



Management and Confidential Employee Compensation Plan

EFFECTIVE: 08/23/2022

**Vista Management & Confidential Employee
Compensation Plan**

Table of Contents

Article #		Page
1.0	Purpose	1
2.0	Acknowledgements	1
3.0	Management Employees	1
4.0	Confidential Employees	2
5.0	Salaries	4
6.0	Benefits	5
7.0	Acting Pay	14
8.0	Paramedic License Pay	14
9.0	Uniforms	14
10.0	Discrimination / Harassment Prevention Policy	15
11.0	Exempt Management Special Merit Increase	15
12.0	Temporary Appointments	15
13.0	Flexible Staffing of Certain Entry-Level Confidential Positions	15
14.0	Health Reimbursement Arrangement	16

CITY OF VISTA

**MANAGEMENT AND CONFIDENTIAL
EMPLOYEE COMPENSATION PLAN**

- 1.0 **PURPOSE:** To maintain a distinct and separate procedure for establishing the compensation of Management and Confidential employees. The employees in these groups, as designated below, shall be compensated as set forth in this plan. The City Manager shall meet periodically with each group to discuss this plan. Employees in these groups may not be represented by any employee association which also represents employees who are not in these groups.
- 2.0 **ACKNOWLEDGEMENTS:** The City of Vista recognizes the special responsibilities and demands placed upon its Management and Confidential employees. The City also notes the necessity to compensate these employees in order to maintain a high caliber of top leadership and administrative support. At the same time, the City expects certain levels of performance in return for compensation.

The City Manager may at his/her discretion grant increased benefits in certain cases to recruit/retain employees (e.g., starting new employee with a bank of vacation; or trade off for waiving insurance) and shall be authorized to provide a severance package for at-will employees whose positions have been identified for elimination in a general layoff.

3.0 **MANAGEMENT EMPLOYEES:**

- 3.1 **Appointed:** Employees in this group are exempt from the competitive service. Their appointments are at-will and incumbents serve at the pleasure of the City Council. In the event that provisions of an Employment Agreement are in conflict with any provisions contained herein, the Employment Agreement provisions shall prevail.

City Manager
City Attorney

- 3.2 **Department Directors:** Employees in this group are exempt from the competitive service. Their appointments are at-will and incumbents serve at the pleasure of the City Manager.

Assistant City Manager
City Clerk
Community Development and Engineering Director
Economic Development Director
Finance Director/Treasurer
Human Resources Director
Public Works Director
Recreation and Community Services Director
Fire Chief

3.3 **Exempt Management:** Employees in this group are exempt from the competitive service. Their appointments are at-will and incumbents serve at the pleasure of the Appointing Authority.

Assistant City Attorney
Assistant City Clerk
Assistant to the City Manager
Building Official
Capital Projects Manager
City Engineer
City Planner
Code Enforcement Manager
Communications Officer
Community Services Program Manager
Construction Manager
Deputy City Attorney
Deputy Fire Chief
Emergency Services Officer
Finance Manager
Fire Battalion Chief
Geographic Information System Coordinator
Housing Program Manager
Human Resources Analyst
Information Technology Analyst
Information Technology Manager
Management Analyst
Principal Engineer
Principal Human Resources Analyst
Principal Planner
Public Works Operations Manager
Public Works Supervisor
Recreation Manager
Risk and Safety Analyst
Senior Accountant
Senior Engineer
Senior Information Technology Analyst
Senior Management Analyst
Sewer Engineering Division Manager
Stormwater Program Manager
Waterpark Manager

4.0 **CONFIDENTIAL EMPLOYEES:** Employees in this group are designated as such by virtue of the fact that they are privy to information used in the conduct of employer/employee relations. Confidential positions are designated in the City-Wide Classification and Compensation Index. Confidential Employees are exempt from the competitive service and serve at the pleasure of the Appointing Authority.

5.0 **SALARIES:**

- 5.1 In each of the fiscal years 2021/2022, 2022/2023, 2023/2024, and 2024/2025 all Management and Confidential employees will receive a 2.5% across-the-board base salary increase. The effective date of the increase will be the first pay date in July wherein the majority of the days in the pay period fall in July rather than in June.

