

# **Attachment A**

Chapter 3  
PERSONNEL

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**Part 1. Generally**

**3.04.010 Definitions.**  
 A. All terms shall have the meaning given by Article 1.04 of this code unless the context clearly indicates a different meaning.

B. The term, "days," when used in connection with procedural time requirements, shall mean calendar days unless the context clearly indicates a different meaning. (Prior code § 14.1)

**3.04.020 Classification plan.**  
 Whenever a position is to be established, or a significant change in the duties or responsibilities of any position is to be made, such change shall be in the manner provided in this chapter. Each appointing authority shall report to the personnel director the need for new positions or classifications and shall report material changes in the duties of any position, including the date when such changes occurred or will occur, in order that new position(s) and position(s) whose duties have been materially changed may be classified and allocated accordingly. (Ord. 5371-B (part), 2005; Prior code § 14.2)

**3.04.030 Roster of employees and positions.**  
 A central roster of employees and positions is to be maintained in the personnel department. It shall include dates of service, positions held, salaries received, vacation and such other information as may be deemed appropriate. (Prior code § 14.20)

**3.04.040 Official records to show titles of positions.**  
 The title of the class to which any position is allocated shall be used in all official personnel and in all official personnel transactions of the county. (Prior code § 14.30)

**3.04.050 Procedure when funds are not available for salary increase.**  
 In the event that sufficient funds are not available for the purpose of effecting annual salary increases, which may be earned and approved in the forthcoming fiscal period, the board of supervisors shall set a percentage amount of increase which shall apply to all classes of employment uniformly, as the individual employees earn the salary adjustment. (Prior code § 14.52)

**3.04.060 Moonlighting.**  
 No employee shall be permitted to accept employment outside of county service if:

A. The outside employment leads to a condition resulting in grounds for discipline under Section 3.08.1190;

B. The nature of the work is such that it will reflect unfavorably on the employee, the department, or the county; or

C. The additional duties to be performed are in conflict with duties required by his or her county service. (Prior code § 14.70)

### **3.04.070 Holding more than one county position.**

A. No full-time county employee shall be permitted to hold any other full-time, part-time, intermittent, or seasonal employment with the county of Placer, provided, however, that:

1. Sheriff's reserve activities shall be permitted by FLSA exempt employees; or

2. Employees who are on "sick leave-early retirement," as provided for by Section 3.04.420(H)(2), may work extra help in the department from which they retired for up to eighty (80) hours. They may work an additional eighty (80) hours with the permission of the personnel director; any extension beyond one hundred sixty (160) hours shall require concurrence of the civil service commission.

B. The provisions of subsection A of this section shall not be construed to prevent extra employment outside of county service if the provisions of Section 3.04.060 are complied with.

C. The words "full-time, part-time, intermittent, or seasonal employment" shall have the meaning assigned by Section 3.08.170. (Prior code § 14.71)

### **3.04.080 Nepotism.**

It is the policy of the county to regulate, restrict or prohibit the employment of relatives when it may have a detrimental effect on supervision and morale, and is necessary for proper and efficient operation and delivery of county services.

A. No relative of an elected or appointed county official or employee may serve in or be appointed, promoted, demoted or transferred to a position which involves a direct supervisor-subordinate relationship. For purposes of this rule, the department head, and the assistant department head or chief deputy or deputy department head are considered in the direct line of supervision of all employees in that department.

1. "Direct line of supervision," as defined for purposes of this rule, includes any situation in which the official or employee would be in a position to effect the terms and condition of another's employment, including making

decisions about work assignments, compensation, grievances, advancement or performance evaluation.

2. A "relative" is defined as spouse, mother, father, brother, sister, grandparents, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law of the employee or spouse, children of the employee or spouse's children, employee's grandchildren, or any other person whose relationship to the employee is that of a dependant.

B. Employees who become relatives, after the effective date of this rule and work in a direct supervisor-subordinate relationship shall also be subject to this rule.

1. In applying this subsection the county will initially allow the affected employees to determine which employee will remain in his or her current position. If the affected employees have no preference, the personnel director, with permission of the civil service commission, shall determine which of the employees will remain in his or her current position, giving consideration to the work history and seniority of the employees affected.

2. As to the other employee, the personnel director will attempt to make a mutually acceptable transfer to a similar position in another department. If a mutually acceptable transfer cannot be made, that employee shall be subject to layoff as defined in Sections 3.08.1090 through 3.08.1120.

C. The civil service commission may waive this rule with an acceptable showing of unusual or exceptional circumstances when this rule would otherwise prohibit the promotion, transfer, or demotion of a permanent employee. To be considered by the civil service commission, such action must be initiated by the appointing authority or the employee and recommended by the appointing authority. The foregoing waiver process must be completed prior to certification from an eligible list, approval of transfer or approval of a voluntary demotion of an employee into a situation that would cause nepotism, as defined by this rule.

D. An exception to this nepotism rule shall be in the case of a voluntary transfer or demotion due to a layoff. However, every effort should be made to avoid creating a supervisor-subordinate relationship as a result of the transfer or demotion.

E. No supervisor-subordinate relationship between relatives shall be permitted to be created from and after May 11, 1992, except as provided for in subsections C and D of this section. All such relationships existing prior to May 11, 1992, shall not be the cause for transfer, demotion or termination of any employee. (Prior code § 14.72)

**3.04.090 Job sharing.**

A. Definition. "Job sharing" means a voluntary arrangement in which two employees collectively fill one full-time allocated position on a fifty-fifty basis.

B. Policy. It is the policy of Placer County to permit job sharing except in management and supervisory positions, and other positions which the department head, in his or her judgment, deems it not conducive to the efficient and effective operation of the department. Any request for job sharing must be approved by the department head and the county executive officer.

C. Employees' Responsibilities to Pay for Increased Fixed Benefit Costs. Each employee participating in a job sharing position shall receive only half of the maximum fixed benefit cost paid by the county and allowable for one full-time position. These costs would relate to such items as medical insurance, uniform allowance, etc. (Prior code § 14.73)

**3.04.100 Use of county property in connection with non-county employment.**

No county employee shall be permitted to use county records, material, equipment, facilities, or other resources, in connection with non-county employment as follows:

A. During such employee's normal working hours; or

B. During any time period when such records, material, equipment, facilities, or other resources are not available to the general public; or

C. During any period of time when such employee's office is normally closed and such records, material, equipment, facilities, or other resources are within such office; or

**3.04.110 Use of county facilities in connection with political activity.**

No county employee shall, unless specifically required as a part of such employee's regular duties, such as, in the elections department, do any of the following, unless specifically approved by the board of supervisors:

A. Use county equipment or facilities for political purposes.

B. Display, distribute, or post any political sign, poster, or other writing on any county equipment or facilities.

Nothing in this section shall be deemed to prevent employees from wearing attached to their clothing a pin, badge, or other device expressing political support for any person or issue. (Prior code § 14.76)

**3.04.120 Merger of public agencies—Status of employees.**

A. Merger Generally. The provisions of any other section notwithstanding, in the event that one or more functions of another public agency are taken over by the county, such employees of such other agency shall become employees of the county if the county has, or creates, positions for them. In such event, such employees shall be placed in the county job classification and salary step which most nearly approximates their previous position, except that:

1. They shall not be placed higher than Step 5.

2. If they are between steps, they shall be placed at the next higher step.

In the event that there are more employees of such other agency than positions which the county has or creates, such employees shall be ranked for the available classifications through the standard competitive examination process, but limited to the employees of such other agency and the rule of three applied. For purposes of Section 3.08.740, the list established hereunder shall be deemed a re-employment list, but the provisions of Section 3.08.890(A) shall not apply. Certification of eligibles from said re-employment list shall be used only for filling of positions created as a result of the merger. Employees of the merging agency in discontinued or eliminated positions will be considered for other classifications if the applicant meets the qualifications and the position is vacant because no employee who performed that function for the merged agency is transferring to county service. Should the above certification of eligibles not result in enough names to fill the vacancies created by the merger, then more ranks will be certified from the regular promotional or open lists.

B. Limitations on Rights. Such merged employees shall have the same rights and duties as all other county employees, subject to the following:

1. Except as provided in subsection (B)(2) of this section, at the time of such county take-over, such employee shall have the option of cashing in their accrued sick leave and vacation or carrying it forward to their county service; provided, however, that it may be carried forward to their county service only if such other agency pays the county in full for the financial obligation incurred by the county due to such carry-over.

2. In the case of merger of a person or private business performing services under contract with the county where such merger is for the purpose of the county's full assumption of the operational functions of such person or business, the county may, in its sole discretion, and as to vacation only, waive the requirement that such other agency pay the county for such carry-over. Such waiver,

however, shall not operate to require vacations or compensation for merged employees previously compensated for such vacation time.

3. For such employees of other agencies, seniority and all benefits shall be computed and based solely on the date upon which they commenced their full-time employment with the county; however, no previous employment with the county shall be considered, nor shall service with such other agency be considered in computing county service.

C. Examination and Probation Period. Where such employee is not already covered by a merit system, such employee shall become a county employee only if they pass a qualifying examination and then satisfactorily complete the probationary period as required under Section 3.08.1040. For purposes of Section 3.08.740, the list established hereunder shall be deemed a re-employment list, but the provisions of Section 3.08.890(A) shall not apply. If such merged employee is already covered by a merit system, they shall be deemed to acquire their comparable probationary or permanent status, subject to the provisions of subsection A of this section. Should an employee of the merged agency be a former county employee who had been laid off, or resigned in lieu of layoff, as a result of the county eliminating the same functions, and, thereafter, employed by such agency in substantially the same capacity as when employed by the county, those employees shall become eligible for re-employment under the provisions of subsection A of this section, and shall also be given preference in employment to their positions over all other employees of that agency.

D. Private Business as Public Agency. As used herein, the term "public agency" shall include any person or private business which, at the time of such merger, is performing services under contract with the county of Placer and such merger is for the purpose of the county's full assumption of the operational functions of such person or business with respect to such service.

E. Employees Identified. For purposes of this section, the personnel director shall identify the employees of such other agency. In making such identification, the personnel director shall consider the following factors:

1. Current employment status with the merged agency;

2. Previous employment status with the merged agency, if recently laid off. (Ord. 5160-B (part), 2002; Ord. 5006-B (part), 1999; prior code § 14.77)

### 3.04.140 Personal property loss.

A. Personal Tool Loss. The county shall reimburse mechanics at the county garage, service station, and Tahoe garage for loss of personal tools on an approved list in cases of loss by fire or demonstrable theft (which excludes mysterious disappearance), when such tools have been marked in a manner approved by the county so as to be able to identify the owner thereof.

B. Other Personal Property Loss.

1. For personal property loss, other than personal tool losses of mechanics at the county garage, service station, and Tahoe garage, the provisions of this subsection shall apply.

2. A county employee suffering damage or loss to personal property, other than cash, including clothing, eyeglasses and watches, and meeting the following criteria, shall be reimbursed for such loss:

a. Lost or stolen cash shall not be reimbursed by the county.

b. The damage or loss must not be caused in whole or in substantial part by the negligence of such employee.

c. The damage or loss must have occurred in the course and scope of his/her employment.

d. For personal property other than clothing, eyeglasses and watches, such property used in the course and scope of his/her employment must have been identified by value and serial number or other permanent identification in a written inventory maintained by the appointing authority. Any addition to such inventory shall be evidenced on an appropriate two-copy form specified by the personnel director, signed by the appointing authority, with one copy being provided to such employee and one copy being transmitted to the appointing authority's inventory clerk to be kept with such inventory. Inventory values may be adjusted with the mutual consent of the appointing authority and employee.

3. Loss amounts reimbursable to the employee shall be as follows:

a. Amounts of ten dollars (\$10.00) or less are not reimbursable.

b. For property damaged, but repairable, other than vehicles, the amount payable shall be the reasonable cost of repair or inventory value of the item at the time of damage, whichever is less.

c. For property other than clothing, eyeglasses and watches, lost or destroyed and not repairable, the amount payable shall be the amount specified on the written inventory provided for in subsection (B)(2)(b) of this section.

d. For clothing, eyeglasses and watches, lost or damaged and not repairable, the amount payable shall be the replacement value of the item at the time of damage or

loss, subject to verification by the department head and the county executive office.

e. For vehicles stolen or damaged, the amount payable shall be the amount of the employee's insurance deductible, but not to exceed two hundred dollars (\$200.00).

4. No loss amount shall be reimbursable unless the employee files a written report of loss with his or her appointing authority within five working days, setting forth in detail the circumstances of the loss.

5. No loss amount shall be reimbursed until the county executive office conducted an investigation and authorized payment. Any disapproval by the county executive office may be appealed to the board of supervisors. (Prior code § 14.90)

AND AS AMENDED BY ORDINANCES 5442-B, 5443-B, AND 5444-B.

### **3.04.150 Education incentive.**

For courses approved by the county relating to job improvement, the county shall provide to county employees tuition reimbursement and book reimbursement. The conditions and limitations on reimbursement shall be controlled by the "Guidelines—Tuition Reimbursement Program January 19, 1973," and subsequent amendments thereto. (Prior code § 14.95)

### **3.04.160 Personnel file - Employee review.**

Every appointing authority shall, at reasonable times, upon the request of an employee, permit that employee to inspect such employee's official personnel file in the personnel department in accordance with the provisions of Labor Code Section 1198.5. (Ord. 5006-B (part), 1999; prior code § 14.100)

### **3.04.170 Employee departmental personnel files.**

A. Right to Examine File. Each employee shall have the right to examine his or her departmental personnel file, provided, however, that such employee shall give reasonable advance written notice of such request.

B. Right to Read and Sign. No employee shall have any adverse entry made in the departmental personnel file until such entry has first been discussed with such employee, the employee has read such entry, and the employee has signed such entry or refused to sign such entry; in such latter event, a written notation shall be made on such entry that the employee refused to sign such entry. A signing is not an admission by the employee of the truth of such entry, but rather only an acknowledgement of notification.

C. Right to File Written Response. Such employee shall have the right, whether or not he or she signs the entry, within thirty (30) days following the entry of such material in the departmental file, to file in said file a written response admitting or denying, in whole or in part the truth of such entry. Such written response shall be physically affixed to the original entry.

D. Performance Appraisals. The provisions of this section shall be applicable to performance appraisals, provided, however, that such right to read, sign and file written response shall be applicable to both favorable and unfavorable entries. Employees shall have the right to petition the personnel director to have letters of reprimand removed from their file after three years and suspensions of five days or less removed from their file after five years following the date of the action if no subsequent discipline has occurred. (Ord. 5058-B (Attach. 10 (part)), 2000; prior code § 14.105)

## **Part 2. Workweek and Overtime**

### **3.04.180 Definitions.**

A. "Workday" means that twenty-four (24) hour period which begins at 5:01 p.m. on each calendar day.

Daylight Savings Time. Employees scheduled to work a shift in which Daylight Savings Time either takes effect or reverts to Standard Time, shall be paid for hours worked. Employees scheduled to work a shift when Daylight Savings Time is in effect, shall have the option to use one hour of vacation or CTO time. Employees scheduled to work a shift when Daylight Savings time reverts shall be compensated for hours worked.

#### **B. Workweek.**

1. Regular Workweek—General Unit, Professional Unit and Deputy Sheriffs Unit. That calendar period which begins at 5:01 p.m. on a Friday and which ends at five p.m. on the following Friday. Paid time off for vacation, holidays, sick leave, and compensatory time taken shall be computed as actual hours worked for computation of overtime.

2. 9/80 Program—General Unit and Professional Unit. In the case of employees on a 9/80 program (nine workdays in an eighty (80) hour pay period) the workweek shall consist of the first forty (40) hours worked in a seven consecutive twenty-four (24) hour period, commencing with adoption of the 9/80 program. A 9/80 program shall consist of eight nine-hour workdays, one eight-hour workday, and one additional day off, every other workweek. The additional day off must be taken on the same day off the week as the eight-hour workday in the alternate week. Paid time off for vacation, holidays, sick leave, and com-

pensatory time taken shall be computed as actual hours worked for computation of overtime.

C. Overtime.

1. General Unit and Professional Unit. That period of authorized work performed by an employee in excess of such employee's normal work period.

2. Deputy Sheriffs Unit. That period of authorized work performed by an employee in excess of such employee's normal work schedule.

D. Overtime—Holiday Work. When an employee is required to work on a county holiday which falls on a normal day off, the employee shall be entitled to overtime compensation for actual hours worked and regular rate of pay for the holiday.

(Example: An employee required to work eight hours on a holiday would receive eight hours at time and one half and eight hours at regular rate of pay, or two and one-half times normal rate. (Ord. 5058-B (Attach. 11, 12), 2000; Ord. 5029-B (Attach. C), 2000; Ord. 5006-B (part), 1999; prior code § 14.200)

**3.04.190 Work required of employees.**

A. General, Professional and Deputy Sheriffs Units. Except as may otherwise be provided, an employee who occupies a full-time, permanent position shall work forty (40) hours in each workweek.

B. General Unit Employees Subject to FLSA 7J Exemption. Employees subject to the FLSA 7J exemption shall be on an eight-hour day, eighty (80) hour work period for purposes of overtime.

C. General Unit Employees Subject to FLSA 7K Exemption. Employees subject to the FLSA 7K exemption shall work on a twenty-eight (28) day work period for purposes of overtime.

D. Deputy Sheriffs Unit Employees Subject to FLSA 7K Exemption. Employees subject to the FLSA 7K exemption shall work on a twenty-eight (28) day work period for purposes of overtime when working voluntary shifts. Mandatory overtime in excess of the forty (40) hour workweek shall be compensated at time and one half.

Sworn personnel assigned to the corrections division may be assigned rotating workweeks of thirty-six (36) hours and forty-four (44) hours. This would be accomplished by working three twelve (12) hour days with four days off, followed by three twelve (12) hour days and one eight-hour day with three days off, which would result in one hundred sixty (160) hours of scheduled work in a twenty-eight (28) day cycle.

Officers assigned to this shift shall not be entitled to overtime for the hours worked in excess of forty (40) per week which are used to complete the work cycle.

For purposes of implementing the "3-12" shift, personnel shall only be assigned to the permanent twelve (12) hour shift at the start of a pay period and transferred off the "3-12" at the close of a pay period.

E. Each employee shall be entitled to take one fifteen (15) minute rest period for each four hours of work performed by such employee in a work day. If not taken, such rest period is waived by such employee. (Prior code § 14.201)

**3.04.200 General policy on overtime.**

A. It is the general policy of the county to avoid the necessity for overtime work whenever possible. Overtime shall be held to a minimum consistent with efficient operation, and shall only be used to cover emergencies or where working employees overtime is more economical than adding regular or extra help employees. Extra help shall be used to cover seasonal peak work loads, emergency work loads of limited duration, necessary vacation relief, paid sick leave, and situations involving a fluctuating staff.

B. General Unit and Professional Unit and Deputy Sheriffs Unit. An appointing authority shall have the right, subject to the provisions of Sections 3.04.200, 3.04.210, 3.04.230 and 3.04.240(A), to require that an employee work overtime.

A change in an employee's work schedule shall be deemed overtime unless the appointing authority shall provide the employee concerned with at least seven calendar days' advance written notice of the change in work schedule.

A change in an employee's work schedule shall be in effect for not less than fourteen (14) calendar days unless the employee, in writing, consents to a lesser period. Failure to give such notice shall entitle the employee to overtime pay during the hours worked over and above the hours which were included in the employee's work schedule (for example: a change from eight a.m. to five p.m. to one p.m. to nine p.m. without seven days' advance notice shall entitle the employee to overtime during the period from five p.m. to nine p.m.). (Prior code § 14.204)

**3.04.210 Overtime limit—Sixteen hours/pay period—Forty hours cumulative.**

No employee shall be worked more than sixteen (16) hours (and receive pay for twenty-four (24) hours at a time and one-half rate) in any pay period, nor accumulate more than forty (40) hours CTO (26.6 hours at a time and one-half rate) without the express prior approval of the county executive's office. (See Section 3.04.260.) Off-duty time spent as a witness in court in connection with regular duties as a county employee shall not be included within the

sixteen (16) hours. Whenever such CTO balance reaches forty (40) hours, no further overtime work shall be assigned to such employee without the express written prior approval of the county executive. (Prior code § 14.204)

**3.04.220 Exclusions from overtime.**

Subject to the provisions of Section 3.04.230, no unclassified employee, or elected official, shall be allowed overtime compensation in the form of pay or equivalent time off. (Prior code § 14.208)

**3.04.230 Exclusions from overtime—  
Management and confidential.**

No officer or employee designated as management, in the classification series of deputy district attorney or child support attorney, and who is eligible for administrative leave, shall be allowed overtime compensation in the form of pay at a time-and-a-half rate. Nothing herein shall be deemed to preclude adjustment of working hours at a straight time rate for such persons called on to work in excess of normal working hours. Employees designated as confidential who do not receive administrative leave shall be entitled to overtime compensation in the form of pay or CTO at a time-and-a-half rate. (Ord. 5058-B (Attach. 25 (part)), 2000; Prior code § 14.209)

**3.04.240 Procedure to secure overtime pay.**

A. When overtime necessary to provide essential county service has been authorized by the department head, each employee working overtime shall submit to his or her department head a written statement within one working day, stating:

1. His or her name;
2. The date and hours overtime worked; and
3. The nature of the service performed during such overtime.

B. Overtime shall be compensated for in pay or compensatory time off at one and one-half time such employee's regular rate.

1. Deputy Sheriffs Unit—Required Overtime. Overtime required to be worked by the appointing authority or his or her authorized representative shall be compensated for at one and one-half time such employee's regular rate. The hours shall be compensated for in pay or compensatory time off at the discretion of the appointing authority.

C. 1. General Unit and Professional Unit. Subject to the provisions of subsections A and B of this section, overtime earned may be paid in cash or taken in the form of compensatory time off at the option of the employee. Compensatory time off may be taken at any time with the concurrence of the department head; however, if the requested

time off is denied, the employee may request payment in cash in lieu of the denied compensatory time off.

It is the department head's responsibility to assure that all CTO accumulated within the county's fiscal year by an employee shall be taken within that fiscal year. All accumulated CTO in excess of eighty (80) hours at the end of pay period 1, after adjusting the balance for any hours earned or used during that same pay period, shall be paid in cash.

AND AS AMENDED BY ORDINANCES 5442-B AND 5443-B.

2. Deputy Sheriffs Unit. Subject to the provisions of subsections A and B of this section, overtime earned and not used by the last day of the last full two-week pay period of such fiscal year shall be carried forward into the next fiscal year up to a maximum of forty (40) hours. All accumulated overtime in excess of forty (40) hours shall be paid in cash. No employee shall be required to accumulate more than eighty (80) hours in compensatory time off without his or her express written approval.

D. Notwithstanding the provisions of subsection C of this section, an employee may request that additional compensatory time off hours be carried over into a new fiscal year, if necessary, for medical reasons. Such request may be granted if recommended by the department head and approved by the county executive officer. The county executive officer may also approve such requests for good cause other than a medical leave of absence. (Ord. 5421-B, 2006; Ord. 5058-B (Attach. 13), 2000; prior code § 14.210)

**3.04.250 Duty of department head—Reports and records.**

A. It shall be the duty of each department head to arrange the work of the department so that employees normally shall work no more than forty (40) hours in any workweek or, in the case of employees on a 9/80 program, eighty (80) hours in each two-week pay period.

B. Each department head shall draw up a schedule of days off for all full-time employees under his or her jurisdiction and it shall be posted in a conspicuous place and also filed with the county executive.

C. Each department head shall make a reasonable effort to distribute overtime work equally among all employees capable of performing the work. (Prior code § 14.212)

**3.04.260 Appeal for disallowance of overtime.**

Disallowance by the county executive of any overtime request may be appealed by filing a written notice of ap-

peal with the clerk of the board within five working days of notice of such disallowance. (Prior code § 14.214)

**3.04.270 Same employees terminating service.**

The department head shall not authorize overtime for any employee subsequent to the time that his or her resignation is accepted or subsequent to the time that cause for dismissal under civil service Part 12 of Article 3.08 arose. Any employee leaving county service shall be entitled to compensation for accumulated overtime in accordance with these rules. (Prior code § 14.216)

**3.04.280 Overtime—Call-back duty.**

A. When an employee, after completing his or her normal work shift and leaving his or her work station, responds to an authorized order to return to duty to perform emergency or nonscheduled services, he or she shall be entitled to overtime. The minimum overtime to which such employee is entitled shall be two hours at time and one-half. Commuting time shall be counted as time worked in the case of call-back duty.

AND AS AMENDED BY ORDINANCES 5442-B AND 5443-B.

B. Deputy Sheriffs Unit—Court Appearances.

1. When an employee is required to appear in court in connection with his or her work, on his or her day off, such employee shall be entitled to overtime. The minimum overtime to which such employee is entitled shall be three hours at time and one-half.

2. When an employee is scheduled for a court appearance on his or her day off and the court appearance is cancelled after six p.m. the day prior to the scheduled appearance, he or she shall receive two hours' pay at their overtime rate. (Prior code § 14.218)

**3.04.290 Overtime—Stand-by duty.**

A. Stand-by duty requires the employee so assigned:

1. To be ready to respond to calls for his or her service; and  
2. To be reachable by telephone or radio; and  
3. To refrain from activities which might impair his or her ability to perform his or her assigned duties.

B. Stand-by duty may only be assigned by a department head, or designated representative, with express approval of the county executive as classification and number of employees.

C. 1. Deputy Sheriffs Unit. Stand-by duty shall be compensated at a flat rate of twelve dollars (\$12.00) for weekdays and fifteen dollars (\$15.00) for weekends and holidays, for eight hours (one normal shift) of stand-by

duty, or any portion thereof, and shall be paid for in a pay period it is earned.

Effective pay period 16. January 07, 2005, stand-by duty for deputy sheriffs' unit employees shall be compensated at a flat rate of twenty-one dollars (\$21.00) for weekdays and twenty-four dollars (\$24.00) for weekends and holidays, for eight hours (one normal shift) of stand-by duty, or any portion thereof, and shall be paid in the pay period it is earned.

2. General Unit, Professional Unit, Management and Other. Effective December 19, 1999, stand-by duty shall be compensated at a flat rate of twenty-one dollars (\$21.00) for weekdays and twenty-four dollars (\$24.00) for weekends and holidays, for eight hours (one normal shift) of stand-by duty, or any portion thereof, and shall be paid in the pay period it is earned.

D. Stand-by duty and stand-by compensation shall not be deemed overtime compensation for purposes of Section 3.04.230. (Ord. 5309-B (part), 2004; prior code § 14.220)

**3.04.300 Consecutive shifts- -General unit and professional unit.**

Any employee required to work consecutive full-time shifts in addition to a regular shift, separated by less than eight hours of time off, shall be compensated at overtime rates for each consecutive additional shift worked. Written approval from the county executive office is required to compensate employees for consecutive shifts. (Prior code § 14.221)

**3.04.310 Centralized compensatory time off records.**

It shall be the duty of the personnel director to establish and administer a centralized compensatory time off record keeping system, and to prepare and distribute appropriate forms for the reporting thereof. (Prior code § 14.222)

**3.04.330 Travel time while on official county business.**

If a county employee travels on official county business, and if the travel time is to be charged to the county as part of the employee's regular workweek, such employees shall use the least expensive and least time-consuming mode of transportation. If the employee wishes to use a more time-consuming method, e.g., use of a private vehicle rather than air travel when available, then for the amount of travel time used in excess of the least time-consuming method, such employee shall use vacation time or compensatory time off or shall be considered to be us-

ing his or her own time. (Prior code § 14.225)  
AND AS AMENDED BY ORDINANCES 5442 AND  
5443-B.

**3.04.340 Absence due to weather conditions.**

General Unit, Professional Unit, and Management.

A. How Absence to be Made Up. Where the weather conditions are of such severity that an employee is not able to reach a work assignment location, or an employee requests to leave a work assignment location early to be able to return home, such absence shall be charged, at the option of the employee, either to vacation time, compensatory time off, or leave without pay, or, where the employer and employee agree, such work may be made up.

B. Time Limits for Make-Up.

1. FLSA Exempt. Where the parties agree such work may be made up, the work must be made up no later than the end of the next pay period following such absence. If the employee does not make up such time within the time specified, it shall then be charged, at the option of the employee, to vacation ; if there is no vacation balance, it shall then be charged as leave without pay.

2. FLSA Nonexempt. Where the parties agree such work may be made up, the work must be made up no later than the end of the work period in which the absence occurred. (Prior code § 14.230)

**Part 3. Sick Leave**

**3.04.350 Sick leave defined.**

"Sick leave" is defined to mean absence from duty by any employee:

A. Because of his or her own illness or medical or dental examinations, or injury or exposure to contagious diseases which incapacitates such employee from performing his or her duties, or

B. For attendance upon a spouse, child, brother, sister, parent, grandparent, spouse's parent, or grandchild, because of illness, injury, death, or exposure to contagious disease and where attendance is definitely required.

AND AS AMENDED BY ORDINANCES 5442-B AND 5443-B. (Prior code § 14.300)

**3.04.360 How computed.**

A. Each full-time county employee shall be entitled to sick leave with pay which shall accrue on the basis of .0462 hours for each paid regularly scheduled working hour of full-time employment. Part-time permanent employees shall be entitled to sick leave with pay which shall accrue in the same proportion to one day for each full month's continuous service that their work time bears to

the normal workday for a full-time employee. These provisions for permanent part-time employees shall not be applicable to permanent part-time employees not having definite hours of employment.

B. Unused sick leave with pay may be accumulated from year to year.

C. Probationary Employees. All permanent full-time and part-time employees shall be allowed to use accrued sick leave as earned whether or not on probationary status.

D. The appointing authority, upon approval of the county executive officer, may offer a beginning balance of sick leave up to eighty (80) hours upon hire to an eligible candidate. (Ord. 5371-B (part), 2005; prior code § 14.310)

**3.04.370 Limitations, general.**

A.1. Sick leave absences with pay because of death in the employee's immediate family shall not exceed five days for each instance. AND AS AMENDED BY ORDINANCES 5442-B AND 5443-B.

