

File No. 140621

Committee Item No. \_\_\_\_\_

Board Item No. 19

# COMMITTEE/BOARD OF SUPERVISORS

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Committee: Budget & Finance Committee

Board of Supervisors Meeting

Date July 22, 2014

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Completed by: Linda Wong Date 6/25/14

Completed by: L.W. Date 7/3/14



**CITY AND COUNTY OF SAN FRANCISCO**

**SALARY ORDINANCE**

**AS OF JULY 11, 2014**



File No. 140621

Ordinance No. \_\_\_\_\_

**FISCAL YEAR ENDING JUNE 30, 2015 and  
FISCAL YEAR ENDING JUNE 30, 2016**

**The following documents related to the FY 2014-2015 and 2015-2016 Budget of the City and County of San Francisco are available in the reference file and online at the following websites:**

- The City and County of San Francisco Proposed Budget and Appropriation Ordinance as of June 2, 2014 (BOS File Nos. 140618 and 140619)  
<http://openbook.sfgov.org/webreports/details3.aspx?id=1748>
- Mayor's 2014-2015 and 2015-2016 Proposed Budget (BOS File No. 140619)  
<http://www.sfmayor.org/index.aspx?page=981>
- The City and County of San Francisco Proposed Salary Ordinance as of June 2, 2014 (BOS File Nos. 140620 and 140621)  
<http://openbook.sfgov.org/webreports/details3.aspx?id=1749>
- Recommendations of the Budget and Legislative Analyst  
<http://www.sfbos.org/index.aspx?page=16330>

**FISCAL YEARS 2014-2015 and 2015-16**

AN ORDINANCE ENUMERATING POSITIONS IN THE ANNUAL BUDGET AND APPROPRIATION ORDINANCE FOR THE FISCAL YEARS ENDING JUNE 30, 2015 AND JUNE 30, 2016, CONTINUING, CREATING OR ESTABLISHING THESE POSITIONS; ENUMERATING AND INCLUDING THEREIN ALL POSITIONS CREATED BY CHARTER OR STATE LAW FOR WHICH COMPENSATIONS ARE PAID FROM CITY AND COUNTY FUNDS AND APPROPRIATED IN THE ANNUAL APPROPRIATION ORDINANCE; AUTHORIZING APPOINTMENTS OR CONTINUATION OF APPOINTMENTS THERETO; SPECIFYING AND FIXING THE COMPENSATIONS AND WORK SCHEDULES THEREOF; AND AUTHORIZING APPOINTMENTS TO TEMPORARY POSITIONS AND FIXING COMPENSATIONS THEREFORE.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO.

**SECTION 1. ESTABLISHMENT, CREATION AND CONTINUATION OF POSITIONS.**

In accordance with the provisions of the Administrative Code, the positions hereinafter enumerated under the respective departments are hereby created, established or continued for the fiscal year ending June 30, 2015 and June 30, 2016. Positions created or authorized by Charter or State law, compensations for which are paid from City and County funds and appropriated in the Annual Appropriation Ordinance, are enumerated and included herein.

The word position or positions as used in the ordinance shall be construed to include office or offices, and the word employee or employees shall be construed to include officer or officers. The terms requisition and "request to fill" are intended to be synonymous and shall be construed to mean a position authorization that is required by the Charter.

**Section 1.1. APPOINTMENTS AND VACANCIES - PERMANENT POSITIONS.**

Section 1.1A. Appointing officers as specified in the Charter are hereby authorized, subject to the provisions of this ordinance, to make or continue appointments as needed during the fiscal year to permanent positions enumerated in their respective sections of this ordinance. Such appointments shall be made in accordance with the provisions of the Charter. Appointing officers shall not make an appointment to a vacancy in a permanent position until the request to fill for such service is approved by the Controller. Provided further, that if the Mayor declares an intent to approve requests to fill due to unanticipated financial reasons, appointing officers shall not make an appointment to a vacancy in a permanent position until the request to fill for such service is approved by the Mayor. Provided further, that if changes occur to the classification, compensation, or duties of a permanent position, appointing officers shall not make an appointment to a vacancy in such position until the request to fill for such service is approved by the Human Resources Department. Provided further, that in order to prevent the stoppage of essential services, the Human Resources Director may authorize an emergency appointment pending approval or disapproval of a request to fill, if funds are available to pay the compensation of such emergency appointee.

Provided that if the proposed employment is for inter-departmental service, the Controller shall approve as to conformity with the following inter-departmental procedure. Appointing officers shall not authorize or permit employees to work in inter-departmental service unless the following provisions are complied with. The payment of compensation for the employment of persons in inter-departmental service shall be within the limit of the funds

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made available by certified inter-departmental work orders and such compensation shall be distributed to the inter-departmental work orders against which they constitute proper detailed charges.