On August 26, 2022, all Management and Confidential employees will receive an additional 3.0% across-the-board base salary increase.

- 5.1.1 **COVID-19 Premium Pay:** All employees under this Plan shall receive a one-time 8% of base salary, non-PERSable lump sum stipend. This stipend shall be paid out no later than November 30, 2021.

- 5.2 **Appointed Employees:** The salaries for Appointed Employees shall be set by the City Council.

- 5.3 **Department Directors:** The City Manager shall periodically review the pay ranges for Department Directors and recommend changes when deemed necessary to the City Council. Such ranges shall consist of a maximum and minimum salary. An adjustment to a salary range shall not prescribe a mandatory adjustment for any incumbent in a Department Director position.

The City Manager shall evaluate each Department Director in writing annually on the anniversary date of the Department Director's appointment to this group. The City Manager shall set the actual salary of each Department Director. The effective date of such salary adjustments shall be established by the City Manager.

- 5.4 **Exempt Management:** The City Manager shall periodically review the pay ranges for Exempt Management Employees and recommend changes when deemed necessary to the City Council. Such ranges shall consist of a maximum and minimum salary. An adjustment to a salary range shall not prescribe a mandatory adjustment for any incumbent in an Exempt Management position.

Annually, on the employee's anniversary date, appointing authorities shall evaluate each subordinate Exempt Management employee in writing. Based on those evaluations, the Appointing Authority shall recommend placement of the Exempt Management employee's salary. The number of hours worked in a given year and leaves of absence without pay will not affect an Exempt Management employee's anniversary date. Exempt Management employees who are appointed to the bottom of the salary range allocated for that classification will be reviewed at the end of six months for merit increase consideration.

- 5.5 **Confidential Employees:** The City Manager shall periodically review the pay ranges for Confidential Employees and recommend changes when deemed necessary to the City Council. Such ranges shall consist of a maximum and minimum salary with step increases in between. Each step will progress to the maximum in increments of approximately 5%. Advancement through the salary

Effective 08/23/2022

range shall be as set forth in the Personnel Rules. Confidential employees shall be evaluated by their supervisors in the same manner as General employees. Forms for evaluating the performance of Confidential employees shall be the same as those used to evaluate General employees.

6.0 BENEFITS:

6.1 Health Plan: The City shall contribute the percentages below of the group insurance premium for individual employee coverage and for individual employee plus dependent(s) coverage for full-time and part-time employees who are regularly scheduled to work a minimum of thirty (30) hours per week excluding temporary employees, unless authorized by the City Manager.

Benefit plan years 2019, 2020, and 2021:

- For employees and dependents enrolled in the Kaiser plan, the City shall contribute 90% of the health insurance premium and employees shall contribute the remaining 10% of the premium.
- For employees and dependents enrolled in the narrow HMO plan, the City shall contribute enough of the health insurance premium so that employees pay the same cost share amount as the Kaiser plan.
- For employees and dependents enrolled in the full HMO plan, the City shall contribute 80% of the health insurance premium and employees shall contribute the remaining 20% of the premium.
- For employees and dependents enrolled in the PPO plan, the City shall contribute 76% of the health insurance premium and employees shall contribute the remaining 24% of the premium.
- For employees and dependents enrolled in the City's dental insurance plan, the City shall contribute 80% of the insurance premium and employees shall contribute the remaining 20% of the premium.

Effective benefit year 2022, employees shall begin contributing 50% of the increase to each program.

6.1.1 Part-time Employees: Those permanent part-time employees who are scheduled to work less than thirty (30) hours per week shall not be eligible for group insurance unless authorized by the City Manager. In such cases, the City's contribution shall be prorated based on the employee's regularly scheduled hours per week.

6.1.2. Fire Battalion Chief (40 hours per week): These employees shall receive benefits at the same rate as other non-shift, exempt management employees. A temporary assignment to cover a shift shall not change the benefit accrual rate. When such an assignment results in straight time overtime in accordance with provision 6.18 - Overtime, the salary shall be converted to a shift rate for the hours of the overtime assignment,

Effective 08/23/2022

however, no benefits shall be affected.

