

Meeting Date: 12/05/2023 (17)

ORDINANCE NO. 10870 (NEW SERIES)

AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE AND ESTABLISHING COMPENSATION

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 deleting the following job code/classification in the unclassified service:

Job Code No. Job Code Title
000338 Chief, Child Support Services

Section 2. Appendix One of the Compensation Ordinance is hereby amended by changing class characteristics for the following job class, effective December 15, 2023:

Job Code No.	Job Code Title	Approx Annual Salary Minimum Maximum	UCE Range	Vari Entry	O/T	Rep Stat	Bene Plan
002446	Financial Policy & Planning Officer	\$90,729.60 - \$177,132.80	009	Y	X	UM	UCL

Section 3. Appendix One of the Compensation Ordinance is hereby amended by amending compensation for job code/classification listed as follows:

Clinical Pharmacist, 004246:

Fiscal Year 2024-2025: 1.58% equity increase effective June 28, 2024

Section 4. Appendix One of the Compensation Ordinance is hereby amended by amending the compensation for the following job codes/classifications, effective December 15, 2023, and June 28, 2024:

Job Code No.	Job Description	Effective Dates	Hrly Biwkly Minimum	Hrly Biwkly Maximum	Approx. Annual Salary Minimum - Maximum
000265	Assistant Sheriff				
		Dec. 15, 2023	111.60	142.19	\$232,128.00 - \$295,755.20
			8,928.00	11,375.20	
		June 28, 2024*	114.67	146.10	\$238,513.60 - \$303,888.00
			9,173.60	11,688.00	
000240	Assistant District Attorney				
		Dec. 15, 2023	124.13	178.25	\$258,190.40 - \$370,760.00
			9,930.40	14,260.00	
000245	Chief Deputy District Attorney				
		Dec. 15, 2023	109.48	143.29	\$227,718.40 - \$298,043.20
			8,758.40	11,463.20	
		June 28, 2024*	112.49	147.23	\$233,979.20 - \$306,238.40
			8,999.20	11,778.40	
	June 28, 2024	118.12	154.59	\$245,689.60 - \$321,547.20	
			9,449.60	12,367.20	
000343	Special Assistant (District Attorney)				
		Dec. 15, 2023	77.27	101.40	\$160,721.60 - \$210,912.00

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			6,181.60	8,112.00	
		June 28, 2024*	79.39	104.19	\$165,131.20 - \$216,715.20
			6,351.20	8,335.20	
		June 28, 2024	83.36	109.40	\$173,388.80 - \$227,552.00
			6,668.80	8,752.00	

*Approved June 28, 2022 (14)

Section 5. Subsection (c) of Section 1.2.3 of the Compensation Ordinance is hereby added to read as follows:

SECTION 1.2.3: BIWEEKLY/REGULAR AND HOURLY RATE.

(a) Biweekly/Regular Employees. The following employees shall be paid at a biweekly rate, unless a special rate of pay is provided for the position to which appointed:

- (1) Employees having a permanent appointment to a full-time or regularly scheduled part-time position of forty (40) or more hours in each biweekly pay period.
- (2) Employees having attained permanent status who are temporarily appointed to a full-time or regularly scheduled part-time position of forty (40) or more hours in each biweekly pay period.
- (3) Employees having a certified temporary appointment to a full-time or regularly scheduled part-time position of forty (40) or more hours in each biweekly pay period.

(b) Hourly/Temporary Employees.

- (1) All other employees, except those paid at a special rate, are hourly rate employees.
- (2) The hourly rate is computed by dividing the applicable biweekly rate of pay by the number of working hours in a normal biweekly pay period for full-time employees for such class. Any fraction of a cent in the resulting quotient shall be rounded upward to the next cent.

(c) Minimum Wage Law.

