

Meeting Date: 09/25/18 (13)

ORDINANCE NO 10560 (NEW SERIES)

AMENDMENTS TO THE COMPENSATION ORDINANCE RELATING TO THE TENTATIVE AGREEMENT FOR THE DISTRICT ATTORNEY INVESTIGATORS 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 DI and DM 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 DI and DM as follows:

- Effective the pay period following adoption by the Board of Supervisors, add an additional 2.5% top step to all DI and DM classifications.
- Effective July 1, 2022, increase top step to 5% for all DI and DM classifications.

Section 3. Subsection (d)(2) of section 1.5.1 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 1.5.1: WORK PERIODS.

(d) Non-Standard Work Period/Irregular and Fluctuating Work Schedules. For employees in eligible classes, non-standard work periods, irregular and fluctuating schedules are defined below:

- (2) The Appointing Authority may, in its sole discretion, implement and/or grant alternative work schedules. Employees, with the Appointing Authorities approval, may choose to work an alternate work schedule which would result in an eighty-five (85) hour work period as outlined in the DA Alternate Work Schedule Policy. The decision to continue such alternative work schedule shall be based on operational necessity and may be cancelled by the Appointing Authority at any time. This provision shall not be subject to the grievance procedure. In the event the Department decides to abolish, establish, or change alternate work schedule programs, the Department shall inform the affected employees at least ten (10) calendar days prior to taking such action.

Eligible Classes: Classes designated DI and DM

Section 4. Subsections (f) and (g) of section 1.9.2 of the Compensation Ordinance are hereby added/amended to read as follows:

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SECTION 1.9.2: BILINGUAL PREMIUMS.

- (f) District Attorney Investigator Bilingual Premiums. For employees in classes designated DI and DM, the appointing authority may require a qualified employee to perform bilingual duties in positions which have been identified and designated as requiring such bilingual skills. In order to ensure an adequate level of bilingual proficiency, the Director, Department of Human Resources may require periodic evaluation of incumbents receiving bilingual premium.

Class A: The rate for Class A bilingual skills is fifty dollars (\$50.00) biweekly; \$0.625 per hour for eighty (80) hours of paid service – thereafter, the FLSA regular rate for overtime shall apply. To qualify for this rate, the employee must be assigned to a position designated as requiring bilingual skills fifty percent (50%) or more of the time or forty (40) hours or more in an eighty (80) hour biweekly pay period or to a position designated as requiring technical bilingual skills (reading, writing, translation). This fifty percent (50%) usage requirement shall mean the actual time spent conversing or interpreting in a second language.

Class B: The rate for Class B bilingual skills is twenty-five dollars (\$25.00) biweekly; \$0.3125 per hour for eighty (80) hours of paid service – thereafter, the FLSA regular rate for overtime shall apply. To qualify for this rate, the employee must be assigned to a position designated as requiring bilingual skills less than fifty percent (50%) of the time or thirty-nine (39) hours or less in an eighty (80) hour biweekly pay period. This fifty percent (50%) or less usage requirement shall mean the actual time spent conversing or interpreting in a second language.

For purposes of terminal pay, bilingual premium shall not be computed in the employee's base wage rate.

- (g) Other Bilingual Premiums. For employees in classes designated AM, AS, DA, PD, PM, PO and any employee except employees in Class 5725, International Case Coordinator or those in classes designated in (a) (b), (c), (d), (e), or (f) above, the appointing authority may require a qualified employee to perform bilingual duties in positions which have been identified and designated as requiring such bilingual skills. In order to ensure an adequate level of bilingual proficiency, the Director, Department of Human Resources may require periodic evaluation of incumbents receiving bilingual premium.

Class A: The rate for Class A bilingual skills is thirty-two dollars and thirty cents (\$32.30) biweekly. To qualify for this rate, the employee must be assigned to a position designated as requiring bilingual skills fifty percent (50%) or more of the time or forty (40) hours or more in an eighty (80) hour biweekly pay period or to a position designated as requiring technical bilingual skills (reading, writing, translation). This fifty percent (50%) usage requirement shall mean the actual time spent conversing or interpreting in a second language.

Class B: The rate for Class B bilingual skills is sixteen dollars and fifteen cents (\$16.15) biweekly. To qualify for this rate, the employee must be assigned to a position designated as requiring bilingual skills less than fifty percent (50%) of the time or thirty-nine (39) hours or less in an eighty (80) hour biweekly pay period. This fifty percent (50%) or less usage requirement shall mean the actual time spent conversing or interpreting in a second language.

Employees in positions designated as bilingual on or before June 28, 1979, shall continue to receive Class A bilingual premium while in that specific position. Employees assigned to positions June 29, 1979, or after, shall receive either Class A or Class B bilingual premium, as appropriate.

For purposes of terminal pay, bilingual premium shall not be computed in the employee's base wage rate.

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Section 5. Subsection (f), (g), (h), (i), and (j) of section 2.1.9 of the Compensation Ordinance are hereby added 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 or DM.
- (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 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 or DM.
- (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 26, 2019) for all eligible classes.
- (4) Part-time employees shall receive a pro-rated amount according to their standard hours.

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- (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 or DM.
 - (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 or DM.
 - (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 or DM.

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- (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 6. Subsection (d)(5) 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:

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(5) Employees in classes designated DI and DM under the DAI Benefit Program.

<u>Effective January 1, 2018:</u>	<u>Monthly</u>
Employee Only	\$ 610.00
Employee + 1 Dependent	894.00
Employee + 2 or More Dependents	1,275.00
<u>Effective January 1, 2019:</u>	<u>Monthly</u>
Employee Only	\$ 653.00
Employee + 1 Dependent	957.00
Employee + 2 or More Dependents	1,364.00
<u>Effective January 1, 2020:</u>	<u>Monthly</u>
Employee Only	\$ 699.00
Employee + 1 Dependent	1,024.00
Employee + 2 or More Dependents	1,459.00
<u>Effective January 1, 2021:</u>	<u>Monthly</u>
Employee Only	\$ 748.00
Employee + 1 Dependent	1,096.00
Employee + 2 or More Dependents	1,561.00
<u>Effective January 1, 2022:</u>	<u>Monthly</u>
Employee Only	\$ 800.00
Employee + 1 Dependent	1,173.00
Employee + 2 or More Dependents	1,670.00
<u>Effective January 1, 2023:</u>	<u>Monthly</u>
Employee Only	\$ 856.00
Employee + 1 Dependent	1,255.00
Employee + 2 or More Dependents	1,787.00

Section 7. 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 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.


Section 8. 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 9. Operative Date. Operative dates by specified section are listed in the table below.

Section Number	Operative Date
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	Upon Adoption June 21, 2019 June 19, 2020 June 18, 2021 July 1, 2022
Section 6	January 1, 2019 January 1, 2020 January 1, 2021 January 1, 2022 January 1, 2023
Section 7	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 25th 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 25th day of September, 2018.

DAVID HALL
Clerk of the Board of Supervisors

By C. Rodriguez
Chrystal Rodriguez, Deputy



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