6.2 Public Employees' Retirement System: The City will pay up to eight percent (8%) of miscellaneous employees' contribution toward P.E.R.S. retirement and up to nine percent (9%) for safety employees. Effective July* 2003 and July of each subsequent year through 2006, the City's and the employee's contribution to retirement for PERS miscellaneous members shall change according to the following schedule:

	City payment of employee contribution	Employee payment of employee contribution
2003	5%	2%
2004	4%	4%
2005	2%	6%
2006	0	8%

* Effective the first pay date in July that the majority of days in the pay period fall in July rather than June.

Effective November 29, 2013, Safety Management employees will pay the entire portion of the employee's contribution to retirement for PERS.

Effective July 1, 2000, the City will report the value of the Employer Paid Member Contribution as additional compensation for Vista Fire Management personnel.

Effective June 25, 2004, the City amended its contract with PERS to provide the 3% @ 60 formula for Local Miscellaneous Members.

For employees hired on or after January 1, 2013, who are considered "new members" within the meaning of the Public Employees' Pension Reform Act of 2013, the retirement formula (2 @ 62), the determination of final compensation and pensionable compensation, and other pension related conditions covered by PEPRA shall be governed by the provisions of PEPRA.

6.2.1 1959 Survivor Benefit For Safety Members

Safety members shall receive the CalPERS Fourth Level 1959 Survivor Benefit for Safety Members. The Fourth Level 1959 Survivor Benefit will take effect upon CalPERS' adoption of the contract amendment.

6.3 Tuition Reimbursement: The City will reimburse employees for expenses of job-related course-work if approved in advance by the City Manager and if the course work is completed with a grade of "C" or better, or other passing score. The maximum limit per employee will be \$2,000 each fiscal year. Professional development training taken on an employees' own time that may not provide a grade at the completion of the course, which has been approved by the Personnel Officer before undertaking same, shall also be considered eligible for reimbursement. The procedure for approval is designated in the Administrative Policy manual.

Effective 08/23/2022

- 6.4 Holiday Leave: Employees working the 9/80 flex schedule are entitled to eleven (11) days of holiday leave per fiscal year. Employees working the traditional eight (8) hour per day schedule are entitled to twelve (12) days of holiday leave per fiscal year. Holiday leave can be taken in hourly increments.

For accounting purposes, each employee on a flex schedule shall begin with a bank of ninety-nine (99) hours of holiday leave at the beginning of the fiscal year.

Employees are required to use holiday leave each time a City authorized holiday falls on a day when the employee would normally be scheduled to work. When a City authorized holiday falls on a day when City facilities are normally closed, an additional day will not be designated as a holiday. When this occurs, no holiday hours will be deducted from employees' holiday banks and employees will be able to use them as holiday leave at another time. Such time must be scheduled in advance and approved by the Department Director with consideration given to sufficient staff being available to continue the efficient operation of the department. Holidays occurring during Leave Without Pay are not earned.

Any holiday leave not used by June 30 of the fiscal year shall be forfeited.

- 6.4.1 Employees beginning employment during the fiscal year will start with a pro-rated holiday leave bank. Hours will be credited as follows:

- a. Nine (9) hours for each City authorized holiday (per Article 6.4.3) that has not yet occurred.
- b. Nine (9) hours of floating holiday time if the employee start date is prior to March 1; Four and one half (4.5) hours of floating holiday time if the employee start date is between March 1 and April 30; and no floating holiday leave time if the employee start date is between May 1 and June 30.

- 6.4.2 Employees terminating employment with the City during the fiscal year will receive payment for unused holiday leave as follows:

- a. Nine (9) hours for each City authorized holiday (per Article 6.4.3) that has occurred during that fiscal year.
- b. Nine (9) hours of personal floating holiday leave. These nine (9) hours are not associated with any particular holiday.

Necessary adjustments to the holiday leave bank upon termination will be deducted from the final pay check.

