

Meeting Date: 09/25/18 (14)

**ORDINANCE NO 10562 (NEW SERIES)**

**AMENDMENTS TO THE COMPENSATION ORDINANCE RELATING TO THE TENTATIVE AGREEMENT FOR THE SUPERVISING PROBATION OFFICERS' ASSOCIATION.**

The Board of Supervisors of the County of San Diego ordains as follows:

**Section 1.** Appendix One of the Compensation Ordinance is hereby amended by establishing compensation for job codes/classifications designated SO as follows:

Fiscal Year 2018-2019:	2% wage increase effective the pay period following adoption by the Board of Supervisors
Fiscal Year 2019-2020:	3% wage increase effective June 21, 2019
Fiscal Year 2020-2021:	3% wage increase effective June 19, 2020
Fiscal Year 2021-2022:	3% wage increase effective June 18, 2021
Fiscal Year 2022-2023:	2% wage increase effective July 1, 2022

**Section 2.** Appendix One of the Compensation Ordinance is hereby amended by establishing compensation for job codes/classifications designated SO as follows:

- Effective the pay period following adoption by the Board of Supervisors, establish a 2.5% Step 7 for the SO classification.
- Effective July 1, 2022, increase Step 7 by 2.5% for the SO classification.

**Section 3.** Subsection (c)(5)(a) of section 1.5.1 of the Compensation Ordinance is hereby amended to read as follows:

**SECTION 1.5.1: WORK PERIODS.**

- (c) **Work Period.** The standard work periods shall apply to both full-time and part-time employees as follows:
- (5) **PO and SO Classes.** For employees in classifications designated PO and SO the normal work period shall consist of fourteen (14) consecutive days within which is included four (4) days of rest in a fourteen (14) consecutive period.
- (a) **84 Hour Work Period.** The appointing authority may assign employees in specified classes to a normal work schedule which may include seven (7) work days and seven (7) off-duty days, six (6) workdays and eight (8) off-duty days or the ten (10) workdays and four (4) off-duty days at Juvenile Institutions or when assigned to radio duty for classes designated SO per work period, in which event the employee's compensation shall be based on a full-time schedule of eighty-four (84) working hours per work period; and
- (i) During each of the workdays the employee shall be required to work at least ten (10) hours at Juvenile Institutions or on radio duty.
- (ii) Such employee may be authorized by the appointing authority to be absent from the place of duty during the employee's non-work period, provided the employee shall complete the hours of work in (a)(i) above required at the place of duty.

**Section 4.** Subsection (c) of section 1.6.4 of the Compensation Ordinance is hereby amended to read as follows:

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SECTION 1.6.4: STANDBY.

(c) Standby Compensation.

- (1) Normal Standby Duty. Employees in eligible classes listed below shall be paid the equivalent of one (1) hour compensation for each normal standby shift, provided such shift is not longer than the employee’s normal workday. A normal workday is defined as at least eight (8) hours.

Eligible Classes:

5792 Supervising Medical Examiner Investigator, and classes designated AE, CL, CM, CR, DI, DM, FS, HS, MM, PR, PS, RN, SO, SS and SW; classes designated CE or CEM with a biweekly rate of pay which, at the top step, does not exceed \$2,144.00.

- (2) Critical Standby Duty. Employees in eligible classes listed below shall be paid the equivalent of two (2) hours compensation for each “critical” standby shift, provided such shift is not longer than the employee’s normal workday. A normal workday is defined as at least eight (8) hours.

Eligible Classes:

5792 Supervising Medical Examiner Investigator, and classes designated AE, CL, CR, FS, HS, MM, PR, PS, RN, SO, SS and SW; classes designated CE or CEM with a biweekly rate of pay which, at the top step, does not exceed \$2,144.00.

- (3) Standby duty for eligible classes listed in (1) and (2) above shall not count as time worked, except to the extent that an employee is required to, and does, actually return to a work place and perform actual service. Employees assigned to standby shall not be entitled to call-back work compensation, unless otherwise specifically provided under the call-back provisions.

