

FILE NO. 990192

ORDINANCE NO. 37-99

1 [Implementing Court Employee Compensation]

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2/24 2 ~~SETTING~~  
IMPLEMENTING

3 ~~SETTING~~ SCHEDULES OF COMPENSATION AND OTHER ECONOMIC BENEFITS  
4 FOR CERTAIN CLASSIFICATIONS OF PERSONS EMPLOYED BY THE SUPERIOR  
5 COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO.

6 Be it ordained by the People of the City and County of San Francisco:

7 I. This ordinance, which has been approved by a majority of the judges of the  
8 Superior and Municipal Courts pursuant to Government Code section 69900, establishes the  
9 rates of compensation and benefits effective July 1, 1998, for the following classifications of  
10 Superior and Municipal Court Employees: 0210 Clerk-Administrator, 0215 Bail  
11 Commissioner, 0220 Chief Deputy, 0221 Executive Assistant, 0222 Training Officer, 0225  
12 Calendar Coordinator, 0230 Division Chief, 0240 Court Program Analyst Manager, 0242  
13 Court Computer System Director, 0255 Court Commissioner, 0270 Assistant Division Chief,  
14 0275 Assistant Fiscal Officer, 0595 Fiscal Systems and Services Coordinator 0271 Drug  
15 Court Coordinator and 0650 Traffic Hearing Officer.

16 II. For purposes of this ordinance, the term "covered employees" shall mean those  
17 classifications enumerated in paragraph I above unless specifically excluded in the applicable  
18 section. The term "Court" shall mean the Superior Court of California, County of San  
19 Francisco, which includes the courts previously known as the Superior and Municipal Courts  
20 for the City and County of San Francisco. The term "City" shall mean the City and County of  
21 San Francisco.

22 The general funds of the City & County of S. F. shall not be used to fund any of the  
23 salary increases or benefits referred to in this Ordinance.  
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SUPERIOR COURT  
BOARD OF SUPERVISORS

1           III.    Compensation and Additional Economic Benefits for All Covered Employees

2            **A.    GENERAL WAGE INCREASE**

3                   Effective the pay period on or after October 1, 1998, all covered  
4 classifications, except 0215 Bail Commissioner and 0255 Court Commissioner, shall receive  
5 a 3% wage increase rounded to the nearest salary schedule.

6            **B.    PAY FOR PERFORMANCE BONUS**

7                   Due to court consolidation occurring this year, the Court is unprepared at  
8 this time to institute a Pay for Performance Program. In lieu of such a system being  
9 established for this fiscal year, covered employees, except 0215 Bail Commissioner and 0255  
10 Court Commissioner, shall receive a one-time-only bonus equal to 1.5% of total salary  
11 earnings, (exclusive of specialty pay) for court employment only between July 1, 1997 and  
12 June 30, 1998. In order to be considered for this bonus, covered employees must be  
13 employees of the court on October 1, 1998.

14           **C.    OVERTIME AND HOLIDAY PAY**

15                   All holiday and overtime paychecks should be distributed as part of their  
16 regular pay warrants for the period in which the overtime and holiday pay was earned.

17           **D.    RECOVERY OF OVERPAYMENTS**

18                   The schedule of recovery of any overpayment shall be made by mutual  
19 agreement between the City and the employee. In the absence of a mutual agreement, the  
20 City will recover no more than 20% of the total amount in any one bi-weekly paycheck.

21           **E.    SENIORITY INCREMENTS**

22                   This Section does not apply to 0215 Bail Commissioner and 0255 Court  
23 Commissioner.

24                   1.    Entry at the First Step. Covered employees who enter a  
25 classification at the first pay step shall advance to the second step within the classification

1 upon completion of one (1) year of service (2080 hours worked, excluding overtime, but  
2 including paid holidays, paid vacation and paid sick leave) within the classification shall  
3 continue to advance to each successive step upon completion of one (1) additional year of  
4 service within the classification, until the maximum step is achieved.

5           2.     Entry at Other Than the First Step. Covered employees who enter  
6 a classification at a rate of pay other than the first step shall advance one step upon  
7 completion of one (1) year of service (2080 hours worked, excluding overtime, but including  
8 paid holidays, paid vacation and paid sick leave) within the classification and continue to  
9 advance to each successive step upon completion of one (1) additional year of service within  
10 the classification, until the maximum step is achieved.