- 6.4.3 Authorized Holidays: The City of Vista will authorize the following holidays:

- a. January 1, known as "New Year's Day";
- b. The third Monday in January, known as "Martin Luther King Day";

Effective 08/23/2022

- c. The third Monday in February, known as "Presidents' Day";
- d. The last Monday in May, known as "Memorial Day";
- e. July 4, known as "Independence Day";
- f. The first Monday in September, known as "Labor Day";
- g. November 11, known as "Veteran's Day";
- h. The fourth Thursday in November, known as "Thanksgiving Day";
- i. The fourth Friday in November, known as "the day after Thanksgiving";
- j. December 25, known as "Christmas Day";
- k. Any day declared to be a holiday by proclamation of the Mayor, provided, however, that the Mayor shall not declare a holiday except to conform to a holiday declared by the President of the United States or the Governor of California.

6.4.4 **Holiday Closure:** The Civic Center and certain offsite facilities will be closed from Monday, December 27, 2021 through Friday, December 31, 2021. It will reopen to the public on Monday, January 3, 2022. For Fiscal Year 2021/22 only, the City will increase the personal leave charged to sick leave by 18 hours for the purpose of providing additional leave options to cover certain days during that week.

The Civic Center and certain offsite facilities will be closed from Monday, December 26, 2022 through Friday, December 30, 2022. It will reopen to the public on Monday, January 2, 2023. For Fiscal Year 2022/23 only, the City will increase the personal leave charged to sick leave by 18 hours for the purpose of providing additional leave options to cover certain days during that week.

6.4.5 **Fire Battalion Chief (24-hour shift):** Employees shall be compensated for eleven (11) holidays at the rate of twelve hours per holiday. This includes nine "authorized" holidays and one "floating" holiday.

- A. Employees shall be compensated for holidays on an annual basis, by separate check, paid on the first payday in December. The holiday year shall be December 1 through November 30. Compensation shall be made based on the employee's rate of compensation at the time of each designated holiday.
- B. Effective December 1, 2021, the City shall provide holiday in-lieu pay in the pay period in which the holiday falls, and Section A shall no longer be effective.
- C. Employees beginning employment during the calendar year will have holiday hours credited as follows:
 - 1. Twelve (12) hours for each City authorized holiday that has not yet occurred.
 - 2. Twelve (12) hours of floating holiday time if the employee start date is prior to September 30; and no time if the start date is

Effective 08/23/2022

between October 1 and November 30.

D. Employees terminating employment with the City will receive holiday leave as follows:

1. Twelve (12) hours for each City authorized holiday that has occurred during the fiscal year.
2. Twelve (12) hours of floating holiday leave.

6.5 Attendance and Leave Time: The following provisions apply to Management and Confidential Employees:

6.5.1. Management (Excluding 24-hour shift Battalion Chief) and Confidential: Personnel Rule 9.2 Sick Leave, 9.2.3 Illness While on Vacation, 9.2.4 Holidays During Sick Leave and 9.3 Bereavement Leave.

6.5.2. Battalion Chiefs (24-hour shift)

A. Sick Leave:

1. There shall be no limit on accumulated sick leave. Sick leave shall be accumulated by full-time employees at the rate of (1) hour for every 21.66 hours worked. No hours of sick leave will be accrued when Battalion Chiefs work overtime.
2. Under no circumstances may PERS Safety retirement employees utilize or be paid for sick leave while on leave for Workers' Compensation or on receipt of an Industrial Disability Retirement.

B. Bereavement Leave

1. Upon approval of the appointing authority, employees may be granted up to 2 shifts, in the event of the death of the father, mother, grandparents, stepfather, stepmother, brother, sister, husband, wife, registered domestic partner, child, grandchild, or stepchild of the employee or his/her spouse/registered domestic partner.

If travel over three hundred (300) miles from Fire Headquarters is required, up to a maximum of seventy-two (72) hours of bereavement leave may be granted with pay (24 hours to be charged against earned sick leave).

