

**RESOLUTION NO. 2023-52**

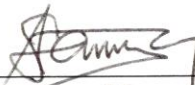
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSEMEAD, CALIFORNIA, ESTABLISHING ANNUAL SALARY RANGES AND BENEFITS FOR EXECUTIVE MANAGEMENT EMPLOYEES OF THE CITY OF ROSEMEAD FROM JULY 1, 2023 THROUGH JUNE 30, 2025**

**WHEREAS**, the classifications in the Executive Management of the City of Rosemead ("City") are critical to the efficient and effective operations of the City, the City Council recognizes the management, supervisory, professional and/or confidential nature of their positions; and


**WHEREAS**, employees in these classifications are exempt under the provision of the Federal Fair Labor Standards Act and serve in an "at-will" employment capacity.

NOW THEREFORE, BE IT RESOLVED that effective July 1, 2023, the salary ranges and benefits for Executive Management unrepresented employees, as set forth in Exhibit A, attached hereto, are adopted.


PASSED, APPROVED, AND ADOPTED this 12<sup>th</sup> day of September, 2023.

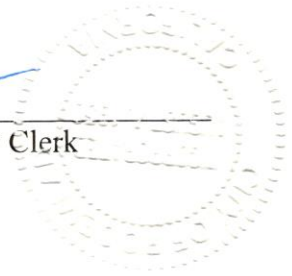
  
\_\_\_\_\_  
Steven Ly, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Rachel Richman, City Attorney

ATTEST:

  
\_\_\_\_\_  
Ericka Hernandez, City Clerk



STATE OF CALIFORNIA     )  
COUNTY OF LOS ANGELES ) §  
CITY OF ROSEMEAD         )

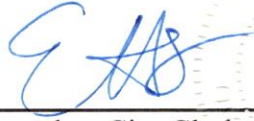
I, Ericka Hernandez, City Clerk of the City Council of the City of Rosemead, California, do hereby certify that the foregoing City Council Resolution No. 2023-52 was duly adopted by the City Council of the City of Rosemead, California, at a regular meeting thereof held on the 12<sup>th</sup> day of September, 2023, by the following vote, to wit:

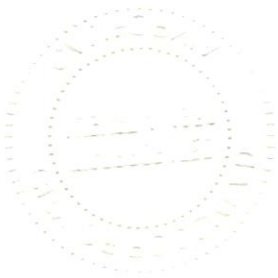
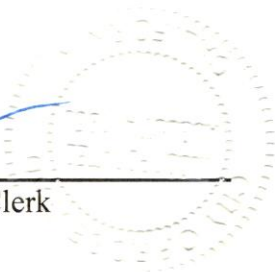
AYES:         ARMENTA, CLARK, LOW, LY

NOES:         NONE

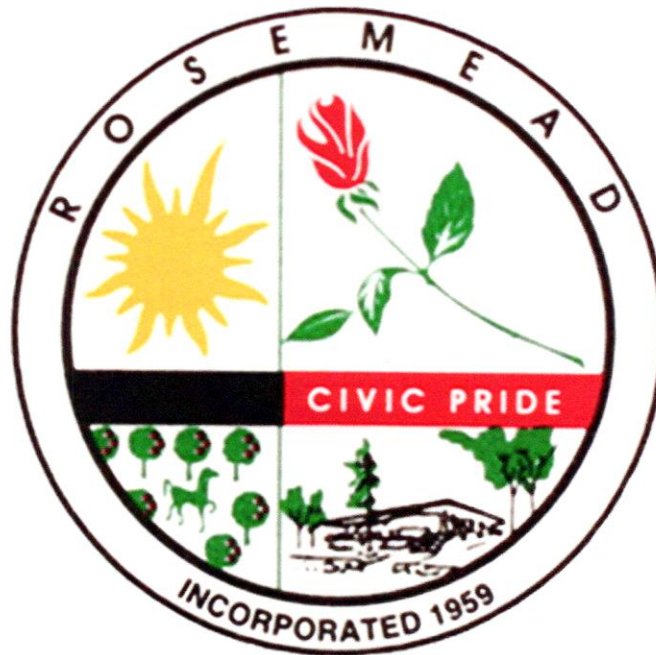
ABSENT:       DANG

ABSTAIN:      NONE

  
\_\_\_\_\_  
Ericka Hernandez, City Clerk



# City of Rosemead



Executive Management Salary & Fringe Benefits

Resolution No. 2023-52

Approved  
September 12, 2023

## **TABLE OF CONTENTS**

SECTION 1	APPLICABILITY / PURPOSE .....	3
SECTION 2	OBJECTIVES OF THE COMPENSATION PLAN RELATIVE TO EXECUTIVE MANAGEMENT .....	3
SECTION 3	SEVERABILITY .....	3
SECTION 4	NON-DISCRIMINATION .....	3

### **COMPENSATION**

SECTION 5	COMPENSATION SALARY RANGES .....	4
SECTION 6	COMPENSATION PLAN .....	4
SECTION 7	PROBATIONARY PERIOD .....	6
SECTION 8	MANAGEMENT INCENTIVE PAY .....	6
SECTION 9	AUTO ALLOWANCE .....	6
SECTION 10	TELECOMMUNICATION ALLOWANCE .....	6

