Resources and shall not be disclosed to any person except to the affected employee, or as provided by law.

23.3 Change in Employment Status – Extra Help to Allocated / Allocated to Extra Help
23.3.1 Extra Help to Allocated Position:
For an Extra Help employee who begins an allocated assignment within one year of separation of an Extra Help assignment, any accrued and unused Extra-Help sick leave hours on account will carry forward with the employee. If the separation date is in the middle of the pay period, pay period end date will apply. Hours carried forward may be used, subject to the following restrictions:
1. Extra Help sick leave hours must be used prior to using sick leave accrued as a regular employee;
2. Extra Help sick leave hours have no cash value; and
3. Extra Help hours are not eligible for conversion to service credit at regular retirement (pursuant to Section 23.4).

The employee’s annual period will be changed to the date they start in the new position.

23.3.2 Allocated Position to Extra Help:
For an employee assigned to an allocated position who begins an eligible Extra Help assignment within one year of separation from an allocated position, any accrued sick leave remaining on account will be restored to the employee as Extra Help sick leave, up to the cap of 72 hours, and may be used subject to the limits and provisions for use of Extra Help sick leave outlined in Section 23.2 (Sick Leave Benefit for Extra Help Employees). If an employee returns to an allocated position within one year of separation from an allocated position, the provision of 23.1.2 will apply, except that any sick leave hours used or accrued during the extra help period will be factored against the employees former leave balance. If the separation date is in the middle of the pay period, pay period end date will apply.

The employee’s annual period will be changed to the date they start in the new position.

23.4 Sick Leave - Conversion at Regular Retirement
For each Unrepresented Administrative Management, Unrepresented Confidential, or other Unrepresented employee separating from County services on regular, non-disability retirement shall convert one-hundred percent (100%) of unused sick leave remaining to such employee's credit at the time of retirement to retirement service credit as provided by Government Code Section 31641.03., excepting that Extra Help sick leave hours are not eligible for conversion to retirement service credit.

23.5 Sick Leave – Payoff at Regular Retirement
Each Unrepresented Administrative Management, Unrepresented Confidential, or other Unrepresented employee who separates from County service on regular non-disability retirement, who reaches 100% of retirement benefit allowed by law, and who is prevented by law from converting some or all of the employee’s remaining unused sick leave to service credit under section 23.4 (Sick Leave – Conversion at Regular Retirement), the County shall pay the monetary equivalent of twenty-five percent (25%) of all unused sick leave remaining to such employee’s credit at the time of separation, computed on the basis of the employee’s base hourly rate. Extra Help sick leave is not eligible for this provision.

23.6 Sick Leave – Distribution at Death or Layoff
The County shall pay each employee who separates from County service by death or layoff, the monetary equivalent of 25% of all unused sick leave remaining to such employee’s credit as of the time of separation, computed on the basis of such employee’s base hourly pay. Extra Help sick leave is not eligible for this provision.

23.7 Sick Leave - Distribution at Disability Retirement
The County shall pay each Unrepresented Administrative Management, Unrepresented Confidential, or other Unrepresented employee separated from County service by disability retirement at such employee's base hourly rate for all unused sick leave remaining to such employee's credit as of the time of separation. This Section shall not apply to an employee separated from County service by a service retirement. The County shall not pay an employee under this Section for any sick leave hours donated to the employee by other employees under a catastrophic leave benefit. Extra Help sick
leave is not eligible for this provision.

23.8 Medical Examinations
An appointing authority may direct any employee to undergo a medical examination to determine the employee's mental and physical capacity to perform the duties of the employee's position. Each determination that an employee is or is not capable of performing the duties of the employee's position will be made available to the appointing authority and the employee concerned. Each such examination shall be paid by the department requesting the examination.