C. Catastrophic Leave

1. The City shall provide a Catastrophic Leave program, amended July 1, 2007. This program shall allow Management and

Effective 08/23/2022

Confidential employees to voluntarily donate a portion of their accumulated sick leave hours for use by another employee of the City who has suffered a catastrophic illness or injury or whose immediate family member's (i.e., spouse, child, sibling, parent, registered domestic partner or grandparent) catastrophic illness or injury requires the presence of the employee. The hours donated shall be at the donor's hourly rate. Employees may choose to use their own sick leave allowances for catastrophic leave for an immediate family member before requesting leave from other employees. The implementation shall be at the discretion of the City Manager within the limits delineated in the City Council Administrative Policy 100-09.

D. Sick Leave Payout to Beneficiary in event of death while employed

1. The City shall pay out the accumulated sick leave of an employee to the employee's designated beneficiary in the event of the employee's death while employed with the City. The sick leave will be paid at the employee's normal hourly rate at the time of death.

6.6 Payment for Unused Sick Leave on Retirement: An employee who terminates employment by service retirement with ten (10) or more continuous years of service to the City shall have the following options for converting earned but unused sick leave:

Convert up to twenty-five (25%) percent of the total number of accumulated, unused sick leave hours multiplied by his/her base salary at retirement;

In the event an employee has a combination of sick leave accrued by working both shift work and a 40 hour/week, the sick leave shall first be converted to either all accrued shift sick leave or all accrued 40 hour/week sick leave. Shift sick leave is converted to 40 hour/week sick leave by dividing the total accrual by a conversion factor of 1.4 (2240 shift sick leave hours / 1.4 = 1600 40 hour/week sick leave hours).

No payment for unused sick leave will be made until the City has received written confirmation of the employee's retirement from PERS.

The provisions of this section also apply to employees who retire by ordinary disability retirement, provided they meet all the requirements of a service retirement, including ten years of continuous full-time City service.

An employee who retires by service retirement and later changes to industrial disability retirement is not eligible for this payment. In the event such payment has been made to the employee, it shall be returned to the City.

Sick Leave Conversion at Retirement: If a retiree (non-industrial disability) satisfies the eligibility provisions of 6.6 (above) and Personnel Rule 9.8.5, the employee may utilize all or any sick leave amount remaining after the application

of 6.6 to offset group insurance premium costs and any increases thereto as a retiree participant on the City's group insurance policy, as defined by the policy document and Personnel Rule 9.8.5. For purposes of this section, the remaining sick leave hours after application of 6.6 shall be converted to dollars at the employee's base hourly rate of pay at retirement and shall be retained by the City for premium payment to the City's group insurance carrier for the retiree and dependent premium until eligibility ceases or such funds have been exhausted. The provisions of this section do not entitle the retiree to any cash payment of sick leave hours other than that provided in 6.6.

Conversion under this article will reduce the amount of sick leave that can be applied toward PERS Service Credit for Unused Sick Leave.

6.7 Sick Leave Conversion: Any employee in this group (excluding 24-hour shift Battalion Chiefs) shall have the option of converting the unused sick leave accrual for the fiscal year at the rate of three hours of sick leave to two hours of vacation, provided that the employee retains a minimum of eighty (80) hours sick leave accrued at the end of the fiscal year and after use of this conversion option. Each employee interested in this conversion of sick leave shall notify the City in writing of his/her intent to convert sick leave by the end of the last pay period in June. Accrual and use of vacation hours provided under this policy shall be governed by applicable City rules. This conversion is only available to employees on the payroll effective July 1 of the new fiscal year.

6.8 Dependent Leave and Personal Leave: Employees may use up to 18 hours (2 shifts for 24-hour shift Battalion Chief) of their accrued sick leave on a fiscal year basis for personal leave time and 40 hours (3 shifts for 24-hour shift Battalion Chief) for dependent leave, or the amount defined by state law.

Currently dependent care leave shall be granted in accordance with state law, which provides that an employee is entitled to use ½ of his/her annual accrued sick leave to care for a family member (i.e., parent, child, or spouse/registered domestic partner.)