11           3.     Date Increment Due. Rate increments shall accrue from the next  
12 day following completion of required service as specified above.

13           **F.     SUPERVISORY DIFFERENTIAL ADJUSTMENT**

14           This Section does not apply to 0215 Bail Commissioner and 0255 Court  
15 Commissioner.

16           The Chief Executive Officer or designee may adjust the salary of a supervisory  
17 employee whose schedule of salary is set herein subject to the following conditions:

18           1.     The supervisor, as part of the regular responsibilities of his/her  
19 class, supervises, directs, is accountable and responsible for and in charge of the work of a  
20 subordinate or subordinates.

21           2.     The supervisor must actually supervise the technical content of  
22 subordinate work and possess education and/or experience appropriate to the technical  
23 assignment.

24           3.     The assignment is a regular one approved by the Chief Executive  
25 Officer or designee.

1                   4.     The salary range of the supervisor is less than 5% over the  
2 compensation range, exclusive of extra pay, of the employee supervised.

3                   5.     The adjustment of the salary of the supervisor shall not exceed 5%  
4 over the compensation exclusive of extra pay, of the employee supervised.

5                   6.     If the application of this section adjusts the salary of an employee  
6 in excess of his/her immediate supervisor, the pay of such immediate supervisor shall be  
7 adjusted to an amount of \$1.00 bi-weekly in excess of the base rate of his/her highest paid  
8 subordinate, provided that the other applicable conditions of this section are also met.

9                   7.     In no event will the Chief Executive Officer or designee approve a  
10 supervisory salary adjustment in excess of 10% over the supervisor's current basic  
11 compensation. If, in the following fiscal year, a salary inequity continues to exist, the Chief  
12 Executive Officer may again review the circumstances and may grant an additional salary  
13 adjustment not to exceed 10%.

14                   **G.     ADDITIONAL COMPENSATION FOR BILINGUAL OR SIGN**  
15 **LANGUAGE**

16                   This Section does not apply to 0215 Bail Commissioner and 0255 Court  
17 Commissioner.

18                   Employees who are assigned in the discretion of the Court to a  
19 designated bilingual or sign language position shall be granted additional compensation of  
20 fifty dollars (\$50) bi-weekly.

21                   **H.     HEALTH AND DENTAL CARE BENEFITS**

22                   1.     Maintenance of Benefits: The current level of health and dental benefits  
23 shall be maintained for the duration of FY 1998-99.

1                   **L.     WORK SCHEDULES**

2                   This Section does not apply to 0215 Bail Commissioner and 0255 Court  
3 Commissioner.

4                   1.     A normal work schedule is a tour of duty of forty (40) hours per  
5 week, usually worked in eight (8) hour increments within a nine (9) hour period, during five  
6 consecutive days. An alternative work schedule may be established by mutual agreement.

7 A part-time work schedule is a tour of duty less than forty (40) hours per week.

8                   2.     Salaries for part-time services shall be calculated upon the  
9 compensation for normal schedules proportionate to the hours actually worked.

10                   **M.     HOLIDAYS**

11                   This Section does not apply to 0215 Bail Commissioner and 0255 Court  
12 Commissioner.

13                   1.     Floating Holidays

14                   In addition to those days designated by state statute as Court  
15 holidays, covered employees shall receive four (4) floating holidays effective July 1, 1998, to  
16 be taken on days selected by the employee subject to the approval and sole discretion of the  
17 Court, prior to July 1, 1999. Floating holidays may only be taken in eight-hour increments.

18 Employees must complete six (6) months continuous service before receiving the floating  
19 holidays, except when a particular day has been determined to be a floating holiday for all of  
20 the employees of the Court, provided that all part-time employees who are not regularly  
21 scheduled, but are employed on an as needed irregular intermittent or other irregular basis  
22 are ineligible for the additional days. Any floating holiday credit unused by the employee by  
23 July 1, 1999 will no longer be available to the employee.

1 2. Court Contribution: The Court shall contribute and continue to contribute a monthly  
2 amount towards Court employee health benefits for each covered employee in accordance  
3 with the requirements of Charter Sections 8.423 and 8.428.

4 3. Dental Benefits: The Court shall continue to contribute a monthly  
5 amount per covered employee sufficient to continue the family dental coverage provided in  
6 FY 1997-98.