### **BENEFITS**

SECTION 11	HEALTH INSURANCE PROVIDER .....	7
SECTION 12	CAFETERIA-STYLE HEALTH, WELFARE, AND & SAVINGS BENEFIT .....	7
SECTION 13	CHANGES TO HEALTHCARE LAWS .....	7
SECTION 14	RETIREMENT HEALTH PLAN .....	7
SECTION 15	RETIREMENT PROGRAM (CALPERS) .....	8
SECTION 16	ENHANCED RETIREMENT PROGRAM: PUBLIC AGENCY RETIREMENT SERVICES (PARS).....	9
SECTION 17	SOCIAL SECURITY .....	9
SECTION 18	DEFERRED COMPENSATION PROGRAM (401A) .....	9
SECTION 19	DEFERRED COMPENSATION PROGRAM (457).....	9
SECTION 20	FLEXIBLE SPENDING ACCOUNT (SECTION 125) .....	10
SECTION 21	SHORT-TERM DISABILITY/LONG TERM DISABILITY .....	10
SECTION 22	LIFE INSURANCE.....	11
SECTION 23	TUITION REIMBURSEMENT .....	11
SECTION 24	WELLNESS PROGRAM .....	12
SECTION 25	COMPUTER PURCHASE PROGRAM .....	12
SECTION 26	EMPLOYEE ASSISTANCE PROGRAM (EAP) .....	12

### **SCHEDULES/LEAVES**

SECTION 27	VACATION ACCRUAL AND ACCRUAL CAP .....	12
SECTION 28	VACATION BUYBACK.....	13
SECTION 29	ADMINISTRATIVE LEAVE .....	14
SECTION 30	SICK LEAVE .....	14
SECTION 31	CITY-RECOGNIZED HOLIDAYS .....	17
SECTION 32	FLEXIBLE SCHEDULING .....	17

SECTION 33	FLEXIBLE SCHEDULING DUE TO SPECIAL EVENTS.....	17
SECTION 34	BEREAVEMENT LEAVE.....	18
SECTION 35	JURY DUTY LEAVE.....	18
 <u>OTHER</u>		
SECTION 36	DIRECT DEPOSIT .....	18
SECTION 37	TECHNOLOGY EQUIPMENT .....	18
SECTION 38	EMERGENCY WAIVER PROVISION .....	19
APPENDIX A	SALARY SCHEDULE .....	20

**SECTION 1: APPLICABILITY / PURPOSE**

The employee classifications described in this Resolution are not represented by an employee organization. Therefore, this Resolution does not constitute a memorandum of understanding and is not the result of the meet and confer process; rather, this Resolution is designed to provide the Executive Management Group employees with a reference tool regarding term and conditions of their employment as the same are periodically determined by the City Council. Full-time employees in the following classifications are covered by this Resolution:

<b>Executive Management Unit</b>
Assistant City Manager
Director of Community Development
Director of Finance
Director of Parks & Recreation
Director of Public Works

The various forms of compensation and benefits described in this comprehensive document recognize that employees in Executive Management positions should be compensated appropriately for exhibiting accountability, cost effectiveness, application of new technologies and maximizing the utilization of human, physical and fiscal resources; for exerting leadership to enhance the mission and future of the City and for stimulating the development of people and methods which will facilitate the meeting of program goals and objectives.

**SECTION 2: OBJECTIVES OF THE COMPENSATION PLAN RELATIVE TO EXECUTIVE MANAGEMENT**

- A. Recruit and retain well-qualified Executive Managers and enhance their management capabilities in areas such as leadership and accountability.
- B. Facilitate and enhance effectiveness and productive efforts of Executive Managers through evaluations of performance and the recognition of merit in determining compensation.

**SECTION 3: SEVERABILITY**

It is understood that this Resolution is subject to all applicable present and future Federal, State, and Local laws and regulations, and the provisions hereof shall be effective and implemented only to the extent permitted by such laws and regulations. If any part of this Resolution is in conflict with such applicable provisions of Federal, State, or Local laws or regulations or otherwise held to be invalid or unenforceable by any tribunal of competent jurisdiction, such part of provision shall be suspended and superseded by such applicable laws and regulations and the remainder of this Resolution shall not be affected thereby and shall remain in full force and effect.

**SECTION 4: NON-DISCRIMINATION**

The City will not discriminate against any employee based upon race, religious creed, color, national origin, age (40 and over), ancestry, sexual orientation, sex, gender identity, gender expression, military and veteran status, disability (physical or mental), sexual orientation, marital status, pregnancy, childbirth or related medical condition, genetic information/characteristics, or any other legally protected characteristics.

## **COMPENSATION**

---

### **SECTION 5: COMPENSATION SALARY RANGES**

Salaries for Executive Managers are based on a salary range which provides the minimum and maximum salary levels as approved by the City Council and shown in Appendix A.

#### **Year One**

- Effective October 31, 2021, the maximum salary range for all Executive Management positions will be set to the average of the top salary range of the City's thirteen survey cities defined in the Employee Handbook. The minimum salary amount shall be set 30% below the maximum.
- Effective July 1, 2023, all employees shall receive an across-the-board increase of four percent (4%).

#### **Year Two**

- Effective July 1, 2024, all employees shall receive an across-the-board increase of three percent (3%).

### **SECTION 6: COMPENSATION PLAN**

Salary and benefit levels for Executive Managers will be reviewed by the City Manager on a periodic basis. Such review will contain comparisons with other similar agencies within the appropriate job market. Such comparisons will be one of the factors utilized to recommend competitive salary and benefit levels to the City Council.