6.9 Management Incentive Pay: As funding is available, each Department Director shall be eligible for a \$900 payment per fiscal year (amounts are prorated monthly for less than a full year). This compensation is granted to Department Directors as incentive pay due to the unique nature of their jobs involving complete responsibility for the operations of a major function of the City's organization. This is not overtime pay and is not tied to specific hours worked. This payment may be taken in a lump sum payment or applied to the cost of group insurance or other benefit costs at the employee's discretion. This payment is reported to the Public Employees Retirement System as reportable compensation. As of July 1, 2009, this provision will be eliminated for Fiscal Year 2009-2010, and future years.

6.10 Flexible Spending Accounts: Effective January 1, 1991, the City will provide a Flexible Spending Account (FSA) in which employees may use pre-tax dollars to pay for child care, group insurance premiums, or other related expenses. Program administrative costs will be paid by the City.

Effective 08/23/2022

- 6.11 Long-Term Disability Plan: The City shall pay premiums of the Long-Term Disability Plan contracted for by the City.
- 6.12 Short-Term Disability Plan: Management Employees shall be eligible for the City's Short-Term Disability Plan and premiums shall be paid by the City.
- 6.13 State Disability Insurance (SDI): Confidential Employees shall be eligible for the City's SDI plan and premiums shall be paid by the City.
- 6.14 Optical Plan: The City shall pay premiums for the optical plan contracted for by the City on behalf of employees and their dependents.
- 6.15 Life Insurance: The City shall provide group life insurance for each employee in an amount equivalent to one times annual salary, not to exceed \$50,000. Supplemental life insurance is available at employee's expense.

6.15.1 In the event of an active employee's death, the City shall pay a "Survivor's Benefit" in the lump sum amount of \$25,000 to the employee's designated beneficiary. The maximum payment by the City shall be \$25,000 regardless of the number of beneficiaries.

- 6.16 Vacation: Vacation may be taken as it accrues and may accumulate to no more than 360 (504 for 24-hour shift Battalion Chiefs). When an employee terminates employment with the City, he/she shall be paid at his/her base hourly rate for any hours remaining on record for unused, accrued vacation to the maximum accrual allowed.

If the City Manager determines that a Management Employee has been unable to take vacation due to the demands of City business, the City Manager may, on written request of the employee, once annually authorize cash payment for up to 64 hours (89.6 hours for 24-hour shift Battalion Chiefs; 80 hours for Department Directors and Appointed Employees) of vacation. To qualify for this benefit, the employee must use an equivalent number of vacation hours to the number of sell-back hours within ninety (90) days of such payment, unless otherwise authorized by the City Manager. If, after the provisions of the above paragraph have been utilized during a fiscal year, a Management Employee's written request to take vacation is refused on the grounds that the City's needs preclude the employee taking time off, and such refusal results in the employee exceeding the accrual limit, the City Manager may approve cash compensation at straight time for the hours accrued in excess of the time limit during the period of time in which the requested leave was denied.

6.16.1 Accruals:

A. Appointed Employees and Department Directors:

141 hours during first through fifth years
 165 hours during the sixth year through the twentieth year
 178 hours during the twenty-first year and thereafter

B. Exempt Management (Excluding 24-hour shift Battalion Chiefs) and Confidential:

125 hours during first through fifth years
149 hours during sixth through ninth years
165 hours during the tenth year through the twentieth year
178 hours during the twenty-first year and thereafter

C. 24-hour shift Battalion Chiefs

6 shifts plus five hours during first through fifth years
8 shifts plus five hours during sixth through tenth years
9 shifts plus five hours during eleventh through fifteenth years
10 shifts plus five hours during sixteenth through the twentieth year
10 shifts plus nine hours during the twenty-first year and thereafter

6.17 Administrative Leave: Appointed Employees and Department Directors shall be credited with seventy-six (76) hours of administrative leave accrued on a fiscal year basis on the first full payroll period of July. Management Employees shall be credited with sixty (60) hours (24-hour shift Battalion Chiefs shall be credited with eighty-four (84) hours). Such leave must be used during the fiscal year or it is forfeited. Should the employee terminate employment with the City for any reason during the fiscal year, any amount of administrative leave taken by the employee over that amount which would have been accrued by the employee by pay period at the date of termination, shall be deducted from the employee's final paycheck. Should the terminating employee have a balance of administrative leave at the time of termination, the employee shall be compensated for that portion of the time, which would have been accrued by the employee by pay period at the date of termination.