A. In the event the appointing officer is unable to employ a qualified person to cover the work schedule of a position herein established or authorized, the appointing officer, subject to the provisions of this ordinance and the appropriation ordinance and with the approval of the Human Resources Department, may at his/her discretion employ more than one person on a lesser work schedule but the combined salaries shall not exceed the compensation appropriated for the position, or may appoint one person on a combined work schedule but subject to the limitation of the appropriation and the compensation schedule for the position and without amendment to this ordinance.

B. Where a vacancy exists in a position the Human Resources Director, may and is hereby authorized to approve a temporary (diverted) request to fill in a different class, provided that the Controller certifies that funds are available to fill said vacancy on this basis, and provided that no action taken as a result of the application of this section will affect the classification of the position concerned as established in the budget and annual salary ordinance.

An appointing officer, subject to the provisions of this ordinance, the Annual Appropriation Ordinance, the Controller's certification of funds and Civil Service certification procedures may employ more than one person on a combined work schedule not to exceed the permanent full-time equivalent, or may combine the appropriations for more than one permanent part-time position in order to create a single full-time equivalent position limited to classifications of positions herein established or authorized and their respective compensation schedules. Such changes shall be reported to the Human Resources Department and the Controller's office. No full-time equivalent position which is occupied by an employee shall be reduced in hours without the voluntary consent of the employee, if any, holding that position. However, the combined salaries for part-time positions created shall not exceed the compensation appropriated for the full-time position, nor will the salary of a single full-time position created exceed the compensation appropriated for part-time positions. Each permanent part-time employee would receive the same benefits as existing permanent part-time employees. The funding of additional fringe benefit costs subject to availability of funds will be from any legally available funds.

Section 1.1B. With the exception indicated in F, the Human Resources Director is solely authorized to administratively amend this ordinance as follows:

A. To change the classification of a position provided that the rate of pay is the same or less and the services are in the same functional area.

B. To adjust the compensation of a position pursuant to a ratified Memorandum of Understanding or ordinance of the Board of Supervisors.

C. To adjust the compensation of a position when the rate of pay for that position has been approved by the Board of Supervisors in a ratified Memorandum of Understanding or ordinance.

D. To adjust the compensation of a position pursuant to a Memorandum of Understanding ratified by the Board of Supervisors with a recognized employee bargaining group.

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- E. To amend the ordinance to reflect the initial rates of compensation for a newly established classification, excluding classes covered under Administrative Code, Chapter 2A, Article IV, Section 2A.76 and Article V, Section 2A.90.
- F. To allow movement between police classes, provided that the total authorized positions allocated to each rank is not increased.
- G. The Human Resources Director and Department Heads are authorized to implement interest arbitration awards which become effective in accordance with Section 10.4 of the Annual Appropriations Ordinance.
- H. The Human Resources Director may issue appointments to Class 1229 Special Examiner at any hourly rate of the established salary range. Said appointments shall be considered temporary exempt in accordance with Charter Section 10.104(18). The minimum/maximum hourly range effective July 1, 2014 is \$44.45-\$66.04.
- I. The Human Resources Director is authorized to adjust specific allocations within the Management Classification and Compensation Plan (MCCP) and/or to correct clerical errors in the MCCP resulting from the immediate implementation of the MCCP, provided that the rate of pay is the same or less.
- J. Consistent with the Annual Appropriations Ordinance Section 10.2, Professional Service Contracts, the Human Resources Director is authorized to add positions funded in accordance with that section. Consistent with Annual Appropriations Ordinance Section 26 on work order appropriations, the Human Resources Director is authorized to add positions funded by work orders in accordance with that section.
- K. Upon the implementation of the City's new human resources management system, the Human Resources Director, in consultation with the Controller, is authorized to adjust the Annual Salary Ordinance to reconcile the difference between the authorized positions already approved in the current human resources system with the actual positions employed by City Departments and delineated in the Annual Salary Ordinance.

The Controller, the Clerk of the Board, the Mayor's Office and the affected department(s) shall be immediately notified.

Section 1.1C. Provided further, that if requests to fill for vacant permanent positions issued by departments where the Appointing Officers are elected officials enumerated in Article II and Section 6.100 of the Charter (the Board of Supervisors, Assessor-Recorder, City Attorney, District Attorney, Public Defender, Sheriff and Treasurer) are approved by the Controller and are not approved or rejected by the Mayor and the Department of Human Resources within 15 working days of submission, the requests to fill shall be deemed approved. If such requests to fill are rejected by the Mayor and/or the Department of Human Resources, the Appointing Officers listed above may appeal that rejection in a hearing before the Budget Committee of the Board of Supervisors, who may then grant approval of said requests to fill.

