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(Unrepresented Employees)

AN ORDINANCE FIXING COMPENSATION FOR PERSONS EMPLOYED BY THE CITY AND COUNTY OF SAN FRANCISCO WHOSE COMPENSATIONS ARE SUBJECT TO THE PROVISIONS OF SECTION A 8.409 OF THE CHARTER, IN CLASSES NOT REPRESENTED BY AN EMPLOYEE ORGANIZATION, AND ESTABLISHING WORKING SCHEDULES AND CONDITIONS OF EMPLOYMENT AND METHODS OF PAYMENT, EFFECTIVE JULY 1, 2000

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

Pursuant to Charter Section A 8.409-1, the Mayor hereby proposes and the Board of Supervisors approves the wages, hours and other terms and conditions of employment set forth herein to be applicable to all unrepresented classifications or positions of City employment.

Unless specifically noted, the following provisions are applicable to all employees covered by this Ordinance, which includes Miscellaneous Unrepresented employees and Management Unrepresented employees. For informational purposes, see Attachment A for a list of classifications designated as Miscellaneous Unrepresented and Management Unrepresented.

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20 **Section 1. General Terms and Conditions of Employment**

21 A. All terms and conditions of employment not covered under this Ordinance shall

22 continue to be subject to the City’s direction and control. Unless specifically

23 addressed herein, those terms and conditions of employment which are currently

24

1 set forth in the Charter, Administrative Code, Civil Service Rules policies and  
2 procedures, shall apply to employees covered by this ordinance.

3 B. Nothing in this Ordinance shall have application to changes of Civil Service rules  
4 and matters subject to the exclusive jurisdiction of the Civil Service Commission  
5 pursuant to Charter Section A8.409-3, unless specifically approved by the Civil  
6 Service Commission, except as such changes may affect compensation.  
7

8 **Section 2. Wage Rates**

9 The wage rates for the employees covered by this Ordinance for fiscal year 2000-2001 shall be  
10 increased as follows:

11	Effective July 1, 2000	Effective January 6, 2001
12	2 %	1.5%

13  
14 Effective July 1, 2000, the salary for class 1801 Supervising Performance Auditor shall be set at  
15 salary schedule 66.35 (\$2,326 B 2,827).

16 Effective July 1, 2000, the salary for class 1283 Director, Employee Relations Division shall not  
17 be less than class 1278 Division Manager, Personnel.  
18

19 All base wage increases shall be rounded to the nearest salary schedule.  
20

21 **Section 3. Acting Assignment Pay**

22 The Appointing Officer/designee assigns duties to employees covered by this ordinance.  
23 Employees assigned by the Appointing Officer/designee to perform the full range of essential  
24

1 functions of a position in a higher classification shall receive compensation at a higher salary if  
2 all of the following conditions are met:

- 3 (1) The assignment shall be in writing with copies to the Department of Human  
4 Resources and Controller.
- 5 (2) The assignment shall conform to all Civil Service Commission Rules, policies and  
6 procedures.
- 7 (3) The position to which the employee is assigned must be a budgeted position.
- 8 (4) The employee is assigned to perform the duties of a higher classification for longer  
9 than thirty (30) consecutive working days.

10 a. If each of the above criteria are met and upon written approval by the  
11 Department Head, an employee shall be paid a one full salary step adjustment  
12 (approximately 5%) but which does not exceed the maximum step of the  
13 salary schedule of the class to which temporarily assigned. Premiums based  
14 on percent of salary shall be paid at a rate which includes acting assignment  
15 pay.

16 b. Requests for classification or reclassification review shall not be governed by  
17 this provision.

18 **Section 4. Supervisory Differential Adjustment**

19 The Appointing Officer may adjust the compensation of a supervisory employee whose schedule  
20 of compensation is set herein subject to the following conditions:

- 21 (1) The supervisor, as part of the regular responsibilities of his/her class, supervises,  
22 directs, is accountable for and is in responsible charge of the work of a subordinate  
23 or subordinates.