The minimum hourly pay rate for all regular and temporary employee classes paid at a biweekly or hourly rate shall be no less than the minimum wage per hour according to state law. Whenever an increase to the applicable state minimum wage is enacted, the minimum hourly pay rate for regular and temporary employee classes shall be increased to the extent necessary to equal the new state minimum wage. Increases to minimum hourly pay rates for employee classes shall take effect on the first day of the pay period of the enacted date, as required by the state minimum wage law.

Section 6. Section 1.7.25 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 1.7.25: DETECTIVE ASSIGNMENT PREMIUM. A Deputy Sheriff who has been designated by the Department as a Detective shall be compensated an additional five (5%) percent in addition to the employee's base wage rate. This premium shall apply to paid leave but shall not apply to terminal payoff.

Eligible Classes:

- 005746 Deputy Sheriff
- 005757 Deputy Sheriff – Detentions/Court Services

Section 7. Subsection (b) of Section 1.8.2 of the Compensation Ordinance is hereby amended to read as follows:

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SECTION 1.8.2: WORK LOCATION PREMIUMS.

- (b) Employees in classes designated below who occupy positions which are assigned to institutional work locations and who are assigned to a work station located within the specified institution, facility, locked ward or unit, or other specifically identified site, as the employee's principal work station, shall receive additional compensation of approximately five percent (5%) above their regular base pay rate for such assignment. This premium shall apply to time worked and shall not apply toward paid time off or to terminal payoff.

Institutional Work Locations		Classes/Principal Work Therein	
1.	San Diego County Psychiatric Hospital	007035	Health Care Agency Housekeeper
		007036	Sr Health Care Agency Housekeeper
		004246	Clinical Pharmacist
		004250	Pharmacist
2.	Edgemoor	002650	Stock Clerk
		004465	Nutritionist
		004538	Staff Nurse
		004770	Dietitian
		006410	Senior Cook
		006411	Cook
		006415	Food Services Worker
		007030	Sr Custodian
3.	Polinsky Children's Center	002493	Account Clerk
		002650	Stock Clerk
		002655	Senior Storekeeper
		002700	Office Assistant
		002729	Office Support Specialist
		002730	Senior Office Assistant
		002745	Supervising Office Assistant
		002756	Administrative Secretary I
		004407	Recreational Therapist
		005235	Social Worker I
		005253	Protective Services Worker
		005254	Senior Protective Services Worker
		005259	Protective Services Supervisor
		005260	Social Worker III
		005270	Social Work Supervisor
005884	Building Maintenance Engineer		
006530	Laundry Worker		
4.	Sheriff's Detention Facilities	007030	Sr Custodian

Section 8. Section 4.2.4 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 4.2.4: BEREAVEMENT LEAVE AND REPRODUCTIVE LOSS LEAVE

- (a) Definition.

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1. Bereavement leave is paid and unpaid leave, as defined in Section 4.2.4 (b)(1)(2) and 4.2.4 (c)(1) below, which is available to an employee at the time of death or funeral of a member of the employee's immediate family as defined below in Section 4.2.4 (e).
2. Reproductive Loss Leave is paid and unpaid leave, as defined in Section 4.2.4 (b) and 4.2.4 (c) below, which is available to an employee due to a reproductive loss as defined in Section 4.2.4 (f) and in DHR Policy 609.

(b) Eligibility.

1. Only biweekly rate employees on paid status shall be eligible for paid bereavement leave and reproductive loss leave.
2. Paid and Unpaid Bereavement Leave. An employee shall not exceed three (3) workdays for the death of their immediate family. Also, an employee shall be entitled to use two (2) additional days of sick leave as bereavement leave. If an employee has no sick leave balances, the two days may be taken using other paid leave accruals. If no paid leave is available, the two days may be taken as unpaid leave.
3. Paid and Unpaid Reproductive Loss Leave. An employee may take up to five (5) days of leave following a reproductive loss event. Paid Reproductive Loss Leave shall not exceed three (3) workdays. An employee shall be entitled to use two (2) additional days of sick leave as Reproductive Loss Leave. If an employee has no sick leave balances, the two days may be taken using other paid leave accruals. If no paid leave is available, the two days may be taken as unpaid leave.