SECTION 24 - MISCELLANEOUS LEAVES OF ABSENCE (Amended3/15/16)

24.1 Leaves of Absence Without Pay Usage Reference Table
Employees in regular, allocated positions will be required to use paid leaves before a Leave of Absence Without Pay (LWOP) as shown in the following table:

<table>
<thead>
<tr>
<th>MISCELLANEOUS LEAVES OF ABSENCE</th>
<th>Employees will be required to use paid leaves before a Leave of Absence Without Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Event</td>
<td>Sick</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>During the incapacity due to illness or injury employee’s own</td>
<td>Yes, you may keep 40 hrs.</td>
</tr>
<tr>
<td>When a woman employee is disabled by pregnancy.</td>
<td>Yes, you may keep 40 hrs.</td>
</tr>
<tr>
<td>During the time needed by the employee to undergo medical or dental treatment or examination.</td>
<td>Yes, you may keep 40 hrs.</td>
</tr>
<tr>
<td>When the employee’s family member is incapacitated by illness/injury and the employee must care for him/her or for care, exam or treatment of a family member*</td>
<td>Yes, you may keep 40 hrs (refer to Section 23.2(d))</td>
</tr>
<tr>
<td>Non-sick FMLA/CFRA** qualifying event (e.g., child bonding leave)</td>
<td>No</td>
</tr>
<tr>
<td>Section 12.5 - Education Leave</td>
<td>No</td>
</tr>
<tr>
<td>Approved undisclosed reason or extended vacation</td>
<td>No</td>
</tr>
<tr>
<td>Section 17 - Sabbatical</td>
<td>No</td>
</tr>
</tbody>
</table>

*In the event an employee is eligible to receive Paid Family Leave to care for the serious health condition of a family member or to bond with a new child they will not be required to use sick, vacation or CTO time, while receiving the benefit.
**Family & Medical Leave Act (FMLA)/California Family Rights Act (CFRA)
24.2 Compassionate Leave
Any Unrepresented Administrative Management, Unrepresented Confidential, or other Unrepresented full-time or employee may be granted up thirty-two (32) hours of leave with pay, in the event of death of spouse, domestic partner, child, step-child, son-in-law, daughter-in-law, brother, brother-in-law, sister, sister-in-law, grandparent, great-grandparent, grandchild or person with whom the employee has a relationship in loco parentis, and the mother or father of the employee or the spouse of the employee. Up to an additional eight (8) hours of sick leave may be granted to supplement compassionate leave. Where travel in excess of 300 miles one way from the employee’s residence is required up to an additional one (1) of the employee’s regular work days of sick leave may be used to supplement compassionate leave. Up to an additional forty (40) hours of accrued vacation leave or accrued comp time off may be granted to supplement compassionate leave upon request.

Any part-time Unrepresented Administrative Management, Unrepresented Confidential, or other Unrepresented employee shall be eligible for a pro-rated compassionate leave. Ongoing work schedule for purposes of this Section shall mean an average of the two (2) pay periods immediately preceding the need for compassionate leave or the employee’s normal bi-weekly allocation of hours, whichever is greater.

24.3 Family Care and Medical Leave Under FMLA and CFRA (Amended 3/15/16)
24.3.1 Each eligible employee is entitled to family care and medical leave as provided by the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA), as amended. The leaves under FMLA and CFRA will run concurrently to the extent permitted by law.

24.3.2 Eligibility
To be eligible for family care and medical leave, on the date on which leave is to begin, a full-time or part-time employee must have been employed by the County for at least twelve (12) months, which need not be consecutive, and have actually worked at least 1,250 hours of service during the twelve (12) month period immediately preceding the commencement of the leave.

24.3.3 Family Care And Medical Leave Entitlement
Subject to the provisions of this Salary Resolution, County policy, and state and federal law, including the federal FMLA and the CFRA, an eligible employee is entitled to a total of twelve (12) workweeks of unpaid leave during any twelve (12) month period for any one, or more, of the following reasons:

24.3.3.1 The birth of a child and to care for the newborn child (FMLA and CFRA);

24.3.3.2 The placement with the employee of a child for adoption or foster care and care for the newly placed child (FMLA and CFRA);