Progression in the salary range for Executive Managers shall be based on the employee's performance. The City Manager shall be responsible for evaluating the employee's work performance and approving salary increases within the established range based on the employee's performance. Executive Management employees will be evaluated annually.

The Executive Management compensation and performance-based evaluation system shall operate as follows:

#### **A. Specific Compensation Determination**

- a. The City Manager is hereby given the authority to set the individual compensation, to make adjustments thereto and to make appointments at any salary within the established rate range as approved by the City Council for all executive positions for which the City Manager is the appointing authority.
- b. The City Manager is also granted authority to offer a beginning/increased bank of vacation hours and/or Administrative Leave (up to 40 hours) to recruit/retain Executive Management employees.
- c. The City Manager may establish performance criteria and appraisal guidelines, in accordance with Section 6, subsection B.a., to be utilized in determining individual compensation for Executive Management employees.

B. Performance-Based Evaluation Purpose. The basic purpose of the performance-based evaluation system is to help attract, retain, and motivate highly competent Executive Managers and to provide them with a strong incentive to excel.

a. Evaluation System Components. The evaluation system will be comprised of the following components:

i. Objectives. The system will include a list of outcome-based, measurable objectives to be achieved which have been mutually agreed upon between the City Manager or authorized appointing authority and each individual Executive Management employee.

ii. Managerial Behaviors. In addition to the Executive Managers performance in achieving agreed upon objective, each Executive Manager will also be evaluated for his or her managerial behavior performance, including such behavior as communication (oral or written), analysis and problem solving, decision-making and judgment, planning and organization, management control, leadership, interpersonal relations, time-management, technical knowledge, timeliness of subordinate evaluations, handling of stress, etc.

C. Performance Evaluations. After the salary of an employee has been first established and fixed under this plan, salary advancement through the salary range will be at the discretion of the City Manager based on the timing and performance ratings as follows:

1. Annual Evaluation. The City Manager will evaluate the performance of each Executive Management employee to determine their individual eligibility for a performance (merit) increase and how much, if any, increase will be given, but such increase cannot exceed the salary range maximum authorized by the City Council. Such performance evaluation will be for a determined period preceding the date of the performance evaluation.

If an employee is out on an extended leave of absence, the performance evaluation will be extended out by the equal amount of time/duration the employee is out on the leave of absence. An extended leave of absence is defined as thirty (30) days or longer.

2. Performance Ratings. Each Executive Manager's performance in relation to agreed upon objectives and managerial behaviors will be evaluated for an identified period according to the following performance rating scale:

- i. Substantially Exceeds Expectations: Consistently exceeds all objectives requirements and expectations by a wide margin.
- ii. Exceeds Expectations: Consistently meets all objectives and requirements and exceeds several.
- iii. Meets Expectations: Meets objectives and requirements.



<b>Level of Performance</b>	<b>% of Increase</b>
Substantially Exceeds Expectations	7% - 9%
Exceed Expectations	4% - 6%
Meets Expectations	0% - 3%
Needs Improvement	0%

- D. Continuing Pay for Performance. At the discretion of the City Manager, each Executive Management employee who has achieved and maintained the maximum salary of their classification salary range for one (1) full year, may be eligible to receive a lump sum performance-based incentive pay bonus for continuing exceptional performance. The calculation of the incentive pay bonus will be based on a percentage of current annual rate of base salary for the identified period in which the compensation was earned. For an overall performance rating of "Substantially Exceeds Expectations", an incentive pay bonus up to five percent (5%) of annual pay may be granted.

#### **SECTION 7: PROBATIONARY PERIOD**

All classifications under the Executive Management Unit serve in an "at-will", exempt capacity. "At-will" employment is defined as an employment relationship in which an employee serves at the pleasure of the City Manager and may be dismissed, at any time, without cause and do not have the right of appeal, grievance, or hearing. At-will positions do not have property or vested rights and do not have a probationary period.

#### **SECTION 8: MANAGEMENT INCENTIVE PAY**

Executive Management employees shall receive 6% Management Incentive Pay above the base salary. This compensation is granted to Executive Managers as incentive pay due to the unique nature of their jobs involving complete responsibility for the operation of a major function of the City's organization. This is not overtime pay and is not tied to specific hours worked.

#### **SECTION 9: AUTO ALLOWANCE**

The City Manager may authorize an auto allowance of \$500 per month for the employees in the Executive Management group. The City Manager may authorize a City vehicle be issued to the Assistant City Manager in lieu of the auto allowance.

#### **SECTION 10: TELECOMMUNICATIONS ALLOWANCE**

In lieu of City provided devices, employees shall be provided a \$100 monthly allowance for cellular service for personal devices. In addition, a reimbursement of up to \$1000 for cellular equipment will be provided upon receipt of invoice initially (following appointment to an affected classification) and once every three years thereafter, if necessary, to replace existing equipment. All contracts for cellular service for these employees shall be between the provider and the individual.