Section 1.1D. The Human Resources Director is authorized to make permanent exempt appointments for a period of up to 6 months to permit simultaneous employment of an existing City employee who is expected to depart City employment and a person who is expected to be appointed to the permanent position previously held by the departing employee when such an appointment is necessary to ensure implementation of successful succession plans and to facilitate the transfer of mission-critical knowledge within City departments.

Section 1.1E. The Human Resources Director, with concurrence of the Controller, is authorized to adjust the Annual Salary Ordinance to reflect the conversion of temporary positions to a permanent position(s) (1) when sufficient funding is available and (2) to maintain services when elimination of temporary positions is consistent with the terms of City labor agreements.

Section 1.2. APPOINTMENTS-TEMPORARY POSITIONS.

Temporary appointments to positions defined by Charter Section 10.104(16) as seasonal or temporary positions may be made by the respective appointing officers in excess of the number of permanent positions herein established or enumerated and such other temporary services as required at rates not in excess of salary schedules if funds have been appropriated and are available for such temporary service. Such appointments shall be limited in duration to no more than 1040 hours in any fiscal year. No appointment to such temporary or seasonal position shall be made until the Controller has certified the availability of funds, and the request to fill for such service is approved by the Controller and the Human Resources Department. Provided further that in order to prevent the stoppage of essential services, the Human Resources Director may authorize an emergency appointment pending approval or disapproval of the request to fill, if funds are available to pay the compensation of such emergency appointee. No such appointment shall continue beyond the period for which the Controller has certified the availability of funds. Provided that if the proposed employment is for inter-departmental service, the Controller shall approve as to conformity with the following inter-departmental procedure. Appointing officers shall not authorize or permit employees to work in inter-departmental service unless the following provisions are complied with. The payment of compensation for the employment of persons in inter-departmental service shall be within the limit of the funds made available by certified inter-departmental work orders and such compensation shall be distributed to the inter-departmental work orders against which they constitute proper detailed charges.

Section 1.2A. Temporary Assignment, Different Department. When the needs and the best interests of the City and County of San Francisco require, appointing officers are authorized to arrange among themselves the assignment of personnel from one department to another department on a temporary basis. Such temporary assignments shall not be treated as transfers, and may be used for the alleviation of temporary seasonal peak-load situations, the completion of specific projects, temporary transitional work programs to return injured employees to work, or other circumstances in which employees from one department can be effectively used on a temporary basis in another department. All such temporary assignments between departments shall be reviewed by the Human Resources Department.

Section 1.3. EXCEPTIONS TO NORMAL WORK SCHEDULES FOR WHICH NO EXTRA COMPENSATION IS AUTHORIZED.

Occupants of the position specified by symbol -Z- shall work such hours as may be necessary for the full and proper performance of their duties and shall receive no additional compensation for work on holidays or in excess of eight hours per day for five days per week, but may be granted compensatory time off under the provisions of ratified applicable Memorandum of Understanding or ordinance. Provided that, subject to the fiscal provisions of the Charter and the availability of funds, the provisions of this section may be suspended to allow overtime payment, pursuant to approval of the Director of Human Resources. Overtime payments shall be limited to extraordinary circumstances which cannot be anticipated or provided through normal scheduling and assignment of available personnel. Further, such payment shall be limited to only those circumstances which are consistently applied to all personnel in a class, regardless of department.



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Section 1.3A. Work Performed Under Contract And Compensation Therefore. In the execution and performance of any contract awarded to a city department under the provisions of Charter Section A7.204 and the Administrative Code, the rates fixed herein shall not apply to employments engaged therein, and in lieu thereof not less than the highest general prevailing rate of wages in private employment for similar work, as fixed by a resolution of the Board of Supervisors and in effect at the time of the award of said contract, shall be paid to employees performing work under such contract.

Section 1.3B. Charges and Deductions for Maintenance. The compensations fixed herein for all employees whose compensations are subject to the provisions of Charter Section A8.400 and including also those engaged in construction work outside the City and County of San Francisco, are gross compensations and include the valuation of maintenance provided such employees. Charges and deductions therefore for any and all maintenance furnished and accepted by employees shall be made and indicated on time rolls and payrolls in accordance with the following schedule of charges. Provided, however, that no charge shall be made for meals furnished cooks, bakers, waiters, waitresses, and other kitchen workers while on duty, and that the City shall provide breakfast, dinner, and midnight meals to interns and residents when they are working in the hospital, and shall provide weekend lunches to interns and residents when they are working weekends on call (the Department may require such interns and residents to provide proof of eligibility for such meals upon request), and provided further that employees of the Hetch Hetchy Project and Camp Mather who are temporarily assigned to perform duties for a period in excess of a normal work day away from the headquarters to which the employees are normally and permanently assigned, shall not be charged for board and lodging at the Headquarters to which they are temporarily assigned.