24.3.3.3 To care for the employee’s child, parent, spouse, or domestic partner (CFRA only) who has a serious health condition. (Child is defined as biological, adopted, or foster child, stepchild, legal ward, or child of a person standing in place of parent who is under 18 years of age or an adult dependent child. Parent is defined as biological, foster or adoptive parent, stepparent, or legal guardian. Parent does not include a parent-in-law under this provision.)
24.3.3.4 Because of an employee’s own serious health condition that makes the employee unable to perform the functions of the employee’s position, except for disability on account of pregnancy, childbirth, or related medical conditions, which is covered by pregnancy disability leave. (Pregnancy disability counts toward only California Pregnancy Disability Leave (PDL) and FMLA leave.)

24.3.3.5 Because of any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a U.S. National Guard or Reserve member on active duty (or has been notified of an impending call or order to active duty status) in support of a contingency operation (FMLA only).

The twelve (12) month period for FMLA/CFRA purposes is determined by a “rolling” twelve (12) month period measured backwards from the date an employee first uses FMLA/CFRA leave.

24.3.4 Family Care And Medical Leave To Care For A Covered Service Member With A Service Injury Or Illness

Subject to the provisions of this Salary Resolution, County policy, and state and federal law, including the FMLA, an eligible employee may take FMLA leave to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member. (This 12 month period used under FMLA/CFRA to determine leave eligibility is separate from the “annual period” defined in 23.1.4.)

24.3.4.1 An eligible employee’s entitlement under Section 24.3.4 is limited to a total of twenty-six (26) workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness. The “single 12-month period” in which the 26-weeks-of-leave-entitlement described in this begins on the first day an employee takes leave to care for the covered service member.

24.3.4.2 During the “single 12-month period” described above, an eligible employee’s FMLA leave entitlement is limited to a combined total of twenty-six (26) workweeks of FMLA leave for any qualifying reason.

24.3.5 Family Care and Medical Leave - Pay Status And Benefits

24.3.5.1 Except as provided in this Section, the family care and medical leave will be unpaid. The County will, however, continue to provide County contributions toward the health plan premium during the period of family care and medical leave for up to twelve (12) work weeks for represented employees and up to fifteen (15) work weeks for Administrative Management, Confidential, and Unrepresented employees on the same basis as coverage would have been provided had the employee not taken family care and medical leave. The employee will be required to continue to pay the employee’s share of premiums payments, if any.

24.3.5.2 Nothing in this Section shall preclude the use of medical or pregnancy disability leave in Section 14.7 (Medical/Pregnancy Disability Leave) when the employee is medically incapacitated or disabled. If an employee does not qualify for continued benefits under this
Section 24.3 or Section 14.7 (Medical/Pregnancy Disability Leave) and the employee wishes to continue benefit coverage, then Section 14.7.2 (Continuation of Health Benefits Coverage) applies.

24.3.6 Relationship of Family Care and Medical Leave to Other Leaves
Any leave of absence that qualifies as family care and medical leave will be counted as running concurrently with any other paid or unpaid leave to which the employee may be entitled for the same qualifying reason. Section 17 identifies accrued paid leave which an employee may be required to use concurrently with unpaid family care and medical leave.

24.3.7 Family Care and Medical Leave - Relationship To Pregnancy Disability Leave
The family care and medical leave provided under this section is in addition to any leave taken on account of disability due to pregnancy, childbirth, or related medical conditions for which an employee may be qualified under state law.

24.3.8 Family Care and Medical Leave - Notice to the County

24.3.8.1 The employee must provide written notice to the County as far in advance of the leave as possible and as soon as the employee reasonably knows of the need for the leave. If the need for the leave is foreseeable based on an expected birth, placement of a child for adoption or foster care or planned medical treatment, the notice must be provided at least 30 calendar days in advance of the leave, or if not reasonably known 30 calendar days before the leave, then as soon as reasonably practicable.

24.3.8.2 The written notice must inform the County of the reasons for the leave, the anticipated duration of the leave and the anticipated start of the leave.

24.3.8.3 The employee shall consult with the County and make a reasonable effort to schedule any planned medical treatment or supervision so as to minimize disruption to department operations.