2. General Unit, Professional Unit and DSA. Where an employee has less than three days accumulated sick leave and/or vacation the employee may take up to three days leave without pay because of a death in the employee's immediate family.

B. Pregnancy, in and of itself, shall not be grounds for granting sick leave with pay. Illness accompanying pregnancy, but not a normal condition thereof, and supported by a physician's certificate, shall be considered grounds for sick leave with pay.

C. Employees absent on sick leave with pay ninety (90) days or longer shall not be permitted to return to duty without a physician's certificate attesting to the employee's ability to perform his or her normal duties. (Prior code § 14.320)

**3.04.380 Limitations—Workers' compensation benefits.**

The provisions of Section 3.04.350 et seq., notwithstanding, if an employee receives workers' compensation benefits representing payment for wages, such employee shall only be entitled to utilize accumulated sick leave to the extent that sick leave compensation there under represents the difference between such workers' compensation benefits and such employee's normal wage. (Prior code § 14.321)

**3.04.390 Health insurance continuation.**

A. The county will pay the group medical insurance premium for any employee covered by the county's group medical insurance plan who is on a medical leave and whose illness or injury has extended over a period of more

than thirty (30) calendar days, and who has exhausted all current income from salary, accrued sick leave, vacation and compensatory time off for a period not to exceed one year.

B. The county will pay the group medical insurance premiums for any employee covered by the county's group medical insurance plan who is drawing benefits for industrial injury or illness and whose industrial injury or illness has extended over a period of more than thirty (30) calendar days, and who has exhausted all current income from salary and sick leave.

C. For those employees who are on a family care leave under Section 3.04.540, the county will pay its normal contribution for group health insurance, pursuant to the current MOU, for the first twelve (12) workweeks of the leave in a twelve (12) month period. The employee will be responsible for their customary share of health premium if any. This does not include payment for dental, vision, life or accidental death insurance. If the employee fails to return from leave the county will recover the premiums paid on the employee's behalf.

D. For those employees who are on a leave for a serious health condition, as defined in Section 3.04.540, the county will pay its normal contribution for group health insurance, pursuant to the current MOU, for the first twelve (12) workweeks of the leave in a twelve (12) month period. The employee will be responsible for their customary share of health premium if any. This does not include the county's share of dental, vision, life or accidental death insurance.

1. If the employee fails to return from leave the county will recover the premiums paid on the employee's behalf.

2. If the employee has exhausted all income from salary, accrued sick leave, vacation and compensatory time off prior to the twelve (12) workweeks, but after thirty (30) days of illness or injury, the county will pay the entire group medical premium. (Ord. 5058-B (Attach. 14), 2000; prior code § 14.325)

#### **3.04.400 Sick leave—How taken.**

A. Sick leave with pay shall be taken in minimum units of one-half hour.

B. It shall not be allowed, or taken, until earned.

C. It may only be granted upon the approval of the appointing authority.

D. In the event an employee is on authorized sick leave and a county holiday falls on any regularly scheduled workday of an employee working a 9/80 pay period involving more than an eight hour workday, an additional one hour sick leave shall be charged against such em-

ployee's accrued sick leave time. In the case of an 8/80 pay period program, an additional two hours' sick leave shall be charged against such employee's accrued sick leave time. (Prior code § 14.330)

#### **3.04.410 Evidence of illness.**

A. For absences of four to nine days, the department head may require satisfactory evidence of the employee's or family member's incapacity for such period and may, in the sound exercise of his or her discretion, require a certificate of a physician attesting to the employee's or family member's incapacity.

B. For absences of ten (10) days or more, the personnel director shall require a certificate of a physician attesting to the employee's or family member's incapacity for such period.

C. In cases of suspected sick leave misuse, the appointing authority or designate shall advise and counsel the employee as to the nature of the suspected misuse. The employee shall be notified that a physician's certificate substantiating illness or injury may be required should the alleged misuse continue. Failure to submit or substantiate support of illness or injury may result in sick leave being denied. (Prior code § 14.340)

#### **3.04.420 Termination of employment.**

A. Employees leaving the county service in good standing with more than one year of continuous service may, upon request, be paid the monetary value of the earned sick leave, subject to the following provisions.

B. "Good standing," as used in this section means employees who gave the required minimum two weeks notice and who have not been discharged for cause under Part 12 of Article 3.08. It shall also mean employees who have been laid off.

C. Upon return from lay-off, an employee shall have the right to "buy back" the total hours of accrued sick leave by reimbursing the county in full for the proceeds received by him or her at the time of layoff. All hours lost under any subsection of this section shall be restored at the time of layoff. All hours lost under any subsection of this section shall be restored at the time of reemployment. In any event, an employee laid off with twenty-four (24) days or less of accumulated sick leave shall be credited with those hours upon reemployment within two years.

D. The benefits granted hereunder shall not become a vested right of any employee, but rather are subject to amendment in the same manner as all other provisions relating to compensation.

E. The provisions of this section shall apply to all accrued sick leave whether earned before or after February 8, 1969.

F. Employees receiving compensation under this section shall not be eligible for reinstatement within ninety (90) days after effective date of termination. AND AS AMENDED BY ORDINANCES 5442-B AND 5443-B.

G. Notwithstanding any other provisions of this section, if an employee dies prior to discharge for cause and prior to layoff, one hundred (100) percent of the employee's accrued sick leave shall be payable to that person(s) who was dependent upon the deceased employee at the time of the illness or injury resulting in the employee's death.

H. PPEO General Unit, Professional Unit, Management and Confidential. Any PPEO general, professional, management or confidential employee retiring from county service and eligible to receive State Employee Retirement System benefits at the time of such retirement may select one or more of the following options; however, the selection must be made prior to retiring from county service and once the selection is made it is irrevocable:

1. To receive the pay off as follows:

No pay shall be given for the first twenty-four (24) days of sick leave in the employee's account; the remaining time shall be paid for at a rate of fifty (50) percent of the hourly pay rate of such employee at the time of his termination. No employee shall receive more than two thousand dollars (\$2,000.00) for such unused sick leave. Part-time employees shall receive pay for the days of sick leave that is represented by the proportion of their scheduled hours to a forty-hour position. For example a half-time employee would receive no pay for the first twelve (12) days of sick leave in the employee's account; or

2. Effective December 26, 2003 at 5:01 p.m., employees covered by the CalPERS Miscellaneous Retirement Plan may convert accumulated unused sick leave to CalPERS service credit pursuant to Government Code Section 20965; or

3. If requested by the retiree, one month of paid group insurance will be provided for each day of unused accrued sick leave. This does not apply to the supplemental life, vision, or dental programs. However, if the retiree's base hourly rate times eight exceeds the retiree's share of the cost of one month of retiree's health insurance, then the actual dollar value of the retiree's hourly rate will be applied to purchase retiree's health insurance.

4. For elected officials, if requested by the retiree, one month of paid group health insurance will be provided for each two months of elected service. This does not ap-

ply to fifty thousand dollars (\$50,000.00) management life, vision or dental programs.

5. Any employee elected or appointed to an elective office, who has a current sick leave balance in excess of one hundred ninety-two (192) hours at the date he or she assumes elective office, shall not lose their accrued sick leave hours. At the date he or she assumes elective office such hours shall be placed in inactive status, without further accrual, until such time as the employee leaves elective office and is eligible to receive early retirement benefits under subsection (H)(2) of this section. If the employee leaves elective office prior to becoming eligible to receive early retirement benefits under subsection H of this section, the eligible sick leave shall be paid in accordance with subsection C of this section, and the sick leave hours shall be compensated at the current rate of the last classification held prior to assuming elective office. If said classification is no longer existent, then compensation will be paid at the last established salary rate for that classification.

AND AS AMENDED BY ORDINANCE 5442-B.

1. Deputy Sheriffs' Unit and Safety Management Employees. Any employee represented by the DSA or safety management employee retiring from county service and eligible to receive State Employee Retirement System benefits at the time of such retirement may select one or more of the following options; however, the selection must be made prior to retiring from county service and once the selection is made it is irrevocable:

1. If requested by the retiree, all or part of the employee's accumulated sick leave balance on record at the end of pay period 3, July 23, 2004 at 5:00 p.m., may be used to apply toward an early retirement on a day-for-day basis (e.g., an employee retiring at sixty-five (65) on December 31st, and having ten (10) days of accumulated sick leave may leave ten (10) working days before December 31st, and draw full compensation until December 31st); however, sick leave used to apply toward an early retirement, under this subsection, shall not be subject to any additional vacation or sick leave accruals. No sick leave earned beyond pay period 3, July 23, 2004 at 5:00 p.m., may be used to apply toward the early retirement benefit. However, if an employee's balance falls below the accumulated sick leave balance on record at the end of pay period 3, July 23, 2004 at 5:00 p.m., any additional hours earned after that date, up to the previous balance, may be used for the early retirement benefit; or

2. All sick leave accrued prior to July 23, 2004 at 5:01 p.m. may be cashed out at the employee's option, in accordance with the following sick leave cash out sched-

ule, and all sick leave earned beyond the balance on record of the first day of pay period 4, beginning July 23, 2004 at 5:01 p.m., will be cashed out as follows: (a) ten (10) years of full time and continuous employment with Placer County equals a fifty (50) percent cash out, (b) Each additional year of full time and continuous employment with Placer County equals an additional five (5) percent cash out up to a maximum of one hundred (100) percent of the accrued balance (twenty years).

3. Employees covered by the CalPERS Miscellaneous Retirement Plan may convert accumulated unused sick leave to CalPERS service credit pursuant to Government Code Section 20965. (Ord. 5309-B (part), 2004; Ord. 5230-B (part), 2003; prior code § 14.350)

#### **3.04.440 Salary protection plan.**

Management and confidential employees who go on extended approved medical leave, shall be eligible, after twenty (20) consecutive work days (the waiting period) on that leave to receive the following salary protection benefit (plan):

The employee shall receive one hundred (100) percent of his/her regular pay, for the first five pay periods after the waiting period; seventy-five (75) percent for the next four pay periods; and fifty (50) percent for the following four pay periods. During the pay periods where the employee receives less than one hundred (100) percent pay under this plan, employees may integrate use of sick leave hours; or vacation or administrative leave hours, with appointing authority approval, to continue to receive one hundred (100) percent of regular pay.

Regular pay is that gross amount received by the employee for regularly scheduled hours at the employee's established hourly rate of pay. (For example, a full-time employee would receive his/her established hourly rate of pay multiplied by eighty (80) hours for a single pay-period.)

In no event may an employee receive more than eight hundred (800) plan benefit hours, or thirteen (13) pay-periods of coverage (whichever comes first) of plan participation in a rolling twelve (12) month period measured backward from the day the employee uses the plan. These plan hours shall be pro-rated accordingly for part-time employees based on regularly scheduled hours. An employee shall only be required to observe one waiting period per illness, per rolling benefit year.

The county may, as a condition of granting this benefit, require a doctor's certificate indicating an opinion that the employee can reasonably be expected to recover sufficiently to return to work. (Ord. 4988-B (part), 1999; prior

code § 14.370) AND AS AMENDED BY ORDINANCE 5443-B.

#### **3.04.450 Sick leave contributions—General unit, professional unit, confidential employees and deputy sheriffs unit.**

Permanent employees shall be entitled to voluntarily donate vacation hours to another employee, based on the following criteria:

A.1. General and Professional Units and Confidential Employees. To be eligible, an employee or immediate family member, as defined in Section 3.04.350(B), must have a verifiable long-term illness or injury, i.e., cancer, heart attack, stroke, serious injury, etc., and must have exhausted all personal vacation, sick leave and CTO, or soon will have exhausted such leave, resulting in the employee being in a no-pay status.

A.2. Deputy Sheriffs Units. To be eligible, an employee must have a verifiable long-term illness or injury, i.e., cancer, heart attack, stroke, serious injury, etc., and must have exhausted all personal vacation, sick leave and CTO, or soon will have exhausted such leave, resulting in the employee being in a no-pay status.

B. Donations to be made to specified individuals only.

C. The person receiving the donated hours must have obtained permanent employment status with Placer County.

D. Donated vacation hours must be in increments of one hour. Hours donated will be converted at the donor's hourly rate, and credited to the sick leave balance of the donee by converting the dollar amount donated to the donee's hourly rate. Example: Employee A is at ten dollars (\$10.00) per hour and donates one hour to Employee B who is making five dollars (\$5.00) per hour, then Employee B would be credited with two hours of sick leave. Conversions for crediting will be rounded to the nearest one-half hour increment.

E. Once donated to an individual, vacation hours cannot be reclaimed by donor. Example: A donates five vacation days to B. B needs to use only four days, and then returns to work. That remaining day is B's to keep it does not revert to A's vacation account.

F. When an employee is utilizing donated hours, they will not accrue additional vacation or sick leave time.

G. The maximum time that may be initially donated into an employee's account is one thousand forty (1,040) hours. Additional time may be donated in amounts not exceeding one thousand forty (1,040) hours to a maximum of four thousand one hundred sixty (4,160) hours (equivalent to two years full-time employment). To be eligible to

receive more than the original one thousand forty (1,040) hour limit, there must be a favorable prognosis for recovery and a predictable date of return to work.

H. In no event shall donated time have the effect of altering the employment rights of the county or the recipient employee, nor shall it extend or alter the limitations otherwise applicable to leaves of absence or sick leave.

I. The employee's association will be responsible for securing donations to the sick leave accounts.

J. Confidential employees may only make donations to eligible employees who are also designated as confidential and may only receive donations from other confidential employees.

K. The confidential employee's department will be responsible for securing donations to the sick leave accounts. (Ord. 5383-B, 2005; prior code § 14.375)

#### Part 4. Vacations

##### 3.04.470 Full-time employees.

A. Each permanent, full-time employee having the following years of service shall earn the following hours vacation for each paid regularly scheduled working hour, but not to exceed credit for more than eighty (80) regularly scheduled working hours in any one pay period.

General Unit, Professional, Management and Deputy Sheriffs Association.

Years of Service	Earned Per Hour*
0—4	.0577 as to employees hired on or before December 31, 1972
0—2	.0385 as to employees hired after January 1, 1973
3—4	.0461 as to employees hired on or after January 1, 1973
5—9	.0577
10—19	.0769
20 and more	.0962

For county holidays falling on a Saturday, from and after five p.m., December 24, 1971, such employees shall be entitled to a holiday the preceding Friday unless the board of supervisors, by minute order, directs that such eight hours be added to each such employee's annual vacation leave.

##### Note:

- \* Per year equivalents are:
  - .0385 = 10 days
  - .0461 = 12 days
  - .0577 = 15 days
  - .0769 = 20 days
  - .0962 = 25 days

B.1. Employees having ten (10) or more years of service as of January 1, 1973, shall not be entitled to retroactive benefits under subsection A of this section but at that time shall commence accruing vacation benefits at the increased rates specified.

2. Employees having three or more years of service as of June 27, 1980, 5:01 p.m., shall not be entitled to retroactive benefits under subsection A of this section but at that time shall commence accruing vacation benefits at the increased rates specified.

C. No credit shall be given until a new employee has completed thirteen (13) continuous, complete pay periods. At the completion of thirteen (13) pay periods, such employee will be credited for the thirteen (13) pay periods worked. Each pay period thereafter, vacation earned shall be added to the employee's vacation accumulation account upon the completion of the pay period, with no credit to be applied during progress of the pay period.

1. General Unit and Professional Unit.

a. Effective 5:01 p.m., December 29, 2000, a full-time employee with less than ten (10) continuous years of county service shall not have in his vacation account more than four hundred (400) hours. Part-time employees shall not have a percentage greater than that which their work hours bear to a full-time position. Half-time employees, for example, shall not have more than two hundred/two hundred sixty (200/260) hours.

b. A full-time employee with more than ten (10) continuous years of county service shall not have in his vacation account more than five hundred twenty (520) hours. Part-time employees shall not have a percentage greater than that which their work hours bear to a full-time position.

2. Deputy Sheriff's Unit.

a. A full-time employee with less than ten (10) continuous years of county service shall not accrue more than four hundred (400) vacation hours. Part-time employees shall not accrue a percentage greater than that which their work hours bear to full-time position. Half-time employees, for example, shall not accrue more than two hundred (200) vacation hours.

b. A full-time employee with more than ten (10) continuous years of county service shall not accrue more than five hundred twenty (520) vacation hours. Part-time employees shall not accrue a percentage greater than that which their work hours bear to a full-time position.

3. Management.

a. All employees designated as management or confidential by the board of supervisors shall not have in a vacation account more than five hundred twenty (520)

vacation hours. The county executive officer, for good cause shown, may direct that a portion or all of the hours in excess of five hundred twenty (520) be converted to Administrative Leave.

b. The county executive officer may adjust the vacation accrual rate of management employees.

c. The appointing authority, upon approval of the county executive officer, may offer a beginning balance of vacation leave up to eighty (80) hours upon hire to an eligible candidate.

D.1. 9/80—Vacation. For county holidays falling on any regularly scheduled workday of an employee working a 9/80 pay period involving more than an eight-hour workday, an additional one-hour vacation shall be charged against such employee's accrued vacation time.

2. 8/80—In the case of an 8/80 pay period program, an additional two hours' vacation shall be charged against such employee's accrued vacation time.

In the case of twelve-hour shifts, and additional four hours vacation shall be charged against such employee's accrued vacation time.

3. Extension of limit. Any employee on sick leave or active military leave qualifying under Section 3.04.560(B) and having more than the maximum vacation accrual limit as of the time specified in subsection C of this section may, with the approval of the board of supervisors:

a. Continue to accrue vacation hours until he or she returns to work; or

b. At the discretion of his or her appointing authority as of the time specified in subsection C of this section, be paid in cash the salary equivalent of hours in excess of the maximum vacation accrual limit so as to bring such accrued time down to the limit. (Ord. 5371-B (part), 2005; Ord. 5285-B (part), 2004; Ord. 5058-B (Attach. 15, 16), 2000; Ord. 5029-B (Attach. H), 2000; prior code § 14.400)

### **3.04.480 Part-time employees.**

A. Permanent part-time county employees shall be entitled to vacation leave with pay. Vacation leave shall be earned in the same manner as specified in Section 3.04.470(A).

B. The provisions of Sections 3.04.470(B), (C) and (D) shall also apply to part-time permanent employees.

C. The provisions of Section 3.04.470 and this section shall not be applicable to permanent part-time employees not having definite, fixed hours of employment and whose positions have not been allocated to any department. (Prior code § 14.410)

### **3.04.490 When to be taken.**

A. The time at which vacation leave shall be taken shall be determined by the appointing authority. If such authority does not provide a specific time for vacation leave, an employee may take, as a matter of right, by giving oral notice, the accumulated vacation to his or her credit during the last month of the year following the year in which the vacation credit was earned.

B. During the last month of the calendar year seniority shall be the criteria used to determine vacations for the following calendar year. After the one-month sign up period, vacations shall be granted on a first-come first-served basis.

C. General, Professional, Management and DSA. An employee may use or not use accumulated vacation leave for maternity/paternity/adoption leave, following the disability/sick leave period, depending on the employee's preference. (Prior code § 14.420) AND AS AMENDED BY ORDINANCES 5442-B AND 5443-B.

### **3.04.500 Termination of employment.**

General Unit, Professional Unit, and Management, and Deputy Sheriffs Unit.

A. Employees leaving the county service with more than one year of continuous service may, upon request, be paid the monetary value of the earned vacation leave but not exceeding the maximum amount of vacation leave that may be accumulated under the provisions of this part.

B. Full-time employees leaving the county service after July 1, 1971, after having been employed thirteen (13) consecutive biweekly pay periods, but less than twenty-six (26) consecutive pay periods, shall be entitled to be paid the monetary value of the earned vacation leave. This subsection shall apply only to vacation accrued from and after July 1, 1971.

C. If terminating employees take accrued vacation leave immediately prior to the effective day of their termination, it shall not be necessary to keep the position vacant for the equivalent time of the vacation period.

D. The provisions of this section shall not be applicable to an employee who has failed to give the required two-weeks' notice unless such employee has been discharged for cause, has been laid off, or the two-weeks' notice of termination has been waived by the appointing authority. (Prior code § 14.430)

### **3.04.520 Administrative leave.**

A. All employees designated as management and employed by the county on October 11, 1990, except department heads and members of the board of supervisors,

shall receive an additional eight hours administrative leave to their credit and thereafter shall have seventy-two (72) hours credited to them at the beginning of each fiscal year. Effective October 11, 1990, for department heads, and effective November 10, 1990 for members of the board of supervisors, each department head and member of the board of supervisors shall receive an additional eight hours of administrative leave to their credit, and thereafter shall have eighty (80) hours credited to them at the beginning of each fiscal year. Persons appointed to designated management positions after the start of a fiscal year will receive administrative leave prorated for the pay periods remaining in that fiscal year.

B. Those employees whose four percent of salary exceeds one thousand five hundred dollars (\$1,500.00), which is the average four percent for management team members, shall be credited with administrative leave based upon the difference divided by the hourly wage in effect July 1st each fiscal year.

1. Persons appointed to designated management positions after the start of a fiscal year will receive the administrative leave on a prorated basis for the pay periods remaining in that fiscal year.

2. Employees terminating county employment, or who are removed from the management team designation, will receive a prorated amount of administrative leave based upon the number of pay periods completed that fiscal year. Employees who have utilized all their administrative leave and then terminate their employment, or are removed from the management team, will have a prorated amount deducted from their final pay warrant. Such employees may elect to utilize any administrative leave to their credit for paid leave or may receive cash payment for such administrative leave at their regular hourly rate. Usage of administrative leave for paid leave shall be subject to the same limitations as the use of vacation leave, except that no minimum period of employment shall be required before administrative leave may be so utilized or cash payment requested by the end of each fiscal year. All administrative leave shall be taken as paid time off or paid in cash by the last day of the last full pay period of each fiscal year.

3. Employees terminating county employment, or who are removed from the management team designation, will receive a prorated amount of administrative leave, also based on the number of pay periods completed during that fiscal year. Employees who have utilized all of their administrative leave and then terminate their employment, or are removed from the management team, will have a prorated amount deducted from their final pay warrant.

4. Elected Officials. Notwithstanding the provisions of subsection A of this section, an elected official in the administrative or legislative branch of county government who does not receive an automobile allowance under Sec. 2.45 of the administrative rules, in lieu of mileage, may elect to receive, commencing November 10, 1990, for members of the board of supervisors, and commencing October 11, 1990 for all other elected officials, the eighty (80) hours provided for in subsection A of this section, plus additional hours computed by dividing the current automobile allowance by the elected official's salary computed on an hourly basis with an eighty (80) hour biweekly pay period as the standard (the base-hourly-rate) using the salary in effect on July 1st of each fiscal year. The total administrative leave hours shall be credited to the elected official at the beginning of each fiscal year. Such election of choice shall be filed by the elected official with the personnel department not later than June 1st of each calendar year for the next following fiscal year commencing July 1st immediately following.

5. Deputy district attorney/Administrative leave. Employees designated as deputy district attorneys or child support attorneys shall receive a total of seventy-two (72) hours of administrative leave at the beginning of each fiscal year. Persons appointed to deputy district attorney or child support attorney positions after the start of a fiscal year will receive administrative leave on a pro-rated basis for the pay periods remaining in that fiscal year. Designated employees terminating county employment will receive a pro-rated amount of administrative leave based upon the number of pay periods completed that fiscal year. Employees who have utilized all their administrative leave and then terminate their employment or are removed from the classification of deputy district attorney or child support attorney, will have a pro-rated amount deducted from their final pay warrant. Such employees may elect to utilize any administrative leave to their credit for paid leave or may receive cash payment for such administrative leave at the regular hourly rate. Usage of administrative leave for paid leave shall be subject to the same limitations as the use of vacation leave, except that no minimum period of employment shall be required before administrative leave may be so utilized or cash payment requested by the end of each fiscal year. All administrative leave shall be taken as paid time off or paid in cash by the last day of the last full pay period of each fiscal year. (Ord. 5058-B (Attach. 25 (part)), 2000; Prior code § 14.450)

## Part 5. Leaves of Absence

### 3.04.530 In general.

A. **Extended Leaves.** The personnel director, upon the consent of the appointing authority and with the civil service commission's knowledge, may grant a leave of absence without pay, for a period of not less than thirty (30) days and not longer than one year for illness, disability, or personal reasons. The maximum extent to which the initial approval of a leave of absence will be granted is six months. The director may grant an extension not to exceed an additional six months. Extensions beyond one year, up to a maximum of one additional year, may be approved by the civil service commission in increments of not more than six months; however, such extensions must be clearly based on unusual circumstances or, where the leave is for medical reasons, there must be a favorable prognosis for recovery and a predicted date of return to work.

1. An on-the-job injury shall be approved automatically, subject to determination of the personnel director that it is in fact an on-the-job injury. Such leave will terminate upon certification from the county doctor stating that the employee is released for full duty or one year has elapsed, or it is determined that the employee is permanently disabled, whichever occurs first. Extensions beyond one year, up to a maximum of one additional year, may be approved by the civil service commission in increments of not more than six months; however, there must be a favorable prognosis for recovery and a predicted date of return to work.

2. **Pregnancy Disability Leave.** An appointing authority shall grant not less than four months pregnancy disability leave if requested by the affected employee (per California Government Code Section 12945(b)(2)). This section does not prohibit an appointing authority from approving pregnancy disability leaves in excess of four months subject to the terms and conditions stated in subsection A of this section or Section 3.04.540, family care and medical leave.

B. **Temporary Leaves.** Temporary leaves may be granted without pay by the appointing authority for a temporary period which shall not exceed thirty (30) days. Upon granting the temporary leave, the appointing authority shall immediately notify the personnel director, in writing, of the fact of the leave, the length thereof, and the reasons therefore. Leaves of absence of five days or less during each fiscal year need not be reported to the personnel director.

C. **Filling Vacancies.** An allocated position held by an employee on authorized leave of absence must be filled by the appointing authority in the same manner as any

other position in the classified and unclassified service. If such position is filled by a probationary or permanent appointee and the position is in the classified service, such appointee, at the time of appointment, shall be informed by the personnel director of the possibility of lay off under Section 3.08.1090 et seq. (Prior code § 14.500)

### 3.04.540 Family care and medical leave.

This policy describes the circumstances and conditions under which an employee may take family care and medical leave. It is meant to be read in conjunction with Government Code Section 12945.2 as well as 29 CFR Part 825 and state and federal regulations adopted to implement it. This policy is separate and distinct from any other leave policies or procedures.

A. **Eligibility.** All county full-time and part-time employees in a regular position with more than one year of continuous service are eligible for family care or medical leave.

B. **Leave Description.** A family care leave may be taken for the following reasons:

1. The birth of a child of the employee or the placement of a child with an employee in connection with adoption or foster care of the child by the employee.

2. To care for a parent, spouse or the child who has a serious health condition. A "serious health condition" is defined as an illness, injury, impairment, or physical or mental condition that warrants the participation of a family member to provide care during a period of the treatment or supervision of the parent, spouse or child and involves either inpatient care in a hospital, hospice, or residential health care facility or continuing treatment or continuing supervision by a health care provider.

3. The employee's own serious health condition. A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that prevents the employee from performing the functions of his/her position which involves either inpatient care in a hospital, hospice, or residential health care facility or continuing treatment or continuing supervision by a health care provider.

C. **Duration of Leave and How Taken.**

1. Family care leave shall not be granted for more than four months in a twenty-four (24) month period, or twelve (12) weeks in a twelve (12) month period, beginning from the date which the leave first commenced.

a. "Four months" means eighty-eight (88) working days for full-time employees and shall be adjusted on a pro rata basis for those working less than full time. For example, an employee who works half time, "four months" means forty-four (44) working days.

b. If an employee has a second qualifying event (i.e., birth of a child) an additional twelve (12) weeks may be granted during the following twelve (12) months. However, in no event will more than seven months be granted in any twenty-four (24) month period.

2. Family leave does not need to be taken in one continuous period of time. However, it must be taken in complete days at a time. An employee may request a family care leave of at least one day but less than two weeks duration on any two occasions during a twenty-four (24) month period. Any additional leaves requested during this twenty-four (24) month period must be for a minimum of two weeks except as noted below in subsections D and E of this section.

3. For family care leave taken for reason of the birth, adoption or foster placement of a child, the leave shall be taken within one year of the birth or placement of the child with the employee.

4. Family care leave for a serious health condition may be taken intermittently, when medically necessary, including but not limited to reduced workweek or reduced workday schedules.

5. When the employee's serious health condition warrants medical leave, because the employee is unable to perform the functions of his/her position, leave may be taken up to twelve (12) workweeks in any twelve month period beginning from the date the leave first commenced.

a. A serious health condition medical leave may be taken intermittently, when medically necessary, including but not limited to reduced workweek or reduced workday schedules.

b. Additional leave may be granted according to the provisions of Section 3.04.530(A), Extended Leaves.

6. Family care leave shall be no more than one month (for a total of five months) when used in conjunction with the maximum leave under Government Code Section 12945 (pregnancy disability leave). Section 12945 allows up to four months leave for employees who are disabled due to pregnancy, childbirth or related medical conditions.

7. The appointing authority may require the employee to use any accrued vacation or compensating time off during this period.

#### D. Application and Certification.

1. Application for family care leave, or an extension of said leave, shall be made upon forms prescribed by the personnel director. The employee shall give thirty (30) days written notice of any request for family leave, unless the necessitating event was unknown to the employee prior to that time. In such event reasonable advanced notice shall be provided if possible. The appointing authority

shall state the reasons for the recommendation of the leave, the date the leave will begin and the probable date of return. Upon application for a leave to care for a parent, spouse or child with a serious health condition, the employee must provide a certification from the health care provider of the individual requiring care.

2. If the application is for intermittent leave, the above certification must indicate the leave is necessary for the care of the individual, or will assist in recovery of the individual and the expected duration.