## **BENEFITS**

---

### **SECTION 11: HEALTH INSURANCE PROVIDER**

The City contracts with California Public Employees' Retirement System (CalPERS) pursuant to the Public Employees' Medical and Hospital Care Act (PEMHCA) to serve as the health insurance provider for the City

### **SECTION 12: CAFETERIA-STYLE HEALTH, WELFARE, & SAVINGS BENEFIT**

1. The City will provide each full-time employee with \$1,700 per month for use towards enrolling in any of the City offered health plans, dental plans, and vision plans. Effective July 1, 2023, the City will provide an additional \$200 per month for excess 'out-of-pocket' health care premium costs. The additional \$200 per month has no cash out value.
2. Unused Contribution. For employees hired on or before November 30, 2021, any unused remainder of the \$1,700 monthly cafeteria-style benefit may be put into a deferred compensation plan, taken as a taxable cash disbursement, or used for the purchase of any City sponsored insurance, long-term care, or long-term savings program. Employees hired after November 30, 2021 will not be eligible for cash back of any unused portion of the cafeteria-style benefit.
3. Excess Premiums. Employees shall be required to pay any cost of the health, dental, and vision premiums for their selected plans that exceeds the amount of the City's monthly contribution.
4. Opt-Out. Employees hired on or before November 30, 2021, may choose to waive coverage and take the entire \$1,700 monthly benefit as deferred compensation or taxable cash, but must first show proof of group health insurance coverage through an individual, a spouse or family member's coverage through their employer and complete the Voluntary Decline of Health Care Offered Under City of Rosemead Group Plan form. Employees hired after November 30, 2021 choosing to opt-out of medical coverage offered by the City, under the same conditions, will receive \$500 per month.

### **SECTION 13: CHANGES TO THE HEALTH CARE LAWS**

The parties recognize that certain changes to State or Federal laws, programs, taxes or regulation including, but not limited to, the Affordable Care Act (ACA), may impact future medical plan offerings.

### **SECTION 14: RETIREMENT HEALTH PLAN**

- A. All full-time employees hired on or before July 1, 2007, who have 20 years or more of service with the City, and who retire from the City, receive an allocation of up to \$1,000/month to pay for health care benefits for the duration of their retirement. If the health insurance program selected by the retiree costs more than \$1,000/month, the City will only cover \$1,000/month of the cost of the selected program.

- B. All full-time employees hired on or before July 1, 2007, who have 12-19 years of service with the City, and who retire from the City, receive an allocation of up to \$500/month to pay for health care benefits for the duration of their retirement. If the health insurance program selected by the retiree costs more than \$500/month, the City will only cover \$500/month of the cost of the selected program.
- C. The above retirement health contributions will only be in effect for full-time employees employed with the City as of July 1, 2007. When a retiree reaches 65 years of age, or becomes eligible for Medicare, said retiree must transition to Medicare coverage and the City will continue to contribute towards the cost of health care coverage during the duration of the former employees retirement in the amounts defined in sections A and B of this Section.
- D. The City's contribution for retirement health contribution may be used towards health coverage of the retiree, their spouse, and/or any eligible dependent(s).
- E. Employees hired after July 1, 2007 will receive retiree health benefits in accordance with public employees' retirement laws and CalPERS.

#### **SECTION 15: RETIREMENT PROGRAM (CALPERS)**

All employees will be enrolled in the City's retirement program through CalPERS.

On July 1, 2007, the City began providing the 2.7%@55 benefit formula with one-year final compensation option with no cap.

On July 1, 2010, the City implemented a 2-tier system with changes for new hires only. All full-time new hires, hired on or after July 1, 2010, will be subject to the 2%@55 formula with one-year final compensation option. All existing full-time employees hired prior to July 1, 2010 will remain at the 2.7@55 formula.

Under the Public Employees' Pension Reform Act of 2013 (PEPRA), effective January 1, 2013, all "new members" will be subject to the 2.0% @ 62 benefit formula which also requires a three-year final compensation (the highest average annual pensionable compensation earned by a member during a period of at least 36 months) with an early retirement age of 52.

A "New Member" is defined as:

1. A new hire that is brought into CalPERS membership for the first time on or after January 1, 2013, and who has no prior membership in any other California public retirement system.
2. A new hire who is brought into CalPERS membership for the first time on or after January 1, 2013, and who is not eligible for reciprocity with another California public retirement system.
3. A member who established CalPERS membership prior to January 1, 2013, and who is hired by a different CalPERS employer after January 1, 2013, after a break in service of greater than six months.

Effective January 1, 2013, PEPPA prohibited employers from paying any portion of a “new member’s” member contribution rate. All new members must pay 50% of total normal cost as employee contribution rate.

CalPERS refers to all members that do not fit within the definition of a new member as “classic members”. All existing CalPERS members as of December 31, 2012, will retain the existing benefit levels for future service with the same employer.

Effective January 1, 2013, PEPPA prohibited employers from paying any portion of a “new member’s” member contribution rate. All non-classic California Public Employees’ Retirement System (CalPERS) members must pay 50% of total normal cost as employee contribution rate.

All “classic members” are required to contribute their full share, up to 8%, of the employee contribution of the CalPERS rate.

#### **SECTION 16: ENHANCED RETIREMENT PROGRAM (PARS)**

For full-time employees hired prior to July 1, 2010 the City offers an enhanced retirement package through Public Agency Retirement Services (PARS). Covered full-time employees who retire from Rosemead after working 20 years for the City will have their pension formula enhanced to 3%@55, with the provision that the maximum pension allowance that employees can accrue through PARS is 90% of their final pay. The PARS retirement pension is limited to 90% of final pay. Employees must be at least 55 years of age to qualify for PARS.