24.3.9 Family Care and Medical Leave - Medical Certification

24.3.9.1 An employee’s request for family care and medical leave to care for a child, a spouse, or a parent who has a serious health condition shall be supported by a certification issued by the health care provider of the individual requiring care. If additional leave is required after the expiration of the time originally estimated by the health care provider, the employee shall provide the County with recertification by the health care provider.

24.3.9.2 An employee’s request for family care and medical leave because of employee’s own serious health condition shall be supported by a certification issued by the employee’s health care provider.
24.3.9.3 As a condition of an employee’s return from leave taken because of the employee’s own serious health condition, the employee is required to obtain certification from the employee’s care provider that the employee is able to resume work.

24.3.9.4 Employees are required to use the medical certification forms available from the County Human Resources Department to meet the certification and recertification requirements of this section.

24.3.10 Family Care and Medical Leave - County’s Response To Leave Request
It is the County’s responsibility to designate leave, paid or unpaid, as family and medical leave-qualifying and to notify the employee of the designation.

24.3.11 Family Care and Medical Leave - Employee’s Status On Returning From Leave
Except as provided by law, on return from family care and medical leave, an employee is entitled to be returned to the same or equivalent position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An employee has no right to return to the same position. Use of family care and medical leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee’s FMLA/CFRA leave.

24.3.12 Family Care and Medical Leave - Procedures, Definitions, and Forms
A description of the required process and procedures to follow for intermittent leave and reduced leave schedules, forms to use when requesting family care and medical leave, and applicable definitions are included in the County Medical Leave Policy and found on the County Human Resources Department website, and are available from the Human Resources Department.

24.3.13 This Section 24.3 shall be interpreted as the legal minimum family care and medical leave available to eligible employees. The County may grant additional leave without pay under this Section (24.3) provided it is consistent with the applicable provisions of the Sonoma County Civil Service Rules, County leave policies, Section 24, and other provisions of this memorandum.

24.4 Time Off for Donating Blood
If an employee does not have sufficient time outside of working hours to donate blood, subject to department operational needs, the employee may, without loss of pay, take off up to one (1) hour of working time twice a year for the purpose of donating blood. The employee shall give the employer at least five (5) working days’ notice that time off for donating blood is desired.

SECTION 31 - DISASTER LEAVE
When there has been a natural disaster of a magnitude that requires the Board of Supervisors to Proclaim a County State of Emergency, the County will enact this disaster leave provision.
For up to one year from the termination of the said proclamation, County employees may donate accrued compensatory time and vacation leave to other County employees who have lost work time because they have been a victim of a disaster affecting their primary residence. For up to one year from the termination of the said proclamation, impacted employees may use up to 320 hours of donated leave. Such donated time will not exceed the total amount of time lost by the receiving employee including vacation, compensatory time used and any unpaid leave incurred. Unused donated time at the expiration of the leave provision period will be returned to the donor.

SECTION 34 - RETIREMENT PROVISIONS (Amended 3/19/13)

34.1 Retirement – General Employees Hired On Or After January 1, 2013

This Section 34.1 (including subsections) shall apply to employees hired on or after January 1, 2013, who are or become contributing members of the Sonoma County Employees’ Retirement Association (“SCERA”) and who do not qualify for pension reciprocity as stated in Government Code Section 7522.02 (c).

34.1.1 Final Compensation Based On Three Year Average

As required by Government Code Section 7522.32, effective January 1, 2013, for the purposes of determining a retirement benefit for SCERA members covered by this section 34.1, final compensation shall mean the highest average annual pensionable compensation earned during 36 consecutive months of service.

34.1.2 2.0% @ 62 Pension Formula

As required by Government Code Section 7522.20, the 2.0% at 62 pension formula shall be available to employees covered by this section 34.1 who are contributing members of SCERA.

