

**ORDINANCE NO. 9605 (NEW SERIES)**

**AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE ESTABLISHING  
AUTHORIZED CLASSIFICATION CHARACTERISTICS, AND COMPENSATION.**

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

**Section 1.** Section 4.2.22 of the Compensation Ordinance is hereby added.

**SECTION 4.2.22: EMPLOYEE POLL WORKER PROGRAM LEAVE.**

- (a) **Definition.** Employee Poll Worker Program Leave is a paid absence from duty to serve as a volunteer poll worker in a San Diego County polling place when the election day falls on the employee's regularly scheduled work day and under other specified conditions as outlined below:
- (b) **Eligibility.** Any regular County employee, other than employees assigned to the Registrar of Voters, may apply for paid leave from County employment to serve as a volunteer poll worker. Such paid leave is subject to:
- (1) Approval by the employee's appointing authority;
  - (2) Selection as being qualified by the San Diego County Registrar of Voters;
  - (3) Satisfactory completion of required poll worker training on the employee's own time. Employees attending training during their regularly scheduled work hours must request in writing to his/her appointing authority for approval to use unpaid or paid leave to attend such training.
  - (4) The employee fully executes his/her responsibilities as a poll worker including reporting to his/her assigned polling place at the designated time, performing all the duties appointed by the County Elections official and as required by applicable state and federal elections laws, and remaining on duty until the poll is properly closed and secured and until released by the County elections official.
- (c) **Stipend Payment.**
- (1) Employees selected to serve as voluntary poll workers, except employees in EC, EM, EO, EU, UM, IW1 and IW3 will be paid a stipend of \$60, \$80 or \$100 based on the assignment and as an incentive to serve in this capacity. Employees paid at the \$80, or \$100 stipend level will be required to attend a training class estimated to be approximately two (2) hours in length.
  - (2) The stipend shall not be counted in any computation of the total wages or compensation paid the employee for his/her regular employment with the County.
- (d) Employees, who volunteer for this paid leave, are ineligible for overtime compensation because the work is voluntary, occasional and sporadic and in a different capacity from the regularly assigned job duties of their job classifications pursuant to the provisions of the Fair Labor Standards Act (FLSA).

- (e) Compensation: Employee poll worker leave shall consist of one (1) day of full pay for each designated Election Day. There may be more than one Election Day designated each year. Employees will be required to apply for Employee Poll Worker Program Leave for each designated Election Day.

**Section 2.** SECTION 1.4.6 of the Compensation Ordinance is hereby repealed.

**Section 3.** SECTION 1.10.6 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 1.10.6: TEMPORARY ASSIGNMENT TO HIGHER CLASS.

- (a) When the appointing authority determines it is necessary to cover a position from which the incumbent is absent or which is temporarily vacant for any reason, the appointing authority may assign an employee in a lower class to temporarily perform the duties of the higher class position under the following conditions:
- (1) The Director has approved.
  - (2) For employees designated DS, SM and SW, the Director must approve a written request from the appointing authority prior to the appointment or within five (5) days after an emergency appointment.
  - (3) The employee proposed to be assigned is qualified to perform the duties of the higher class.
  - (4) The employee will remain in his/her current class during the time so assigned.
  - (5) The assignment shall be for over four (4) weeks, but shall not exceed twenty-six (26) weeks; however, for employees in classes designated AE, CC, CE, CEM, CL, CM, CR, CS, FS, HS, MM, PD, PM, PR, PS, PO, RN, SO and SS the assignment shall be for over three (3) weeks, but shall not exceed twenty-six (26) weeks.
- (b) The employee so assigned shall be compensated by receiving a "bonus rate" in addition to the base rate of compensation that has been established for his/her current class. This bonus rate shall be the difference between the rate of compensation for the employee's current class and that of the higher class, determined by utilizing the provisions of Section 1.3.5 (Promotion). At the conclusion of the temporary assignment, the employee's compensation shall return to the normal rate for the employee's current class. An employee temporarily assigned to the duties of a higher class who terminates or is terminated from County service during such assignment, shall be paid terminal benefits at the rate appropriate to such employee's current class.

**Section 4.** SECTION 2.1.8 of the Compensation Ordinance is hereby repealed.

**Section 5.** SECTION 5.9.3 of the Compensation Ordinance is hereby repealed.

**Section 6.** Effective Date. Sections 1, 2, 3, 4, and 5 of this ordinance affect 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 7.** Operative Date. Operative dates by specified section are listed in the table below.

<b>Section Number</b>	<b>Operative Date</b>
Section 1	10/31/03
Section 2	10/31/03
Section 3	10/31/03
Section 4	10/31/03
Section 5	10/31/03

PASSED, APPROVED AND ADOPTED this 21st day of October, 2003.