1. MEALS:

- A. Hetch Hetchy Boarding House  
(Except O'Shaughnessy guest cottage)
  - Breakfast, per meal           \$ 5.00
  - Lunch, per meal               \$ 10.00
  - Dinner, per meal              \$ 20.00
  
- B. O'Shaughnessy guest cottage
  - Cottage #1                   \$ 50.00
  - Cottage #2                   \$ 30.00
  - Room, bunk house           \$ 20.00
  - Breakfast, per meal         \$ 10.00
  - Lunch, per meal             \$ 18.00
  - Dinner, per meal            \$ 25.00
  
- C. Department of Public Health
  - Laguna Honda Hospital
  - Per meal                     \$ 6.50
  
  - San Francisco General Hospital
  - Per meal                     \$ 6.00
  
- D. Juvenile Court
  - All institution, per meal    \$ 4.50
  
- E. Recreation and Park - Camp Mather
  - per meal                     \$ 8.25

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F. Sheriff	
SFGH Ward 7D, average	\$ 6.00
All Jails, all meals	\$ 1.00

2. LAUNDRY:

San Francisco General Hospital (With the exception of the free laundering of uniforms for interns, residents, nurses, kitchen helpers and other employees.)	
Per pound	\$ 0.60

3. ROOM:

San Francisco General Hospital (With the exception of free rooms furnished to interns and residents.)	
Per bi-weekly pay period	\$190.00
Per person per night	\$ 27.00
Monthly	\$416.00

4. HOUSE OR APARTMENT:

Unless otherwise specified, lodging for all facilities except Hetch Hetchy Project, an amount set in accordance with the recommendation of the Director of Property on the request of the Department Head and approved by the Controller, or as provided in ratified collective bargaining agreement.

Note: Sales of meals by employers to employees are subject to state sales tax. The meal cost figures and 2014-2015 annual salary ordinance rates stated in the schedules do not include any provisions for state sales tax payable by the City and County to the State.

SECTION 2. COMPENSATION PROVISIONS.

Section 2.1. PUC EMPLOYEES ASSIGNED TO HETCH HETCHY AND RECREATION AND PARK EMPLOYEES PERMANENTLY ASSIGNED TO CAMP MATHER.

The Public Utilities Commission and Recreation and Park Department will pay a stipend of \$926.83 per month to employees residing in designated zip code areas enrolled in the Health Services System with employee plus two or more dependents where HMOs are not available and such employees are limited to enrollment to the City Plan I. The Public Utilities Commission will pay a stipend of \$661.07 per month to employees residing in designated zip code areas enrolled in the Health Services System with employee plus one dependent where HMOs are not available and such employees are limited to enrollment to City Plan I. The City reserves the right to either reimburse the affected employees or provide an equivalent amount directly to the Health Services System. These rates became effective January 1, 2015.

Section 2.2. MOVING EXPENSES.

Where needed to recruit employees to fill positions that are listed under San Francisco Charter Section 10.104(5), (6), and (7), an appointing authority may authorize the expenditure of pre-offer recruitment expenses, such as interview travel expenses, and reimbursement of post-offer expenses, such as moving, lodging/temporary housing and other relocation costs, not to exceed \$15,000. Reimbursement will be made for actual expenses documented by receipts. Payments under this section are subject to approval by the Controller and the Human Resources Director.

Section 2.3. SUPPLEMENTATION OF MILITARY PAY.

A. In accordance with Charter Section A8.400 (h) and in addition to the benefits provided pursuant to Section 395.01 and 395.02 of the California Military and Veterans Code and the Civil Service Rules, any City officer or employee who is a member of the reserve corps of the United States Armed Forces, National Guard or other uniformed service organization of the United States and is called into active military service on or after September 11<sup>th</sup>, 2001 in response to the September 11<sup>th</sup>, 2001 terrorist attacks, international terrorism, conflict in Iraq or related extraordinary circumstances shall have the benefits provided for in subdivision (B).