#### **SECTION 17: SOCIAL SECURITY**

The City deducts from each full-time employees’ paycheck, an amount as determined by law for the Federal Insurance Contributions Act (Social Security). In addition, the City contributes an additional amount at least equal to the employee’s contribution.

#### **SECTION 18: EMPLOYER FUNDED DEFERRED COMPENSATION PROGRAM (401A)**

For full-time employees hired prior to July 1, 2010, the City set-contributes into a deferred compensation account a percentage of the employee’s salary based on years of service. That funding formula is as follows:

<b>Years of Service</b>	<b>% of Salary Contributed to Plan</b>
0-4	1%
5-9	2%
10-14	3%
15-19	4%
20+	5%

#### **SECTION 19: DEFERRED COMPENSATION 457**

All employees may voluntarily participate in the available 457 deferred compensation plan. Any

voluntary contributions made to such plan must be made via automatic payroll deductions. The amounts contributed to the plan are subject to the statutory limits outlined in the codes of the IRS.

#### **SECTION 20: FLEXIBLE BENEFIT PLAN (SECTION 125)**

The City offers employees a flexible benefit plan which will allow individuals to pay for certain expenses (childcare, unreimbursed medical expenses, insurance premiums) with pre-tax dollars.

#### **SECTION 21: SHORT-TERM DISABILITY**

State Disability Insurance (SDI) is a partial wage replacement insurance in which the City does not participate in. However, for non-work-related employee disabilities, the City offers Short-Term Disability (STD)/Long-Term Disability (LTD) to full-time employees. Workers' compensation injuries are excluded from disability leave/insurance offered by the City.

The City provides employees with a short-term disability plan to protect against cases where a non-work-related illness or injury is sustained which results in an inability to work for a short period of time. Employees will receive 66.67% or 2/3 of their pre-disability base salary (1-year average of W-2) with a waiting period of 15 calendar days before receiving their benefits and can last up to 11 weeks. Employees will receive continued payment until the employee is medically able to return to work, or has to begin utilizing long term disability, or until the employee reaches the age of 65, whichever comes first. The maximum short-term disability benefit amount will be \$2,400 per week. Family and Medical Leave Act (FMLA) will run concurrently with disability.

The City provides employees with a long-term disability plan to protect against cases where a non-work-related illness or injury is sustained which results in an inability to work for a long period of time. In these cases, LTD is received only after STD has expired and the employee continues to be medically disabled. Employees will receive 66.67% or 2/3 of their pre-disability base salary with a 90-day waiting period. Employee will receive continued payment until the employee is medically able to return to work, or until the employee reaches the age of 65, whichever comes first. The maximum long-term disability benefit amount will be \$10,400 per month. Where applicable, Family and Medical Leave Act (FMLA) and/or California Family Rights Act (CFRA) leave runs concurrently with disability.

Employees have the option of receiving a full paycheck by utilizing his/her own leave time to subsidize the 1/3 while on disability. Disability will cover 2/3 or 66.67% of the pre-disability base salary based off the W-2 (1-year average). However, when on disability, employees may not utilize sick leave. Employees may use vacation, floating holiday, holiday, and/or compensatory time (if applicable). Leave Accrual rate will be based upon the hours utilized.

All disability claim forms must be submitted to Human Resources on a timely basis. As a guideline, all claim forms should be submitted within 15 calendar days.

All medical certifications or modifications to the medical certification must be submitted to Human Resources on a timely basis. Employees are required to submit a Fitness for Duty – Return from Leave Certification at least 2 working days prior to the date of return to the department

director. Employees may not return to work without this certification.

#### **SECTION 22: LIFE INSURANCE**

Employees receive an accidental death and dismemberment and life insurance policy of \$100,000.

#### **SECTION 23: TUITION REIMBURSEMENT**

Subject to City Manager approval, employees may attend and be reimbursed for part or all of the costs of educational and other training courses (up to \$5,000 per fiscal year) which provide a benefit to the City provided there are budgeted funds for such approval by the City Council. The educational/training courses must be job-related leading towards a college or university degree or certificate and employees must remain with the City for three (3) years after the successful completion of class/course or must refund the amount received to the City on a pro-rated basis.

If an employee leaves employment (voluntarily or involuntarily) with the City, prior to the three (3) years after the completion of class/course, the employee must repay the amount received based upon the following pro-rated basis:

Pro-Rated Schedule of Refund	
Years of Service After Completion	Repayment Amount Due to the City
Less than one (1) year	Full Amount Received
Less than two (2) years	2/3 of Amount Received
Less than three (3) years	1/3 of Amount Received

Employees with prior approval by the City Manager, may be reimbursed for registration, cost of books, tuition, lab fees and parking for classes or instruction, provided such classes or instruction are related to the employee's assigned duties with the City.

Reimbursement will be made only after an employee has satisfactorily completed the class or workshop with the grade of "C" or better or a "B" or better for graduate level courses and that proof of completion has been submitted and approved by the City Manager.

In general, mandatory or required training time during working hours shall be considered part of the job. If the City directs an employee to attend a specific, job-related training course during non-working hours, employees may utilize flex time. All study time shall be considered completely voluntary. No overtime pay, additional pay or compensatory time shall be given unless advanced written approval is granted by the City Manager. There is no mileage reimbursement for travel to and from educational classes.

Required forms must be completed and necessary documentation (receipts and grades) must be provided in order to receive reimbursement. Final and conclusive determinations of the reimbursement amount shall be made by the City Manager/Assistant City Manager after review of the request and recommendations by the department director.