3. Upon application for intermittent leave for the employee's serious health condition, the certification must indicate the medical necessity for the intermittent leave and the expected duration.

4. Upon application of a family care leave for the birth, adoption or serious health condition of a child, the employee must certify in writing that the child's other parent is not taking a family care leave from his/her employment in order to care for the child at the same time, that the child's other parent is not unemployed and available to care for the child, and that granting the leave would not allow the employee and the other parent of the child to take a family care leave which totals more than four months in a twenty-four (24) month period.

E. As used in this section, the term "child" means and includes biological, adopted, foster, stepchild, legal ward or a child of a person standing in loco parentis (responsible as a parent) who is either under eighteen (18) years of age or an adult dependent child. An adult dependent child is an individual who is eighteen (18) years of age or older and who is incapable of self-care because of a mental or physical disability. The term parent includes a biological, foster, adoptive, stepparent, legal guardian or other person standing in loco parentis (responsible as a parent) to a child, but does not include parent-in-law or grandparent. The term "spouse" means a partner in marriage as defined in Civil Code Section 4100.

F. All employees returning from an approved family leave shall be provided the same or comparable position with the same or similar duties and pay which can be performed at the same or similar geographic location as the position held prior to the leave.

G. The applicant may appeal any rejection to the civil service commission for final adjudication. (Prior code § 14.501)

#### 3.04.550 Educational leaves of absence.

A. Without Compensation. A leave of absence for one year may be granted, without pay, to attend a private or public college or university for the purpose of improving job skill and knowledge, and performance technique

which will benefit the department in which the applicant is employed. Such leave shall be granted in accordance with, and upon the terms and conditions outlined in Section 3.04.530(A).

B. **Continuing Education With Pay--Professional and General Units.** Employees in the registered nursing classifications, the classification of pharmacist, and the classification of licensed vocational nurse shall be eligible for paid educational leave, for the purpose of attending continuing education classes only. The following conditions shall apply:

1. The subject classification must have as a condition of continuing employment with the county a license or registration required by the state of California, or other authorized agency.

2. The license or registration must have as a condition to maintain the license or registration that the incumbent participate in continuing education.

3. Registered nurses shall be entitled to twenty-four (24) hours per year; pharmacists shall be entitled to fifteen (15) hours per year for the program of their choice, and licensed vocational nurses shall be entitled to thirty (30) hours every two years.

4. The hours shall not be cumulative from one year to the next.

5. Applications for paid continuing education leave shall be made to, and shall be subject to scheduling approval by the appointing authority. (Prior code § 14.505)

#### **3.04.560 Military leaves.**

A. Military leaves shall be governed by the provisions of the Military and Veteran's Code.

B. **Worldwide Terrorist Crisis.** Any employee who, as a member of the National Guard or a United States Military reserve organization, is involuntarily called into active duty as a result of the worldwide terrorist crisis, shall be entitled to receive, for a period not to exceed fifty-two (52) county pay periods the difference between the amount of the employee's military pay and the amount the employee would have received had the employee worked his/her normal scheduled hours and the normal benefits to which the employee would have been entitled, had the individual not been called to active duty.

The purpose for such call to active service shall have been to respond to the September 11, 2001 terrorist attacks or related extraordinary circumstances, including filling behind other military personnel who have been called to such duty and shall not include scheduled training, drills, unit training assemblies or similar events. The provisions of this section shall not apply to any active duty served voluntarily. The provisions of this section shall not apply

to any employee who has been dishonorably discharged for conduct occurring during the compensation period.

The amounts authorized by this section shall be offset by amounts required to be paid by any other law in order that the employee not receive more than his/her regular county compensation.

Any employee who received compensation pursuant to this section who does not return to county service within thirty (30) days of being released from active duty, unless said individual is unable to return due to disability, or who is subsequently determined to have improperly received any compensation, shall have all such compensation received under this section deemed a loan payable with interest. The interest rate shall be based upon the earnings rate for money on deposit in the county during the period in which the pay was received. Such loan shall be payable in equal monthly installments over a period not to exceed five years commencing ninety (90) days after the employee's release from active service or return to fitness for employment. (Ord. 5285-B (part), 2004; Ord. 5169-B, 2002; Prior code § 14.510)

#### **3.04.570 Accrual of benefits during leaves of absence.**

No employee on leave of absence shall accrue sick leave or vacation benefits during the period of the absence.

A. Accrued sick leave and vacation benefits shall not be lost by virtue of a leave of absence.

B. Time granted for a leave of absence without pay will not be considered as service in computing the service necessary for eligibility for a step increase. (Prior code § 14.515)

#### **3.04.580 Return from leave of absence.**

A. **Location.** At the expiration of an employee's leave of absence, the employee shall report for duty to the department from which he or she was on leave of absence.

B. **Early Return.** An employee shall not report for duty prior to the expiration date of his or her leave of absence without the permission of the appointing authority, unless he or she is on leave pursuant to the provisions of Section 3.04.560. (Prior code § 14.520)

#### **3.04.590 Abandonment of employment.**

A. Any employee who is absent for three days within his/her normal work week without being on authorized sick time, authorized vacation, or authorized leave of absence, shall be presumed to have resigned his/her employment with the county. For purposes of this section, any such unauthorized absence during any portion of such employee's normal working day shall be held to be an unau-

thorized absence for such entire day. Nothing in this section shall prevent an appointing authority from suspending or discharging an employee on account of unauthorized absence.

B. Any employee terminating his/her employment in the manner provided by this section shall be deemed to have left county service by resignation and shall be subject to the provisions of Section 3.08.1130.

C. Such employee's appointing authority shall, at least five days prior to the time he/she submits the formal termination documents to the personnel department, mail, to the employee at such employee's last known address, by certified mail, a notice of proposed termination, together with a copy of this section.

D. The resignation provided by this section may be rescinded by the employee's appointing authority, if such employee presents satisfactory reasons for his/her absence, in writing, within five days of the date of receipt of the notice of proposed termination. Should the resignation not be rescinded by the appointing authority, the employee shall be so notified by certified mail.

AND AS AMENDED BY ORDINANCES 5442-B AND 5443-B.

(Ord. 5058-B (Attach. 17), 2000; prior code § 14.525)

## **Part 6. Compensation**

### **3.04.600 Preparation and adoption of plan.**

A. Classified Service. Each fiscal year, the director shall prepare and transmit to the commission for review and submission to the board a plan of compensation showing for each class in the classified service a maximum and minimum rate of pay based upon salaries prevailing in the labor market for comparable employment in governmental agencies and private industry. In determining the labor market and the governmental and private organizations considered appropriate for this purpose, consideration shall be given to the kind of employment under consideration and the nature of the recruitment problem. Consideration shall also be given to the internal relationships of the salary grades already established among like and promotionally related levels of classes of positions in the classified service of Placer County.

B. Unclassified Service. The county executive shall be responsible for recommending rates of pay for the unclassified service. (Prior code § 14.700)

### **3.04.610 Compensation plan and salary step.**

A. The board of supervisors, upon considering all recommendations, may enact in whole or in part the compensation plans proposed for employees in classified and

unclassified service. The compensation plan enacted for employees in the classified service shall include a salary grade for each class consisting of minimum, intervening and maximum steps.

B. Where the board of supervisors authorizes recruitment for a position at a level shown above Step 1, without requiring additional qualifications, the board may order that the incumbents already holding positions in that classification shall have their existing pay adjusted so that it will bear the same relationship to the new recruitment step as it bore to Step 1, except that it shall not exceed Step 5, of the same grade, and except that all those with satisfactory performance in the class and whose salary rates are beneath the new recruitment rate, shall have their salary rates adjusted upward to at least the new recruitment rate. All persons on the eligible list who are offered appointment in the classification shall be offered the new recruitment step.

C. Where a salary grade for a given class or for several classes is revised upward or downward, the incumbents in the positions in classes affected shall have their existing pay adjusted to the same step in the new grade. (Prior code § 14.705)

### **3.04.620 Biweekly pay periods.**

Classified and unclassified employees shall be paid biweekly (every other week) in direct proportion to actual hours worked. Forty (40) hours shall constitute a work-week. Eighty (80) hours shall constitute a pay period. Pay-day will be on the second Friday following the end of each pay period. (Ord. 5266-B, 2003; Prior code § 14.707)

### **3.04.630 Basic salary plan.**

A. Monthly equivalent rates of pay shall be determined in accordance with Article 3.12.

### **3.04.640 Departmental pay periods.**

Each department shall maintain as a permanent record, a document containing for each employee employed in such a department, the employee's name, classification, salary, actual hours worked, sick leave, vacation, overtime, and any other information related to such employee's hours of service. Such document shall be subject to audit by the county auditor or authorized representative. (Prior code § 14.709)

### **3.04.650 Progression in steps.**

A. Normally, and as a general rule, upon progress and productivity, employees may be considered eligible for increases in salary according to the following general plan:

1. The numbers 1, 2, 3, 4 and 5, respectively denote the various steps in the salary grade.

2. Step 1 will normally be paid upon initial employment, for a period of six months' continuous full-time service.

3. Step 2 will normally be paid upon satisfactory completion of the six months' continuous, full-time service.

4. Employees will be considered for increase to Step 3 at the satisfactory completion of one year's continuous full-time service in Step 2.

5. Employees will be considered for increase to Step 4 at the satisfactory completion of one year's continuous full-time service in Step 3.

6. Employees will be considered for increase to Step 5 at the satisfactory completion of one year's continuous full-time service in Step 4.

B. No advance in pay shall be automatic upon completion of the periods of service outlined hereinabove. All increases shall be made on the basis of merit as established by the employee's service, and after the recommendation of the department head and approval by the civil service commission. Increase in pay shall be withheld in cases of inferior work, lack of application, or indifferent attitude.

C. The provisions of subsection B of this section shall apply, also, to the unclassified service. The board shall approve or disapprove recommendations for step advancement in the unclassified service. (Ord. 5006-B (part), 1999; prior code § 14.710)

### **3.04.660 Full-time and part-time rates.**

The salary or rates of compensation for each class represent the rate of pay for full-time monthly employment unless the compensation plan specifically states otherwise. The prescribed rates shall be deemed to include pay in every form, except for necessary expenses authorized or incurred incident to employment or except as provided in the compensation plan.

A. The above provisions notwithstanding, any employee, except temporary and seasonal, who works less than forty (40) hours per week by reason of uncompensated absence shall receive compensation for such week only in an amount equal to that portion of hours actually worked which bears on the normal workweek.

B. Where employment is part-time, intermittent and irregular, the monthly rate shall be converted to an hourly rate in accordance with these rules and an employee shall be paid at such rate in accordance with actual hours worked.

C. Where the employee works on a part-time, irregular, or indeterminate basis, and it is not practicable to as-

certain the number of working hours to be devoted to the service of the county, the total compensation for such service shall be fixed by the board after considering the recommendation of the appointing power. Such recommendation shall include an estimate of the average amount of time to be devoted by the employee to the performance of his or her duties and an appraisal of the value of such service.

D. Permanent part-time employees shall be paid for holidays, at their normal rate of pay, in the same ratio as their hourly work schedule bears to the normal work schedule of a full-time employee.

E. Temporary, seasonal and emergency employees shall not be compensated for holidays not worked. Temporary and seasonal employees shall be paid at the first step of the monthly rate for the position set out the classified salary schedule. After such an employee has been employed by the county in the same or a similarly classed position for two consecutive years, he or she may be paid at the second step. All such appointments are subject to the approval of the county executive.

F. Monthly and annual rates shall be converted to hourly rates on the basis of two thousand eighty (2,080) hours per year or fifty-two (52) weeks at forty (40) hours each.

### **3.04.670 When advancement in salary effective.**

A. As provided in Section 3.04.650 advancement in salary rate of an employee from one step to the next step shall be made on the first day of the pay period in which the employee's anniversary date falls following the employee's completion of a year of continuous service in such class if such advancement is approved by the civil service commission.

B. For computing continuous service see definitions, Section 3.08.170.

C. It shall be the department's sole responsibility to submit requests for step increases, accompanied by performance reports to the civil service commission prior to the employee's anniversary date. (Prior code § 14.720)

### **3.04.680 Appointment at higher step.**

A. Original appointment shall be made at the minimum rate for the position's class except that upon approval of the county executive officer, appointment may be made at higher than the minimum rate.

B. Consideration shall be given to labor market conditions, recruiting needs, education and experience of the eligible proposed as compared to the minimum qualifications for the class.

C. The county executive officer may adjust the step of an employee, within the limits of his or her grade, to correct any salary inequity. (Ord. 5072-B, 2001; prior code § 14.725)

**3.04.690 Applicable pay rates following promotion.**

A. In the event of a promotion of an employee to a position in a class with a higher pay grade, such employee shall be entitled to receive the rate of compensation in the entrance step of the class to which he or she has been promoted.

B. In cases where the pay grade overlaps, promotion shall be effected to the next higher salary in the grade of the new class which will provide for an increase of not less than five percent but not to exceed Step 5 of the salary grade.

C. For purposes of eligibility for future step increases, a new anniversary date shall be established as of the effective date of the promotion.

D. If the grade mentioned in subsection A of this section does not overlap, but such employee is found to possess extraordinary qualifications for such new position, his or her prospective department head may request, in writing, authority to enter such new employee at the second step of the new grade. Such request shall be submitted to the civil service commission which shall approve or disapprove such request. If such new position is in the unclassified service, such request shall be submitted to the county executive who shall make his or her recommendations to the board.

E. Educational or other special pay shall not be included when calculating the appropriate pay rate mentioned in subsections A and B of this section.

F. Employees appointed from a re-employment eligible list shall be placed at the same step in the salary grade that was attained immediately prior to layoff.

Upon recommendation of the appointing authority, the board of supervisors may adjust the step of an employee within the limits of the salary grade in the same manner as delineated under Section 3.04.680, Appointment at higher step. The new anniversary date will be the date of re-employment. (Prior code § 14.730)

**3.04.700 Applicable pay rates following demotion.**

In the case of the demotion of any employee to a class with a lower pay grade, such employee shall be placed at the pay step in the lower salary grade that is nearest to their current salary and results in a reduction in the salary of the employee after the demotion. In no case shall the

reduction result in the employee being placed higher than Step 5 of the lower salary grade. In all demotion cases the employee shall retain his/her original anniversary date. (Prior code § 14.735)

**Part 7. Reports and Records**

**3.04.710 Personnel notifications.**

To enable the personnel department to perform its duties accurately and expeditiously, each appointing authority shall report promptly, on forms provided or by letter where no form is prescribed, on the following transactions:

- A. Requisition for certifications.
- B. All appointments.
- C. Separation from service. If resignation, copy of letter submitted by employee.
- D. Transfers and demotions. Names of employees wishing to be considered for transfer and demotion.
- E. Changes in organization resulting in the creation or abolishment of a position, promotion or demotion, changes in duties or classification.
- F. Leaves of absence.
- G. Disciplinary action.
- H. Vacation.
- I. Sick leave.
- J. Performance appraisal reports. (Prior code § 14.800)

**3.04.720 Departmental liaison.**

Each department head shall appoint an assistant, or so act himself or herself, to cooperate with the personnel department and be responsible for properly reporting personnel transactions and for properly distributing within his or her department personnel, material and information including the posting of notices upon the department bulletin board. (Prior code § 14.805)

**3.04.730 Records to be kept.**

A. The personnel department shall keep such records as are necessary for transactions and references and for making reports showing administrative actions.

B. The personnel department shall maintain an official roster containing the names, addresses, classification, and department of all employees holding positions in the classified and unclassified service of the county.

C. General, Professional and Management County Reference Policy. Any request for an employment reference received by the county employee shall be immediately forwarded to the personnel department.

The personnel department shall disclose only: (1) date of hire; (2) last date of employment; and (3) the position

last held by the employee. If the employee or former employee provides a waiver instructing the county to release additional information, said information will be released within the context of the waiver provided. (Prior code § 14.810)

### **3.04.740       Records confidential.**

All personnel records, including applications, examination papers, and employment lists, shall be considered confidential, and may be made available to employees and department heads only with approval of the personnel director, except that an employee or his authorized representative may inspect any record relating to the employee's service in connection with a grievance or appeal. (Prior code § 14.820)

### **3.04.750       Retention of records.**

A. The following shall be considered permanent records:

1. Initial application for employment;
2. Employee roster card;
3. Certification form;
4. Personnel action forms;
5. Letter of resignation;
6. Letters of reprimand;
7. Disciplinary action and findings if appealed;
8. Performance evaluations.

B. All other records relating to personnel, including correspondence, applications, examination records, and reports shall be considered nonpermanent records.

C. Permanent records may be sealed by the director after consultation with county counsel.

D. Nonpermanent records may be sealed or destroyed by the director after consultation with county counsel unless specifically required to be kept by provisions of state law.

E. Departmental personnel records are nonpermanent records and may be sealed or destroyed by the department head after consultation with county counsel.

F. Notwithstanding any other provisions of this section, records relating to disciplinary action involving any employee, whether in personnel action forms, letters of reprimand, formal disciplinary actions and appeals, or otherwise, may be sealed or destroyed by the director after consultation with county counsel unless specifically required to be kept by provisions of state law.

G. Employees shall have the right to petition the personnel director to have letters of reprimand removed from their file after three years and suspensions of five days or less removed from their file after five years following the date of the action of no subsequent discipline has occurred.

(Ord. 5295-B (part), 2004; Ord. 5058-B (Attach. 10 (part)), 2000; prior code § 14.825)

### **3.04.760       Certification of payroll.**

No salary or wage shall be paid except upon the certification of the director that the employment has been in accordance with these rules. (Prior code § 14.830)

## **Part 8. Absence Due to Jury Duty, Legal Appearance, or Search and Rescue**

### **3.04.770       Jury duty.**

Any officer or employee required to serve on a jury shall receive his or her regular pay for such time, provided he or she reimburses the county in the amount of any fees received for such jury duty. Such officer or employee shall not use county transportation. (Prior code § 14.900)

### **3.04.780       Legal appearance.**

A. Any officer or employee who is subpoenaed to appear in court to provide testimony relating to his or her county employment, and who does so during working hours shall receive his or her regular pay for such time as is necessary for appearance on the subpoena, provided:

1. In a civil matter, he or she requests witness fees at the time of service of the subpoena or, if not possible at that time, requests such fees before, at or promptly after the time of appearance on the subpoena;

2. In a criminal matter, he or she requests the attorney for the party causing the subpoena to be served to request the court to order payment of witness fees;

3. Upon receipt of any witness fees, he or she reimburses the county the amount of such fees, except as provided herein.

B. As used in this section, subpoena means any document which summons an officer or employee to court, deposition, or other legal proceeding to appear as a witness, the appearance in response to which entitles the witness to fees pursuant to law.

C. It shall be the responsibility of the county counsel to aid and assist the employee in securing the witness fees provided for in subsections A and B of this section. (Prior code § 14.901)

### **3.04.790       Search and rescue.**

Any county officer or employee may, with the consent of his or her department head, participate in search and rescue activity conducted by the sheriff's search and rescue unit during regular working hours. Such employee so participating shall receive his or her regular pay for such time as is necessary within the regular work period. The

department head shall not grant approval for such participation by employees funded by a fund other than the general fund for such search and rescue time. (Prior code § 14.905)

Article 3.08

CIVIL SERVICE SYSTEM

Sections:

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**Part 1. Enabling Ordinance**

**3.08.010 Preamble.**

Pursuant to the authority granted to it under the provisions of the County Civil Service Enabling Act Statutes of 1939, Chapter 982, and in order to establish an equitable and uniform procedure for dealing with personnel matters through a civil service commission and to place county employment on a merit basis for the purpose of obtaining the highest efficiency and assuring that the best qualified persons available shall be brought into the service of the county, the following civil service system is adopted. (Prior code § 14.1000)

**3.08.020 Civil service commission—Established—Appointment and term of office of members.**

There is created a civil service commission. The commission shall consist of five members appointed by the board of supervisors. The board of supervisors shall appoint five qualified electors of the county as members of such commission, to take office as soon as appointed and qualified. The term of office of two members of the first commission shall be one year. The term of office of the other members shall be two, three, and four years respectively. The members of the commission shall determine by lot the relative order of expiration of their terms. Each member of the commission shall hold office for four years and until his or her successor is appointed and qualified. (Prior code § 14.1010)

**3.08.030 Civil service commission—Qualifications, removal and compensation of members—Investigative and subpoena power—Quorum.**

A. The members of the civil service commission shall be selected from among the qualified electors of the county. No member of the commission shall be an employee of the classified or unclassified service and concur-

rently a member of the commission, an officer of any local, state or national committee of a political party, or an officer of a committee in any partisan political club or organization or shall hold or be candidate for any elective office.

B. A majority vote of the entire board of supervisors shall be required to elect a member of the commission. The board of supervisors, by a majority vote of all the members may remove a member of the commission for cause during his or her term of office, but only by stating in writing the reason for such removal and allowing him or her an opportunity for a public hearing before the board of supervisors.

C. Members of the commission shall receive one hundred dollars (\$100.00) per regularly scheduled meeting attended, with a maximum limit on compensation for twenty-four (24) meetings per county fiscal year. Members of the commission shall also receive one hundred dollars (\$100.00) for each day, or portion thereof, devoted to the hearing of grievance complaints or disciplinary appeals, other than the days of a regularly scheduled meeting. Members shall receive reimbursement for actual and necessary expenses incidental to the proper execution of their duties and responsibilities; and such necessary traveling and other official expenditures necessitated by their official duties as shall be approved by the board of supervisors.

D. The commission shall have power to inquire into the conduct and operation of any department and to subpoena and require the attendance of witnesses and production of records, books and papers and to administer oaths.

1. Any inquiry conducted pursuant to this section shall be only for the purpose of determining whether or not there has been a violation of any section or sections of this article or the civil service rules.

2. No inquiry shall be commenced unless a verified complaint is first filed which alleges a violation of a section or sections of this article or the civil service rules.

3. Such an inquiry shall be conducted by the civil service commission in the form of public or private hearings.

4. No inquiry shall be commenced unless the alleged violation or violations occurred less than sixty (60) days prior to the commencement of the inquiry.

5. The civil service commission shall enact rules, not inconsistent with this section, which govern the procedural method of commencing, conducting, and concluding the inquiry.

E. Three members of the civil service commission shall constitute a quorum, and a majority of the entire civil

service commission shall be required to transact business. (Prior code § 14.1020)

**3.08.040 Civil service commission—  
Chairperson—Meetings.**

Immediately upon appointment, the civil service commission shall elect one of its members as chairperson. The commission shall meet once a month and may, upon the call of the chairperson, meet as often as necessary for carrying out its duties. (Prior code § 14.1030)

**3.08.050 Civil service commission -- Powers  
and duties generally—Adoption of  
rules and regulations.**

The civil service commission shall prescribe, amend and enforce rules for the classified service; shall keep minutes of its proceedings and records of its examinations; and shall, as a commission or through a single commission member, make investigations concerning the enforcement and effect of this article and of the rules and efficiency of the service. Such rules shall, among other things, provide:

A. For the standardization and classification of all positions in the classified service, as contained in Article 3.12 of this chapter.

B. For competitive examinations to test applicants for entrance to the promotion in the civil service system; provided, that in the event of the creation of a new position in the classified service or in the case of a vacancy in any classified position requiring peculiar and exceptional qualifications of a scientific, professional or expert character, upon satisfactory evidence that competitive examinations to qualify applicants for such positions are impractical, and that the position can best be filled by the selection of a person of recognized attainments, competitive examinations may be suspended by the commission, but no suspension shall be general in its application to such position and all such cases of suspension shall be reported, together with the reasons therefore to the board of supervisors. This provision for the suspension of competitive examinations shall not apply to any examination to qualify applicants for entrance into the service in any classified position in the health, emergency services, and social service departments.

C. For creation of employment lists, upon which shall be entered the names of successful candidates in the order of their ranking via the examination process.

D. For provisional appointments where there is no employment list.

E. For appointments to vacant positions from employment list.

F. For publicly advertising all examinations.

G. For emergency appointments without reference to employment lists, when such appointments are found necessary to prevent stoppage of public business, loss of life or damage to persons or property.

H. For certification of eligibles in order of priority lists.

I. For rejection of applications of eligibles who fail to comply with the requirements of the commission.

J. That department heads, boards or officers possessing appointive power shall make a selection from one of the five highest ranks on an eligible list.

K. For a probationary period of not less than six months, but not to exceed one year.

L. For separation from the service of employees through layoffs and for reemployment of the employees laid off.

M. For leaves of absences.

N. For promotion, demotion, transfer and reinstatement.

O. For holding of hearings on the adoption and amendment of rules or other personnel matters.

P. For recommendation of rates of pay for each classification of position based upon an annual study of salaries prevailing in the labor market for comparable employments in government agencies and private industries.

Q. For health, welfare and safety of employees. (Ord. 5398-B § 4, 2006; Ord. 5189-B (part), 2002; Ord. 5160-B (part), 2002; Ord. 5006-B (part), 1999; prior code § 14.1040)

**3.08.060 Director of personnel.**

A. With the approval of the board of supervisors, the commission shall appoint a director of personnel from an employment list resulting from competitive examinations. The director of personnel shall be in the classified service.

B. The director of personnel shall act as executive secretary of the civil service commission and shall perform and discharge, under the direction and control of the commission, the powers, duties, purposes, functions and jurisdiction vested in the commission and delegated to him or her by it. The director of personnel shall be responsible to the commission for carrying out all procedures in the administration of the classified personnel in conformity with the provisions of this article and the rules of the commission. The director of personnel shall keep an official record of all actions taken by the commission and shall prepare or cause to be prepared an annual report that shall be amended or approved by the commission and submitted to the board of supervisors. (Ord. 5006-B (part), 1999; prior code § 14.1050)

**3.08.070 Classified and unclassified service defined.**

The civil service system of the county is divided into the unclassified and the classified service.

A. The unclassified service shall consist of:

1. All officers elected by the people and all confidential or special investigators employed by any of such elective officers.
2. All appointive boards and commissions.
3. The law library trustees.
4. Members of the civil service commission.
5. All persons serving the county without compensation.
6. Interns, student nurses, dentists, and all physicians except those required to be in the classified service by state regulation.
7. Casual patient and inmate employees at county institutions.
8. Persons employed under contract to supply expert, professional or technical service in a temporary position.
9. Appointive Officers as set forth in County Charter sec. 402.
10. Chief probation officer.
11. All Department heads and appointing authorities, other than the personnel director.
12. Special classifications exempt from approved local merit system standards (State Administrative Code).
13. All other classifications and titles as identified by the Board of Supervisors through passage of an ordinance so indicating.

The current schedule of all titles coming within the classified service pursuant to this section will be maintained by the Personnel Director and presented in such a fashion so as to be readily available for review by County employees, officers, and the public. B. Classified Service. The classified service shall comprise all positions not included in the unclassified service.

Note: See Section 3.08.050(B).

**3.08.080 Contracting for services.**

The board of supervisors may, at the request of the civil service commission, contract with any state department or with any competent agency or person for the conducting of competitive examinations or for the performance of any other service in connection with personnel selection and administration. (Prior code § 14.1070)

**3.08.090 Status of present employees upon creation of civil service commission.**

A. All persons holding full-time positions in the classified service, as established by this article, for six months immediately preceding the effective date of this article, shall hold their positions until discharged, reduced, promoted or transferred in accordance with the provisions of this article. Any other persons holding positions of employment in the classified service shall be regarded as holding their positions of employment as probationers who are serving out the balance of their probationary periods before obtaining regular positions.

B. Employees of the social service department who hold positions which are subject to state grant-in-aid merit system requirements and who have been under the jurisdiction of the California County Merit System shall be transferred from the system and included in and made a part of the classified service of the Placer County civil service system upon approval of the latter system by the California State Personnel Board. Upon such a transfer of jurisdiction, employees who acquired either probationary or permanent status under the former system prior to such transfer, shall retain such status and hold their positions until discharged, reduced, promoted or transferred, in accordance with this article. Upon such a transfer of jurisdiction, employees who have not acquired either probationary or permanent status under the California County Merit System prior to such transfer, shall be required to compete for the positions which they then hold through open competitive examinations, in accordance with the provisions of this article. (Prior code § 14.1080)

**3.08.100 Personnel director to approve payment of salaries, etc.**

The county auditor shall withhold payment of any salary or compensation for services from any person holding or performing the duties of a position in the classified service, unless the payroll or claim for such salary or compensation shall bear the approval of the personnel director that the persons named therein have been appointed or employed and are performing service in accordance with the provisions of this article and of the rules established under this article. (Prior code § 14.1090)

**3.08.110 Discrimination prohibited.**

A. General Provisions. No person in the civil service system or seeking admission thereto shall be appointed, reduced or removed or in any way favored or discriminated against because of any constitutionally or statutorily protected right, or because of age, sex, race, sexual orientation, color, ancestry, religious creed, national origin,

physical disability, mental disability, medical condition, marital status or denial of family and medical care leave, family sick leave or pregnancy leave except where specific age, sex or physical requirements constitute bona fide occupational qualification necessary for proper and efficient operation. A copy of the county equal employment opportunity plan is available upon request of the personnel department.

**B. Appeals Procedure.** The appeal procedure against such acts shall be as provided in Section 3.08.280 of these rules and regulations.

1. Any person who believes he or she has been discriminated against on the basis of discrimination as cited in subsection A of this section, may appeal in writing to the personnel director within ten (10) working days of the alleged discriminatory act. The director shall advise the person appealing of his or her rights and options pursuant to the grievance procedure. The appeal shall state the following:

- a. The specific act(s) of alleged discrimination.
- b. The effect of the act(s) of alleged discrimination.
- c. The nature of the relief or remedy which is being sought.

2. Upon receipt of the appeal, the personnel director, or designee, shall determine the initial appeal step to be followed; however, every effort will be made by the director to resolve the appeal through an informal discussion with the parties concerned.