B. Any officer or employee to whom subdivision (A) applies, while on military leave shall receive from the City, as of the effective date of this ordinance, the following supplement to their military pay and benefits:

1. The difference between the amount of the individual's gross military pay and the amount of gross pay the individual would have received as a city officer or employee, had the officer or employee worked his or her normal work schedule.
2. Retirement service credit consistent with Section A8.520 of the Charter. The City shall pay the full employee contributions required by the Charter to the extent employer paid employee contributions are required under the memorandum of understanding covering the employee.
3. All other benefits to which the individual would have been entitled had the individual not been called to active duty, except as limited under state law or the Charter.

C. As set forth in Charter Section A8.400 (h), this section shall be subject to the following limitations and conditions:

1. The individual must have been called into active service for a period greater than 30 consecutive days.
2. The purpose for such call to active service shall have been to respond to the September 11<sup>th</sup>, 2001 terrorist attacks, international terrorism, conflict in Iraq or related extraordinary circumstances and shall not include scheduled training, drills, unit training assemblies or similar events.
3. The amounts authorized pursuant to this ordinance shall be offset by amounts required to be paid pursuant to any other law in order that there be no double payments.
4. Any individual receiving compensation pursuant to this ordinance shall execute an agreement providing that if the individual does not return to City service within 60 days of release from active duty (or if the individual is not fit for employment at that time, within 60 days of a determination that the employee is fit for employment), then that compensation described in Sections (B)(1) through (B)(3) shall be treated as a loan payable with interest at a rate equal to the greater of (i) the rate received for the

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concurrent period by the Treasurer's Pooled Cash Account or (ii) the minimum amount necessary to avoid imputed income under the Internal Revenue Code of 1986, as amended from time to time, and any successor statute. Such loan shall be payable in equal monthly installments over a period not to exceed 5 years, commencing 90 days after the individual's release from active service or return to fitness for employment, as the case may be.

5. This section shall not apply to any active duty served voluntarily after the time that the individual is called to active service.

**Section 2.4 COMPENSATION OF CITY EMPLOYEES DURING SERVICE ON CHARTER-MANDATED BOARDS AND COMMISSIONS, OR BOARDS, COMMISSIONS AND COMMITTEES CREATED BY INITIATIVE ORDINANCE.**

A. City employees serving on Charter-mandated Boards and Commissions, or Boards, Commissions and Committees created by initiative ordinance shall not be compensated for the number of hours each pay period spent in service of these Boards and Commissions, based on a 40-hour per week compensation assumption.

B. City employees covered by this provision shall submit to the Controller each pay period a detailed description of the time spent in service, including attending meetings, preparing for meetings, meeting with interested stakeholders or industry, and writing or responding to correspondence. There is a rebuttable presumption that such employees spend .25 of their time in service of these duties. This information shall be made publicly available pursuant to the Sunshine Ordinance.

C. This provision shall not apply to City employees whose service is specified in the Charter or by initiative ordinance, nor shall it apply to City employees serving on interdepartmental or other working groups created by initiative of the Mayor or Board of Supervisors, nor shall it apply to City employees who serve on the Health Service Board or Retirement Board.

**Section 2.5 COMPENSATION OF PLANNING COMMISSIONERS FOR ATTENDANCE AT PLANNING COMMISSION MEETINGS.**

Each commissioner serving on the Planning Commission may receive full compensation for his or her attendance at each meeting of the commission, as enumerated and included herein, provided that the commissioner is present at the beginning of the first action item on the agenda for such meeting for which a vote is taken until the end of the public hearing on the last calendared item. A commissioner of the Planning Commission who attends a portion of a meeting of the Planning Commission, but does not qualify for full compensation, may receive one-quarter of the compensation available for his or her attendance at each meeting of the commission, as enumerated and included herein.

**Section 2.6 COMPENSATION OF STIPEND FOR USE OF PERSONAL CELL PHONE.**

In consultation with the Director of Human Resources, the Controller shall establish rules and parameters for the payment of monthly stipends to officers and employees who use their own cells phones to maintain continuous communication with their workplace, and who participate in a City-wide program that reduces costs of City-owned cell phones.

SECTION 3. EXPLANATION OF SYMBOLS.

The following symbols used in connection with the rates fixed herein have the significance and meaning indicated.

- B. Biweekly.
- C. Contract rate.
- D. Daily.
- E. Salary fixed by Charter.
- F. Salary fixed by State law.
- G. Salary adjusted pursuant to ratified Memorandum of Understanding.
- H. Hourly.
- I. Intermittent.
- J. Rate set forth in budget.
- K. Salary based on disability transfer.
- L. Salary paid by City and County and balance paid by State.
- M. Monthly.
- O. No funds provided.
- P. Premium rate.
- Q. At rate set under Charter Section A8.405 according to prior service.
- W. Weekly.
- Y. Yearly.