**SECTION 24: WELLNESS PROGRAM**

The City shall reimburse employees up to three-hundred dollars (\$300) per fiscal year for qualifying expenses of the City's Wellness Program. The form and information required to claim reimbursement for this benefit, and the final determination of whether an expense qualifies for this benefit, are left to the discretion of the City Manager.

**SECTION 25: COMPUTER PURCHASE PROGRAM**

The City provides a computer purchase program for all full-time employees as outlined in the Administrative Policy No. 30-09 approved by the City Manager. Loans are due and payable in full upon termination or separation of employment.

**SECTION 26: EMPLOYEE ASSISTANCE PROGRAM**

The City provides employees with access to the Employee Assistance Program (EAP).

---

**SCHEDULES / LEAVES**

---

**SECTION 27: VACATION ACCRUAL AND ACCRUAL CAP**

Full-time employees will receive vacation accruals as follows:

Vacation Accumulation				
Years of Service	Hours/Pay Period	Hours/Year	Days/Year	Maximum Accumulated Hours
Up to year 1	3.85	100	10	100
Year 1 – Year 9	5.38	140	14	280
9+	6.15	160	16	320

All full-time employees accrue 100 hours of vacation leave during their first year of service. One hundred forty (140) hours are accrued for employees with one year of service, up to (but not over) 9 years. For employees with over 9 years of service (9+) the accrual rate is 160 hours. Vacation hours cease to accrue in any pay period the vacation balance exceeds two times the annual accrual rate as determined by the employee's anniversary date.

All vacation requests are to be pre-approved by the City Manager. Negative vacation banks or borrowing from future accruals will not be allowed except under provisions of Section 31C.

Vacation accruals will be determined by the percentage formula of actual hours in a paid status by the City.

<b>Example 1:</b>	An employee (with 1-9 years of service) who works 80 hours on paid status per pay period will accrue 5.38 hours/pay period.
<b>Example 2:</b>	An employee (with 1-9 years of service) who works 40 hours on paid status per pay period will accrue 2.69 hours/pay period (50% of 5.38 hours/pay period).
<b>Example 3:</b>	An employee (with 1-9 years of service) who has a zero-leave balance and takes an extended leave of absence will not accrue any hours.

On July 1, 2011, the City established two (2) vacation banks as follows:

Bank A: Vacation earned/accrued prior to June 30, 2011.

Bank B: Vacation earned/accrued after July 1, 2011 (Subject to a 2-year cap).

#### **SECTION 28: VACATION BUYBACK**

In order to encourage employees to take regular vacations on an annual basis and to partially limit the growth of the City's long-term liability of employee accrued vacation hours upon separation of employment, the City has established the following criteria for vacation buyback.

- A. Twice per calendar year, full-time employees are eligible to have the City buyback up to 100 combined hours of accumulated unused vacation time in June and/or December of the following calendar year. Effective December 10, 2023, and continuing thereafter, employees seeking buyback must submit an irrevocable election form, by no later than December 10<sup>th</sup> of the preceding calendar year. With this form, employees can seek buyback of accumulated unused vacation time in the following calendar year subject to the following terms:
  1. The employee may seek buyback of up to 50 hours in June. Employees receiving such June buyback may seek an additional buyback in December. Total maximum buyback for any calendar year will be limited to 100 hours.
  2. Employees seeking only a December buyback may receive up to 100 hours.
- B. The payment shall be made via payroll with the last paycheck in the following June and/or December after receipt of the irrevocable election form. In the event an employee has less hours in their vacation bank at the time the cash-out is to be paid than they had previously elected to cash-out, the employee shall only be paid for up to the amount remaining in their vacation bank at the time of the actual cash-out. Employees who do not submit an irrevocable election form by December 10<sup>th</sup> will be deemed as foregoing participation in the optional annual leave buy-back program for that following calendar year. The buyback in June and/or December may not reduce the vacation leave balance below the equivalent of one year's accrual.
- C. For the purposes of vacation buyback, all employees must utilize Bank A prior to utilizing Bank B. However, if there are no hours accrued in Bank A, employees may utilize Bank B.



- D. An employee who experiences an unforeseeable emergency may be permitted to make a new irrevocable election and/or to increase the amount of the previous election, subject to the same value that was permitted at the time the annual irrevocable election forms were due. For these purposes, an "unforeseeable emergency" means a financial hardship to the employee resulting from any of the following:
- Accident, illness, injury or death of the employee or an immediate family member. For this purpose, an "immediate family member" is restricted to a spouse, registered domestic partner, child/legal dependent, or parent; or
  - Loss or extensive damage to the employee's property due to casualty; or
  - Other similar extraordinary and unforeseeable circumstances arising from events beyond the control of the participant.

Whether an occurrence is an unforeseeable emergency shall be solely determined by the City Manager or designee, but requests made under this provision shall not be unreasonably denied.

The payment shall be made with the last paycheck in December of that same calendar year.

- E. If it is subsequently determined by the City, the IRS, a court of competent jurisdiction or another governing authority that the annual buyback provisions in place prior to December 10, 2021, or substantially similar, will not trigger constructive receipt of income from accrued leave, the City will remove the irrevocable election process.
- F. All buybacks shall be paid at the employee's base hourly rate of pay at the time of the payment.