If an employee experiences more than one reproductive loss event within a 12-month period, the employee is entitled to five (5) days of Reproductive Leave Loss for each event not to exceed a total of 20 days within a 12-month period.

(c) Eligibility for Non-biweekly Rate Employees.

1. Bereavement Leave. All non-biweekly rate employees shall be eligible for up to five (5) days of unpaid bereavement leave. Employees may use paid leave accruals, if any, in lieu of unpaid leave.
2. Reproductive Leave Loss. All non-biweekly rate employees shall be eligible for up to five (5) days of unpaid Reproductive Loss Leave.
 - a. If an employee experiences more than one reproductive loss event within a 12-month period, the maximum leave available is 20 days per fiscal year. 5 days total may be used for each reproductive loss. Employees may use paid leave accruals, if any, in lieu of unpaid leave.

(d) Use.

1. Bereavement leave may only be taken at the time of the death or funeral of a member of their immediate family. The three (3) days of paid bereavement leave under Section 4.2.4 (b) shall not be deducted from other leaves of absence or compensatory time off for which the employee may be eligible. (See Section 4.2.2(d)(6) for possible combination with sick leave.)
2. Reproductive Loss Leave may only be taken within three months from the date of the reproductive loss, or within three (3) months of a California Family Right Act Leave (CFRA) protected leave if the loss occurred during or right before the leave. The three (3) days of paid Reproductive Loss Leave under Section 4.2.4 (b) shall not be deducted from other leaves of absence or compensatory time off for which the employee may be eligible. (See Section 4.2.2(d)(6) for possible combination with sick leave.)

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- (e) **Bereavement Leave: Immediate Family.** Means husband, wife, child, stepchild, brother, stepbrother, sister, stepsister, parent, stepparent, any person serving or who has served as a parent, grandparent, grandchild, parent-in-law, brother-in-law, sister-in-law, or any other person living in the same household as the employee.
- (f) **Reproductive Loss Leave** shall be defined and used in the same manner as in California Government Code section 12945.6 and as described in DHR Policy 609.

Section 9. Subsection (d) of Section 4.2.6 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 4.2.6: MILITARY LEAVE.

- (a) **General Provisions.**
 - (1) Employees who are or become a member of the Armed Services, Militia, or Organized Reserves of California or the United States, shall be entitled to the leaves of absence and employment rights and privileges provided by the Military and Veterans Code of the State of California.
 - (2) Employees will be paid for up to thirty (30) days of Military Leave per Fiscal Year when required to report under the following conditions: active duty; active or inactive duty for training; initial active duty for training; full-time National Guard Duty; examination to determine fitness for duty; funeral honors duty by National Guard or Reserve members; and certain duties performed by National Disaster Medical System employees.
- (b) **Review and Approval.** Every military leave request shall be subject to review and approval by the Director, Department of Human Resources.
- (c) **Request.** Employees who have been ordered to military service must submit notice (either orally or in writing) of their need for leave. Employees should provide thirty (30) days advanced notice of the need for leave, if practicable.
- (d) **Anti-Terrorist Campaign Leave Provisions.** Employees who are participating in military operations in support of anti-terrorist campaigns shall receive thirty (30) days per fiscal year of paid leave under the Military Leave provisions above plus additional leave as specified below.
 - (1) **Definition.** Leave is paid absence from work granted to employees who have been ordered to active military duty as a direct result of the September 11, 2001 attacks on the World Trade Center and Pentagon.
 - (2) **Eligibility.** Biweekly rate employees who are members of the reserved corps of the armed forces of the United States or the National Guard or the Naval Militia who have been ordered to active duty as a direct result of the September 11, 2001 attacks on the World Trade Center and Pentagon. Employees shall not be eligible for this paid leave during the period in which they are receiving paid military leave pursuant to the Federal Military Statutes or the California Military and Veterans Code. The Director of Human Resources, in consultation with the employee's appointing authority and the Auditor & Controller, shall be the final arbiter of eligibility under this section.
 - (3) **Duration.** This leave is provided as temporary relief from financial hardship due to loss of pay and benefits for employees on active military duty as a direct result of the September 11, 2001 attacks on the World Trade Center and Pentagon. This paid leave shall cease on the date the employee officially is released from active military duty.