Section 5. Subsection (b)(3)(b) of section 1.13.9 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 1.13.9: UNIFORM ALLOWANCE (INITIAL ISSUE AND MAINTENANCE).

(b) Probation Uniform Allowance.

- (3) Maintenance. The appointing authority shall require employees to purchase and maintain uniforms and equipment as specified.

- (b) For purposes of computing the correct prorated payment amount, three-thirds (3/3) of the maintenance allowance is as follows:

<u>Facilities</u>	<u>Classes Designated</u>	
	<u>PO</u>	<u>SO</u>
Juvenile Ranch Facility	\$450	\$450
Camp Barrett	\$450	\$450
Work Project – CDPO I & II	\$650	\$550
Work Project – Senior Probation Officer	\$400	\$300
East Mesa Juvenile Detention Facility	\$400	\$400
Kearny Mesa Juvenile Detention Facility	\$400	\$400
Girls Rehabilitation Facility	\$400	\$400
Armed Units	\$350	\$350
Work Furlough and Work Projects	--	\$350

The amount of the allowance shall be computed on paid service as follows:

% of Required Service in Paid Status	Allowance	
Over 75% through 100%	Three-thirds	(3/3)
Over 50% through 75%	Two-thirds	(2/3)
Over 25 % through 50 %	One-third	(1/3)
25% or less	Zero	(0/3)

Eligible Classes: Classes designated PO and SO.

**Section 6.** Subsection (f), (g), (h), (i), and (j) of section 2.1.9 of the Compensation Ordinance are hereby amended to read as follows:

**SECTION 2.1.9: LUMP SUM PAYMENT YEARS 2015/2016; 2016/2017; 2017/2018, 2018/2019, 2019/2020, 2020/2021, 2021/2022.**

(f) Effective the pay period following adoption by the Board of Supervisors. A one-time lump sum payment of \$750.

(1) Eligibility. All regular employees in eligible classes listed below who have paid service during Fiscal Year 2017/2018.

Eligible Classes. All classes designated: DI, DM, and SO.

(2) Payroll Calculation. Such one-time payment of \$750 shall:

(a) Be included in the employees regular paycheck and subject to normal deductions;

(b) Not modify the salary base or computations of premiums or bonuses;

(c) Not be paid if terminated before the first day of the payroll 02 for classes designated DI and DM, and payroll 08 for classes designated SO. An employee shall not be entitled to the one-time lump sum monetary payment above if they received a one-time payment under the terms of a different bargaining unit for the same fiscal year. If an eligible employee is on paid or unpaid leave, the payment will be made when the employee returns to active County service.

(3) Payment Date. This payment shall be paid effective the pay period following adoption by the Board of Supervisors for all eligible classes.

(4) Part-time employees shall receive a pro-rated amount according to their standard hours.

(g) Effective June 21, 2019. A one-time lump sum payment of \$750.

(1) Eligibility. All regular employees in eligible classes listed below who have paid service during Fiscal Year 2018/2019.

Eligible Classes. All classes designated: DI, DM, and SO.

(2) Payroll Calculation. Such one-time payment of \$750 shall:

(a) Be included in the employees regular paycheck and subject to normal deductions;

(b) Not modify the salary base or computations of premiums or bonuses;