#### **SECTION 29: ADMINISTRATIVE LEAVE**

Employees will accrue 3.08 hours of Administrative Leave per pay period with a 2-year accrual cap (160 hours). All unused Administrative Leave hours be paid upon employment separation at the employee's rate of pay.

#### **SECTION 30: SICK LEAVE**

A full-time employee who is incapacitated from the performance of such employee's duties by reason of a non-service-related illness or injury, pregnancy, legal requirements of public health officials or for reasons specified in the Family and Medical Leave (FMLA) and/or California Family Rights Act (CFRA) leave are eligible for sick leave.

1. **Amount Earned:** All full-time employees will accrue ten (10) hours of sick leave per month. Sick leave will be earned, commencing on the first day of employment employee, and accrued on a bi-weekly basis. Employees may accumulate up to a maximum of 120 hours of sick leave with pay per year. Sick leave accruals will be determined by the percentage formula of actual hours in a paid status by the City.

<b>Example 1:</b>	An employee who works 80 hours on paid status per pay period will accrue 4.62 hours/pay period.
<b>Example 2:</b>	An employee who works 40 hours on paid status per pay period will accrue 2.31 hour/pay period (50% of 4.62 hours/pay period).
<b>Example 3:</b>	An employee who has a zero-leave balance and takes an extended leave of absence will not accrue any hours.

Except for retirement, all unused sick leave hours will be forfeited when an employee separates from employment, voluntarily or involuntary. Upon retirement, an employee's unused sick leave hours will be converted to service credit as contracted with CalPERS.

2. **Sick Leave Cap:** Accrued sick leave is capped at 500 hours for employees hired after November 30, 2021.
3. **Advanced Sick Leave:** Sick leave time shall not be taken until such time has been accrued.
4. **Utilization of Sick Leave Benefits:** The right to utilize benefits under the sick leave provisions herein continues only during the period that the employee is employed by the City. All benefits hereunder terminate upon the employee leaving City service. An employee on military leave is not granted sick leave during the military leave period. Employees are not eligible to utilize sick leave benefits within the first thirty (30) days of employment.

Sick leave is not a leave which an employee may use at his/her discretion, but is allowed only in cases of actual sickness or disability which make it impossible or inadvisable for the employee to perform normal work assignments/functions. Sick leave may be utilized for dental or medical appointments, medical assessments and/or due to a serious illness in the immediate family. The City Manager may deny or revoke sick leave if the incapacitation for which it is taken is caused or substantially aggravated by compensated outside employment. If an employee is absent from work for more than three (3) working days without notifying the City Manager, the employee may be dismissed from City service for being absent without official leave. Any abuse of sick leave usage is grounds for disciplinary action up to and including dismissal.

5. **Illness During Vacation Leave:** Employees who become ill while on approved vacation leave may request to use available sick leave in lieu of the approved vacation time for the period of illness. Verification of illness may be required by the City Manager prior to approval.
6. **Notification to Supervisor:** Any employee needing to be absent because of sickness or other physical disability must notify the City Manager, or designee, at least one (1) day

prior to such absence if circumstances permit, or within one (1) hour before the start of his/her regular shift when prior notice cannot be given.

7. Sick Leave Authorized Due to Illness in Family: An employee is allowed sick leave due to a serious illness in the immediate family. The definition of "family" defined under the Family and Medical Leave Act (FMLA) policy will be utilized. In the event of a serious illness in the immediate family, a certificate of such illness and the need for the employee's absence by the acceptable medical authority may be required by the City Manager. In such case, the employee must be able to produce a verifying certification upon request by the City Manager.
8. Return to Work Following Illness: The City Manager may require an employee to submit to a medical and/or psychiatric examination by a physician designated by the City before permitting the employee to return to work after the employee has been on sick leave. If the results of any such examination indicate that the employee is unable to perform assigned duties, or if performance of those duties will expose others to infection, the employee will be placed on sick leave, or leave without pay after all sick leave has been used, until adequate medical evidence is submitted that the employee is competent to perform assigned duties or will not subject others to the infection.
9. Medical Certificate Requirement: In order to be paid for sick leave, the employee must make every good faith effort to notify the City Manager prior to the start of the employee's workday. The City Manager may request, for cause, a certificate issued by a licensed physician or other satisfactory proof of illness before sick leave is granted. The City Manager may also choose a licensed physician to conduct a physical examination at City expense. Any employee who makes application for sick leave may be required by the City Manager to file a certificate signed by a duly and regularly licensed physician authorized to practice medicine or may be required to submit a personal statement which states the employee was incapacitated from performing the duties of the position for each day that sick leave is requested. Authority will also be given to the physician signing the certificate, to disclose to the City Manager, information relating to sick leave. Sick leave will be granted when the application for sick leave is approved by the City Manager.
10. Transfer of Sick Leave: New employees may be credited with up to two hundred (200) hours of sick leave from their previous public agency employer provided the previous employer did not otherwise compensate the employee for said hours. The new employee must provide a letter or documentation from the previous employer verifying accrued but uncompensated hours.
11. Unused Accumulated Sick Leave Upon Separation: An employee will not receive any payment for unused accumulated sick leave upon dismissal of employment or retirement (either disability or regular). An employee may not use sick leave to extend a retirement (either disability or regular) or dismissal date. This prohibition does not affect an employee's right to obtain sick leave credit with CalPERS. Any other balances or if an employee resigns or is dismissed will be forfeited.