3.a. If the director determines that the appeal is within the scope of an appointing authority's power to correct, a copy of the appeal will be forwarded to them within five working days. The appeal shall then begin with the lowest appropriate step of the grievance process as designated under County Code Section 3.08.290, if it is a county employee, and will begin with Step 3, if it is a member of the general public.

b. If the director determines that the appeal is not within the scope of an appointing authority but is within the scope of the director, then the appeal shall begin with Step 3 of the grievance process.

c. If the appeal is not within the scope of either an appointing authority or the personnel director, the appeal shall be referred directly to the civil service commission as designated under County Code Section 3.08.320.

4. If the appeal is within the scope of an appointing authority and is not resolved to the appellant's satisfaction at Step 3 of the grievance process, he or she may submit a written request for review to the personnel director within five working days following the date the appointing authority renders a decision.

a. The director, or designee, shall then review and investigate the matter. The director shall render a written decision to the appellant and the appointing authority within ten (10) working days.

b. If the decision of the personnel director requires an appointing authority to take action, the appointing authority shall notify the director within five working days of the acceptance or rejection of the decision.

5. If the appellant is not satisfied with the personnel director's decision or if the appointing authority rejects the director's decision, the appellant may submit a written request for a hearing before the civil service commission as designated under County Code Section 3.08.320. (Ord. 5238-B (part), 2003; prior code § 14.1100)

### **3.08.120 Sexual harassment prohibited.**

**A. General Provisions.** No employee shall be subject to sexual harassment including verbal harassment, physical harassment, visual forms of harassment or sexual advances (1) where submission to such conduct is either explicitly or implicitly made a term or condition of employment, (2) where submission to or rejection of such conduct by an individual is used as a basis for employment decisions or (3) where such conduct has the purpose or effect of unreasonably creating an intimidating, hostile or offensive working environment.

**B. Complaint Procedure.** The complaint procedure for reporting incidents of sexual harassment and/or retaliation is available upon request from the personnel department. Complaints of sexual harassment may be submitted to the employee's supervisor or department head or formally through the equal employment opportunity officer in the personnel department. The personnel department shall routinely and continuously post the name, work location and telephone number of the equal employment opportunity officer in each county office and department and shall provide any forms to be used for filing a formal complaint of sexual harassment. (Ord. 5238-B (part), 2003; prior code § 14.1110)

### **3.08.130 Discrimination against disabled prohibited.**

**A. General Provisions.** No person with a physical or mental impairment that substantially limits one or more of the major life activities of such individual shall be subject to discrimination in regard to job application procedures, hiring or discharge from employment, compensation, advancement, job training, or other terms, condition and privileges of employment because of such disability. However, these provisions shall not apply where the disability prevents that person from performing the essential

functions of a job with or without reasonable accommodation; as such terms are defined in the Americans with Disabilities Act, 42 USC Section 12101 et seq.

B. **Complaint Procedure.** Any employee or applicant who believes that he/she has been the subject of discrimination because of a physical or mental impairment may file a complaint with the equal employment opportunity officer at personnel department. The name, work location and telephone number of the equal employment opportunity officer will be routinely and continuously posted by the personnel department. The personnel department shall make available to all persons a copy of the procedure for the filing of formal complaints for violation of this section. In addition, the personnel department shall provide the necessary forms to any person who wishes to file a complaint under this section. (Ord. 5238-B (part), 2003; prior code § 14.1120)

**3.08.140 Dismissal, suspension or reduction in rank or compensation.**

Dismissal, suspension, reduction in rank or compensation, or any other form of disciplinary action shall comply with the requirements of Part 12, commencing at Section 3.08.1160. (Prior code § 14.1130)

**3.08.150 Appropriation of funds.**

The board of supervisors shall appropriate such funds as are necessary to carry out the provisions of this article. (Prior code § 14.1140)

**3.08.160 Amendment of article.**

No ordinance repealing or amending this article which nullifies the basic principle of the civil service system contemplated by this article and the county civil service enabling law shall be effective unless a proposition of such repeal or amendment shall have been submitted to an election and approved by a majority vote of the electors voting on the proposition. (Prior code § 14.1150)

**Part 2. Definition of Terms**

**3.08.170 Definition of terms.**

The following words and terms used in these rules shall have the meaning indicated below unless the context clearly indicates otherwise.

“Advancement” means a salary increase within the limits of the pay grade established for a class.

“Allocation” means the official determination of the class in which a position shall be deemed to exist and the assignment of an individual position to an appropriate class.

“Anniversary date” means the date by which and from which employee benefits are computed including but not necessarily limited to salary increases, vacation, sick leave and leaves of absence.

“Applicant” means a person who, according to the rules, has made formal application for employment.

**Appointing Authority.**

1. “Appointing authority” means the board, commission, department heads, group of persons, officer or person having the power by lawful delegated authority to make appointment to or removal from an established position in the county service.

2. Except as specifically provided elsewhere, the following shall be deemed the appointing authority:

a. The board of supervisors shall be the appointing authority for the county executive officer, county counsel, and all county boards and commissions.

b. The county executive officer shall be the appointing authority for all department heads other than elective officials.

c. Department heads shall be the appointing authority as to all persons within their respective departments.

d. Identification of a position as classified or unclassified shall not affect the operation of the foregoing rules.

**Note.**

1. Under Charter Section 302(a) and Section 3.08.060, the personnel director is appointed by the civil service commission.

“Appointment” means the offer to and acceptance by a person of a position either on a permanent or temporary basis.

“Assistant department head” means any individual having sole authority to act on behalf of a department head in the department head’s absence for an entire department, and who reports directly to the department head.

“Board” means the board of supervisors of the county of Placer.

“Certification” means the submission by the director of names of eligibles in rank order from an appropriate eligible list to an appointing authority.

“Class” means a definitely recognized kind of employment in the county service designed to embrace all positions having duties and responsibilities sufficiently similar so that the same requirements as to education, experience, knowledge and ability may be demanded of incumbents and so that the same schedule of compensation may be made to apply with equity.

“Classification or reclassification” means the judging of a position’s contents and its allocation by the commission to a class in accordance with the duties performed and the authority and responsibilities exercised.

"Classification plan" means an orderly arrangement of positions under separate and distinct classes so that each class will contain all those positions which are sufficiently similar in respect to duties and responsibilities to meet the requirements as established under the definition of "class," such classification plan being established and maintained by the civil service commission.

"Classified service" means all positions in the county service except those specifically placed in the "unclassified" service.

"Commission" means the Placer County civil service commission.

"Compensation" means the salary, wage, allowances, and all other forms of valuable consideration, earned by or paid to an employee by reason of service in any position, but does not include any allowances authorized and incurred as necessary expenses.

"Compensation plan" means a schedule of salaries established by ordinance for the several classes of positions recognized in the classification plan, so that all positions of a given class will be paid the same salary grade established for the class.

Continuous service.

1. "Continuous service" means service without interruption during which the employee has been employed by the county. An employee who is laid off and then re-employed shall have total time worked as the basis for computing continuous service. Interruption of service means dismissal, resignation, unauthorized leave of absence and lay-off in excess of two years.

2. A break shall occur for any unauthorized absence or resignation.

3. For purposes of computing a break in service for employees on integrated State Disability Insurance (SDI), only those hours recorded as off payroll hours will accumulate toward the determination of a break in service. For example, in an eighty (80) hour pay period, the SDI hours covered may amount to twenty (20) hours. The remaining hours are covered by and charged to sick leave. The twenty (20) hours related to SDI will be off payroll, which will be reflected on the employee's payroll check stub.

4. Except as provided in subsection 3 of this definition, partial calendar months shall be excluded in computing continuous service.

"County" means the county of Placer.

"County service" or "service of the county" means the positions and employments occupied by any legally appointed officer or employee of the county established by the board.

"Demotion" means a change in status of an employee, from a position in one class to a position in another class

having lesser duties and responsibilities, lower qualifications and a lower grade of compensation.

"Department" means an administrative branch of the county government with a line of work and group of employees under the immediate charge of a chief executive officer, who is known as the department head.

"Director" means the personnel director.

"Dismissal" means the separation of an employee from the classified service for a cause.

"Eligible" means a person who may legally be appointed to vacant positions in the competitive service by reason of prior service or of the successful passage of an original entrance or promotional examination.

"Employee" means a person who is legally occupying a position in the county service or who is on authorized leave of absence.

"Eligible list" means a list of names of persons arranged in order of final ranking, who have been found qualified through suitable tests for employment for positions allocated to a specific class.

Examination, Assembled. "Assembled examination" means a test conducted at a specified time and place at which applicants are required to appear concurrently for competition under the supervision of an examiner or proctor.

Examination, Unassembled. "Unassembled examination" means a test consisting of an appraisal of training, experience or work history, or any other means for evaluating other relative qualifications of applicants without the necessity of their personal appearance at a specified place.

"General reclassification" means a general survey within a department wherein a group of positions are re-surveyed and, as a result, a group of such positions are re-allocated to different classes.

Good Standing, Termination In. "Termination in good standing" means that an employee has given the required termination notice and has not been discharged for cause. It shall also include employees who have been laid off.

Group, Occupational. "Occupational group" means a major subdivision of a series including one or more classes of positions in an associated craft, occupation, profession, or functional activity.

Holiday. A declared holiday constitutes eight working hours granted as time off with pay.

"Layoff" means termination of employment of an employee without prejudice for any of the following reasons:

1. Necessity based on lack of funds or work, or
2. Advisability in the interest of economy to reduce the departmental staff, or
3. Return of another employee with greater seniority from leave of absence.

"Leave of absence" means an authorized absence from work as provided by these rules.

"Open examination" means an examination open to the public and not limited to applicants in county service.

"Permanent full-time position" means a position established within which a full-time employee works on a continuous basis, forty (40) hours per week and allocated by the board to a department in the salary ordinance. (Except those employees under an FLSA 7J or 7K exemption).

"Permanent part-time position" means a position established on a permanent, year-round basis requiring work on a regular schedule of less than forty (40) hours per week and allocated by the board to a department in the salary ordinance.

"Position" means an office or employment in the county service, of which the duties and responsibilities are exercised by one person.

Position, Extra Help. "Extra help position" means a position approved by the county executive for a specific length of time, who works eight hours a day or a fraction thereof, but such work is done on call at irregular intervals or without a set pattern, usually to meet peak workloads or temporary conditions such as vacation relief, paid sick leave and other situations involving a fluctuating staff. An extra help position is not allocated by the board to a department.

"Professional employee" means:

1. Any employee engaged in work:
  - a. Predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work;
  - b. Involving the consistent exercise of discretion and judgment in its performance;
  - c. Of such character that the output produced or the result accomplished cannot be standardized in relation to a given period of time.
  - d. Requiring knowledge of an advanced type in a field of science or learning customarily acquired by a long course of specialized intellectual instruction and study in an institution of higher learning or a hospital as distinguished from a general academic education or from an apprenticeship or from training in the performance or routine mental, manual or physical processes; or
2. Any employee who:
  - a. Has completed the courses of specialized intellectual instruction and study in subsection (1)(d) of this definition;
  - b. Is performing related work under the supervision of a professional person to qualify himself or herself to become a professional employee as defined in subsection (1)(d) of this definition.

"Promotion" means advancement to a position of higher rank or grade where the salary grade difference between the current classification and the new classification involves an increase in pay of at least five percent or more. A change in salary grade resulting from a reclassification of an occupational group without regard to departmental lines and involving no substantial change in duties and qualifications is not considered a promotion.

"Promotional examinations" means those limited to qualified permanent county employees. County employees shall be allowed paid time during their regular scheduled shift to interview for other county positions.

"Re-allocation" means a change in allocation of an individual position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same level on the basis of substantial changes in the kind, difficulty, or responsibility of duties performed in such position.

Re-classification. See "Classifications."

"Re-employment list" means a list of names of persons, arranged in order provided by these rules, who have occupied positions allocated to any class in the classified service and who have been separated from the service due to layoff or who have been demoted to a lower class and who, in accordance with these rules, are entitled to have their names certified to appointing authorities when vacancies in the class from which they separated are to be filled, ahead of those whose names are on any eligible list for the class.

"Reinstatement" means restoration of a former permanent full-time employee to a class in which status was formerly held.

"Series" means one or more occupational groups having classes of positions with duties substantially similar in nature and character, such classes being placed in the respective groups to aid in the process of classification, in determining and fixing compensation and in administering the county classification and compensation plan.

Service Credit, One Year of. "One year of service credit" means two thousand eighty (2,080) hours of service, including authorized paid absences.

Service, Types of. "Service" refers to the number of hours an employee works and to the regularity with which he or she works.

1. Permanent Full-Time. A permanent full-time employee works on a continuous basis forty (40) hours per week and whose position is allocated by the board to a department and listed in the salary ordinance.

2. Permanent Part-Time. A permanent part-time employee works less than forty (40) hours per week but normally follows a predetermined fixed pattern of working

hours and whose position is allocated by the board to a department and listed in the salary ordinance.

3. **Extra Help.** An extra help employee may work eight hours a day or a fraction thereof, but whose position is not allocated by the board to a department but has been authorized by the county administrative officer for a specific length of time. An extra help employee has no status. The advance authorization by the county executive office shall not be required as to any urgent or emergency situation; in such emergency situation the sheriff may use any reserve deputy sheriff for a period not to exceed sixteen (16) hours within a pay period. Not later than the close of the third succeeding work day following the commencement of such emergency use, the sheriff shall, in writing, report such emergency use to the county executive office.

4. **Limited Term.** A limited term employee works on a continuous basis twenty (20) or more hours per week. These positions are allocated by the board to a department as funded for the duration of an outside source of funds, e.g., federal or state grant. A limited term employee has no status until transferred to or appointed to a permanent position within the county.

"Specification" means the official description of a class.

**Status, Types of.** There are three types of status. They are acquired as follows:

1. **Permanent.** Acquired by an employee who has been lawfully retained in his position after the completion of the probationary period as provided in these rules.

2. **Probationary.** Acquired by an employee who has been certified and appointed, but who has not completed the probationary period as provided in these rules.

3. **Provisional.** Acquired by an employee who possesses the minimum qualifications established for the class and who has been appointed to fill a position for which no eligibles are available.

"Supervisory employee" means any individual having authority to exercise independent judgment in the interest of the employer, promote, discharge, assign, reward or discipline other employees, or having the responsibility to direct them, or to adjust their grievances, or effectively to recommend such action if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

1. **Second Level Supervisor.** Authority to direct a division or unit of a department. May be directly responsible for other supervisors, professional employees and employees whose output is qualitative rather than quantitative; who exercise independent judgment as opposed to

routine decision making; and stresses intellectual rather than manual tasks.

2. **First Level Supervisor.** One who is directly responsible for five or more employees within a department, division, or unit on a full-time basis. Reports to assistant department head, division head, or second level supervisor.

"Suspension" means a temporary separation of an employee from his or her position without pay, for disciplinary purposes or other just causes. An employee may not be so suspended for a period exceeding ninety (90) calendar days in any calendar year.

**Titles, Class Title or Title of Class.** The designation given to or name applied to a class or to each position allocated to the class and to the legally appointed incumbent of each position allocated to the class. (Its meaning is set forth in the corresponding definition and the class specification and it is always to be used and understood in that sense, even though it may previously have had a broader, narrower, or different significance.)

"Unclassified service" means all officers, positions, and employments in the government of Placer County as set forth in Section 3.08.070 of this code. (Ord. 5371-B (part), 2005; Ord. 5160-B (part), 2002; Ord. 5058-B (Attach. 18), 2000; Ord. 5006-B (part), 1999; prior code §§ 14.1208—14.1292)

### **Part 3. General Provisions**

#### **3.08.180 Purpose.**

These sections are adopted in pursuance of Placer County Ordinance Number 501 providing civil service for the county of Placer. The primary purpose is for the furtherance of personnel activities and transactions on the sole basis of merit and competence, the best interest of the county of Placer, and without regard to personal, political, or other extraneous matters. (Prior code § 14.1300)

#### **3.08.190 Administrative regulations.**

The personnel director from time to time may adopt, amend, and rescind such administrative policies and procedures as are necessary to the conducts of personnel matters, when authorized by and not in conflict with these rules. (Prior code § 14.1304)

#### **3.08.200 Regular meetings.**

Regular meetings of the county civil service commission shall be held each month and at such time as the commission may determine. The commission shall establish by minute order a particular day of the week during

the month which will be considered their regular meeting day. (Prior code § 14.1306)

**3.08.210 Special meetings.**

Special meetings may be called by the chairperson upon giving reasonable advance notice to each commissioner. (Prior code § 14.1308)

**3.08.220 Meetings open.**

All meetings of the commission shall be governed by the provisions of the Brown Act. (Prior code § 14.1310)

**3.08.230 Quorum.**

Three members of the civil service commission shall constitute a quorum and a majority vote of the entire civil service commission shall be required to transact business. (Prior code § 14.1312)

**3.08.240 Communication.**

Communications and requests to the commission shall be in writing, and the substance of such request, and the action of the commission thereon, noted in the minutes. (Prior code § 14.1314)

**3.08.250 Minutes.**

The executive secretary of the commission or a person designated by the executive secretary shall record in the minutes, the time and place of each meeting of the commission, the names of the commissioners present, all official acts of the commission, the votes given by commissioners except when the action is unanimous; and when requested a commissioner's dissent, with such commissioner's reasons, and shall cause the minutes to be written up forthwith and presented for approval or amendment at the next regular meeting. The minutes, or a true copy thereof, certified by the commission, or a majority thereof, shall be open to public inspection. (Prior code § 14.1316)

**3.08.260 Effective date.**

All rules and amendments shall become effective immediately upon their adoption by the commission unless some later date is specified therein. (Prior code § 14.1320)

**3.08.270 Rules of distribution.**

A copy of these rules and a copy of all subsequent rules or amendments shall be sent as soon as practicable after adoption to each department of the county government and a copy shall be maintained in the personnel department for public inspection. (Prior code § 14.1322)

**Part 4. Violations of Chapter 3  
or Civil Service Rules**

**3.08.280 Applicability.**

A. The purpose of this part is to provide a procedure for inquiry by the civil service commission into the maladministration of the civil service system when there is reasonable cause to believe, and when a complaint has been filed alleging, one or more sections of this chapter and/or the civil service rules have been violated. The sections hereunder are independent of those procedures governing the disciplining of county employees under Part 12 of Article 3.04 and are not applicable when the procedures defined there under are invoked.

B. Whenever there is reasonable cause to believe that there has been a violation of this chapter or the civil service rules, the civil service commission may conduct an investigation or hearing in any department where classified employees are employed for the purpose of determining the validity of such charge or charges. (Prior code § 14.1400)

**3.08.290 Grievance.**

A. Prior to utilizing the provisions herein, all persons having a grievance shall make every effort to resolve such grievance by discussion with the person causing the grievance. If the grievance is not resolved to the grievant's satisfaction, then the grievant may utilize the formal procedure outlined below.

1. Step 1. The grievance shall be submitted in writing to the immediate supervisor. The supervisor shall meet and discuss the grievance with the employee and his/her representative, if any, and reply in writing to the employee within three working days.

2. Step 2. In the event that a settlement is not effected, the written grievance will be presented within three working days to the next level of supervision. The second level supervisor or his/her representative shall have five working days to investigate and render a written decision.

3. Step 3. If a mutually satisfactory solution has not yet been reached, the grievant has three working days to appeal in writing to the department head. After the receipt of the grievance, the department head or his/her representative shall have ten (10) working days in which to schedule such investigations or hearings as deemed necessary and render a written decision.

4. Step 4. If a mutually satisfactory solution has not been reached, within three working days of issuance of the department head's written response, the State Department of Mediation and Conciliation Services shall be requested to attempt to mediate the grievance.

B. If the grievance is not settled at the departmental level, the employee may submit a formal complaint in accordance with these rules. (Prior code § 14.1402)

### **3.08.300 Initiation of proceedings.**

A. Such proceedings shall be commenced by a complaint which is signed by any aggrieved person. The complaint shall be entitled "IN RE" (the name of the department in which the alleged violations occurred), and shall be directed to the Placer County civil service commission. It shall contain the following:

1. The name of the department in which the alleged violation or violations occurred.
2. The name of the person responsible for the alleged violation or violations.
3. The section or sections of the civil service ordinance and/or the civil service rules which have allegedly been violated.
4. The factual basis upon which each of the alleged violations rest, including the dates thereof.
5. The name and position of the party who signed the complaint.
6. The date of the complaint.

B. If the complaint is by an employee in the classified service, such employee shall attach to the complaint satisfactory evidence that he or she made application for the requested relief to his or her supervisors and to his or her department head but was denied such relief. (Prior code § 14.1404)

### **3.08.310 Filing and service of complaint— Answer.**

A. Complaint. Four copies of the complaint shall be filed with the civil service commission, in care of the personnel director not later than three days after the date of the complaint. All four copies shall be marked by the personnel director with the date on which they were filed. The personnel director shall:

1. Place one copy on file for the civil service commission.
2. Transmit one copy to the county counsel's office.
3. Transmit, one copy by either personally serving it on, or mailing it, with return receipt requested, to the person accused of violating the civil service ordinance and/or rules.
4. Transmit one copy by either personally serving it on, or mailing it, with return receipt requested, to the department head of the department in which the violation or violations were alleged to have occurred.

B. Answer. The person charged and/or the department head of the department in which the alleged violation

or violations occurred may answer the complaint, within ten (10) days, after the service thereof upon him or her. Four copies of the answer shall be filed with the civil service commission, in care of the personnel director and the personnel director shall stamp on each copy the date it was filed. The personnel director shall:

1. Place one copy on file for the civil service commission.
2. Transmit one copy to the county counsel's office.
3. Transmit one copy by either personally serving it on, or mailing it, with return receipt requested, to the person who signed the complaint.
4. Transmit one copy by either personally serving it on, or mailing it, with return receipt requested, to either the department head of the department in which the alleged violation or violations occurred, if he or she is not the answering party, or to the accused, if he or she is not the answering party. (Prior code § 14.1406)

### **3.08.320 Preliminary hearing.**

At the first regular meeting of the civil service commission after the date of the filing of the complaint, the commission shall, without receiving any evidence, based solely on the grievance, complaint and the answer by the department head, as well as oral argument by the grievant and the appointing authority or their respective representatives, make the following determinations:

A. Whether or not the complaint is drawn and filed in compliance with the requirements of Sections 3.08.300, 3.08.310(A) and 3.08.340(B) of this rule. If the complaint is not drawn in compliance with Section 3.08.300 of this rule the commission shall grant the complaining party at least one opportunity to amend it. If the complaint is amended it shall be redrawn in its entirety and filed and served in compliance with Section 3.08.310(A) of this rule.

B. Whether or not the allegations of the complaint warrant further inquiry by the commission. If the commission finds that the allegations of the complaint warrant further inquiry, the provisions of Section 3.08.330 shall be applicable. Otherwise, the proceedings shall terminate upon the decision of the commission not to make further inquiry. (Ord. 5058-B (Attach. 19), 2000: prior code § 14.1408)

### **3.08.330 Hearing.**

Within twenty (20) days after the date of the preliminary hearing the civil service commission shall hold a hearing at a special meeting for the purpose of determining the validity of the charges made.

A. **Definition of Party.** For purpose of this section a "party" is defined as the complainant, the party accused, and the department head of the department in which the violation or violations alleged to have occurred.

B. **Attorneys.** Any party is entitled to be represented by private counsel. The county counsel, or deputy, may participate in the examination of witnesses.

C. **Private Hearings.** Said hearings shall be private, and all persons other than the parties, their attorneys, the civil service commission, the court reporter, the county counsel and deputies, and witnesses who are actually testifying shall be excluded unless the person accused and the department head of the department in which the violations are alleged to have occurred jointly file a written request for a public hearing with the civil service commission, in care of the director of personnel, at least five days prior to the date of said hearing.

D. **Evidence.**

1. **Order of Evidence.** The person who signed the complaint shall first present evidence of the charges alleged. The person charged and/or the department head of the department in which the alleged violation or violations occurred may then present evidence in his or her behalf.

2. **Relevancy.** Only the evidence which is relevant and material to the allegations of violations of the civil service ordinance and/or the civil service rules shall be admissible into evidence.

E. **Court Reporters.** No evidence shall be received by the commission unless all proceedings are reported or otherwise suitably recorded.

F. **Subpoenas.** The clerk to the civil service commission is authorized to issue subpoenas for the purpose of compelling the attendance of witnesses at the hearing conducted pursuant to this rule.

G. **Records.** Upon demand of the chairperson of the civil service commission, the personnel director shall make available to the commission and/or any party to the proceeding any personnel record document, or writing in his or her office which the chairperson of the commission deems relevant to the charges made.

H. **Conclusion.** If, after the presentation of all the evidence, the civil service commission is convinced by a preponderance of the evidence of the truth of the charges in the complaint, the commission shall afford the complainant any relief requested and if the person against whom the grievance is filed fails to comply with the civil service commission decision, the civil service commission shall direct the commission's counsel to take appropriate civil legal action against the person or persons charged. If the commission is not so convinced of the truth of the charges, the commission may afford the complainant any

relief requested, or modify it in whole or in part, it shall announce this fact at its next regular meeting. The decision of the commission shall be final except as provided in Part 12 of these rules. (Prior code § 14.1410)

### **3.08.340 Dismissal of action.**

A. **By Complaining Party.** At any time prior to the conclusion of the hearings, the complaining party may, with the consent of the civil service commission, withdraw his or her complaint and dismiss the action.

B. **Limitation of Action.** The civil service commission shall dismiss any charge in the complaint when it appears that the complaint was filed more than sixty (60) days after the date of the alleged violation. (Prior code § 14.1412)

## **Part 5. Alteration in Employment Status**

### **3.08.350 Promotion, generally.**

Insofar as practicable, vacancies in the classified service shall be filled by promotion. No promotion shall be made except as a result of an examination as provided by these rules. (Prior code § 14.1500)

### **3.08.360 Demotion, generally.**

Subject to the provisions of these rules, an appointing authority may demote an employee whose ability to perform the duties falls below normal standards or for disciplinary purposes. No employee shall be demoted to a position for which he or she does not possess the minimum qualifications. (Prior code § 14.1505)

### **3.08.370 Transfer—Promotion and demotion.**

Movement of an employee from a position in a lower classification to a position in a higher classification is a promotion, unless the increase to the higher classification is less than five percent or unless such advancement is the result of a reclassification of an occupational group without regard to departmental lines. Any transfer of an employee from a position in a higher classification to a position in a lower classification is a demotion. A transfer may be accomplished only in the manner provided for making promotional or demotional appointments as provided in these rules. Employees transferring from one classification to another must meet the entrance requirements established for the new classification. (Ord. 4981-B (part), 1999; prior code § 14.1510)

### **3.08.380 Transfer—Class to another class.**

Subject to approval of the personnel director, an employee may transfer from one classification to another

classification where the difference between the current classification and the new classification is less than five percent. Such approval may only be granted if the employee meets the entrance requirements established for the new class. The director may also require the employee to demonstrate that he or she possesses the additional or different requirements. (Ord. 4981-B (part), 1999; prior code § 14.1515)

**3.08.390 Transfer—Re-assignment.**

A. An appointing authority may at any time transfer any employee under his or her jurisdiction to another position in the same class.

B. If the transfer is permanent and reasonably requires a change of place of residence, such assignment must be made at least forty-five (45) days in advance of the effective date and in writing, setting forth in clear language the reasons why the employee is being transferred. (Prior code § 14.1520)

**3.08.400 Transfer—Interdepartmental.**

Subject to the approval of the personnel director, an employee may be transferred to another department in the same or comparable class provided that both appointing authorities consent thereto, and provided the employee meets the requirements set forth in Section 3.08.380 of this rule. (Prior code § 14.1525)

**3.08.410 Transfer—Probationary period.**

Transfer of an employee from one class to another or from one appointing authority to another shall require the service of a new probationary period unless such probationary period shall have been waived by the appointing authority. An employee rejected during such probationary period shall be reinstated to the position from which he or she transferred. (Prior code § 14.1530)

**3.08.420 Transfer—Organizational change.**

Whenever any position is changed by the adoption of new, different, or additional machines, processes or functions while the purpose of the position is the same or similar in nature, any civil service employee affected shall be given a short term assignment, not to exceed six months without change in class, status or salary to learn to do the work with the new machine, process or function and to qualify for status in the different class of position required for such work, provided that such new class is at the same salary grade. An employee who qualifies for appointment through training in the different class shall be deemed to possess the specific education, experience or other requirements for such class and shall be appointed thereto

with the same status and seniority which he last had in his previous class. The position shall be reallocated in accordance with Section 3.08.480. (Prior code § 14.1535)

**3.08.430 Transfer—Appeal.**

A. Any employee affected by a transfer, who feels that the transfer is being made for the purpose of harassment or discipline, may appeal said transfer by filing a grievance as provided in Section 3.08.280 of these rules and regulations.

B. The appointing authority may require the employee to transfer pending the outcome of the grievance process. If the commission disapproves the transfer, the employee shall be returned to his former position, shall be paid any regular travel allowance for the period of time he was away from his original place of residence if he was required to change residence. (Prior code § 14.1540)

**3.08.440 Movement from classified service to unclassified service.**

A. Except as provided in subsection E of this section, any employee accepting a position in the unclassified service, shall resign from his or her position in the classified service.

B. An unclassified employee may accept transfer, promotion or demotion to an open position in the classified service provided that he or she had either probationary or permanent status in the classified service and provided further that he or she obtains such promotion or demotion as provided by these rules.

C. Movement within the provisions of this rule shall be deemed to be continuous service and such employee shall receive all benefits pertaining to county employment during his or her tenure.

D. Unclassified employees who enter the classified service under the provisions of this section shall, if they previously had acquired only probationary status before entering the unclassified service, be required to serve a new, full probationary period.