7 4. Management Compensation Package:

8 a. For the period between July 1 through September 30, 1998,  
9 the Court will contribute for each covered employee \$225 per month to the Management  
10 Compensation Package. The benefits chosen by represented employees during the 1997-  
11 1998 plan year shall remain unchanged and in effect without any additional election or  
12 enrollment by said employees during this period.

13 b. For the period between October 1, 1998 and June 30, 1999  
14 the Court will continue to contribute \$225 per month for each covered employee to the  
15 Management Compensation Package.

16 c. For the period between July 1, 1999 and September 30,  
17 1999 the Court shall contribute the greater amount of \$225 per month or 75% of the  
18 dependent rate charged to employees for Kaiser coverage at the dependent plus two or more  
19 level.

20 d. The elements of this package shall include but are not  
21 limited to: dependent health care, DCAP, disability insurance, term life insurance and other  
22 life insurance, accident insurance, and other authorized mutually agreed benefits. Specific  
23 plan design shall be subject to administrative feasibility, as determined by the City, and shall  
24 be determined in consultation with the Association. The benefits plan shall conform to  
25 provisions of IRS Code Section 125.

1                   **I.     LIFE INSURANCE**

2                   Effective October 1, 1998 the Court shall arrange for the purchase of a  
3 \$50,000 life insurance policy for each represented employee. This section shall not diminish  
4 any existing rights of covered employees to purchase supplemental coverage through the  
5 Management Compensation Package.

6                   **J.     RETIREMENT CONTRIBUTION**

7                   For the period of July 1, 1998, through June 30, 1999, the Court shall  
8 contribute to the appropriate pension plan a total of:

9                   8% of pension covered gross salary for old plan SFERS full rate  
10                  members;

11                  7.5% of pension covered gross salary for new plan SFERS full  
12                  rate members;

13                  The aforesaid contributions shall not be considered as a part of an employee's compensation  
14 for the purpose of computing earnings or retirement benefits, nor shall such contributions be  
15 taken into account in determining the level of any other benefit which is a function of or  
16 percentage of salary. The Court reserves the right to take said contributions into account for  
17 the purpose of salary comparisons with other employees.

18                  **K.     STATE DISABILITY INSURANCE (SDI)**

19                  Upon a vote by 50% plus one or more of the members of a covered  
20 classification that the members desire to be enrolled in the State disability Insurance Program  
21 at the employee's cost, the Chief Executive Officer shall take any and all necessary action to  
22 enroll such employees therein. The cost of SDI will be paid by the employee through payroll  
23 deduction at a rate established by the State of California Employment Development  
24 Department.

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2. Part-time Employees Eligible for Holidays

Part-time employees who regularly work a minimum of twenty (20) hours in a bi-weekly pay period shall be entitled to holiday pay on a proportionate basis to the full-time work week of forty (40) hours.

Therefore, part-time employees, as defined in the immediately preceding paragraph, shall receive a holiday based upon the ratio of 1/10 of the total hours regularly worked in a bi-weekly pay period. Holiday time off shall be determined by calculating 1/10 of the hours worked by the part-time employee in the bi-weekly pay period immediately preceding the pay period in which the holiday falls. The computation of holiday time off shall be rounded to the nearest hour.

The proportionate amount of holiday time shall be taken in the same fiscal year in which the holiday falls. Holiday time off shall be taken at a time mutually agreeable to the employer and the appropriate employer representative.

3. Holiday compensation for Time Worked

Employees who are covered by this ordinance who are required by the Court to work on a State holiday, excepting Fridays observed as holidays in lieu of holidays falling on a Saturday, shall be granted time off equivalent to the time worked at the rate of one and one-half times the time worked on the holiday. Time off in lieu shall be scheduled at the discretion of the Court.

4. Holiday pay for Employees Laid Off

An employee covered by this section who is laid off at the close of business the day before a holiday who has worked not less than five previous consecutive work days shall be paid for the holiday.