34.1.3 Required Employee Contributions

As required by Government Code section 7522.30(c), SCERA members covered by this section 34.1 shall pay 50 percent of normal costs. In addition, SCERA members covered by this section 34.1 shall pay 3.03 percent of the employee’s pensionable compensation toward the County’s employer contribution to retirement costs. This additional 3.03% contribution shall continue until July 2024.

34.2 Retirement – General Employees Hired On Or Before December 31, 2012

This Section 34.2 (including subsections) shall apply to employees hired on or before December 31, 2012 who are contributing members of the SCERA, or who are hired after that date and qualified for pension reciprocity pursuant to Government Code Section 7522.02 (c) and any related SCERA reciprocity requirements.

34.2.1 Final Compensation Based On Single Year

For purposes of determining a retirement benefit, final compensation for employees covered by this section 34.2 shall mean the average annual compensation earnable by the member as specified in Government Code Section 31462.1.

34.2.2 3.0% @ 60 Pension Formula

The 3.0% at 60 pension formula (CERL 31676.17) shall be available to employees covered by this section 34.2 who are contributing members of the SCERA.
34.2.3 Required Employee Contribution
SCERA members covered by this section 34.2 will contribute the amount required by SCERA as employee contributions, and shall continue to pay an additional 3.03% of pay, pretax, to their employee retirement account. This 3.03% of pay contribution of the employee’s pensionable compensation shall be paid as part of the County’s contribution to pay for the unfunded accrued actuarial liability. This additional 3.03% contribution will continue until July 2024.

34.2.4 Employee Cost Share – 50% of Normal Cost
a. Effective the first full pay period following July 1, 2016, and subject to Sonoma County Employees Retirement Association (SCERA) Board approval of the cost share arrangement under the terms described herein, active County General legacy members of SCERA will contribute one third of the actuarially determined difference between the average General legacy employee retirement rate (exclusive of the 3.03% payroll contribution toward the UAAL described in section 34.2.3 of the MOU) and one half the total normal cost (“total normal cost” includes both employer and member shares) calculated as an average for General legacy Members of the Sonoma County Employees Retirement Association (SCERA) covered by this Section 34.2 based on rates of all active County General legacy members, with the difference computed to a factor and applied equally to all legacy members. Such legacy employees will receive a lump sum benefit allowance as reimbursement for this pension cost share arrangement each pay period equal to the dollar value of the deduction described in this paragraph, less any required taxes.

b. Effective the first full pay period following July 1, 2017, and subject to Sonoma County Employees Retirement Association (SCERA) Board approval of the cost share arrangement under the terms described herein, active County General legacy members of SCERA will contribute an additional one third (for a total of two thirds) of the actuarially determined difference between the average General legacy employee retirement rate (exclusive of the 3.03% payroll contribution toward the UAAL described in section 34.2.3) and one half the total normal cost (“total normal cost” includes both employer and member shares) calculated as an average for General legacy Members of the Sonoma County Employees Retirement Association (SCERA) covered by this Section 34.2 based on rates of all active County General legacy members, with the difference computed to a factor and applied equally to all legacy members. Such legacy employees will receive a lump sum benefit allowance as reimbursement for this pension cost share arrangement each pay period equal to the dollar value of the deduction described in this paragraph, less any required taxes.

c. The lump sum benefit allowance described in Sections 34.2.4 (a) and (b) will not be included in wages for computations of overtime, pension benefits or for any County benefit related purpose.

34.3 Retirement – Safety Employees Hired On Or After January 1, 2013
This Section 34.3 (including subsections) shall apply to employees hired on or after January 1, 2013, who are or become contributing members of the Sonoma County Employees’ Retirement Association (“SCERA”) and who do not qualify for pension reciprocity as stated in Government Code Section 7522.02 (c).
34.3.1 Final Compensation Based On Three Year Average
As required by Government Code Section 7522.32, effective January 1, 2013, for the purposes of determining a retirement benefit for SCERA members covered by this section 34.3, final compensation shall mean the highest average annual pensionable compensation earned during 36 consecutive months of service.