E. An employee with permanent status in the classified service who accepts appointment by an elected department head to the unclassified service shall have the right to return to his or her prior classified position unless terminated for cause. For purposes of this subsection, such an employee may be required to demote to the prior classified position without cause and at the pleasure of the appointing authority. The elected department head must insure that an open position exists to accommodate any demotion pursuant to this section. The county executive officer shall cooperate with the elected department head where a request for a new position is necessary to accommodate a

demotion. Such movement shall be deemed continuous service and a new probationary period shall not be required. (Prior code § 14.1545)

## **Part 6. Classification**

### **3.08.450 Classification plan.**

Every position in the county classified service shall be allocated to the appropriate class in the classification plan. The allocation of a position to a class shall be determined by the duties and responsibilities of the position and shall be based on the principle that all positions shall be included in the same class if:

A. Sufficiently similar in duties and responsibilities that the same descriptive title may be used.

B. Substantially the same requirements as to education, experience, knowledge and ability are demanded of incumbents.

C. Substantially the same test of fitness may be used in choosing qualified appointees.

D. The same schedule of compensation can be made to apply with equity. (Prior code § 14.1600)

### **3.08.460 Class specifications.**

For each class a written specification shall be prepared by the personnel director and approved by the civil service commission which shall include the official title of the class, description of duties, responsibilities characteristic of positions in the class and the minimum qualifications required for admission into competition. Class specifications shall be interpreted in their entirety in relation to others in the classification plan. They are descriptive and explanatory of characteristic duties and responsibilities of positions in a class and are not restrictive. They shall not be construed as limiting the duties and responsibilities of any position nor shall they limit or modify the authority of any department head or of the board to assign duties and to direct and control the work of employees in the county service. (Prior code § 14.1605)

### **3.08.470 Administration of the classification plan.**

The commission shall be responsible for the preparation and maintenance of the classification plan and from time to time as it deems necessary, may recommend that the board of supervisors establish additional classes and divide, combine, alter or abolish existing classes. When such actions are taken, the commission shall determine in each instance whether positions affected are to be reallocated to another class or classes after taking into account the criteria set forth in Section 3.08.450 of this rule and shall de-

termine the status of the probationary or permanent employees affected. (Prior code § 14.1610)

### **3.08.480 Reallocation.**

A. Upon the reallocation of a position because of a change in duties, the incumbent holder of the superseded classification shall not thereby gain status in the new classification; the incumbent may only attain status in the new classification in accordance with the appropriate section of the rules relating to promotion, demotion, transfer, layoff, or other appropriate sections, except that, when a position is reclassified to a higher level, the civil service commission may provide that the incumbent of a reclassified position may noncompetitively promote to the position when it finds that the incumbent has satisfactorily performed the duties of that position for a continuous period of not less than one year prior to the date the position is reclassified.

B. The incumbent holder of the superseded classification shall be entitled to the rights provided by Sections 3.08.740, 3.08.750 and 3.08.1120. If such employee elects demotion under Section 3.08.1120, and the top step of the salary grade for the position to which he/she elects demotion is less than that earned at the date of such demotion, such employee's salary shall remain unchanged until the grade of the position to which he/she sought demotion exceeds such employee's salary; at such time as the grade exceeds his/her salary, the incumbent shall be entitled to annual step increases in the manner provided for all employees. If such employee elects demotion to a lower position than that to which he/she could elect demotion, or if such employee thereafter declines promotion to a higher classification still under his/her superseded classification, such employee shall only be entitled to receive the difference between his/her original salary and such salary which he/she could have elected to receive; at such time as the salary grade of such superseded classification exceeds his/her salary, the incumbent shall be entitled to annual step increases in the manner provided for all employees.

C. If such incumbent holder of the superseded classification does qualify for such new classification and the top step of the salary grade for the new classification is less than that earned by such incumbent holder at the date of such reallocation, such incumbent employee's salary shall remain unchanged until the grade of the new position exceeds such employee's salary; at such time as the grade exceeds his/her salary, the incumbent shall be entitled to annual step increases in the manner provided for all employees. (Ord. 5058-B (Attach. 20), 2000; prior code § 14.1615)

**3.08.500 Use of class titles.**

Class title shall be used when referring to position in all official records and communications and all reports and payrolls providing for the payment of personnel services. Any other title desired by the appointing authority may be used to designate any position for purposes of internal administration. (Prior code § 14.1620)

**3.08.510 Work-out-of-class pay.**

A. In line with the principle that an employee assigned to work in a position having discernibly higher job duties should receive higher pay, positions within the classified service may be applicable for work-out-of-class assignment are as set forth in subsection B of this section.

B. Individual employees may be certified by the personnel department as being eligible for work-out-of-class pay when so assigned by the appointing authority or designate of that appointing authority.

C. Procedure.

1. Positions will be eligible for out-of-class pay when work conditions warrant. Other positions shall be considered as current developments cause out-of-class assignments.

2. The personnel department shall verify that employees in certain positions are eligible to receive out-of-class pay.

3. An out-of-class assignment shall be made by a personnel action form:

a. When the position is vacant due to absence of the incumbent when ill, on vacation, or other valid reason.

b. When work loads necessitate the assignment of employees to supplement a specific position or perform new assignments.

4. An out-of-class assignment for training purposes may be excluded from out-of-class compensation, provided such training purposes can be adequately demonstrated.

5. Administration of the out-of-class procedure shall be as follows:

a. No out-of-class compensation will be considered or paid for assignments of two workdays or less.

b. Additional compensation for working out of class shall be no less than a minimum of five percent or exceed a maximum of fifteen (15) percent.

c. Out-of-class pay may be approved by the appointing authority for up to fourteen (14) days; from fifteen (15) days up to and including one hundred eighty (180) days requires approval of the personnel director. Any extension beyond one hundred eighty (180) days shall require the concurrence of the civil service commission.

6. The personnel department shall hear any contention that an employee is actually working out of class.

In the event of an adverse decision by the personnel department, the employee concerned and/or his or her employee representative shall have the right to appeal such decision to the civil service commission. (Prior code § 14.1625)

**3.08.520 Notice and hearing on proposed classification action.**

Any employee affected by any change in the classification plan or in the allocation of his or her position shall be notified of the intent to take such action and shall have the opportunity to be heard by the personnel director, or an appeal, by the commission before the action becomes final. (Prior code § 14.1630)

**Part 7. Examination**

**3.08.530 General.**

Examinations for the establishment of eligible lists shall be competitive and by such character as fairly to test and determine the qualifications, fitness and ability of competitors actually to perform the duties of the class or position for which they seek appointment. (Prior code § 14.1700)

**3.08.540 Types of examination.**

Except as provided herein and in Section 3.08.630 examinations may be promotional or open, assembled or unassembled, written, or oral, or in the form of a demonstration of skill, or any combination of these; and any investigation of character, personality, education and experience and any test of intelligence, capacity, technical knowledge, manual skill, or physical fitness which the personnel director deems appropriate. (Ord. 5160-B (part), 2002; Prior code § 14.1710)

**3.08.550 Announcement of vacancies.**

The director shall make public announcements of all examinations at least ten (10) working days prior to the closing date. Announcements shall be posted on the personnel department's job board and given such other publicity as the personnel director deems warranted to attract a sufficient number of qualified candidates to compete. Recruitments may be of one of the following types at the discretion of the personnel director:

A. Regular Recruitment. Regular examination announcements shall specify a filing period of at least ten (10) working days and shall clearly state a final filing date.

B. Continuous Recruitment. In instances where the need for employees is frequent or continuing, or there is a

labor market scarcity, the personnel director may announce examinations with no final filing date and conduct recruitments of sufficient duration to assure the county's needs are met.

C. Limited Recruitment. The personnel director may restrict the recruitment to limit the size of the applicant group by:

1. Establishing a shorter filing period than that required for regular recruitments;
2. Specify a maximum number of applications that will be accepted and the recruitment shall close immediately when that number is reached; or
3. Other means that are appropriate to the circumstance. (Ord. 5371-B (part), 2005; prior code § 14.1715)

### **3.08.560 Content of examination announcement.**

Official examination announcements shall include:

- A. The title of the class and salary grade at which appointment may be made;
- B. Final filing date, if established;
- C. Officially established minimum qualification requirements or such other standards for education or experience as may have been approved;
- D. Relative weights assigned to the various parts of the examination unless otherwise set forth in the notice to appear for the first part of the examination or announced at the time of the first part of the examination; and
- E. Other special conditions for admission to the examination, certification and employment. (Prior code § 14.1718)

### **3.08.570 Application for employment.**

A. Every applicant shall file a county application for employment or personal resume in the personnel office on or before the final filing date published in the job announcement.

B. All applicants shall be required to have an original, signed county application on file prior to the first examination.

1. Deputy Sheriffs' Unit. Every applicant for a promotional examination must meet the minimum qualifications for the classification by the scheduled written examination date. In the event no written examination is scheduled, then the date of the oral examination will be utilized.

C. Application through the mail may be accepted if post marked on or before the final filing date if the acceptance of such application is received within a reasonable time thereafter and does not interfere with the scheduling of any examination. (Ord. 5028-B (part), 2000; prior code § 14.1720)

### **3.08.580 Acceptance of applications.**

The director may refuse to accept, examine, or, after examination, may refuse to declare as an eligible, or may withhold or withdraw from certification, prior to appointment, any one who comes under the following categories.

A. Lacks any of the requirements legally established in the public bulletins for the examination or position for which he or she applies.

B. Uses intoxicating beverages to excess.

C. Uses narcotics or habit-forming drugs.

D. Has been convicted of a felony or misdemeanor.

E. Has engaged in infamous or notoriously disgraceful conduct.

F. Has been dismissed from any position in public or private service for any cause, which would be a cause for dismissal in the county service.

G. Has resigned from any position not in good standing or in order to avoid dismissal.

H. Has practiced or attempted to practice any deception or fraud in his or her application, in his or her examination, or in securing his or her eligibility.

I. Is found unsuited or not qualified for employment. Whenever an applicant is rejected, he or she shall be notified in writing of the reason for the rejection and of his or her right of appeal to the civil service commission. (Ord. 5160-B (part), 2002; Prior code § 14.1725)

### **3.08.590 Rating examination.**

A. The final, earned rating of each person competing in any examination shall be determined by the weighted average of the earned ratings on all phases of the examination, according to the weights for each phase established in advance of the giving of the examination and published as a part of the announcement of the examination.

B. The director may set minimum ratings for each phase of an examination and may provide that competitors failing to achieve such rating in any phase shall be disqualified from any further participation in the examination.

C. Current employees who have completed and passed a written examination for a promotional position will be given the option to apply the previous written test score to a new list rather than taking the written examination again if it has been determined by the personnel director that the tests are substantially similar. (Ord. 5058-B (Attach. 21), 2000; prior code § 14.1730)

### **3.08.600 Qualifying by examination.**

Qualifying and placement on an appropriate eligible list shall be accomplished in accordance with Section 3.08.730. (Prior code § 14.1735)

**3.08.610 Continuous examination, administration.**

A. For classes of positions in which there has been a demonstrated difficulty in maintaining adequate eligible lists, the director may receive applications, conduct examinations, and create eligible lists continuously. The names of all eligibles who took the same or comparable examination on different dates may be ranked on one eligible list for purposes of certification in the order of final earned rating.

B. Examinations will be scheduled by the director in accordance with the demand in filling vacancies. Although examinations may be administered at various times during the year, applicants will be allowed to take an examination for the same eligible list, at most, once every six months. Successful candidates will remain on the eligible list for one year after certification. If a candidate chooses to retake an examination after six months, the most recent score will be recorded for the next eligibility period even if it is lower than the previous examination score.

If a candidate fails any phase of the examination process, he or she will be deemed ineligible for employment in accordance with the above regulations. (Ord. 5160-B (part), 2002; prior code § 14.1740)

**3.08.620 Examination conditions.**

The director shall designate the procedure, time, place and type of examination, the conditions under which it may be conducted, and the proctor to conduct the examination. (Prior code § 14.1745)

**3.08.630 Oral boards.**

For each oral examination, the director shall appoint an oral board consisting of persons interested in the advancement of public service and the selection of the best qualified personnel for the class for which the examination is being conducted.

A. Members. No person having appointing authority for the particular position to be filled shall be a member of an oral board. No one employee in the department affected shall be a member of an oral board for a promotional examination except as provided in subsection C of this section.

B. Auditing Examinations. An appointing authority of the position to be filled, or authorized representative, may attend oral examinations, for such positions, other than promotional examinations, for the purpose of informing the oral board members of the specific responsibilities of the position to be filled and of particular qualifications desired in the application to be appointed. The appointing

authority or authorized representative shall not be present during the deliberations of the oral board or participate in the ranking of the candidates.

C. Procedure Where All Applicants Will be Certified.

1. Promotional. In any examination where one vacancy is to be filled and where three or less applications are received for examination or for continuous examinations, the personnel director may prescribe the most appropriate examination procedure. If the number of vacancies requested to be filled is more than one, the number of certifiable ranks will increase proportionately. (Example: One vacancy results in no more than five ranks certified; two vacancies result in no more than six ranks certified, etc.). (Ord. 5160-B (part), 2002; prior code § 14.1750)

**3.08.640 Liability release.**

Each candidate in an examination which includes physical exertion or other activity which may result in injury or damage to the candidate or to his or her property shall be required to execute a document releasing the county from any and all liability in connection with examination. Failure to execute such document when requested to do so shall result in disqualification of the candidate. (Prior code § 14.1755)

**3.08.650 Scoring.**

The director shall establish a procedure for scoring each examination which will give due weight to each portion of the examination and which will afford each qualified candidate an equal opportunity to compete. (Prior code § 14.1760)

**3.08.660 Passing grade.**

The director shall establish for each written, oral and unasssembled examination a minimum passing grade, which shall be set forth in the examination bulletin. Failure by any candidate to attain the minimum passing grade in any portion of an examination shall eliminate the candidate from competition in any further portion of the examination. Any candidate so eliminated shall be notified promptly in writing. (Prior code § 14.1765)

**3.08.670 Revealing candidates' names.**

Each written examination shall be scored before the name of any candidate is revealed to the person scoring the examination. (Ord. 5160-B (part), 2002; prior code § 14.1770)

**3.08.680 Retention of typing and shorthand scores.**

The scores of candidates who are successful in typing and/or shorthand performance tests shall be kept on record in the central personnel office for a period of one year. During that period, they shall be accepted as satisfying the performance test requirement for each class for which the minimum typing and/or shorthand qualifications have been attained. (Prior code § 14.1775)

**3.08.690 Acceptance of outside typing and shorthand tests.**

The director may accept the records of typing and/or shorthand performance tests given by the state of California or any other qualified agency. (Prior code § 14.1780)

**3.08.700 Applications retained.**

Applications of candidates shall be retained for the duration of the employment list, at least, and shall be made available for inspection by appointing authorities to whom the candidates are certified. Applications of those candidates appointed shall be filed with the reports of their appointment. Applications for those candidates not appointed, shall be retained for up to two years from the date of the application. Answer sheets, test keys, and other examination records shall be retained for the duration of the employment list, and thereafter for a period of time to be determined by the director. (Prior code § 14.1785)

**3.08.710 Appeals from disqualification in examination.**

Candidates who believe their qualifications have been improperly evaluated in an examination may appeal as follows:

A. If a candidate wishes to appeal any phase of the examination, a written statement must be filed with the commission setting forth the nature of the action being appealed, the circumstances surrounding the action and the nature of the relief which is being sought.

B. Appeals to the commission from any phase of an examination must be filed within thirty (30) calendar days after establishment of the eligible list.

C. The commission at its first regular meeting following the filing of a timely appeal will take the matter under submission to determine the facts in the case. After careful consideration of all facts and circumstances, the commission at its next regular meeting shall take such action, or direct that such action, be taken as will, in its judgment, provide a legal, fair and equitable remedy.

D. Valid appointment from an open eligible list shall not be affected by any subsequent action by the commission which affects the eligible list. (Prior code § 14.1790)

**Part 8. Eligible Lists**

**3.08.720 Eligible lists.**

A. Eligible lists shall be established as a result of examinations open to all persons who lawfully may be appointed to any position in the classified service within the class for which examinations are held and who meet the minimum qualifications requisite to the performance of the duties of such position as prescribed by the specifications for the class.

B. Transfer of Eligibility. Upon approval of the personnel director, the names of individuals in the classified or unclassified service of another public agency operating a civil service or merit system may be placed on lateral transfer/other agency eligible list(s) for the comparable classes in the Placer County classified service.

In each case, the following conditions must be met:

1. The classification in which Placer County employment is contemplated must possess the same or less minimum qualifications and be substantially similar in job assignment and responsibility.

2. Prior to the first day of employment, the individual must submit documentation from the other public agency confirming that:

a. The individual had been employed by the other public agency within one year prior to the date of his or her application to Placer County;

b. If classified, the individual held permanent status;

c. If unclassified, the individual had been employed for a minimum of six months;

d. The employment record of the individual has been satisfactory;

e. The individual has not been separated for cause;

f. The individual was appointed to the class from an eligible list resulting from a qualifying or competitive examination;

g. If not currently employed by the other agency, the individual is eligible for reinstatement to the prior agency.

3. The names of such individuals shall be placed on the lateral transfer/other agency eligible list and managed in accordance with Sections 3.08.170 (Definitions); 3.08.1090 (Separation and reinstatement) and 3.08.1150 (Reinstatement following resignation or voluntary demotion) of this article.

C. Reinstatement Eligible List. A permanent employee who has resigned in good standing or accepted a voluntary demotion may, within five years following the

effective date of resignation or demotion, request that the personnel director place his or her name on the reinstatement eligible list for any classification for which he or she is qualified. This list may be considered by department heads in addition to the open eligible list but cannot take precedence over the promotional eligible list.

D. **Alternate Eligible Lists.** Whenever there is no eligible list for a classification, or whenever it is in the best interest of the county, the personnel director may certify names to vacancies from eligible lists for related classifications provided that the required minimum qualifications of the related classifications are at least equivalent to those of the classification in which the vacancy exists. The names of the persons thus certified shall remain on the eligible lists on which their names were originally placed. (Ord. 5409-B, 2006; Ord. 5371-B (part), 2005; prior code § 14.1800)

### **3.08.730 Composition of eligible list.**

As soon as possible after the conclusion of an examination, the director shall prepare an eligible list consisting of the names of persons successfully passing the examination. Names of candidates shall be placed on the eligible list in descending order of their final rank. (Ord. 5160-B (part), 2002; prior code § 14.1805)

### **3.08.740 Order of eligible lists.**

Names shall be certified by the director to the appointing authority in the following order:

A. Re-employment lists.

B. Promotional eligible list.

C. Open eligible list.

D. Reinstatement Eligible. List shall be certified in addition to subsection C above and eligibles may be considered for appointment at the discretion of the appointing authority.

E. Lateral Transfer/Other Agency List. List shall be certified in addition to subsections C and D above and eligibles may be considered for appointment at the discretion of the appointing authority. (Ord. 5371-B (part), 2005; prior code § 14.1810)

### **3.08.750 Re-employment lists.**

A re-employment list shall be established to accommodate permanent employees laid off in accordance with these rules. Rank order shall be determined by years of total continuous service. An employee on such re-employment list shall be entitled to a noncompetitive promotion to any position to which he or she could have elected demotion from his or her original classification. (Prior code § 14.1815)

### **3.08.760 Promotional eligible list.**

A. **Promotional Eligible List.** The names of competitors successful in promotional examinations shall be placed on promotional eligible lists in the descending order of their final rank.

B. **Noncompetitive Promotion.**

1. The personnel director may permit a permanent employee to be promoted on a noncompetitive basis if the minimum education and experience requirements in the higher class are met, the employee has received on-the-job training as a normal part of the lower classification in preparation for the higher level class, and he or she has standard performance ratings on file in his or her official personnel file in the personnel department.

2. Before any noncompetitive promotion may be made, the appointing authority shall file, with the personnel director, a statement that the employee meets the minimum requirements as to performance, training and experience for the promotional position. The director may also require the employee to demonstrate that he or she possesses the requirements for the higher class.

3. The civil service commission shall determine classes of positions from which, and to which, such promotions may be made within a class series of positions where the positions are allocated as either, or, i.e., I, II, III or II, III or I, II. Noncompetitive promotions shall not be made to positions within supervisory classes.

4. This section shall apply only to positions which have the same basic job title but different levels within class series of positions (junior appraiser, appraiser, probation officer I or II), and that have the same number of positions in the same department at the proposed promotional level as in the level from which the promotion is made. (Ord. 5160-B (part), 2002; prior code § 14.1820)

### **3.08.770 Open eligible list.**

The names of competitors successful in open examinations shall be placed on open eligible lists in the descending order of their final rank. (Ord. 5160-B (part), 2002; prior code § 14.1825)

### **3.08.780 Final examination rating.**

The final rating on an examination shall be determined by the total of the scores received by each candidate for each part of the examination, based upon the relative value assigned to each part of the examination before it was given.

A. The names of all candidates achieving the same whole percentage score shall constitute one rank. Final

ratings of fractional percentage points shall be rounded upward to the next highest whole percentage point.

B. Candidates are eligible for certification to the hiring department(s) when their scores are in the top five ranks of an eligible list. A veteran who receives a passing score on an open examination and who qualifies for veteran's preference under Section 3.08.785 is eligible for certification to the hiring department(s) when the veteran's points raise the score to within the top five ranks.

C. All candidates taking an examination shall be given written notice of the results of the examination process, including whether or not they received a passing score on the examination and their final ranking. Final rankings shall be reported as whole numbers, and candidates' positions within each rank will not be identified to the appointing authority or the candidates. (Ord. 5160-B (part), 2002; prior code § 14.1830(a))

### **3.08.785 Veterans preference.**

The intent of this section is to assist veterans and disabled veterans who within five years of the date of application for employment with Placer County have either been honorably separated, discharged from a V.A. hospital as being fit for employment or have completed rehabilitative vocational training. Eligibility for preference is extended to eight years for those veterans who have been attending college on a full-time basis. This will be accomplished by adding a preference of five numerical points to the passing score attained in the examination by a veteran, unmarried widows, or widowers of veterans. A preference of ten (10) points will be added to the passing score attained in the examination by a disabled veteran or by the spouse of a disabled veteran who is so disabled as to be unemployable by the county. Veteran's preference shall apply to initial entrance into county service only or to a subsequent appointment in the event the first classification is abolished and the employee is laid off. Disabled veterans will not be subject to the five-year discharge or separation limitation.

For the purpose of this section, "disabled veteran" means any person who served on active duty in the Armed Forces of the United States, who has been honorably separated and who has been declared by the United States Veterans Administration to be currently disabled to a compensable degree as result of a service connected disability.

For the purpose of this section, the term "veteran" means any person who served on active duty in the Armed Forces of the United States for a period of thirty (30) or more consecutive days the beginning or ending of which was in time of war, or in time of peace in a campaign or expedition for which a medal has been authorized by the

Congress of the United States, or in time of peace for a full enlistment period or a minimum of twenty-four (24) months unless disabled, and who was separated from service under honorable conditions. The term "veteran" does not include any person who served only in auxiliary or reserve components of the Armed Forces or any person whose active duty in the Armed Forces was performed solely for training purposes.

Persons who elected a career in the Armed Forces and retired after twenty (20) or more years of active military service shall not be eligible for veteran's preference. (Prior code § 14.1830(b))

### **3.08.800 Life of eligible list.**

A. Effective Date. Eligible lists shall become effective upon the certification by the director that the list was legally prepared and represents the relative ratings of the names appearing thereon.

B. Minimum and Maximum Life. Eligible lists shall remain in effect six months and may be extended by the personnel director for additional six-month periods, but in no event shall a list remain in effect for more than two years.

C. Abolition of List. At any time the civil service commission may abolish a list. This authority is delegated to the personnel director.

D. Notification of Abolition. Any person on an eligible list that has been abolished shall be notified in writing of the next scheduled examination.

E. Reemployment List as Eligible List. For purposes of this section, a reemployment list shall be treated in the same manner as an eligible list.

F. When, in the opinion of the personnel director, a list of eligibles does not meet the service demands but has not expired, the director may order selection procedures to provide additional eligibles, and all successful applicants shall have their names placed on the eligible list in the order of their scores. (Ord. 5371-B (part), 2005; prior code § 14.1840)

### **3.08.810 Removal from eligible list.**

Names of eligibles may be removed from an eligible list by the director for any of the following reasons:

A. Inability of postal authorities to deliver certified mail to the eligible within reasonable time.

B. Conviction of a felony or misdemeanor.

C. Fraud or false statements in the application or fraudulent conduct in connection with an examination.

D. Permanent appointment to a position in the class for which the eligible list was established.

E. After certification three times to the same department without appointment, provided such eligible is interviewed as a result each certification.

F. Upon request, death, or upon resignation from the service of an eligible on a promotional eligible list.

G. Failure to appear or to arrange for an interview with an appointing authority within a reasonable time after notification of certification, or failure to appear for work after appointment.

H. Declination of an appointment three times in any given class in accordance with the conditions of employment specified by the eligible.

I. Whenever an eligible is removed, he shall be so notified in writing and informed of his right to appeal. This stipulation shall not apply to eligibles removed in accordance with subsections D and F of this section. (Prior code § 14.1845)

### **3.08.820 Waiver of certification.**

Eligibles may waive certification by giving written notice to the director. Waivers must be filed within five working days after the date of certification, and such name shall not be certified to an appointing authority until such waiver has expired or has been withdrawn. Waivers, whether continuous or otherwise, shall not be approved for a period of longer than one year. (Prior code § 14.1850)

### **3.08.830 Specific waivers.**

An eligible may file a conditional waiver of certification by stating the minimum salary or the particular location or department of service for which he or she wishes to be certified. (Prior code § 14.1855)

### **3.08.840 Restoration to eligible list.**

Names which have been removed from eligible lists may be restored by the director for the duration of the list for the following reasons:

A. Acceptance of the reason for waiver of certification which had previously been rejected.

B. Acceptance of the reason for non-appearance for interview with the appointing authority after certification.

C. Upon request of an employee dismissed during a probationary period, if without fault or delinquency on his or her part. (Prior code § 14.1860)

### **3.08.850 Erroneous eligible list.**

When it becomes evident that an omission or other error has occurred in the preparation of a list, a corrected list shall be prepared by the director and the erroneous list shall be canceled. (Prior code § 14.1865)

### **3.08.860 Cancellation of erroneous eligible list.**

The cancellation of an erroneous list shall not invalidate any appointment made there from if the name of the person appointed appears on the corrected list. Should such person's name not appear on the corrected list, he or she shall be treated as a provisional employee. (Prior code § 14.1870)

## **Part 9. Appointments**

### **3.08.870 Appointments.**

A. The appointing authority shall fill positions by appointment. Appointments to permanent, full-time and permanent, part-time positions in the classified service shall be made from eligible lists. Appointments of extra help shall also be made from eligible lists. No person shall be appointed under a class not appropriate to the duties to be performed. (Employees occupying permanent, part-time positions on the effective date of the ordinance codified in this section shall gain probationary status in the position which they are employed. The personnel director shall prepare a list of such individuals and notify the department head of their new status.)

B. Anniversary dates shall be established as of the effective date of permanent employment or promotion in the county service.

C. The sheriff's department shall appoint deputy sheriff trainees to deputy sheriff I upon satisfactory completion of the basic P.O.S.T. academy. A new anniversary date shall be established as of the effective date of appointment to the higher class. Appointments to deputy sheriff I shall be provided by noncompetitive promotion. (Prior code § 14.1900)

### **3.08.880 Notification of vacancy.**

Whenever a vacancy occurs in a county department and a replacement is desired, the appointing authority shall notify the personnel director in writing who shall advise the appointing authority as to the availability of employees for re-employment, transfer and of eligibles on eligible lists for the class. The director should be notified far enough in advance in order to facilitate the employment process. Responsibility of notification of vacancies to the director shall be that of the appointing authority. (Prior code § 14.1905)

**3.08.890 Appointment from re-employment list.**

A. If there is a re-employment list for the class in which the vacancy exists, only the highest active eligible shall be certified and that person shall be appointed.

B. Employees on the re-employment list may waive certification in accordance with Section 3.08.820. (Prior code § 14.1910)

**3.08.900 Appointments from eligible lists.**

The director shall certify the top five ranks from the eligible list. If five names of eligibles are not available, and the number certified is less than five, the appointing authority may demand certification of five names, and examinations shall be conducted until a minimum of five names may be certified. The appointing authority is not required to make appointment from an eligible list with less than five names. (Ord. 5160-B (part), 2002; Prior code § 14.1915)

**3.08.910 Promotional appointments.**

No appointing authority shall appoint a person from a promotional eligible list who is not at time of appointment employed by the county or on leave of absence. (Prior code § 14.1920)

**3.08.920 Regular permanent appointment.**

After interview from among those certified and after any investigation desired, the appointing authority may make an offer of employment. Such offer of employment is contingent upon satisfactory results of a county-approved medical evaluation. The appointing authority shall notify the personnel director of the name of the person offered employment. (Prior code § 14.1925)

**3.08.930 Provisional appointments.**

A. In the absence of eligibles from which regular appointments may be made, a person meeting the minimum qualifications for the vacant allocated position may be provisionally appointed. The personnel director shall determine and certify that the applicant meets the minimum qualifications before the appointment may become effective. No provisional appointment shall continue longer than ninety (90) calendar days in any fiscal year. Time spent under provisional appointment shall not be credited to the probationary period or be used for computing any benefits accruing under county employment. The commission shall be notified of all provisional appointments.

B. Provisional Promotion. Permanent full-time employees may be promoted to a higher classification for a

limited period of time in accordance with subsection A of this section except that such employee shall be entitled to continue accruing benefits under county employment. (Prior code § 14.1930)

**3.08.940 Extra help appointment.**

A. Whenever there is need for extra help, the appointing authority shall request the county executive officer to authorize such position for a specific length of time. The advance authorization by the county executive office shall not be required as to any urgent or emergency situation; in such emergency situation the sheriff may use any reserve deputy sheriff for a period not to exceed sixteen (16) hours within a pay period. Not later than the close of the third succeeding workday following the commencement of such emergency use, the sheriff shall, in writing, report such emergency use to the county executive office.