6.18 Overtime: Confidential employees shall be compensated for overtime in the same manner as General employees. All paid leave time shall count as hours worked computing overtime. Compensatory time for Confidential employees may be accrued to a maximum of fifty-eight (58) hours.

Battalion Chiefs shall be compensated at straight time for all hours beyond their normally-scheduled work assignment only when covering a shift for a period of six (6) continuous hours or more, with the following exception:

A. Overtime for 56-hour Battalion Chiefs shall be paid at time and a half for all hours worked beyond scheduled duty when responding to incidents for which the City is normally reimbursed (i.e., Mutual Aid Strike Teams). Overtime for coverage as the duty chief in Vista will be paid as overtime at a time and a half rate for those incidents when the city is reimbursed at a time and a half rate (i.e., Mutual Aid Strike Teams).

B. Deputy Chiefs assigned to mutual aid incidents shall receive straight time overtime at the 40 hour rate.

6.19 **Severance Pay:** If an employee is requested to resign or terminated from employment, he/she shall receive severance pay based on years of service according to the following formula, provided that the termination of employment was not the result of a general lay-off:

Zero through ten years service	160 hours (224 hours for shift Battalion Chiefs)
More than ten years service	320 hours (448 hours for shift Battalion Chiefs)

The City Manager and City Attorney are exempted from the provisions of this section.

6.20 **Bilingual Pay:** This provision is not applicable to Appointed Employees or Department Directors. The City agrees to provide additional compensation in the amount of \$960 per calendar year for the use of bilingual skills as determined by the Human Resources Director. Effective July 1, 2021, payment for this service will be on a bi-weekly basis in the amount of \$36.92 and will commence upon qualification. Employees who were on the bilingual list prior to ratification, will receive lump sum payment of 2021 bilingual pay in the first paycheck that reflects the first full pay period after ratification.

Bilingual pay does not accrue during any leave of more than four consecutive weeks. To qualify for and receive bilingual pay, employees must pass a proficiency test as determined appropriate by the City.

The Confidential employee (designated by and certified as bilingual by the Human Resources Director), who regularly serves as the City's switchboard operator, shall receive bilingual pay in the amount of \$75 per pay period (full pay periods only).

7.0 ACTING PAY: Any Management or Confidential employee assigned to act in a higher classification, and serving continuously in said higher classification for at least three (3) weeks, shall receive the pay established for said higher classification for all such time worked. At a minimum, the rate of pay shall be at the lowest salary established for said higher classification that results in additional compensation for the acting employee. Acting pay for Management and Confidential employees requires the approval of the City Manager or his/her designee.

8.0 PARAMEDIC LICENSE PAY

All safety management personnel who are licensed paramedics in San Diego County shall receive a \$400 "Paramedic License Payment" (PLP). To be eligible to receive the PLP, a licensed paramedic employee must have worked for the City of Vista and hold a current license for twelve consecutive calendar months prior to the July in which the PLP is paid.

9.0 UNIFORMS

The City provides and maintains uniforms for all management Fire Department personnel. For those employees who are not "new members" under the Public

Effective 08/23/2022

Employees' Pension Reform Act of 2013 (PEPRA), the City will report on a biweekly basis to CalPERS the monetary value for providing and maintaining the employee's required uniforms. The City will report the uniform value on a biweekly basis to CalPERS to coincide with payroll reporting. The uniform allowance reported to CalPERS is derived from the City's operating budget and is \$23.85 biweekly (\$620 per year) per employee. This amount is special compensation pursuant to Title 2 CCR Section 571(a)(5), "Uniform Allowance".

Effective July 1, 2021, the uniform allowance reported to CalPERS is derived from the City's operating budget and is \$28.85 per biweekly (\$750 per fiscal year) per employee. For those employees who are not "new members" under PEPRA, the City will report this allowance as special compensation, pursuant to Title 2 CCR Section 571(a)(5), "Uniform Allowance".