34.3.2 2% @ 50 - 2.7% @ 57 Pension Formula
As required by Government Code Section 7522.25, the safety Option Plan Two (2% @ 50- 2.7% @ 57) pension formula shall be available to employees covered by this section 34.3 who are contributing members of the SCERA.

34.3.3 Required Employee Contributions
As required by Government Code section 7522.04(g), SCERA members covered by this section 34.3 shall pay 50 percent of normal costs. In addition, SCERA members covered by this section 34.3 shall pay 3.00% of the employee’s pensionable compensation toward the County’s employer contribution to retirement costs. This additional 3.00% contribution shall continue until July 2024.

34.4 Retirement – Safety Employees Hired On Or Before December 31, 2012
This Section 34.4 (including subsections) shall apply to employees hired on or before December 31, 2012 who are contributing members of the SCERA, or who are hired after that date and qualified for pension reciprocity as stated in Government Code Section 7522.02 (c) and any related SCERA reciprocity requirements.

34.4.1 Final Compensation Based On Single Year
For purposes of determining a retirement benefit, final compensation for employees covered by this section 34.4 shall mean the average annual compensation earnable by the member as specified in Government Code Section 31462.1.

34.4.2 3.0% @ 50 Pension Formula
The 3.0% at 50 pension formula shall be available to employees covered by this section 34.4 who are contributing members of the SCERA.

34.4.3 Required Employee Contribution
SCERA members covered by this section 34.4 will contribute the amount required by SCERA as employee contributions, and shall continue to pay an additional 3.00% of pay, pretax, to their employee retirement account. This 3.00% of pay contribution of the employee’s pensionable compensation shall be paid as part of the County’s contribution to pay for the unfunded accrued actuarial liability. This additional 3.00% contribution will continue until July 2024.

34.4.4 Employee Cost Share – 50% of Normal Cost
Effective the first full pay period following July 1, 2016, each active Safety member of the Sonoma County Employees Retirement Association (SCERA) covered by this Section 34.4 shall contribute one and one half percent (1.5%) of any compensation required to be made to their
employee retirement account as a contribution towards one half of the total normal cost (“total normal cost” includes both employer and member shares). The additional contribution shall be deducted from the employees’ compensation pretax and they shall become part of the accumulated retirement contributions of the employee. Employees covered by this section 34.4.4(a) shall receive a lump sum benefit allowance each pay period as a reimbursement for the cost share arrangement, equal to the dollar value of the deduction described in this paragraph less any required taxes.

b. Effective March 14, 2017, each active Safety member of the Sonoma County Employees Retirement Association (SCERA) covered by this Section 34.4 shall contribute an additional one and one third percent (1.3%) for a total of 2.8% of any compensation required to be made to their employee retirement account as a contribution towards one half of the total normal cost (“total normal cost” includes both employer and member shares). The additional contribution shall be deducted from the employees’ compensation pretax and they shall become part of the accumulated retirement contributions of the employee. Employees covered by this section 34.4.4(b) shall receive a lump sum benefit allowance each pay period as a reimbursement for the cost share arrangement, equal to the dollar value of the deduction described in this paragraph less any required taxes.

c. The lump sum benefit allowance described in Sections 34.4.4(a) and (b) will not be included in wages for computations of overtime, pension benefits or for any County benefit related purpose.

34.5 Employer Pick-Up of Employee’s Share of Retirement Contribution – Not Allowed
Pursuant to the Public Employees Pension Reform Act of 2013 (PEPRA), the County shall not contribute towards any employee’s share of retirement contributions.

SECTION 35 – DIRECT DEPOSIT
Effective for the July 27, 2016 pay date, all employee will have their pay check deposited directly to the employee’s accounts in the participating financial institute. The effective date of the deposit will be one day after the regularly scheduled date of payroll issue. Employees may request a printed paycheck due to a hardship or other extenuating circumstances (e.g. identify theft, changes in financial institutions, domestic violence situations, etc.).

Printed pay stubs will not automatically be provided to employees enrolled in direct deposits. Pay stub information will be available bi-weekly in the self-service feature of the HRMS system where print and/or save functions are available.