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- (c) Not be paid if terminated before the first day of the payroll 02. An employee shall not be entitled to the one-time lump sum monetary payment above if they received a one-time payment under the terms of a different bargaining unit for the same fiscal year. If an eligible employee is on paid or unpaid leave, the payment will be made when the employee returns to active County service.
  - (3) Payment Date. This payment shall be paid on the payday of payroll 02 (July 26, 2019) for all eligible classes.
  - (4) Part-time employees shall receive a pro-rated amount according to their standard hours.
- (h) Effective June 19, 2020. A one-time lump sum payment of \$750.
- (1) Eligibility. All regular employees in eligible classes listed below who have paid service during Fiscal Year 2019/2020.  
Eligible Classes. All classes designated: DI, DM, and SO.
  - (2) Payroll Calculation. Such one-time payment of \$750 shall:
    - (a) Be included in the employees regular paycheck and subject to normal deductions;
    - (b) Not modify the salary base or computations of premiums or bonuses;
    - (c) Not be paid if terminated before the first day of the payroll 02. An employee shall not be entitled to the one-time lump sum monetary payment above if they received a one-time payment under the terms of a different bargaining unit for the same fiscal year. If an eligible employee is on paid or unpaid leave, the payment will be made when the employee returns to active County service.
  - (3) Payment Date. This payment shall be paid on the payday of payroll 02 (July 24, 2020) for all eligible classes.
  - (4) Part-time employees shall receive a pro-rated amount according to their standard hours.
- (i) Effective June 18, 2021. A one-time lump sum payment of \$1,500.
- (1) Eligibility. All regular employees in eligible classes listed below who have paid service during Fiscal Year 2020/2021.  
Eligible Classes. All classes designated: DI, DM, and SO.
  - (2) Payroll Calculation. Such one-time payment of \$1,500 shall:
    - (a) Be included in the employees regular paycheck and subject to normal deductions;
    - (b) Not modify the salary base or computations of premiums or bonuses;
    - (c) Not be paid if terminated before the first day of the payroll 02. An employee shall not be entitled to the one-time lump sum monetary payment above if they received a one-time payment under the terms of a different bargaining unit for the same fiscal year. If an eligible employee is on paid or unpaid leave, the payment will be made when the employee returns to active County service.
  - (3) Payment Date. This payment shall be paid on the payday of payroll 02 (July 23, 2021) for all eligible classes.

- (4) Part-time employees shall receive a pro-rated amount according to their standard hours.
  
- (j) Effective July 1, 2022. A one-time lump sum payment of \$1,500.
  - (1) Eligibility. All regular employees in eligible classes listed below who have paid service during Fiscal Year 2021/2022.  
Eligible Classes. All classes designated: DI, DM, and SO.
  - (2) Payroll Calculation. Such one-time payment of \$1,500 shall:
    - (a) Be included in the employees regular paycheck and subject to normal deductions;
    - (b) Not modify the salary base or computations of premiums or bonuses;
    - (c) Not be paid if terminated before the first day of the payroll 02. An employee shall not be entitled to the one-time lump sum monetary payment above if they received a one-time payment under the terms of a different bargaining unit for the same fiscal year. If an eligible employee is on paid or unpaid leave, the payment will be made when the employee returns to active County service.
  - (3) Payment Date. This payment shall be paid on the payday of payroll 02 (August 5, 2022) for all eligible classes.
  - (4) Part-time employees shall receive a pro-rated amount according to their standard hours.

**Section 7.** Subsection (d)(7) of Section 5.1.6 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 5.1.6: FLEXIBLE BENEFITS PLAN. A flexible benefits plan, which is in accordance with Section 125 of the Internal Revenue Code, is authorized for eligible employees.

- (d) County Contributions Toward Flexible Benefit Plan. Insurance premium costs shall be borne by the employee excepting that the County shall make the following contribution toward the Flexible Benefits Plan (which includes health insurance). The employee's insurance premium costs will be reduced by the amount the employee elects to distribute to his or her insurance premium costs from the County's contribution toward the Flexible Benefits Plan. The County's contribution toward the Flexible Benefits Plan shall be:
  - (7) Employees in classes designated under the SO Benefit Program.

<u>Effective January 1, 2018:</u>	<u>Monthly</u>
Employee Only	\$ 616.00
Employee +1 Dependent	921.00
Employee +2 or More Dependents	1,309.00
<u>Effective January 1, 2019:</u>	<u>Monthly</u>
Employee Only	\$ 659.00
Employee + 1 Dependent	985.00
Employee + 2 or More Dependents	1,401.00
<u>Effective January 1, 2020:</u>	<u>Monthly</u>
Employee Only	\$ 705.00
Employee + 1 Dependent	1,054.00