### **SECTION 31: CITY-RECOGNIZED HOLIDAYS**

- A. The following days are recognized and observed as paid holidays:
1. New Year's Day (January 1<sup>st</sup>)
  2. Martin Luther King's Birthday (the third Monday in January)
  3. Presidents' Birthday (the third Monday in February)
  4. Cesar Chavez (March 31<sup>st</sup>)
  5. Memorial Day (the last Monday in May)
  6. Juneteenth (June 19<sup>th</sup>)
  7. Independence Day (July 4<sup>th</sup>)
  8. Labor Day (the first Monday in September)
  9. Veteran's Day (November 11<sup>th</sup>)
  10. Thanksgiving Day (the fourth Thursday of November)
  11. Christmas Eve (December 24<sup>th</sup>)
  12. Christmas Day (December 25<sup>th</sup>)
- B. If one of the above listed City recognized holidays falls on a Friday or Saturday, the holiday will be observed on the preceding Thursday. If the holiday falls on a Sunday, the holiday will be observed on the following Monday.
- C. Non-essential City services and facilities are closed from Christmas Eve through New Year's Day. Employees are required to utilize their own time or may opt to take the time off without pay during the holiday closure. Employees with less than 3 months of service may use unearned vacation time with any resulting negative balances to be repaid from future accruals, or in the event of separation prior to repayment, from direct repayment of the outstanding balance to the City by the former employee.

### **SECTION 32: FLEXIBLE SCHEDULING**

Depending on the Director's area of assignment, an alternate work schedule may be arranged with City Manager approval. This could include the possibility of utilizing flextime or telecommuting from an offsite location. Any prolonged telecommuting arrangement, or alternate workweek, must be approved, in writing, by the City Manager.

### **SECTION 33: FLEXIBLE SCHEDULING ON SPECIAL EVENTS**

All full-time employees are required to work the 4<sup>th</sup> of July Parade/Carnival/Fireworks special event. In addition, some employees are required to work special events in the course of their regular duties. The City reserves the right to adjust the day's work hours to meet the staffing needs of the 4<sup>th</sup> of July Parade/Carnival/Fireworks special event.

For every work week in which there is a designated special event, the City Manager may authorize the 'flexing' of all hours within the same workday or same workweek of the special event while ensuring that appropriate staff coverage is maintained for operational needs and continued City services. For purposes of this Section, a "special event" is a scheduled, pre-planned program,

activity, or other event that is offered by the City for attendance by one or more members of the public.

If an employee is required to work on a city recognized holiday, holiday hours equivalent to the number of hours worked, up to ten (10), will be banked. Banked hours not used by December 31<sup>st</sup> will be forfeited.

#### **SECTION 34: BEREAVEMENT LEAVE**

In the event of the death of an employee's immediate family (defined as spouse, parent, stepparent, grandparent, sibling, children, grandchildren, mother-in-law, father-in-law, sister-in-law, brother-in-law, registered domestic partner or child of a registered domestic partner), employees are entitled to forty (40) hours for bereavement leave per incident.

#### **SECTION 35: JURY LEAVE**

An employee of the City who is required to participate as a juror or required to participate in the jury selection process, shall be paid up to and including 80 hours of salary and benefits during each fiscal year while engaged in such activities. Any employee called to serve as a juror shall receive regular compensation while on such leave, provided that the employee remits to the City any payments or fees received as a juror, excluding mileage reimbursement. Employee shall provide from the courts, certification of the amount of time served on jury duty each day for which jury duty leave with pay is requested. Employees shall return to their regular job assignment after being released from jury duty each day provided at least one-half (1/2) of their shift remains.

Compensation shall extend beyond 80 hours only upon provision to the City of a certified court document showing that trial counsel and/or the Court estimated the length of trial for which an employee has been selected as juror, to be more than 80 hours.

The employee shall advise the City Manager and the Human Resources Manager upon receiving a court order to appear beyond the 80 hours as a juror. The granting of such leave with pay shall be subject to the approval of the City Manager or designee, consistent with the requirements set forth herein.

---

#### **OTHER**

---

#### **SECTION 36: DIRECT DEPOSIT**

Employees are offered an option to authorize the automatic deposit of each paycheck into an individual's checking, savings or credit union account. Payroll checks will not be issued in advance.

#### **SECTION 37: TECHNOLOGY EQUIPMENT**

Employees may be provided with a laptop, tablet, iPad or other device to be used for City business. This equipment may be stored and used at home. At the end of employment, the employee shall return the City-owned equipment.

**SECTION 38: EMERGENCY WAIVER PROVISION**

In the event of circumstances beyond the control of the City, such as acts of God, fire, flood, insurrection, civil disorder or national emergency, or similar circumstances, the provisions of this Resolution or City's Human Resources Rules and Regulations, which restrict the City's ability to respond to these emergencies, shall be suspended for the duration of such emergency.

City of Rosemead  
Executive Management Group  
July 1, 2023 - June 30, 2025

Position Title	Effective July 1, 2023 Monthly Salary		Effective July 1, 2024 Monthly Salary	
	Minimum	Maximum	Minimum	Maximum
Assistant City Manager	13,883	18,048	14,300	18,589
Director of Community Development	12,186	15,841	12,551	16,316
Director of Finance	12,582	16,357	12,960	16,848
Director of Parks & Recreation	11,588	15,064	11,935	15,516
Director of Public Works	12,629	16,417	13,007	16,910