1                   **N. EXECUTIVE/ADMINISTRATIVE LEAVE**

2                   1. Covered employees in the classifications of 0210 Clerk-  
3 Administrator, 0220 Chief Deputy, 0221 Executive Assistant, 0222 Training Officer, 0225  
4 Calendar Coordinator, 0230 Division Chief, 0242 Court Computer System Director are  
5 generally required to work in excess of eighty (80) hours per pay period because of the nature  
6 of their positions. In light of this work requirement, each full-time employee in a classification  
7 covered by this section shall be eligible to receive five (5) days of executive leave on an  
8 annual basis at the discretion of the Chief Executive Officer or designee. Executive Leave for  
9 these employees cannot be cashed out but up to five (5) days of unused leave may be  
10 carried over into subsequent years. Procedures for administering the provisions of this  
11 section will be developed by the Chief Executive Officer or designee. These classifications  
12 shall not be eligible to receive compensatory time off or overtime.

13                   2. Covered employees in the remaining classifications not identified  
14 in the preceding paragraph, with the exception of the 0215 Bail Commissioner and 0255  
15 Court Commissioner, may earn up to eighty (80) hours of paid administrative leave (AL) per  
16 fiscal year for hours worked in excess of forty (40) hours per week. For purposes of this  
17 provision, legal holidays provided for in the government code and jury duty shall be  
18 considered time worked. Administrative leave shall be earned on a straight time basis. In no  
19 case will covered employees be allowed to earn more than eighty (80) hours of administrative  
20 leave in a fiscal year even if their duties require them to work in excess of their normal work  
21 schedule. Employees shall not maintain balances of more than one hundred twenty (120)  
22 hours of AL at any point in time. Procedures for administering the provisions of this section  
23 will be developed by the Chief Executive Officer or designee.

1                   **O. REIMBURSEMENT OF MILEAGE AND RELATED EXPENSES**

2                   Covered employees required to use their own vehicle for City business  
3 shall be reimbursed for mileage as fixed by the Controller in accordance with IRS rules, and  
4 will be reimbursed for all necessary parking and toll expenses.

5                   **P. MEALS**

6                   Covered employees shall, subject to the procedures established by the  
7 City's Controller, be reimbursed for the reasonable and actual costs of meals upon  
8 presentation of receipts in the following circumstances:

- 9                   1.       When an employee is required by the court to attend a meeting at  
10 which a meal is served and such meal is billed to the employee;  
11                   2.       When an employee is traveling overnight out of the City on Court  
12 business.

13                   **Q. FINGERPRINTING**

14                   The Court shall bear the full cost of fingerprinting whenever such is  
15 required of an employee.

1                   **R.    CERTIFICATION:**

2                   The following hereby certify that a majority of the body over which they  
3 each preside has approved the terms of the above ordinance.

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5 

6 ALFRED G. CHIANTELLI  
7 Presiding Judge  
8 Superior Court of California  
County of San Francisco

N/A

TOM AMMIANO, President  
Board of Supervisors  
City & County of San Francisco

9  
10 APPROVED AS TO FORM:  
11 LOUISE H. RENNE  
City Attorney

12 

13 DARREN W. LEE  
14 Deputy City Attorney



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails Ordinance

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**File Number:** 990192

**Date Passed:**

Ordinance implementing schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court of California, County of San Francisco.

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March 1, 1999 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

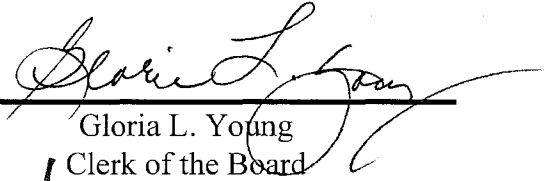
March 8, 1999 Board of Supervisors — FINALLY PASSED

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki

Absent: 2 - Teng, Yee

File No. 990192

I hereby certify that the foregoing Ordinance was FINALLY PASSED on March 8, 1999 by the Board of Supervisors of the City and County of San Francisco.



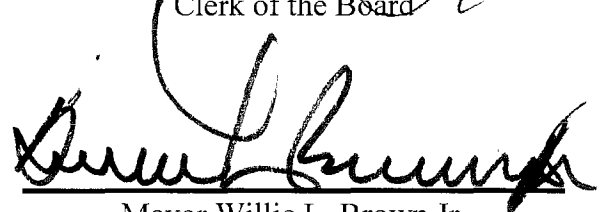
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Gloria L. Young  
Clerk of the Board

MAR 19 1999

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Date Approved



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Mayor Willie L. Brown Jr.