Eligible Classes: Classes designated AE, AM, AS, CC, CE, CEM, CL, CM, CR, CS, DA, DI, DM, DS, EM, EO, FS, HS, MA, MM, NA, NE, NM, NS, PD, PM, PO, PR, PS, RN, SO, SM, SS, SW, and UM.

- (4) Method of Calculation. The amount of this paid leave shall be equal to the employee's normal biweekly gross pay (not including overtime pay) as of the first date the employee is absent from work due to being ordered to active military duty, offset by the amount of gross military pay for such duty including all military allowances paid to the employee. In the event the military pay, including allowances, equals or exceeds the employee's pay for the pay period pursuant to this provision, the employee shall receive no pay for that pay period except that the County shall continue to pay the required employer contributions toward the employee's premiums (including dependents' premiums) for group insurance benefits sponsored by the County of San Diego and the employee shall be responsible for making the required employee and dependent contributions, if any, toward the premiums for such group insurance benefits.
- (5) Condition of Payment. Payments authorized under this section shall be conditioned upon compliance with the procedures established by the Auditor & Controller.

Section 10. Subsection (d) of Section 4.2.9 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 4.2.9: SICK LEAVE – TEMPORARY EMPLOYEES.

- (a) An eligible employee working in an eligible temporary classification is entitled to earn and use sick leave as specified in this Section.
- (b) Eligibility to Earn: Employees are eligible to earn sick leave under this section if they work in one of the following temporary classifications for 30 days or more within a twelve month period.

Eligible Classes:

<u>Class No.</u>	<u>Title</u>
000735	Park Attendant (Seasonal)
000777	Election Worker
000790	Election Worker Specialist
000904	Student Worker – High School
000905	Student Worker – Undergraduate
000906	Student Worker – Graduate/Technical
000896	Temporary Expert Professional Employee
000918	Temporary Expert Professional Employee – Psychiatrist Special Assignment
000919	Temporary Expert Professional Employee, M.D., D.O., D.V.M.
002910	Graduate Law Clerk

- (c) Earnings: Eligible employees shall earn sick leave credit at the rate of one hour of sick leave for each 30 hours of paid time in the eligible temporary classification, beginning at the commencement of employment or October 2, 2015, whichever is later. Sick leave is credited in units of one-tenth (1/10) of one hour.
- (d) Earnings Limits: Effective December 29, 2023, eligible employees may earn a maximum of forty (40) hours of sick leave per year of County employment. If unused, an eligible employee's earned sick leave shall carry over to the following year of County employment, as long as the employee's earned sick leave balance does not exceed eighty (80) hours. An eligible employee's use of earned paid sick days shall be limited to forty (40) hours in each year of County employment.

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Section 11. Effective Dates. Sections 1-10 of this ordinance shall take effect immediately upon adoption by the Board of Supervisors following the second reading. 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 12. Operative Dates. Operative dates by specified section are listed in the table below.

Section Number	Operative Date
Sections 1-2	12/15/23
Section 3	6/28/24
Section 4	12/15/23 6/28/24
Section 5	12/29/23
Sections 6-7	12/15/23
Section 8	1/1/24
Section 9	12/15/23
Section 10	12/29/23

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

BY: Frances Rogers, Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 5th day of December 2023.




NORA VARGAS
Chair, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

ATTEST my hand and the seal of the Board of Supervisors this 5th day of December 2023.

ANDREW POTTER
Clerk of the Board of Supervisors

By 
Nancy Vizcarra, Deputy



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