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Employee + 2 or More Dependents	1,499.00
<u>Effective January 1, 2021:</u>	<u>Monthly</u>
Employee Only	\$ 754.00
Employee + 1 Dependent	1,128.00
Employee + 2 or More Dependents	1,604.00
<u>Effective January 1, 2022:</u>	<u>Monthly</u>
Employee Only	\$ 807.00
Employee + 1 Dependent	1,207.00
Employee + 2 or More Dependents	1,716.00
<u>Effective January 1, 2023:</u>	<u>Monthly</u>
Employee Only	\$ 863.00
Employee + 1 Dependent	1,291.00
Employee + 2 or More Dependents	1,836.00

**Section 8.** Subsection (a)(3)(h) of Section 5.6.1 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 5.6.1: RETIREMENT CONTRIBUTION OFFSET. The County shall adopt the employee contribution rates set as recommended by the Board of Retirement within ninety (90) days after the beginning of the immediately succeeding fiscal year from the date the recommendation is made. Each employee shall pay, via payroll deduction, the amount prescribed by the rate established for each employee's contribution for the appropriate General or Safety benefit Tier into the appropriate fund in accordance with the rules and regulations governing such employee contributions.

- (a) Contribution Rates. The County shall adopt the County contribution rates, including those not integrated with Social Security, as recommended each year by the Board of Retirement as set forth in a letter to the Board of Supervisors from the Deputy Chief Administrative Officer/Auditor and Controller.
- (3) The Board of Supervisors shall adopt the employee retirement contribution rates recommended by the Retirement Board within ninety (90) days after the beginning of the immediately succeeding fiscal year from the date the recommendation is made.
  - (h) "Tier D" Retirement Benefits.
    1. Retirement benefits for employees in classes designated AE, AM, AS, CC, CE, CEM, CL, CM, CR, CS, DA, EM, EO, FS, HS, MA, MM, NA, NE, NM, NS, PD, PM, PR, PS, RN, SS, SW, or UM who are "New Members," as defined in Government Code section 7522.04(f), and are hired on or after July 1, 2018, and after a date specified in any applicable Board of Supervisor resolution establishing a new retirement tier adopted to take effect on or after July 1, 2018 shall be "Tier D" members of the General Member Retirement Program administered by SDCERA.
    2. Retirement benefits for employees in classes designated DI, DM, DS, SO or SM who are "New Members," as defined in Government Code section 7522.04(f), and are hired on or after July 1, 2020, and after a date specified in any applicable Board of Supervisor resolution establishing a new retirement tier adopted to take effect on or after July 1, 2020 shall be "Tier D" members of the "Safety" Member Retirement Program administered by SDCERA.

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**Section 9. Effective Date.** This ordinance affects compensation and shall take effect upon adoption. Within fifteen days after the date of adoption of this ordinance, a summary shall be published once with the name of those members voting for and against the same in the newspaper of general circulation published in the County of San Diego.

**Section 10. Operative Date.** Operative dates by specified section are listed in the table below.

<b>Section Number</b>	<b>Operative Date</b>
Section 1	Upon Adoption June 21, 2019 June 19, 2020 June 18, 2021 July 1, 2022
Section 2	Upon Adoption July 1, 2022
Section 3	Sept. 28, 2018
Section 4	Sept. 28, 2018
Section 5	Sept. 28, 2018
Section 6	Upon Adoption June 21, 2019 June 19, 2020 June 18, 2021 July 1, 2022
Section 7	January 1, 2019 January 1, 2020 January 1, 2021 January 1, 2022 January 1, 2023
Section 8	July 1, 2020

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL  
BY: Dennis I. Floyd, Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 25<sup>th</sup> day of September, 2018.



KRISTIN GASPAR  
Chairwoman, Board of Supervisors  
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Gaspar, Horn  
ABSENT: Jacob, Roberts

ATTEST my hand and the seal of the Board of Supervisors this 25<sup>th</sup> day of September, 2018.

DAVID HALL  
Clerk of the Board of Supervisors

By C. Rodriguez  
Chrystal Rodriguez, Deputy



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