10.0 DISCRIMINATION/HARASSMENT PREVENTION POLICY: All Management and Confidential Employees are subject to the provisions of the Personnel Rules concerning the Discrimination/Harassment Prevention Policy.

11.0 EXEMPT MANAGEMENT SPECIAL MERIT INCREASES: An Appointing Authority may adjust the salary placement of an employee within the salary range of an "Exempt Management" position at any time with the approval of the City Manager. A special merit salary adjustment that occurs outside of the employee's anniversary date shall change an employee's salary anniversary date, and the employee will be evaluated annually on his/her new anniversary date and may receive a salary adjustment as recommended by the appointing authority and approved by the City Manager.

Management Employees who are at the top step in their range may be eligible for performance pay above the top of the range, subject to approval by the City Manager. In such cases, the recommending Department Director shall state the term of the special merit increase for final approval by the City Manager. The duration of the special merit pay shall be for no longer than six months unless extended by the City Manager.

12.0 TEMPORARY APPOINTMENTS: Temporary appointments as addressed in Personnel Rule 4.1.4 may be made to Management and Confidential positions.

13.0 FLEXIBLE STAFFING OF CERTAIN ENTRY- LEVEL CONFIDENTIAL POSITIONS:

12.1 Flexible Staffing means the reclassification of employees in certain entry-level Confidential positions to a higher level after a specified period of time.

12.2 The Confidential Office Specialist I/II and Human Resources Technician I/II positions shall be flexibly staffed, pursuant to the provisions of this Article.

12.3 Flexible staffing is a method that allows a non-competitive promotion from one classification level to another upon the recommendation of the Department Director and approval of the Human Resources Director. It is used for positions within designated classifications where progressively responsible duties are assigned as an employee becomes more proficient and experienced. Normally, positions are filled at the lower level, unless the needs of the department require that the position be filled at the higher level. When an employee is hired at the lower level, the person may be advanced to the higher level after the

Effective 08/23/2022

responsibilities, difficulty and complexity of assigned duties increase with additional experience and knowledge.

A person in a lower level position shall be considered for advancement to the higher level flexibly staffed position after serving for twenty four (24) months in the lower level position. Advancement is not automatic and shall be at the discretion of the Department Director subject to a position classification audit, to be completed prior to the twenty four (24) months, by the Human Resources Office. This does not preclude the City from identifying certain positions in the lower level class that contain primarily routine and repetitive tasks and maintaining those positions at the lower level. The salary of an employee who is advanced to a higher classification by flexible staffing shall be governed by the Personnel Rules pertaining to Compensation on Promotion.

14.0 HEALTH REIMBURSEMENT ARRANGEMENT:

- 14.1 Effective during the 2007/08 fiscal year, the City intends to provide a Health Reimbursement Arrangement (HRA) program that will enable employees within defined groups to contribute accumulated sick leave, holiday leave, compensatory time, and vacation hours towards an HRA in amounts as set forth below, subject to the rules and regulations of the Internal Revenue Service (IRS).
- 14.2 The contribution of leave time to the HRA as noted above shall be limited to a maximum of 50 hours at full hourly value to be placed in the HRA during the 2007/2008 fiscal year. In order to contribute leave hours, the employee's remaining sick leave balance must have a minimum of 80 hours after the conversion. During the 2008/2009 fiscal year, the maximum contribution of leave hours will increase from 50 to 60 hours.
- 14.3 Upon retirement or separation from employment, it is the City's intent, subject to IRS rules and regulations, to allow employees to contribute amounts to their HRA that they would otherwise receive as payouts. Employees must meet established eligibility requirements for those payouts. Note: "payouts" does not include the conversion of accumulated sick leave to be left on deposit with the City for the payment of premiums for the City's retiree group insurance.
- 14.4 HRA program contributions for Fiscal Year 2010-2011 are suspended. HRA program contributions for Fiscal Year 2011-2012 are suspended. HRA program contributions for Fiscal Year 2012-2013 are suspended. HRA program contributions for Fiscal Year 2013-2014 and future years are suspended.