B. The personnel director, upon request of the appointing authority, may certify from an appropriate eligible list the names of those eligibles willing to accept extra help appointments.

C. Such certification shall be made in the same manner as would normally be made to fill a regular permanent position.

D. An extra help employee appointed in accordance with subsections B and C of this section, who was among the top five ranks:

1. May, upon request of the appointing authority and with the approval of the personnel director, be transitioned into a permanent position within the same department and classification held as an extra help employee. Such appointee shall attain probationary status effective the date of appointment to the permanent position.

2. May not be transitioned to a permanent position if certification to the extra help position was from an extra help only eligible list.

In the event the eligible list from which an extra help appointment is made should expire, the person in the position shall remain an eligible for probationary appointment to that position for the duration of the extra help if he or she meets the criteria set forth above. In this case, eligibility for certification to the newly allocated permanent position shall supersede new eligible lists provided the initial extra help appointment was made in accordance with normal procedures for hiring permanent employees.

E. It shall be the appointing authority's responsibility to inform extra help employees of the expected duration of employment and that time spent under extra help appointment shall not be:

1. Credited to the probationary period; or

2. Used for computing any employee benefits accruing under county employment.

F. Extra help appointments shall not be made to vacant permanent positions.

G. An extra help employee shall not be employed more than one thousand (1,000) hours in a fiscal year without the express approval of the civil service commission.

H. Acceptance or refusal of an extra help appointment shall not affect an individual's standing on an eligible list for permanent employment.

I. Time spent under extra help appointment shall not be credited to the probationary period or be used for computing any benefits accruing under county employment.

J. In the event of a dispute in the application of this section, the employee affected, appointing authority or personnel director may request the civil service commission to conduct a hearing for the purpose of determining whether the provisions of this section have been properly applied. The civil service commission's decision shall be final.

K. It is not the intent of the county to use either temporary agency employees or extra help to circumvent the civil service career hiring process. (Ord. 5058-B (Attach. 22), 2000; prior code § 14.1935)

### **3.08.960 Emergency appointment.**

To meet the immediate requirements of an emergency condition which threatens life or public property, any legally competent officer or employee may employ such persons as may be needed without regard to the civil service restrictions as regards appointment. As soon as possible such appointments shall be reported to the personnel director. In no event shall emergency appointment exceed ten (10) days, be extended, or provide employment of more than ten (10) days in any twelve (12) month period to any one person. Time spent under such employment shall not be credited to a probationary period or be used in computing any privileges accruing under county employment. (Prior code § 14.1940)

### **3.08.970 Declination or failure to report.**

The appointing authority is to notify the personnel director if a person declines appointment or fails to report to the appointing authority as a result of certification, notice of which shall be given by certified letter, within the time stated on the notice of certification. Once all names within a rank have been cleared, the next rank on the list shall be certified. (Ord. 5160-B (part), 2002; Prior code § 14.1945)

### **3.08.980 Voluntary withholding.**

Whenever a person requests the personnel director in writing to have his or her name withheld from certification to certain departments or for certain types of employment, his or her name shall not be certified to said departments or for such types of employment until he or she notifies the personnel director in writing of his or her availability for such employment. (Prior code § 14.1950)

### **3.08.990 Withholding for declinations.**

If an eligible who is certified for employment to permanent positions declines appointment a total of three times, his or her name shall be removed from the eligible list. Failure to report to the appointing authority for interview shall constitute a declination of appointment. (Prior code § 14.1955)

### **3.08.1000 Removal from list for failure to report.**

If an eligible agrees to accept an appointment, but fails to report for duty as directed, he or she shall be notified in writing that his or her name has been removed from the re-employment and/or eligible list. If within fifteen (15) calendar days after such notification, he or she proves to the satisfaction of the director that his or her failure to report was excusable, his or her name shall be returned to its place on such list. (Prior code § 14.1960)

### **3.08.1010 Pre-employment medical evaluations.**

A. Each person selected to fill a permanent full-time, permanent part-time position, or extra help capacity in law enforcement or maintenance related positions shall be required to pass a medical evaluation prior to appointment given by a physician (and recorded on forms) designated by the personnel director, to determine whether the person selected is physically and emotionally capable of performing the duties of the position. Medical evaluations performed by other than county physicians shall be at the expense of the eligible by a physician from a panel of physicians selected by the county.

1. Persons regularly appointed from either a re-employment or promotional eligible list may be required to successfully complete a medical evaluation if it is requested by the appointing authority or personnel director.

2. Inability to pass a pre-employment medical evaluation shall disqualify the applicant for employment by the county in that classification and the candidate's name will be removed from the eligible list for that classification.

B. **Occupation Groups.** All positions covered by the classification and compensation plans shall be assigned by the personnel director specific medical standards and requirements, based upon the physical demands of the jobs. Positions having similar physical demands have been listed under numbered medical group titles, which are generally defined as follows:

1. **Occupational Group I.** For positions which demand a high degree of physical fitness or for positions which demand considerable physical labor or exertion.

2. **Occupational Group II.** For office, supervisory, or other positions which require little physical exertion.

3. **Occupational Group III.** For positions where special circumstances permit the scientific matching of the physical demands of a job with the physical capacities of a handicapped applicant or employee.

C. **Medical Ratings.** Each applicant will be evaluated in accordance with the requirements of the medical group in which his or her position falls and will be given a medical rating in one of the following classes:

1. **Medically Qualified.** Applicants in this group are eligible for work without restriction. They have no apparent physical or mental defects.

2. **Conditionally Qualified.** Applicants in this group have minor correctable defects of sufficient importance to justify mentioning and which must be corrected during the first six months of employment. If correction is not made, the employee shall be terminated.

3. **Conditionally Disqualified.** Applicants in this group have correctable physical defects which will disqualify the applicant for work and must be corrected before appointment.

4. **Medically Disqualified.** Applicants in this group are those who have been determined by the examining physician to be unfit for employment as a result of the medical evaluation.

D. **Personnel Department and Appointing Authority Procedures.**

1. All eligibles selected to fill a position by an appointing authority will be medically evaluated and qualified before the effective date of appointment.

2. Information contained on medical reports is confidential and shall not be made available to unauthorized persons.

E. **Appeal Procedure.** An applicant/employee disqualified from appointment to a position for failing to meet the medical standards for the job class may file a written request through the personnel director for a review of his/her disqualification. The request must be submitted to the director of personnel within ten (10) working days

after the applicant/employee is notified of the disqualification.

The applicant/employee will then have the right to submit additional information regarding his or her medical condition, including a report by an independent medical examiner. The information provided must be relevant to the nature and extent of the medical condition(s) which relates to the applicant's disqualification. All medical examinations relating to this appeal are the financial responsibility of the applicant/employee.

Further medical information provided by the applicant/employee will then be submitted to the county health officer for review. The health officer will review the submitted information and determine, in light of this additional information, whether or not the applicant/employee meets the medical requirements of the job class in accordance with the adopted medical standards. The decision of the health officer, after review of the additional information, shall be final. (Prior code § 14.1970)

### **3.08.1020 Medical evaluation during employment.**

When, in the judgment of the appointing authority, an employee's health or physical condition is such that it is desirable to evaluate his or her capacity to perform the duties of his or her position, the appointing authority shall require the employee to undergo a medical evaluation. Such evaluation shall be by a member of a panel of physicians selected by the county.

The examining physician shall state whether, in his or her opinion, the employee is able to properly perform the duties of the position, and whether the employee's condition can be cured within a reasonable period of time, as specified by the appointing authority. (Prior code § 14.1971)

### **3.08.1030 Action by the appointing authority.**

A. If the condition can be cured within the time specified by the appointing authority, the employee shall be offered a leave of absence for said period.

B. If the condition cannot be cured within said period, or if the employee refuses the leave of absence, the appointing authority shall:

1. Discharge the employee for cause; or

2. Retire the employee for disability in accordance with the Public Employees Retirement System Law. (Ord. 5006-B (part), 1999; prior code § 14.1972)

**Part 10. Probationary Period**

**3.08.1040 Objective of probationary period.**

The probationary period shall be an intrinsic part of the examining process and shall be utilized for closely observing and appraising the conduct, performance, attitude, adaptability and job knowledge of such employees and determine whether the employee is qualified for permanent status. (Prior code § 14.2000)

**3.08.1050 Length of probation.**

A. All permanent appointments from open or promotional eligible lists to positions in the classified service shall be for a probationary period of six calendar months with the exception of the following:

1. General and Professional Units. All permanent appointments from open or promotional eligible lists to positions in the classified service shall be for a probationary period as follows:

<b>a. Initial Hiring Classification</b>	<b>Period</b>
Appraiser I	12 months
Auditor appraiser I	12 months
Recorder/Elections technician entry	12 months
Recorder/Elections technician journey	12 months
Recorder/Elections specialist	12 months
Senior recorder/Elections specialist	12 months
Equipment operator	12 months
Senior equipment operator	12 months
Administrative services officer	12 months
<b>b. Promotion to</b>	<b>Period*</b>
Appraiser I	12 months
Auditor appraiser I	12 months
Recorder/Elections technician entry	12 months
Recorder/Elections technician journey	6 months
Recorder/Elections specialist	6 months
Senior recorder/Elections specialist	6 months
Equipment operator	12 months
Senior equipment operator	6 months
Administrative services officer	12 months

AND AS AMENDED BY ORDINANCES 5442-B AND 5443-B.

\* Time spent on leave of absence will not count toward the completion of the probationary period.

2. Probation Department. All permanent appointments from open or promotional eligible lists to positions in the classified service shall serve the probationary periods indicated:

<b>a. Initial Hiring Classification</b>	<b>Period</b>
Deputy Probation Officer I - Institution	18 months
Deputy Probation Officer II - Institution, lateral transfers from another agency	18 months
Senior Deputy Probation Officer - Institution	12 months
Supervising Deputy Probation Officer - Institution	12 months
Deputy Probation Officer I - Field	18 months
Deputy Probation Officer II - Field, lateral transfers from another agency	18 months
Senior Deputy Probation Officer - Field	12 months
Supervising Deputy Probation Officer - Field	12 months
Probation Manager	12 months
<b>b. Promotion to</b>	<b>Period*</b>
Deputy Probation Officer I - Institution	18 months
Deputy Probation Officer II - Institution	6 months
Senior Deputy Probation Officer - Institution	12 months
Supervising Deputy Probation Officer - Institution	12 months
Deputy Probation Officer I - Field	18 months
Deputy Probation Officer II - Field	6 months
Senior Deputy Probation Officer - Field	12 months
Supervising Deputy Probation Officer - Field	12 months
Probation Manager	12 months

3. Sheriff's Office. All permanent appointments from open or promotional eligible lists to positions in the

classified service shall serve the probationary periods indicated:

<b>a. Initial Hiring Classification</b>	<b>Period</b>
Correctional officer I	12 months
Correctional officer II	12 months
Deputy sheriff I	18 months
Deputy sheriff II	12 months
Sheriff's sergeant	12 months
Sheriff's lieutenant	12 months
Sheriff's captain	12 months
<b>b. Promotion to</b>	<b>Period*</b>
Correctional officer I	12 months
Correctional officer II	6 months
Deputy sheriff I	18 months
Deputy sheriff II	6 months
Sheriff's sergeant	6 months
Sheriff's lieutenant	6 months
Sheriff's captain	6 months

\* Time spent on leave of absence will not count toward the completion of the probationary period.

c. Deputy Sheriff—Trainee. Incumbency in this class is limited to a period not to exceed 12 (twelve) months and to individuals who have not yet completed the basic P.O.S.T. academy. Failure to satisfactorily complete and graduate from P.O.S.T. academy while in this class shall result in termination from this class.

Upon satisfactory completion of the basic P.O.S.T. academy, it will be permissive to appoint the incumbent to deputy sheriff I. Upon appointment to deputy sheriff I, the incumbent shall serve a probationary period of eighteen (18) months.

d. Public Safety Dispatchers. All permanent appointments from open or promotional eligible lists to the below classifications shall be for a probationary period of twelve (12) calendar months.

**Initial Hiring Classification**

- Public safety dispatcher I
- Public safety dispatcher II
- Senior public safety dispatcher
- Supervising public safety dispatcher

<b>Promotion to</b>	<b>Period</b>
Public safety dispatcher I	12 months
Public safety dispatcher II	6 months
Senior public safety dispatcher	6 months
Supervising public safety dispatcher	6 months

4. District Attorney's Office. All permanent appointments from open or promotional eligible lists to positions in the classified service shall serve the probationary periods indicated:

<b>a. Initial Hiring Classification</b>	<b>Period*</b>
Investigator	12 months
Chief investigator	12 months
<b>b. Promotion to:</b>	
Investigator	6 months
Chief investigator	6 months

\* Time spent on leave of absence will not count toward the completion of the probationary period.

B.1. General and Professional Units—Extension of Probation. If during the probationary period there have been changes in an employee's status, i.e., a transfer from one class to another, a transfer from one department to another, change in work location, major change in assignment, the installation of new processes, technology, or other circumstances that warrant an extension of probation; or if the appointing authority has failed to complete interim performance appraisals and has been directed to request such an extension under Section 3.08.1060(B), the appointing authority may, with the consent of the personnel director, extend an employee's probationary period for up to ninety (90) days (five hundred twenty (520) hours) and with the consent of the civil service commission up to six months (one thousand forty (1,040) hours). Prior to expiration of the probationary period the appointing authority must present evidence to the civil service commission documenting the reason for requesting an extension of the probationary period. The personnel director may provisionally extend a probationary period until the next regularly scheduled civil service commission meeting at which a request can be heard.

2. Deputy Sheriff Unit—Extension of Probation. If during the probationary period there have been changes in an employee's status, i.e., a change in work location, major change in assignment, the installation of new processes or technology, or in the event of authorized light duty because of illness/injury where the assignment prevents the completion of field training and/or jail operations training (this field training and jail operations training requires successful completion prior to completing probation), the appointing authority may, with the consent of the civil service commission, extend an employee's probationary period for up to one year. The appointing authority must present evidence to the civil service commission docu-

menting the reason for requesting an extension of the probationary period. The personnel director may provisionally extend a probationary period until the next regularly scheduled civil service commission meeting at which a request can be heard.

C. All appointments from a re-employment list assigned to a department different from that of their last county employment shall be for a probationary period of six calendar months. Employees rejected during such probationary period shall be reinstated to the status held prior to said appointment.

D. For purposes of this section, a calendar month shall be from a given date in a month through the next preceding date in the following month (i.e., July 10th through August 9th). (Ord. 5436-B (part), 2007; Ord. 5193-B (part), 2002; Ord. 5186-B (part), 2002; Ord. 5115-B (part), 2001; Prior code § 14.2010)

### **3.08.1060 Performance appraisal.**

A. **Report Required.** The appointing authority shall prepare a performance appraisal for each employee at the end of three months and prior to the expiration of six months, except for those classifications requiring a twelve (12) month probationary period as designated in Section 3.08.1050, Length of probation. For those classifications so designated, the appointing authority shall prepare a performance appraisal at the end of six months and prior to the expiration of twelve (12) months.

B. **Failure to Prepare Report.** Failure by an appointing authority to prepare an interim performance appraisal for a probationary employee shall result in a rebuttable presumption of "Standard" as to the missed evaluation. In addition, such failure shall require the appointing authority to obtain the review and approval of the county executive officer prior to rejection of any such employee during the probationary period. As an alternative to rejection, the county executive officer may direct that the appointing authority request extension of the employee's probation under Section 3.08.1050(B).

C. **Status Following Evaluation.** If the service of the probationer has been satisfactory, the appointing authority shall recommend retention. If release is not specifically recommended before the end of the probationary period, the probationer shall acquire permanent status.

D. **Step Increase.** An employee performance evaluation form shall be submitted prior to an employee's anniversary date with a recommendation for merit salary increase.

E. **Annual Evaluation.** Employees in Step 5 shall receive an evaluation annually.

F. **More Than One Supervisor During Rating Period.** In the event an employee has been under the direct supervision of more than one supervisor:

1. Rating shall be both by the last person to supervise the employee and by the person who supervised the employee for the longest period of time during the rating period in question.

2. If the person who supervised the employee for the longest period is no longer employed in county service:

a. Such person, if available, shall be provided the opportunity to confer with the rating supervisors.

b. If such person is not available, or declines to comment, the rating shall be by the last supervisor and such other supervisor as may be directed by the department head.

The rater or raters shall prepare and submit to the appointing authority a performance appraisal of the employee at the conclusion of the rating period. Failure by the supervisor to submit such report shall result in a rebuttable presumption of "Standard" as to the missed evaluation.

G. **Right of Employee Review and Comment.** No performance appraisal shall be placed in a departmental file, nor shall it be transmitted to the personnel department or civil service commission, until the employee has reviewed the evaluation personally with the rating supervisor and, if requested by the employee, such employee has reviewed the evaluation personally with such employee's appointing authority or designee.

H. **Comments.** The provisions of Section 3.04.170 shall also be applicable to performance appraisals.

I. Subject to the provisions of subsections A, B and E of this section the periodic computer printout "Performance Evaluation Due Report" (PPP 380-17) will be forwarded to the county executive officer for all employees whose performance evaluation is thirty (30) days or more overdue. The county executive officer will follow up with the department heads involved. Failure by the appointing authority to prepare an annual evaluation within ninety (90) days of the due date shall result in a rebuttable presumption of "standard" as to the missed evaluation. (Prior code § 14.2015)

### **3.08.1070 Rejection during probationary period.**

A. At any time during the probationary period, an employee may be rejected by the appointing authority, and the probationer shall be without the right of review of any kind. Notification of rejection shall be made in writing by the appointing authority to the personnel director. The appointing authority shall give such employee, at any time up to and including the last day of the probationary period,

ten (10) working days' notice of termination of employment. The subsection does not apply to a probationary period required by Section 3.08.410. Such employee shall perform at the level of, and be entitled to receive, during such last ten (10) working days, the salary of the position in which said employee was on probation.

B. At any time during the probationary period, an employee may be terminated for cause on any of the grounds set forth in Section 3.08.1190 other than subsections E and L.

C. General and Professional Units/DSA, and Management. The appointing authority shall have the right to suspend the work performance requirement during the last ten (10) working days after notice of rejection, and direct the employee not to appear for work, where the county executive determines that it would serve the best interest of the county. Such action shall not affect the right of the employee to receive the salary of the position during said ten (10) working days. (Prior code § 14.2020)

### **3.08.1080 Status following rejection.**

A. An employee rejected during the probationary period under Section 3.08.1070(A) shall be reinstated to the position or status previously held, at the same pay step and with the same anniversary date held prior to such new probationary period.

1. An employee rejection during probation as a deputy sheriff I, who was appointed to this class from deputy sheriff trainee, shall not be reinstated to the trainee class. The employee shall be reinstated to the position or status held prior to appointment to deputy sheriff trainee.

B. An employee dismissed during the probationary period under Section 3.08.1070(B) shall be deemed effectively terminated from county service under Section 3.08.1260.

C. If the employee's original anniversary referred to in subsection A of this section overlaps the probationary period in the higher classification, such terminated employee in subsection A of this section shall be entitled to apply for the higher pay step in his or her former position.

D. Any employee displaced by the provisions of subsection A of this section shall be reinstated to his or her former position or status:

1. Promoted or transferred employees shall be reinstated to their former position.

2. Employees coming from an open list or re-employment list shall be placed on a layoff status.

E. The provisions of subsections A and D of this section shall apply to all terminations from and after July 1, 1976; except, however, no employee terminated after

July 1, 1976, and prior to October 1, 1976, under a former rule shall be entitled to back pay. (Prior code § 14.2925)

## **Part 11. Separation and Reinstatement**

### **3.08.1090 Layoff.**

A. Layoffs shall be made solely under the direction of the board of supervisors. Under board direction, an appointing authority may lay off employees in accordance with the provisions of this chapter for any of the following reasons:

1. Necessity based on lack of funds or work; or
2. Advisable in the interest of economy to reduce the departmental staff; or
3. Due to a violation of Section 3.04.080 relating to nepotism.

B. Permanent and probationary employees laid off shall be placed on a re-employment list for the class in which they were employed. (Prior code § 14.2100)

### **3.08.1100 Notice.**

A. Deputy Sheriffs Unit. Ten (10) days before the effective date of a layoff, the appointing authority or county executive shall file notice with the personnel director of the intended action with reason therefore. A copy of such notice shall be personally served the employee affected.

B. General Unit, Professional Unit and Management. At least ten (10) working days, excluding holidays, before the effective date of a layoff, the appointing authority shall cause each employee affected to be personally served a notice of layoff. The notice shall include a copy of the layoff rules (Section 3.08.1090, et seq.). A copy of such notice shall be sent to the personnel director. (Prior code § 14.2105)

### **3.08.1110 Order of layoff-- Departmental.**

A. In the event a layoff is necessary, the appointing authority, with the approval of the county executive, shall determine which class or classes will be affected. Prior to laying off probationary or permanent employees, the following will be laid off in this sequence:

1. Extra-help employees.
  2. Provisional employees.
  3. Probationary and permanent employees whose last recorded performance ratings are "Unacceptable."
  4. Probationary and permanent employees with acceptable or better ratings.
1. Probationary employees shall be laid off, by class, in the inverse order of seniority within a classification within a department.

2. Permanent employees shall be laid off, by class, in the inverse order of seniority within a classification within a department. Permanent part-time employees' seniority will be prorated based on hours worked.

a. Ties. In the event of a tie in seniority (above), the tie will be broken by ranking (1) in inverse order of seniority within the department, then (2) inverse order of seniority within the county service. In the event the above methods do not break the tie, then the final decision will be made by lot.

B. Notwithstanding the provisions of subsection A of this section, an appointing authority may lay off an employee, without the direction of the board of supervisors, for the following reasons:

1. Return of another employee with greater seniority from leave of absence.

2. Return of another employee, with greater seniority, as a result of failure of probation as provided for in Section 3.08.1080 of these rules. (Prior code § 14.2110)

### **3.08.1120 Transfer or demotion in lieu of layoff.**

A. Employees Hired Prior to July 1, 1983. In lieu of being laid off an employee may elect to:

1. Transfer or demote to any class with the same or lower maximum salary in which the employee had served under permanent or probationary status in the same department or in another department of county service, or, subject to the approval of the personnel director, to any vacant class, within the same department, which has the same or lower maximum salary in the same or similar class series.

2.a. Deputy Sheriffs Unit. An employee so transferring or demoting may not displace any employee whose total county service exceeds that of the employee so transferring or demoting.

b. General Unit, Professional Unit and Management. To determine which employee(s) will be displaced by an employee voluntarily transferring or demoting, the demoting or transferring employee's total continuous county service will be compared to the time in class of each person in that class; however, an employee may not be displaced by an employee with less total continuous county service, if such displacement results in separation from county service of the senior employee.

3. To be considered for demotion in lieu of layoff, an employee must notify his or her appointing authority in writing of such election not later than five working days after receiving notice of layoff. Any employee replaced by such demotion shall have the same rights afforded by this section. The salary of the demoted employee shall be de-

termined in accordance with Section 3.04.700 of these rules.

4. An employee who exercises the option to demote shall be placed on the re-employment list for the class from which the employee was last employed in accordance with Section 3.08.750.

5. An employee who previously exercised the option to demote or transfer in lieu of layoff shall, at the employee's discretion, have the right thereafter to set aside such exercise of option and accept layoff. Benefits attributable to an employee on layoff shall accrue only from and after the date of such setting aside and shall not be retroactive to the date of the original acceptance of demotion in lieu of layoff.

B. General Unit Employees Hired July 1, 1983, or Later. In lieu of being laid off, an employee may elect to:

1. Subject to the provisions of subsection (B)(6) of this section, transfer or demote to any class with the same or lower maximum salary in which the employee had served under permanent or probationary status in the same department or in another department of county service or, subject to the approval of the personnel director, to any vacant class, within the same department, which has the same or lower maximum salary in the same or similar class series.3.08.1120

2.a. Deputy Sheriffs Unit. An employee so transferring or demoting may not displace any employee whose total county service exceeds that of the employee so transferring or demoting.

b. General Unit, Professional Unit and Management. To determine which employee(s) will be displaced by an employee voluntarily transferring or demoting, the demoting or transferring employee's total continuous county service will be compared to the time in class of each person in that class; however, an employee may not be displaced by an employee with less total continuous county service, if such displacement results in separation from county service of the senior employee.

3. To be considered for demotion in lieu of layoff, an employee must notify his or her appointing authority in writing of such election not later than five working days after receiving notice of layoff. Any employee replaced by such demotion shall have the same rights afforded by this section. The salary of the demoted employee shall be determined in accordance with Section 3.04.700 of these rules.

4. An employee who exercises the option to demote shall be placed on the re-employment list for the class from which the employee was last employed in accordance with Section 3.08.750.

5. An employee who previously exercised the option to demote or transfer in lieu of layoff shall, at the employee's discretion, have the right thereafter to set aside such exercise of option and accept layoff. Benefits attributable to an employee on layoff shall accrue only from and after the date of such setting aside and shall not be retroactive to the date of the original acceptance of demotion in lieu of layoff.

B. General Unit Employees Hired July 1, 1983, or Later. In lieu of being laid off, an employee may elect to:

1. Subject to the provisions of subsection (B)(6) of this section, transfer or demote to any class with the same or lower maximum salary in which the employee had served under permanent or probationary status in the same department or in another department of county service or, subject to the approval of the personnel director, to any vacant class, within the same department, which has the same or lower maximum salary in the same or similar class series.

2.a. Deputy Sheriffs Unit. An employee so transferring or demoting may not displace any employee whose total county service exceeds that of the employee so transferring or demoting.

b. General Unit, Professional Unit and Management. To determine which employee(s) will be displaced by an employee voluntarily transferring or demoting, the demoting or transferring employee's total continuous county service will be compared to the time in class of each person in that class; however, an employee may not be displaced by an employee with less total continuous county service, if such displacement results in separation from county service of the senior employee.

3. To be considered for demotion in lieu of layoff, an employee must notify his or her appointing authority in writing of such election not later than five working days after receiving notice of layoff. Any employee replaced by such demotion shall have the same rights afforded by this section. The salary of the demoted employee shall be determined in accordance with Section 3.04.700 of these rules.

4. An employee who exercises the option to demote shall be placed on the re-employment list for the class from which the employee was last employed in accordance with Section 3.08.750.

5. An employee who previously exercised the option to demote or transfer in lieu of layoff shall, at the employee's discretion, have the right thereafter to set aside such exercise of option and accept layoff. Benefits attributable to an employee on layoff shall accrue only from and after the date of such setting aside and shall not be retroac-

tive to the date of the original acceptance of demotion in lieu of layoff.

6. No employee permanently assigned to a classification within a geographical sphere, as defined in Section 3.08.1110(A)(4), shall be permitted to displace any other employee within a different geographical sphere unless his/her total continuous county service within such different geographical sphere is greater than such other employee's total continuous county service within such different geographical sphere. County service within one geographical sphere shall not be counted in determining displacement rights in another geographical sphere under this subdivision.

7. In the event that an employee is laid off as a result of privatization of a county function, the county will continue to pay the employee's current salary and benefits at the time of layoff, for two pay periods, without reducing accrued leave balances, to be considered severance pay. The severance pay will not apply if the employee chooses not to exercise bumping rights or is hired by the private contractor. Employees subject to layoff will be allowed to use accumulated leave time to conduct a job search. (Ord. 5058-B (Attach. 23), 2000; prior code § 14.2115)

#### **3.08.1130 Resignation.**

An employee wishing to leave the classified service in good standing, shall give ten (10) working days notice of such intention and shall file with his or her appointing authority on a written resignation stating the effective date and reasons for leaving. The ten (10) working days may be waived by the appointing authority if done so in writing to the personnel director. Once a written resignation has been submitted by the employee, it becomes final and may not be withdrawn unless it is set aside by the commission under Section 3.08.280 of these rules. Failure to comply with this rule shall be entered on the service record of the employee and may be cause of denying future employment by the county. (Prior code § 14.2120)

#### **3.08.1140 Notice to personnel director of resignation.**

The resignation shall be forwarded to the personnel director with a statement by the appointing authority as to the resigned employee's service performance and any pertinent information concerning the cause for resignation. (Prior code § 14.2125)

#### **3.08.1150 Reinstatement following resignation or voluntary demotion.**

Upon request of the appointing authority, the personnel director may permit a permanent employee who has re-

signed, or voluntarily demoted, both in good standing and with a good record to be reinstated within five years to his or her former position, if vacant, or a vacant position in a comparable or lower class with equivalent minimum qualifications.

A. Employees granted reinstatement will not be placed higher than the same salary, in dollars, that was attained prior to resignation. On reinstatement, the new salary step will be that which most closely approximates the prior monthly salary; however, in any event, it will be no lower than Step 1 of the current salary grade. Upon the recommendation of the appointing authority, the county executive officer may adjust the step of an employee within the limits of the salary grade in the same manner as delineated under Section 3.04.680, appointment at higher step. The new anniversary date for purposes of establishing eligibility for merit increases shall be the date of reinstatement.

B. Employees granted reinstatement will serve a probationary period associated with the class to which they are reinstated from the date of reinstatement regardless of the length or probation served during the prior service.

C. Employees compensated for vacation under Section 3.04.500, termination of employment, shall not be credited with any vacation upon reinstatement.

D. Employees granted reinstatement after two years but less than five years shall be treated as new employees for the purpose of computing benefits to be accrued from and after the date of reinstatement. Employees hired from the lateral transfer/other agency list shall be treated as new employees for the purpose of computing benefits to be accrued from and after the date of hire regardless of their eligibility for reinstatement from their prior agency.

E. Employees granted reinstatement within two years of separation shall be reinstated with the number of seniority hours and sick leave balance that had not been cashed out as of the date of separation and will accrue vacation leave at the same rate as the date of separation.

1. Employees granted reinstatement are not required to work six months before being eligible to use sick leave and vacation provided they worked the required six months prior to separation.

F. All other benefits besides seniority, vacation and sick leave (e.g. health insurance, PERS retirement) shall be subject to laws, rules or memoranda of understanding in effect on the date of reinstatement. (Ord. 5386-B (part), 2005; Ord. 5371-B (part), 2005; prior code § 14.2130)

## Part 12. Disciplinary Action

### 3.08.1160 Definitions.

"Appointing authority" means, for purposes of Chapter 3 only, the employee's department head or county executive.

"Discipline" means discharge, suspension without pay, demotion, or reduction of wages.

"Hearing body" means the civil service commission where disciplinary action is of a classified employee, and the board of supervisors where the employee is an unclassified employee, except as provided by Section 3.08.1270. (Ord. 5006-B (part), 1999; prior code § 14.2200)

### 3.08.1170 Peace officer bill of rights.

Nothing under the provisions of Section 3.08.1160, et seq., shall be deemed to grant or deny any right or duty granted or denied by the peace officer bill of rights. (Prior code § 14.2201)

### 3.08.1180 Power to discipline.

An appointing authority, for cause, may impose discipline on an employee. (Prior code § 14.2205)

### 3.08.1190 Grounds for discipline.

The following shall be grounds for disciplinary action:

- A. Unauthorized absence;
- B. Conviction of a felony or conviction of a misdemeanor involving moral turpitude. A plea or verdict of guilty, or a conviction following a plea of nolo contendere, to a charge of a felony or any offense involving moral turpitude is deemed to be a conviction within the meaning of this section;
- C. Disorderly or immoral conduct;
- D. Incompetence or inefficiency;
- E. Insubordination;
- F. The use of intoxicating liquor or beverages or intoxication while on duty. The use of drugs or narcotics and/or medications that affects job performance and/or the safety of other persons;
- G. Neglect of duty other than incompetence or inefficiency or failure to meet reasonable work performance standards and requirements;
- H. Negligence of, or willful damage to, waste of, or unauthorized use or theft of, public supplies or equipment;
- I. Willful violation of civil service laws and procedure;
- J. Fraud in securing appointment;
- K. Failure to meet reasonable work performance standards and requirements;

L. Discourteous treatment of the public or other employees;

M. Improper political activity;

N. Violation of the county's discrimination and harassment policy, voicemail, internet and computer use policy, or policy against violence in the workplace;

O. Other failure of good behavior either during or outside of duty hours which is of such a nature that it causes discredit to his/her agency or employment. The county shall be held to a standard of expectation which is no less than those standards of the state civil service system and applicable case law. (Ord. 5089-B (part), 2001; Ord. 5058-B (Attach. 24), 2000; prior code § 14.2210)

**3.08.1200 Initiating discipline—Review by county executive officer.**

A. Prior to initiating any discipline as hereinafter provided, an appointing authority considering discipline consisting of discharge, suspension without pay for four or more days, demotion or cancellation of wages for four or more days, shall first review the matter with the county executive officer.

B. No appointing authority shall impose any discipline greater than that recommended by the county executive officer except by express authorization of the board of supervisors.

C. No appointing authority shall dismiss any disciplinary action or impose any discipline less than that recommended by the county executive officer, without the express authorization of the county executive officer.

D. The appointing authority may review minor proposed discipline with the county executive officer.

E. Employees classified as exempt under the Fair Labor Standards Act shall not be disciplined by suspension without pay for less than a full work week, unless it is a penalty imposed in good faith for infractions of safety rules of major significance. (Ord. 5044-B (part), 2000; prior code § 14.2213)

**3.08.1210 Initiating discipline—Notice of proposed action.**

Except as provided in Section 3.08.1250, disciplinary action shall be commenced by an appointing authority preparing a written notice of proposed action containing the following:

A. The name of the employee.

B. The section number or numbers of the rules or regulations violated constituting the charges.

C. The reasons for which the disciplinary action is proposed to be taken on such charges.

D. Any materials upon which the action is based.

E. A statement informing the employee of his or her rights to respond, either orally or in writing, to the appointing authority within five working days. (Prior code § 14.2215)

**3.08.1220 Service of notice of proposed action.**

The notice of proposed action shall be personally served on the employee. The person serving this notice shall prepare an affidavit of service. (Prior code § 14.2218)

**3.08.1230 Filing charges.**

At the expiration of the time specified in Section 3.08.1210(E), and after investigating and considering such responses, oral or written, as the employee may have made, the appointing authority may file, within thirty (30) working days, a written order initiating discipline containing the following:

A. The name of the employee.

B. The section number or numbers of the rules or regulations violated constituting the charges.

C. The reasons for which the disciplinary action is proposed to be taken on such charges.

D. Any materials upon which the action is based. (Prior code § 14.2220)

**3.08.1240 Filing and service of order.**

Classified Service. The appointing authority or designated representative shall personally serve one copy on the employee and send one copy to the personnel director not later than three working days after the date of the disciplinary action. No copy of such order may be placed in such employee's personnel file until the proposed discipline has become effective as provided in Section 3.08.1260. (Prior code § 14.2222)

**3.08.1250 Interim suspension with pay.**

A. Pending investigation by the appointing authority of charges against an employee, the appointing authority may, in writing, order the employee placed on immediate paid leave of absence until charges are filed under Section 3.08.1230, or for a specified period of time not to exceed fifteen (15) working days, whichever comes first. Such suspension may only be made if the appointing authority determines that the security or efficient operation of the department requires such suspension. Such suspension shall be accompanied by the notice specified by Section 3.08.1210.

B. If charges are thereafter filed under Section 3.08.1230, the appointing authority may, in writing, order that such paid leave of absence continue until such discipline becomes effective as provided in Section 3.08.1260,

or such charges are dismissed. Such further suspension may only be made if the appointing authority determines that the security or efficient operation of the department requires such further suspension.

C. No suspension under subsection A or B of this section shall be valid unless first approved by the county executive office. (Prior code § 14.2225)

### **3.08.1260 Effective date of discipline.**

#### **A. General Unit, Professional Unit and Management.**

1. Discipline shall become effective when either the employee has not filed a request for appeal hearing (within the ten (10) days as required under Section 3.08.1280) or at the conclusion of a hearing when findings have been made by the commission.

2. In the event the order initiating discipline involves discharge from employment or termination, the discipline shall become effective when the appointing authority has served the employee with a copy of the order and filed the original order with the personnel director pursuant to Section 3.08.1240; in cases where progressive discipline has been followed or the allegations are of theft, violence, willful destruction of county property, sexual harassment or immoral conduct that brings grave disrepute upon the county.

#### **B. Deputy Sheriff Unit.**

1. Discipline not involving termination shall become effective when either the employee has not filed a request for appeal hearing (within the ten (10) days as required under Section 3.08.1280 or at the conclusion of a hearing when findings have been made by the commission).

2. In the event the order initiating discipline involves discharge from employment or termination, the discipline shall become effective when the appointing authority has served the employee with a copy of the order and filed the original order with the personnel director pursuant to Section 3.08.1240. (Prior code § 14.2228)

### **3.08.1270 Appeal—To whom made.**

An appeal by an employee in the classified service shall be made to the civil service commission except that the personnel director shall appeal to the board of supervisors. (Prior code § 2230)

### **3.08.1280 Appeal—Procedure.**

An employee desiring to appeal shall file with the hearing body an answer admitting or denying, in whole or in part, the allegations of the order. Matters not admitted by the filed answer shall be deemed denied. Such answer must be filed within ten (10) days of receipt of such order

by such employee. The clerk of the hearing body shall stamp on the answer the date it was filed and shall:

- A. Place one copy in his or her file.
- B. Send one to the appointing authority.
- C. Send one to the county counsel.
- D. Send one to the county executive.
- E. Send one to the personnel director if the employee is in the classified service. (Prior code § 14.2235)

### **3.08.1290 Appeal—Hearing.**

A. Within twenty (20) days after the date the answer is filed with the hearing body, such body shall hold a hearing at special meeting to determine whether such disciplinary action shall be sustained.

B. The appointing authority and employee each shall have the right to be represented by legal counsel.

C. The hearing body shall have the right to the assistance of counsel in the conduct of the hearing.

D. Hearings shall be private and all persons excluded there from except the appointing authority, employee, attorneys involved, court reporter, and witnesses actually testifying, unless the employee files a written request for a public hearing with the hearing body.

E. The appointing authority shall present his or her evidence first. The employee may then present his or her evidence. Each shall then have the right to present evidence in rebuttal.

F. Any evidence may be received relevant and material to the disciplinary action and the hearing body shall not be bound by the formal rules of evidence required of a formal court hearing.

G. All oral testimony received by the hearing body shall be recorded in some appropriate form.

H. The hearing body shall have the power to compel the attendance of witnesses by subpoena. The subpoenas shall be issued by the clerk to the hearing body, upon request of any party to the hearing. The subpoenas shall be signed both by the clerk to the hearing body and the party requesting issuance. No more than six such subpoenas shall be issued to a side unless the requesting party establishes to the satisfaction of the chairperson of the hearing body that such additional requested subpoenas:

1. Relate to relevant and material evidence pertaining to the disciplinary action; and
2. Such evidence cannot be produced through means of a stipulation as to the testimony proposed to be introduced; and
3. Such evidence is not merely duplication of other evidence. (Prior code § 14.2240)

**3.08.1300 Appeal—Findings.**

A. At the conclusion of the hearing, the hearing body, being governed by a preponderance of evidence, may sustain the major discipline, modify it in whole or in part, or order reinstatement of the employee.

B. Findings by the hearing body, other than reinstatement, shall be effective as prescribed by Section 3.08.1260. (Prior code § 14.2245)

**3.08.1310 Exhausting administrative remedies.**

Administrative remedies shall be exhausted when findings have been made by the hearing body. (Prior code § 14.2250)

**Part 13. Unclassified Service**

**3.08.1320 Generally.**

All positions in the unclassified service shall be governed by the provisions of this part. (Prior code § 14.2300)

**3.08.1330 Job specifications.**

For each position in the unclassified service, job specifications shall be prepared by the county executive and approved by the board of supervisors. (Prior code § 14.2305)

**3.08.1340 Appointments to be certified by county executive.**

No person shall be appointed to, or employed in any position until he has been certified by the county executive as being eligible for appointment to such position. (Prior code § 14.2310)

**3.08.1350 Disciplinary action.**

A. When, in the opinion of either a department head or the county executive, an employee's conduct warrants disciplinary action, either the department head or the county executive may take disciplinary action following procedures set forth in subsection B of this section. However, unclassified employees shall not be disciplined by suspension without pay for less than a full workweek, unless it is a penalty imposed in good faith for infractions of safety rules of major significance.

B. Except as otherwise provided, disciplinary action shall be commenced by a department head or the county executive by the preparation of a written notice of proposed action containing the following:

1. The name of the employee;
2. The reason or reasons for which the employee is being suspended;

3. Any written materials upon which the action is based;

4. A statement informing the employee of his or her right to respond, either orally or in writing, to the appointing authority within five working days.

C. At the expiration of the five working days and after considering such responses, oral or written, as the employee may have made, the appointing authority may file a written order initiating discipline containing the following:

1. The name of the employee;
2. The section number or numbers of the rules or regulations violated constituting the charges and the disciplinary action proposed;

3. The reasons for which the disciplinary action is proposed to be taken on such charges;

4. Any materials upon which the action is based.

D. The appointing authority shall personally serve one copy on the employee and send, not later than three working days after the date of the disciplinary action one copy each to the county executive, county counsel and personnel director.

E. The action of the appointing authority or executive officer in issuing the written order shall be final.

F. Nothing in this section shall be deemed to abridge the right of a department head or the county executive to discharge from the unclassified service any employee serving at the pleasure of his or her appointing authority. (Ord. 5044-B (part), 2000: prior code § 14.2315)

**Article 3.12**

**ALLOCATIONS AND COMPENSATION**

**Sections:**

- 3.12.010 Allocations and compensation.**
- 3.12.020 Classified service— Salary and benefits notations.**
- 3.12.030 Unclassified service— Salary and benefits notations**
- 3.12.040 Salaries—Placer County sheriff's ordinance initiative.**
- 3.12.050 Allocation of positions to departments.**
- 3.12.060 Longevity step.**
- 3.12.080 Supplemental compensation— Tahoe.**
- 3.12.090 Tahoe rural health program.**
- 3.12.100 Supplemental management compensation.**

**3.12.110 County payment –Employee share of PERS.**

**3.12.010 Allocations and compensation.**

The current schedules of classifications, allocations of positions and compensation for county personnel, employees and officers will be maintained by the Personnel Director and presented in such a fashion so as to be readily available for review by County employees, officers, and the public. Amendments or changes to allocations of positions and compensation will be made by uncodified ordinance. The Personnel Director will maintain a backup copy of ordinances enacted on or after November 1, 2007, which contain these changes. Where a current salary or benefit is set forth in a collective bargaining agreement for represented employees or in a salary or benefits ordinance for unrepresented employees, those documents will be adopted as uncodified ordinances and will be maintained in such a fashion so as to be readily available for review by County employees, officers, and the public.

(Ord. 5432-B, 2006; Ord. 5431-B, 2006; Ord. 5429-B, 2006; Ord. 5426-B (part), 2006; Ord. 5422-B (part), 2006; Ord. 5418-B, 2006; Ord. 5417-B, 2006; Ord. 5414-B (part), 2006; Ord. 5413-B, 2006; Ord. 5411-B, 2006; Ord. 5410-B (part), 2006; Ord. 5402-B (part), 2006; Ord. 5401-B, 2006; Ord. 5399-B, 2006; Ord. 5396-B (part), 2006; Ord. 5395-B (part), 2006; Ord. 5392-B, 2006; Ord. 5390-B, 2005; Ord. 5389-B (part), 2005; Ord. 5386-B (part), 2005; Ord. 5385-B, 2005; Ord. 5384-B, 2005; Ord. 5382-B (part), 2005; Ord. 5380-B, 2005; Ord. 5374-B (part), 2005; Ord. 5372-B (part), 2005; Ord. 5369-B (part), 2005; Ord. 5359-B (part), 2005; Ord. 5358-B, 2005; Ord. 5357-B, 2005; Ord. 5356-B (part), 2005; Ord. 5349-B (part), 2005; Ord. 5347-B (part), 2005; Ord. 5344-B, 2005; Ord. 5343-B (part), 2004; Ord. 5337-B (part), 2004; Ord. 5334-B (part), 2004; Ord. 5329-B (part), 2004; Ord. 5322-B, 2004; Ord. 5311-B (part), 2004; Ord. 5306-B, 2004; Ord. 5303-B (part), 2004; Ord. 5297-B (part), 2004; Ord. 5295-B (part), 2004; Ord. 5290-B, 2004; Ord. 5287-B, 2004; Ord. 5286-B (part), 2004; Ord. 5282-B (part), 2003; Ord. 5279-B (part), 2003; Ord. 5267-B (part), 2003; Ord. 5264-B, 2003; Ord. 5262-B (part), 2003; Ord. 5260-B (part), 2003; Ord. 5257-B (part), 2003; Ord. 5256-B (part), 2003; Ord. 5254-B (part), 2003; Ord. 5247-B (part), 2003; Ord. 5242-B, 2003; Ord. 5240-B (part), 2003; Ord. 5239-B, 2003; Ord. 5234-B, 2003; Ord. 5232-B, 2003; Ord. 5231-B (part), 2003; Ord. 5228-B, 2003; Ord. 5203-B (part), 2002; Ord. 5198-B, 2002; Ord. 5197-B (part), 2002; Ord. 5196-B (part), 2002; Ord. 5194-B (part), 2002; Ord. 5193-B (part), 2002; Ord. 5189-B (part), 2002; Ord. 5188-B, 2002; Ord. 5186-B (part), 2002; Ord. 5185-B, 2002; Ord.

5184-B (part), 2002; Ord. 5182-B (part), 2002; Ord. 5181-B, 2002; Ord. 5178-B, 2002; Ord. 5177-B, 2002; Ord. 5176-B, 2002; Ord. 5174-B, 2002; Ord. 5172-B (part), 2002; Ord. 5168-B, 2002; Ord. 5166-B, 2002; Ord. 5165-B (part), 2002; Ord. 5165-B, 2002; Ord. 5162-B, 2002; Ord. 5160-B (part), 2002; Ord. 5155-B, 2002; Ord. 5154-B, 2002; Ord. 5150-B (part), 2002; Ord. 5140-B (part), 2001; Ord. 5139-B (part), 2001; Ord. 5097-B, 2001; Ord. 5098-B, 2001; Ord. 5100-B (part), 2001; Ord. 5101-B, 2001; Ord. 5102-B, 2001; Ord. 5103-B, 2001; Ord. 5104-B, 2001; Ord. 5105-B, 2001; Ord. 5107 (part), 2001; Ord. 5108-B, 2001; Ord. 5111-B (part), 2001; Ord. 5094-B, 2001; Ord. 5093-B, 2001; Ord. 5091-B, 2001; Ord. 5089-B (part), 2001; Ord. 5088-B, 2001; Ord. 5087-B, 2001; Ord. 5083-B (part), 2001; Ord. 5082-B, 2001; Ord. 5081-B, 2001; Ord. 5078-B, 2001; Ord. 5074-B, 2001; Ord. 5073-B, 2001; Ord. 5071-B, 2001; Ord. 5069-B (part), 2000; Ord. 5068-B, 2000; Ord. 5067-B, 2000; Ord. 5066-B, 2000; Ord. 5065-B (part), 2000; Ord. 5062-B (part), 2000; Ord. 5057-B, 2000; added during 2000 codification)

3.12.020

Classified service-- Salary and benefits notations.

ADMIN CODE	CLASSIFICATION TITLE
14212	Architect *a
14213	Architect - Senior *a
15585	Architectural Assistant I *a
14210	Architectural Assistant II *a
13545	Capital Improvements Manager *a
14445	Clinical Psychologist *b
14202	Engineer - Assistant *c
14205	Engineer - Associate *c
14308	Mid-Level Practitioner - I *d
14309	Mid-Level Practitioner - II *d
11404	Parks and Grounds Worker - Senior *f
13522	Property Manager *a
13875	Public Works Manager *a
13877	Public Works Manager - Engineer *a

- \*a All employees in this class shall be paid at the corresponding step of the next higher salary grade upon presentation of the Certificate of Registration as a Licensed Architect issued by the California State of Architectural Examiners.
- \*b 10% pay differential if the position is required to maintain active hospital privileges and agrees to provide standby coverage at the request of the Administrator of Health and Medical Services.
- \*c Employees in the class of Associate or Assistant Engineer shall be paid at the corresponding step of the next higher salary grade upon presentation of the Certificate of Registration as a Civil Engineer issued by the California State registration for Civil and Professional Engineers.
- \*d 5% salary is to be added for positions assigned to the Medical Clinic.
- \*e Position to be deleted upon vacancy of incumbents.
- \*f Salary to be added to those positions assigned as residents.

A. For county holidays falling on a Saturday from and after five p.m., December 24, 1971, employees shall be entitled to a holiday the preceding Friday unless the board of supervisors, by minute order, directs that such eight hours be added to each such employee's annual vacation leave.

B. For county holidays falling on the normal day off for FLSA non-exempt employees working other than a normal Monday through Friday schedule (i.e., 9-80, 8-80, etc.), such employees shall have an additional eight hours credited to their vacation balance (County holiday defined per County Code Section 3 08 170)

C. Floating Holiday During the first full pay period of the calendar year, eight hours floating holiday will be credited to employees. Employees unable to complete six months (one thousand forty (1,040) straight time hours) initial probationary period prior to December 31st, shall not be eligible for any Floating Holiday that year. Hours shall be prorated for permanent part-time employees. Floating holiday shall be taken within the calendar year granted, and shall not carry over from year to year. Unused holiday time will not be compensated upon termination. It will be management's policy to make every effort to allow employees to take the time off at their choosing. AND AS AMENDED BY ORDINANCES 5442-B AND 5443-B.

1. Uniform Allowance—Sworn Peace Officers.
  - Assistant Sheriff
  - Deputy Sheriff I
  - Deputy Sheriff II
  - Sheriff's Captain
  - Sheriff's Lieutenant
  - Sheriff's Sergeant
  - Undersheriff
  - Sheriff-Coroner-Marshal

a. If required by the county to wear a uniform as a regular part of their duties, a uniform allowance shall be deemed paid at the end of each calendar quarter. This shall not affect reserve deputies, honorary deputies and other county officers and employees deputized for special purposes.

b. Effective July 23, 2004 at 5:01 p.m., the uniform allowance will increase by one hundred dollars (\$100.00) to nine hundred sixty-five dollars (\$965.00) per year for Auburn area deputies and one thousand one hundred fifteen dollars (\$1,115.00) for Tahoe area deputies and resident deputies.

c. Effective pay period 18, February 04, 2005 at 5:01 p.m., the uniform allowance will increase by fifty dollars (\$50.00) to one thousand fifteen dollars (\$1,015.00) per year for Auburn area deputies and one thousand one hundred sixty-five dollars (\$1,165.00) for Tahoe area deputies and resident deputies.

d. Effective pay period 18, February 03, 2006 at 5:01 p.m., the uniform allowance will increase by fifty dollars (\$50.00) to one thousand sixty-five dollars (\$1,065.00) per year for Auburn area deputies and one thousand two hundred fifteen dollars (\$1,215.00) for Tahoe area deputies and resident deputies.

e. Effective July 23, 2004 at 5:01 p.m., employees appointed or reassigned to Dutch Flat or Foresthill resident deputy or to any position east of Serene Lakes shall receive a one-time winter clothing stipend in the amount of two hundred fifty dollars (\$250.00).

f. The parties agree that if purchase of the campaign hat is mandatory, the sheriff's department will pay for the cost of the hat and will reimburse association members immediately upon provision of a receipt.

## 2. Career and Education Incentive.

Effective July 23, 2004 at 5:01 p.m., full-time permanent employees in the following classes shall be eligible for the career and education incentive:

Assistant Sheriff  
Deputy Sheriff I  
Deputy Sheriff II  
Sheriff's Sergeant  
Investigator  
Investigator—Welfare Fraud\*  
Managing Chief Investigator  
Sheriff  
Sheriff's Captain  
Sheriff's Lieutenant  
Supervising Investigator  
Undersheriff

a. Five percent of base salary for possession of a POST Basic Certificate.

b. Five percent of base salary for possession of a POST Intermediate Certificate.

c. Two and one-half percent of base salary for possession of a POST Advanced Certificate.

d. Effective pay period 9, October 1, 2004 at 5:01 p.m., the Certificate Incentive for the POST Advanced Certificate shall increase by two and one-half percent of base salary for a total of five percent of base salary for the Advanced Certificate.

e. POST Certificate incentive percentages shall be cumulative but not compound.

\*In the case of Investigator --Welfare Fraud, the equivalent of the POST Certificates shall be verified by the Director of Health and Human Services.

f. Effective pay period 3, July 8, 2005 at 5:01 p.m., full-time permanent employees in the above listed classifications will be eligible for Educational Incentive pay of fifty dollars (\$50.00) per pay period for an Associate degree (AA) or seventy-five dollars (\$75.00) per pay period for a Bachelor degree (BA). To be eligible for Educational Incentive pay for an Associate (AA) or Bachelor (BA) degree, the degree must be from an accredited college, consistent with the Personnel Department practices in determining validity of the college and degree. Employees must present evidence of successful completion of a qualifying degree, consistent with this section to their department head, who shall determine and certify whether employees are eligible to receive educational incentive pay.

g. Employees may not receive Educational Incentive pay for both an Associate and Bachelor degree. The payments are not cumulative and only one or the other degree qualifies for payment. An employee may only receive Educational Incentive pay for one degree and not multiple degrees.

## 3. Uniform Allowance - General Unit Employees.

The parties agree that, effective at 5:01 p.m. pay period 15, December 29, 2000, December 28, 2001 and December 27, 2002, the annual uniform allowance for employees who are required to wear a uniform as a regular part of their duties shall be increased to five hundred dollars (\$500.00), five hundred twenty-five dollars (\$525.00) and five hundred fifty dollars (\$550.00) respectively for the following classifications:

16701	Animal Control Officer I
16702	Animal Control Officer II
16609	Community Service Officer I
16610	Community Service Officer II
16330	Correctional Officer I
16331	Correctional Officer II
16401	Evidence Technician I
16403	Evidence Technician II
16705	Senior Animal Control Officer

The parties further agree, effective with the pay periods outlined above, the annual uniform allowance for employees who are required to wear a uniform as a regular part of their duties shall be increased to four hundred seventy-five dollars (\$475.00), five hundred dollars (\$500.00) and five hundred twenty-five dollars (\$525.00) for the following classifications:

12402	Account Clerk—Entry
12403	Account Clerk—Journey
12202	Admin Clerk—Entry

12203 Admin Clerk—Journey  
 12351 Administrative Legal Clerk—Entry  
 12352 Administrative Legal Clerk Journey  
 12308 Administrative Secretary  
 12324 Administrative Legal Supervisor  
 13438 Correction Support Supervisor  
 12321 Executive Secretary  
 16435 Public Safety Dispatcher I  
 16425 Public Safety Dispatcher II  
 16428 Senior Public Safety Dispatcher  
 16440 Supervising Public Safety Dispatcher  
 12354 Senior Admin Legal Clerk  
 16430 Sheriff's Communications Supervisor

AND AS AMENDED BY ORDINANCE 5442-B.

4. ACCESS Unit Pay.

The parties agree that, effective 5:01 p.m., pay period 15, December 29, 2000, designated employees shall be paid five percent if they have been assigned to field activities of the ACCESS Unit.

5. Special Teams Pay Deputy Sheriffs' Unit and Safety Management. Effective July 23, 2004 at 5:01 p.m., special pay will be adjusted as follows for those employees assigned by the sheriff to the following special teams without regard to call-out:

a. Explosive Ordinance Detail (EOD). Effective February 9, 1990, 5:01 p.m., that employee designated as EOD officer by the Sheriff will receive an additional one hundred twenty-five dollars (\$125.00) per month in salary.

b. Undercover Assignment. Effective July 11, 1980, 5:01 p.m., an employee designated by the sheriff to work an undercover assignment shall be entitled to receive five percent additional compensation.

c. Certified Divers pay shall increase from fifty dollars (\$50.00) per month to one hundred twenty-five dollars (\$125.00) per month.

d. Special Enforcement Team pay shall increase from fifty dollars (\$50.00) per month to one hundred twenty-five (\$125.00) per month.

e. Hostage Negotiations Team members will receive pay of one hundred twenty-five dollars (\$125.00) per month.

6. (RESERVED).

7. Compensation—Assistant Deputy Sheriff—  
 16295.

Level	Hourly Rate
Level II	15.3648/hr
Level I	16.1288/hr

8. Night Shift Differential.

A. PPEO General and Professional Units.

Effective 5:01 p.m., pay period 15, December 29, 2000, employees in classifications, as recommended by the appointing authority and approved by the county executive officer, assigned to work fifty percent (50%) or more of his/her hours between 6 p.m. and 6 a.m. shall receive a seven and one-half percent night shift differential for all the hours worked in that shift. AND AS AMENDED BY ORDINANCE 5442-B.

B. Deputy Sheriffs' Unit and Safety Management.

Effective July 23, 2004 at 5:01 p.m., deputy sheriffs' unit and safety management employees assigned to work a majority of hours of a regular shift (e.g., five hours of eight) between the hours of 5:00 p.m. (Day 1) and 8:00 a.m. (Day 2) shall receive a night shift differential of seven and one-half percent for all hours in that shift.

9. Rain Gear Allowance.

Employees on the following crews shall be entitled, once every three years, to have the county provide rain gear, including coat, pants and boots, as necessary: roads, special districts, wastewater treatment, buildings and grounds, print services, central stores, animal control officers, TART bus drivers, building inspectors, mini bus drivers, park maintenance workers, mail service workers, communications, garage, and sanitarians.

10. Supplemental Compensation Snow Pay.

a. The following classifications shall receive five percent additional snow pay compensation during such time as they are authorized to do so by the department head:

13303	Assistant Fleet Svc. Superintendent
11604	Automotive Mechanic
13227	Bridge Construction Supervisor
11611	Equipment Mechanic
11502	Equipment Operator
11605	Master Automotive Mechanic
11613	Master Equipment Mechanic
13204	Road District Supervisor
11459	Maintenance Worker
11506	Senior Bridge Construction Worker
11503	Senior Equipment Operator
13205	Senior Road District Supervisor
11511	Senior Traffic Sign Maintenance Worker
13215	Senior Traffic Sign Supervisor
13225	Senior Tree Maintenance Supervisor
11521	Senior Tree Trimmer
11301	Senior Utility Service Worker
13302	Supervising Equipment Mechanic
11510	Traffic Sign Maintenance Worker
13214	Traffic Sign Supervisor
13224	Tree Maintenance Supervisor

11520 Tree Trimmer  
11307 Utility Service Worker

b. The number eligible and time period for which such status is available shall be determined jointly by the director of public works and the county executive office.

c. Such compensation shall be in addition to any overtime to which the employee is entitled under the provisions of Section 14.210, et seq.

AND AS AMENDED BY ORDINANCE 5442-B.

11. Bi-Lingual Pay.

a. General, Professional and Management.

Effective 5:01 p.m. pay period 15, December 29, 2000, upon request of the department head, and approval by the personnel director, designated employees shall be paid an additional five percent for the use of a second language in the normal course and scope of work.

b. Deputy Sheriff's Unite and Safety Management.

Effective pay period 4, July 23, 2004 at 5:01 pm and upon request of the department head and approval of the personnel director, designated employees shall be paid an additional five percent of base salary for the use of a second language in the normal course and scope of work. Sign language shall constitute a second language within the meaning of bilingual pay provided that the requisite certification procedures as defined by the personnel director have been completed.

12. Certification Differential.

The parties agree that, effective 5:01 p.m., pay period 15, December 29, 2000, employees who acquire a CFU universal certification and are assigned duties consistent with that certification in the facilities services department shall receive five percent upon proof of the attained certificate.

13. Tool Allowance.

The following classifications shall receive three hundred dollars (\$300.00) per year tool replacement allowance to be reimbursed quarterly, no more than one claim may be submitted for reimbursement in any calendar quarter. Effective September 1, 1989, the tool replacement allowance shall be increased to three hundred seventy-five dollars (\$375.00) per year; effective September 1, 1990, the tool replacement allowance shall be increased to four hundred fifty dollars (\$450.00) per year; effective September 1, 1991, the tool replacement allowance shall be increased to five hundred twenty-five dollars (\$525.00) per year, effective December 20, 1997, the tool replacement allowance shall be increased to five hundred fifty dollars (\$550.00) per year, effective December 19, 1998, the tool replacement allowance shall be increased to five hundred seventy-five dollars (\$575.00) per year, effective Decem-

ber 18, 1999, the tool replacement allowance shall be increased to six hundred dollars (\$600.00) per year.

11604 Automotive Mechanic  
11605 Master Automotive Mechanic  
11611 Equipment Mechanic  
11613 Master Equipment Mechanic  
11601 Equipment Service Worker I  
11602 Equipment Service Worker II  
13301 Supv. Automotive Mechanic  
13302 Supv. Equipment Mechanic

AND AS AMENDED BY ORDINANCE 5442-B.

14. (RESERVED).

15. The county shall pay a differential of five percent of base salary to each employee in the classification of deputy sheriff II who is assigned by the sheriff to work as a field training officer or as a jail training officer, provided that not more than twelve (12) employees shall receive the said five percent pay differential at any one time. Additionally, a differential of five percent of base salary to each employee in the classification of correctional officer II who is assigned by the sheriff to work as a jail training officer.

It shall be understood that the above described salary differential shall be paid to an employee only during the time he/she is assigned formal field training or jail training responsibilities. Payment of said differential to that employee shall cease at such time as the sheriff shall terminate the field training responsibilities or reassign same to another employee.

16. Removed. Ordinance 4572-B.

17. The county shall pay a differential of five percent of base salary to each employee who obtains a certificate as a certified public accountant and who, with the concurrence of the county executive officer, makes use of the CPA in the course and scope of their employment.

18. Canine Pay.

Employees assigned by the Sheriff to the duty of supervision, care and feeding of a canine, as "Canine Handlers", shall receive Canine Pay, as follows:

a. \$225 per month to the Canine Handler responsible for, and where the County owns the canine;

b. \$275 per month to the Canine Handler responsible for, and who owns the canine;

c. All veterinary care and maintenance of the canine is to be provided at County expense. It is agreed that care and maintenance includes veterinary care necessary to prevent and treat injuries and diseases, and includes annual physical exams and inoculations. County owned canines shall receive veterinary care from a County designated veterinarian. Canine Handler owned canines may receive treatment from a County designated veterinarian or one of

the Canine Handler's choosing. Veterinary expenses incurred through County designated veterinarians will be paid by the County through direct billing by the veterinarian. Expenses incurred through a veterinarian of the Canine Handler's choice will be paid by reimbursement to the Canine Handler for receipted claims, provided that in no event shall reimbursement exceed the amount normally paid to a County designated veterinarian for the same or similar service. Food for the canine will be provided at the expense of the County through an established Blanket Purchase Order and Policy developed by the Sheriff's Department.

d. The County will provide for the replacement of the canine should it be disabled or killed as a result of a line of duty injury or accident at no expense to the Canine Handler.

e. This care and maintenance pay is granted in recognition of the personal monetary investment, duties and responsibilities of a Canine Handler, in light of the on-duty time already being provided and includes the time spent by the Canine Handler employee while off duty in the care and maintenance of the assigned canine, as well as reimbursement of canine related expenses. It represents good faith compensation associated with the daily care and maintenance of a canine outside the normal hours of work of the assigned Canine Handler employee during the month. The intent of this pay is to insure compliance with all applicable state and federal labor laws, including, but not limited to, the Fair Labor Standards Act, 29 U.S.C. Section 201 et. seq., and 29 C.F.R. Section 785.2Q

19. (RESERVED)

20. Special Enforcement Team.

Effective pay period 22, beginning 5:01 p.m., April 1, 1994, that number of employees designated by the sheriff and approved by the personnel director, to participate as members of the special enforcement team (SET) shall receive fifty dollars (\$50.00) in a month in which the SET is called out. Training exercises are not eligible for the special pay.

21. Effective pay period 19, beginning 5:01 p.m., February 21, 2003, the county will pay a differential of five percent of base salary to each employee in the classification of administrative clerk entry/journey, administrative legal clerk entry/journey, administrative secretary, account clerk, senior account clerk, and accounting technician assigned by the sheriff to work in the jail. Senior administrative legal clerks assigned to work as shift supervisors will receive an additional five percent of base salary.

22. The county shall pay a differential of five percent of base salary to each employee in the classifications of client services practitioner I and II, senior client services

practitioner and client services program supervisor, who obtains a certificate as a licensed clinical social worker (LCSW) or a marriage, family, child counselor (MFCC).

23. Classifications eligible for personal equipment purchase:

Automotive Mechanic  
Building Crafts Mechanic  
Building Inspector I  
Building Inspector II  
Bus Driver I/II  
Classifications assigned Surveyor duties  
Communication Technician  
Custodian I/II  
Engineering Technician I/II  
Equipment Mechanic  
Equipment Operator  
Equipment Services Worker I/II  
Fleet Services Technician  
Maintenance Worker  
Master Automotive Mechanic  
Master Equipment Mechanic  
Park and Grounds Worker  
Road District Supervisor  
Senior Building Crafts Mechanic  
Senior Building Inspector  
Senior Bus Driver  
Senior Custodian  
Senior Equipment Operator  
Senior Parks and Grounds Worker  
Senior Road District Supervisor  
Senior Utilities Service Worker  
Supervising Automotive Mechanic  
Supervising Building Crafts Mechanic  
Supervising Parks and Grounds Worker  
Supervising Utilities Service Worker  
Utilities Service Worker  
Utility Operations Supervisor  
Wastewater Plant Operator Grade I/III  
Wildlife Specialist

AND AS AMENDED BY ORDINANCE 5442-B.

24. General and Professional Unit—Inmate Oversight Pay.

Individual employees in the general or professional units who are not allocated to the sheriff's office (including the jail) or the probation department (with the exception of individuals allocated to the building crafts mechanics series of the equipment services worker series or subsequent series) may be eligible for inmate oversight pay when so assigned by the appointing authority or designate of that appointing authority.

Under this provision, employees will be eligible for additional compensation of five percent if it is determined by the appointing authority that their regular work assignment requires the coordination, oversight, supervision and/or management of inmate workers for a minimum of fifty percent (50%) of their assigned work hours on a regular basis.

25. Wellness Incentive, Deputy Sheriffs' Unit and Safety Management.

a. Effective pay period 3, July 8, 2005 at 5:01 p.m., employees in the following classifications, if otherwise qualified pursuant to this section, shall receive an allowance equal to two and one-half percent of his or her base pay:

Assistant Sheriff  
Deputy Sheriff I  
Deputy Sheriff II  
Sheriff's Sergeant  
Investigator  
Investigator— Welfare Fraud  
Managing Chief Investigator  
Sheriff  
Sheriff's Captain  
Sheriff's Lieutenant  
Supervising Investigator  
Undersheriff

Effective pay period 18, February 3, 2006 at 5:01 p.m., the wellness allowance shall increase from two and one-half percent to five percent.

2. An employee must qualify to receive the wellness incentive. In order to qualify for and to continue receiving the wellness incentive, each DSA member within the above-listed classifications shall:

a. By June 15, 2005, present to his or her department head, or designee, competent proof via a county/DSA-approved form, that he or she has had a physical exam consistent with the physical exam guidelines set forth by the United States Department of Health and Human Services and the U.S. Preventative Services Task Force. Physical examinations conducted between July 1, 2004 and June 30, 2005 may be used to initially qualify for this benefit.

If an employee fails to meet the required deadline of June 15, 2005, he or she will not begin receiving the wellness incentive. However, if the employee subsequently provides the required documentation, he or she will qualify to receive the wellness incentive effective the first full pay period after the required documentation is received and approved.

b. In order to continue to qualify for and receive the wellness incentive each employee shall annually present to

his or her department head, or designee, competent proof via a county/DSA-approved form, that he or she has had a physical exam consistent with the physical exam guidelines set forth by the United States Department of Health and Human Services and the U.S. Preventative Services Task Force by December 31st, beginning in 2006.

If an employee fails to meet the annual required deadline of December 31st, he or she will not continue to receive the wellness incentive effective the first full pay period after December 31st. However, if the employee subsequently provides the required documentation, he or she will qualify to receive the wellness incentive effective the first full pay period after the required documentation is received and approved.

3. For the purpose of this section, participation in an activity to maintain physical fitness shall be elective and is not mandated by the county of Placer or its employees.

26. PPEO General and Professional Units Post-Emergency Medical Dispatch Certificate—Compensation.

a. Effective pay period 15, December 24, 2004 at 5:01 p.m., eligible employees who possess and maintain a post-emergency medical dispatch certificate shall receive additional compensation of two and one-half percent of their base salary.

b. Eligible employees are permanent and probationary employees, both full-time and part-time, working in the following classifications:

Public safety dispatcher I.  
Public safety dispatcher II.  
Senior public safety dispatcher.  
Supervising public safety dispatcher.

27. The county will pay a differential of five percent of base salary to each employee in the classification series of wastewater treatment plant operator who achieves a wastewater treatment certificate at a grade level higher than their classification specification requires as a minimum qualification and a five hundred dollar (\$500.00) bonus as a one-time compensation for acquiring a water distribution operator's certificate (D-1 grade). (Ord. 5451-B (part), 2007; Ord. 5448-B (part), 2007; Ord. 5447-B (part), 2007; Ord. 5441-B (part), 2007; Ord. 5428-B (part), 2006; Ord. 5426-B (part), 2006; Ord. 5422-B (part), 2006; Ord. 5414-B (part), 2006; Ord. 5410-B (part), 2006; Ord. 5396-B (part), 2006; Ord. 5391-B (part), 2005; Ord. 5386-B (part), 2005; Ord. 5382-B (part), 2005; Ord. 5379-B, 2005; Ord. 5372-B (part), 2005; Ord. 5363-B (part), 2005; Ord. 5361-B, 2005; Ord. 5349-B (part), 2005; Ord. 5343-B (part), 2004; Ord. 5337-B (part), 2004; Ord. 5336-B, 2004; Ord. 5334-B (part), 2004; Ord. 5314-B (part), 2004; Ord. 5312-B (part), 2004; Ord. 5311-B (part), 2004; Ord. 5309-B (part), 2004; Ord. 5303-B (part), 2004; Ord. 5297-B

(part), 2004; Ord. 5288-B, 2004; Ord. 5286-B (part), 2004; Ord. 5281-B, 2004; Ord. 5279-B, 2003; Ord. 5267-B, 2003; Ord. 5263-B, 2003; Ord. 5261-B, 2003; Ord. 5260-B (part), 2003; Ord. 5257-B (part), 2003; Ord. 5256-B (part), 2003; Ord. 5254-B (part), 2003; Ord. 5247-B (part), 2003; Ord. 5240-B (part), 2003; Ord. 5230-B (part), 2003; Ord. 5224-B (part), 2003; Ord. 5216-B (part), 2002; Ord. 5215-B (part), 2002; Ord. 5205-B (part), 2002; Ord. 5203-B (part), 2002; Ord. 5197-B (part), 2002; Ord. 5194-B (part), 2002; Ord. 5193-B (part), 2002; Ord. 5189-B (part), 2002; Ord. 5186-B (part), 2002; Ord. 5172-B (part), 2002; Ord. 5165-B (part), 2002; Ord. 5164-B, 2002; Ord. 5163-B, 2002; Ord. 5160-B (part), 2002; Ord. 5153-B (part), 2002; Ord. 5150-B (part), 2002; Ord. 5139-B (part), 2001; Ord. 5138-B, 2001; Ord. 5137-B, 2001; Ord. 5115-B (part), 2001; Ord. 5099-B (part), 2001; Ord. 5100-B (part), 2001; Ord. 5107-B (part), 2001; Ord. 5111-B (part), 2001; Ord. 5095-B, 2001; Ord. 5089-B (part), 2001; Ord. 5085-B (part), 2001; Ord. 5083-B (part), 2001; Ord. 5075-B (part), 2001; Ord. 5069-B (part), 2000; Ord. 5062-B (part), 2000; Ord. 5058-B (Attach. 1, 2, 5, 6, 7, 8, 9, 28, 30 (part)), 2000; Ord. 5044-B (part), 2000; Ord. 5040-B (part), 2000; Ord. 5032-B (part), 2000; Ord. 5029-B (Attach. A, D, F), 2000; Ord. 5028-B (part), 2000; Ord. 5026-B (part), 2000; Ord. 5017-B (part), 2000; Ord. 5014-B (part), 2000; Ord. 4998-B, 1999; Ord. 4988-B (part), 1999; Ord. 4986-B, 1999; Ord. 4970-B, 1999; Ord. 4967-B, 1999; Ord. 4963-B (part), 1999; prior code § 14.3000)

3.12.030 Unclassified service— Salary and benefits notations.

ADMIN CODE	CLASSIFICATION TITLE
19502	Assessor/Map Supervisor * 3
19503	Auditor - Controller * 3
19825	Chief Physician * 2
19505	County Clerk/Recorder/Microfilm Supervisor * 3
19506	District Attorney * 3
19107	Mosquito Abatement Program Supervisor * 3
19108	Mosquito Abatement Technician * 3
19131	Physician - I * 3
19838	Physician - H * 3
19509	Sheriff-Coroner-Marshall * 3
19511	Treasurer - Tax Collector * 3

2. Physicians are eligible to receive the following additional compensation:

Ten (10) percent pay differential if the position is required to maintain active hospital privileges and agrees to provide standby coverage at the request of the county.

Ten (10) percent pay differential if the incumbent has one or more board certifications as recognized by the State Board of Quality Assurance in a specialty or specialties that are relevant to the provision of county medical/psychiatric services.

Five percent pay differential if the incumbent is eligible for one or more board certifications as recognized by the State Board of Quality Assurance in a specialty or specialties that are relevant to the provision of county medical/psychiatric services.

Five percent pay differential for the Chief Physician for supervision of the Child Psychiatrist(s).

Physicians hired as psychiatrists shall be eligible to receive either of the following compensation in addition to what is listed above.

Fifteen (15) percent pay differential for Psychiatrist specialization

Or

Thirty (30) percent pay differential for Child Psychiatrist specialization.

3. a. Effective pay period 15, beginning 5:01 p.m., December 26, 2003, salaries shall be increased two percent.
- b. Effective pay period 2, beginning 5:01 p.m., June 25, 2004, salaries shall be increased two and one-half percent.
- c. Effective pay period 2, beginning 5:01 p.m., June 24, 2005, salaries shall be increased four percent.
- d. The elected officials will receive the salary increases in the amounts and on the dates as specified in 3a, b, and c.

1. For county holidays falling on a Saturday from and after five p.m., December 24, 1971, employees shall be entitled to a holiday the preceding Friday unless the board of supervisors, by minute order, directs that such eight hours be added to each such employee's annual vacation leave

2. For county holidays falling on the normal day off for FLSA non-exempt employees working other than a normal Monday through Friday schedule (i.e., 9-80, 8-80, etc.), such employees shall have an additional eight hours credited to their vacation balance. (County holiday defined per County Code Section 3.08.170)

3. Floating Holiday. During the first full pay period of the calendar year, eight hours floating holiday will be credited to employees. Employees unable to complete six months (one thousand forty (1,040) straight time hours) initial probationary period prior to December 31st, shall not be eligible for any Floating Holiday that year. Hours shall be prorated for permanent part-time employees. Floating holiday shall be taken within the calendar year granted, and shall not carry over from year to year. Unused holiday time will not be compensated upon termination. It will be management's policy to make every effort to allow employees to take the time off at their choosing.

(Ord. 5449-B (part), 2007; Ord. 5441-B (part), 2007; Ord. 5435-B (part), 2007; Ord. 5428-B (part), 2006; Ord. 5425-B § 5, 2006; Ord. 5408-B (part), 2006; Ord. 5403-B (part), 2006; Ord. 5402-B (part), 2006; Ord. 5397-B, 2006; Ord. 5395-B (part), 2006; Ord. 5393-B (part), 2005; Ord. 5389-B (part), 2005; Ord. 5382-B (part), 2005; Ord. 5374-B (part), 2005; Ord. 5368-B, 2005; Ord. 5363-B (part), 2005; Ord. 5359-B (part), 2005; Ord. 5349-B (part), 2005; Ord. 5345-B (part), 2005; Ord. 5345-B (part), 2005; Ord. 5353-B (part), 2005; Ord. 5343-B (part), 2004; Ord. 5334-B (part), 2004; Ord. 5329-B (part), 2004; Ord. 5324-B, 2004; Ord. 5312-B (part), 2004; Ord. 5303-B (part), 2004; Ord. 5297-B (part), 2004; Ord. 5295-B(part), 2004; Ord. 5281-B, 2004;

Ord. 5240-B (part), 2003; Ord. 5235-B (part), 2003; Ord. 5231-B (part), 2003; Ord. 5230-B (part), 2003; Ord. 5223-B, 2002; Ord. 5216-B (part), 2002; Ord. 5215-B (part), 2002; Ord. 5201-B, 2002; Ord. 5197-B (part), 2002; Ord. 5196-B (part), 2002; Ord. 5194-B (part), 2002; Ord. 5193-B (part), 2002; Ord. 5192-B, 2002; Ord. 5184-B (part), 2002; Ord. 5182-B (part), 2002; Ord. 5161-B, 2002; Ord. 5153-B (part), 2002; Ord. 5140-B (part), 2001; Ord. 5138-B, 2001; Ord. 5136-B, 2001; Ord. 5122-B (part), 2001; Ord. 5115-B (part), 2001; Ord. 5099-B (part), 2001; Ord. 5100-B (part), 2001; Ord. 5106-B, 2001; Ord. 5111-B (part), 2001; Ord. 5089-B (part), 2001; Ord. 5085-B (part), 2001; Ord. 5083-B (part), 2001; Ord. 5075-B (part), 2001; Ord. 5069-B (part), 2000; Ord. 5065-B (part), 2000; Ord. 5062-B (part), 2000; Ord. 5061-B (Attach. 1), 2000; Ord. 5058-B (Attach. 3, 4, 30 (part)), 2000; Ord. 5050-B (part), 2000; Ord. 5040-B (part), 2000; Ord. 5032-B (part), 2000; Ord. 5027-B (part), 2000; Ord. 5018-B (part), 2000; Ord. 5014-B (part), 2000; Ord. 4995-B, 1999; Ord. 4987-B (part), 1999; prior code § 14.3010) AND AS AMENDED BY ORDINANCE 5443-B.

**3.12.040 Salaries—Placer County sheriff's ordinance initiative.**

A. The board of supervisors shall, at least annually, determine the existing maximum salaries for the Nevada County sheriff's office, El Dorado County sheriff's office and Sacramento County sheriff's office for each class of position employed by said agencies.

B. Effective January 1, 1977, and effective January 1st of each year thereafter the board of supervisors shall, during the month of January, determine the average salary for each class of position as set forth herein, and beginning the first period following January shall fix the average salary for each class of position in the Placer County sheriff's office at a level equal to the average of the salaries for the comparable positions in the Nevada County sheriff's office, El Dorado County sheriff's office and the Sacramento County sheriff's office.

C. As used herein the term "comparable class of position" shall mean a group of positions substantially similar with respect to qualifications or duties or responsibilities using the following positions as guidelines:

1. Undersheriff, assistant sheriff\*, inspector, corporal, captain, sergeant, deputy, lieutenant.

\*Assistant Sheriff will be set at 10% below the Undersheriff if no comparable class of position available.

D. The provisions of this ordinance shall prevail over any otherwise conflicting provisions which may relate to salaries of county employees or officers who are not

elected by popular vote. (Ord. 5441-B (part), 2007; Prior code § 14.3005)

**3.12.050 Allocation of positions to departments.**

A. It shall be the duty of the personnel director to maintain a roster showing the classifications and number of positions authorized in each county department.

B. The number of positions for each classification assigned to a department shall be as set forth in the annual budget approved for each department, and as such budget may be modified thereafter by the board of supervisors within such fiscal year.

C. Any department wishing to increase the number of classifications and/or positions may do so if:

1. Sufficient funds have been budgeted for such department; and

2. The written approval of the county executive is obtained. (Prior code § 14.3014)

D. The personnel director may, if requested by the appointing authority, allow any position allocated by the Board of Supervisors listed in this chapter to be filled by a lower classification in the same or related series. The compensation of the appointee shall be appropriate to the job classification for which the appointment is made.

**3.12.060 Longevity step.**

A. General Unit, Professional Unit and Management. Effective December 23, 1994, and continuing thereafter, all permanent employees meeting the following criteria shall receive a one-time five percent increase in their then current salary, which shall be referred to as a "longevity step." Each permanent employee who have been at step 5 of their salary grade for five or more years shall receive a five percent increase in their then current salary. The five-year period shall be calculated based upon each such employee's anniversary date of continuous service at step 5. Once such a longevity step increase has been provided to an employee within one classification, that employee shall have no further right to a longevity step increase, regardless of subsequent and continuous years of service at step 5 of his or her salary grade within that same classification.

Effective January 13, 2001, and continuing thereafter, elected department heads shall be eligible at the beginning of the first full pay period of the seventh year in office to receive a one-time five percent increase in their then current salary, which shall be referred to as a "longevity step."

B. Deputy Sheriffs' Unit and Safety Management. Effective pay period 14, December 10, 2004 at 5:01 p.m., current permanent employees represented by the Deputy

Sheriffs' Association and meeting the following criteria shall be eligible to receive a two-step, ten (10) percent increase in their then current salary, which shall be referred to as "longevity pay." As to either step alternative, a break in service will result in a new calculation for a new five or ten (10) year period, and no service prior to the break will be counted as part of the new five or ten (10) year period. Extra help time and time off without pay will not be included as part of this calculation. Time off without pay for disciplinary reasons or unpaid leave of absence will not constitute a break in service. Time off for these reasons will not count toward the completion of the required service time.

**Longevity Step 1**—Each permanent employee represented by the Deputy Sheriffs' Association, who has been at step 5 of their salary grade from five or more years, or who has at least ten (10) years of continuous service (20,080 hours) with Placer County, shall receive a five percent increase in their then current salary. An employee may receive either a five percent step increase of their current base salary for the 5 step alternative or a five step increase of their current base salary for the ten (10) years of service alternative, but not both. As to the step 5 alternative, the five-year period shall be calculated based upon the employee's anniversary date of continuous service at step 5. As to the ten (10) years of service alternative, the ten (10) year period shall be calculated based upon each employee's full-time continuous service with the county of Placer.

**Longevity Step 2 (5.0% for a total of 10.0%)**—Each permanent employee represented by the Deputy Sheriffs' Association, who has at least twenty (20) years of continuous service (forty-one thousand six hundred (41,600) hours) with Placer County, shall receive an additional five percent increase of their current base salary. The twenty (20) year period shall be calculated based upon each employee's full-time continuous service with the county of Placer. (Ord. 5309-B (part), 2004; Ord. 5058-B (Attach. 29), 2000; prior code § 14.3050)

### **3.12.080 Supplemental compensation— Tahoe.**

Classified employees meeting the following criteria shall receive the following monthly additional compensation:

A. An eligible employee is one who is permanently stationed within the Lake Tahoe Basin; or an employee permanently stationed at Serene Lakes, or easterly thereof and who lives at Serene Lakes, or easterly thereof.

B. General Unit, Professional Unit and Management.

1. Effective pay period 15, beginning at 5:01 p.m. December 29, 2000, Tahoe subsistence shall be increased by one hundred (\$100.00) dollars from two hundred fifty dollars (\$250.00) per month to three hundred fifty dollars (\$350.00) per month.

2. Effective pay period 15, beginning at 5:01 p.m. December 28, 2001, Tahoe subsistence shall be increased by fifty dollars (\$50.00) from three-hundred fifty dollars (\$350.00) per month to four hundred dollars (\$400.00) per month.

3. Effective pay period 15, beginning at 5:01 p.m. December 27, 2002, Tahoe subsistence shall be increased by fifty dollars (\$50.00) from four hundred dollars to four hundred fifty (\$450.00) dollars per month.

AND AS AMENDED BY ORDINANCES 5442-B AND 5443-B.

### **C. Deputy Sheriffs Unit and Safety Management.**

1. Effective July 23, 2004 at 5:01 p.m., Tahoe subsistence shall be increased by two hundred dollars (\$200.00), from three hundred fifty dollars (\$350.00) to five hundred fifty dollars (\$550.00) per month.

2. Effective pay period 18, February 4, 2005 at 5:01 p.m., Tahoe subsistence shall be increased by seventy-five dollars (\$75.00), from five hundred fifty dollars (\$550.00) to six hundred twenty-five dollars (\$625.00) dollars per month.

3. Effective pay period 18, February 3, 2006 at 5:01 p.m., Tahoe subsistence shall be increased by fifty dollars (\$50.00), from six hundred twenty-five dollars (\$625.00) to six hundred seventy-five (\$675.00) per month. (Ord. 5309-B (part), 2004; Ord. 5058-B (Attach. 26), 2000; Ord. 5029-B (Attach. E), 2000; prior code § 14.3092)

### **3.12.090 Tahoe rural health program.**

The parties agree, effective July 1, 2000, to provide a rural health program for Tahoe area employees represented by PCDSA and effective January 1, 2001, provided the same for PPEO and those designated as management or confidential who are enrolled in PERSCARE, PERSCHOICE or a comparable preferred provider plan offered through PERS, used for the reimbursement of medical expenses, as defined under IRS Code Section 213, excluding premium payments which are not covered by any other insurance plan.

A. Employees who have one-party coverage will be entitled to receive a maximum of one thousand dollars (\$1,000.00) each calendar year.

B. Employees who have two-party or family coverage will be entitled to receive a maximum of one thousand five hundred dollars (\$1,500.00) each calendar year.

C. Employees who receive the 401(k) contribution in lieu of county-paid health insurance will not be entitled to this benefit.

D. Payment will be for reimbursement of actual medical expenses during the associated calendar year and not reimbursable under any other plan. Any unused balance will not be carried over to the following calendar year.

AND AS AMENDED BY ORDINANCES 5442-B AND 5443-B.

(Ord. 5295-B(part), 2004; Ord. 5058-B (Attach. 27), 2000; Ord. 5029-B (Attach. B), 2000: prior code § 14.3093)

### **3.12.100 Supplemental management compensation.**

A. Employees designated as Management shall be credited with one thousand five hundred dollars (\$1,500.00) each calendar year (January 1 to December 31). Persons appointed to designated Management positions after January 1st will receive a prorated amount based on the number of pay periods remaining in that calendar year.

1. Such employees may utilize their supplemental management compensation in the following manner:

- a. Health deductibles;
- b. Dental deductibles;
- c. Vision deductibles;
- d. 401(k) contribution;
- e. Dependent care expenses;
- f. Cash.

2. The above referenced options may only be changed during open enrollment for the following calendar year. Any supplemental compensation not used by the end of the calendar year will revert to the fund from which it was appropriated.

3. Employees terminating from county employment, or who are removed from the management team designation, will receive a prorated amount supplemental compensation based upon the number of pay periods completed during that calendar year. Employees who have utilized all of their supplemental compensation and then terminate their employment, or are removed from the management team, will have a pro-rated amount deducted from their pay warrant.

B. Employees designated as confidential shall receive the equivalent of four percent of the salary rate of grade 40.5, step E. Those confidential employees who are part-time shall be credited with a prorated amount based on the number of scheduled hours. Persons appointed to designated Confidential positions after pay period 1, will

receive a prorated amount based on the number of pay periods remaining in that calendar year.

1. Such employees may utilize their supplemental compensation in the following manner:

- a. Health deductibles;
- b. Dental deductibles;
- c. Vision deductibles;
- d. 401(k) contribution;
- e. Dependent care expenses;
- f. Cash.

2. The above-referenced options may only be changed during open enrollment for the following calendar year. Any supplemental compensation not used by the end of the calendar year will revert to the fund from which it was appropriated.

3. Employees terminating from county employment, or who are removed from the confidential designation, will receive a prorated amount of supplemental compensation based upon the number of pay periods completed during the calendar year. Employees who have utilized all of their supplemental compensation and then terminate their employment, or are removed from the confidential designation, will have a prorated amount deducted from their pay warrant.

AND AS AMENDED BY ORDINANCES 5443-B AND 5444-B.

(Ord. 5295-B (part), 2004; prior code § 14.3094)

### **3.12.110 County payment—Employee share of PERS.**

A. PPEO General and Professional Units, Management, and Confidential. Effective pay period 3, beginning at 5:01 p.m., July 9, 2004, the county will pick up seven percent of the employee's contribution of the CalPERS cost and the employee will pay one percent of the eight percent total required CalPERS employee contribution.

B. Deputy Sheriffs' Unit Miscellaneous PERS employees. Effective pay period 3, July 9, 2004 at 5:01 p.m., for those employees represented by the PCDSA and included in the PERS miscellaneous retirement plan, the county will pick up the eight percent total of the employee's contribution of the PERS cost.

C. Deputy Sheriffs' Unit Safety Employees and Safety Management. For those employees represented by the PCDSA and included in the safety retirement plan and for those safety management employees effective pay period 18, beginning 5:01 p.m., February 11, 2000, the county will pay an additional two and three-quarters percent to increase the amount paid by the county of the employee's required contribution from six and one-quarter percent to a total of nine percent. (Ord. 5309-B (part),

2004; Ord. 5230-B (part), 2003; Ord. 5029-B (Attach. 1),  
2000; prior code § 14.3096)