- 1 (2) The supervisor must actually supervise the technical content of subordinate work and  
2 possess education and/or experience appropriate to the technical assignment.
- 3 (3) The organization is a permanent one approved by the appointing officer, Board or  
4 Commission, where applicable, and is a matter of record based upon review and  
5 investigation by the Department of Human Resources.
- 6 (4) The classifications of both the supervisor and the subordinate are appropriate to the  
7 organization and have a normal, logical relationship to each other in terms of their  
8 respective duties and levels of responsibility and accountability in the organization.
- 9 (5) The compensation schedule of the supervisor is less than one full step (approximately  
10 5%) over the compensation schedule, exclusive of extra pay, of the employee  
11 supervised. In determining the compensation schedule of a classification being paid  
12 a flat rate, the flat rate will be converted to a bi-weekly rate and the compensation  
13 schedule the top step of which is closest to the flat rate so converted shall be deemed  
14 to be the compensation schedule of the flat rate classification.
- 15 (6) The adjustment of the compensation schedule of the supervisor shall not exceed 5%  
16 over the compensation exclusive of extra pay, of the employee supervised. If the  
17 application of this section adjusts the compensation schedule of an employee in  
18 excess of his/her immediate supervisor, whose class is also covered by this ordinance  
19 the pay of such immediate supervisor shall be adjusted to an amount \$1.00 bi-weekly  
20 in excess of the base rate of his/her highest paid subordinate, provided that the other  
21 applicable conditions of this section are also met.
- 22 (7) In no event will the Appointing Officer approve a supervisory salary adjustment in  
23 excess of two (2) full steps (approximately 10%) over the supervisor's current basic  
24  
25

1 compensation. If in the following fiscal year a salary inequity continues to exist, the  
2 Appointing Officer may again review the circumstances and may grant an additional  
3 salary adjustment not to exceed two (2) full steps (approximately 10%).

- 4 (8) The Human Resources Department shall review any changes in the conditions or  
5 circumstances that were and are relevant to the request for salary adjustment under  
6 this section.  
7

8 **Section 5. Internal Adjustment Process**

9 Upon request of an Appointing Officer, the Director of the Human Resources Department may  
10 approve internal salary adjustments, subject to approval of the Board of Supervisors, during the  
11 term of the Ordinance based upon the following:

12 1. Standards

13 The following shall be the standards for internal adjustments for the wage rates  
14 for a particular classification:

- 15 a) The salary for the classification is below the prevailing wage level in the  
16 relevant labor market as demonstrated by verifiable salary data; and/or  
17 b) There is an ongoing and demonstrable recruitment and/or retention  
18 problem; and/or  
19 c) Traditional salary relationships, which continue to be justified, have been  
20 substantially altered; and/or  
21 d) The duties, responsibilities and/or minimum requirements for a  
22 classification have been altered significantly.

23 2. Internal Adjustment Cap  
24  
25

1 Internal adjustment costs shall not exceed an annualized cost of .3% of the total  
2 payroll cost for the employees covered by this Ordinance.  
3

4 **Section 6. Premium Pay**

5 All premiums and additional forms of compensation described in this ordinance shall be paid  
6 only for actual hours worked.  
7

8 There shall be no pyramiding of premiums for purposes of compensation calculations. Each  
9 premium shall be calculated on the base wage rate exclusive of any and all premiums, benefits  
10 and other forms of additional compensation.  
11

12 **Section 7. Bilingual Pay**

13 Unrepresented employees who are assigned by their Department to a position designated by their  
14 Department as a "Bilingual Position", subject to approval by the Human Resources Department,  
15 shall receive an additional \$35.00 in each pay period when bilingual duties are performed 5 hours  
16 or more in each week. A designated "Bilingual Position" is one in which the employee is  
17 required to translate to and from a foreign language, or sign language as used by the deaf.  
18

19 **Section 8. Project Managers**

20 For fiscal year 2000-2001, the wage differential that existed in 1992-93 shall be re-established  
21 between the Project Manager classifications and their related professional engineering  
22 classifications as follows:

23 5502 Project Manager I and 5206 Associate Civil Engineer  
24  
25



- 1 5504 Project Manager II and 5208 Civil Engineer
- 2 5506 Project Manager III and 5210 Senior Civil Engineer
- 3 5508 Project Manager IV and 5212 Principal Engineer

4

5 **Section 9. Appointment and Advancement**

6 Appointing Officers may appoint employees to any step, at any time, in the salary range which  
7 does not exceed the maximum of the salary range. If there are no steps within the salary range,  
8 the Appointing Officer may appoint employees to any place within the range at any time,  
9 providing that the placement does not exceed the salary range maximum.

10

11 **Section 10. Methods of Calculation**

- 12 (1) Monthly. An employee whose compensation is fixed on a monthly basis shall be  
13 paid monthly or bi-weekly in accordance with State Law or other applicable  
14 provision. There shall be no compensation for time not worked unless such time  
15 off is authorized time off with pay.
- 16 (2) Bi-Weekly. An employee whose compensation is fixed on a bi-weekly basis shall  
17 be paid the bi-weekly salary for his/her position for work performed during the bi-  
18 weekly payroll period. There shall be no compensation for time not worked  
19 unless such time off is authorized time off with pay.
- 20 (3) Per Diem or Hourly. An employee whose compensation is fixed on a per diem or  
21 hourly basis shall be paid the daily or hourly rate for work performed during the  
22 bi-weekly payroll period on a bi-weekly pay schedule. There shall be no  
23

1 compensation for time not worked unless such time off is authorized time off with  
2 pay.

3 (4) Weekly. An employee whose compensation is fixed on a weekly basis shall be  
4 paid bi-weekly for work performed during the bi-weekly payroll period. There  
5 shall be no compensation for time not worked unless such time off is authorized  
6 time off with pay.

7 (5) Conversion of Annual or Monthly Rates to Semimonthly or Bi-Weekly Rates.

8 When rates of compensation provided on an annual or monthly basis are  
9 converted to bi-weekly rates for payroll purposes and the resulting amount  
10 involves a fraction of a cent, the converted bi-weekly rate shall be adjusted to  
11 eliminate such fraction of a cent on the following basis:

12 a. A fraction of less than one-half ( $1/2$ ) shall be dropped and the amount  
13 reduced to the next full cent.

14 b. A fraction of one-half ( $1/2$ ) or more shall be increased to the next full  
15 cent.

16 (6) Daily Rates for Monthly and Bi-Weekly Employees. A day's pay shall be  
17 determined by dividing the number of work days in a normal work schedule in a  
18 monthly payroll period (including specified holidays) into the monthly salary  
19 established for the position, or the amount of a day's pay shall be 1/10th of the  
20 compensation of a normal work schedule in a bi-weekly period (including  
21 specified holidays).

- 1 (7) Conversion to Bi-Weekly Rates. Rates of compensation established on other than  
2 bi-weekly basis may be converted to bi-weekly rates by the Controller for payroll  
3 purposes.  
4

5 **Section 11. Work Schedules**

6 (1) Regular Work Schedules

7 a. Regular Work Day. Unless otherwise provided, a regular workday is a tour of  
8 duty of eight (8) hours of work completed within not more than twenty-four  
9 (24) hours.

10 b. Regular Work Week. The Appointing Officer shall determine the work  
11 schedule for employees in his/her department. A regular workweek is a tour  
12 of duty of five (5) worked days within a seven day period. However,  
13 employees who are moving from one shift or one work schedule to another  
14 may be required to work in excess of five working days in conjunction with  
15 changes in their work shifts or schedules.

16 Employees shall receive no compensation when properly notified (2-hour  
17 notice) that work applicable to the classification is not available because of  
18 inclement weather conditions, shortage of supplies, traffic conditions, or other  
19 unusual circumstances. Employees who are not properly notified and report to  
20 work and are informed no work applicable to the classification is available  
21 shall be paid for a minimum of two hours. Employees who have been  
22 designated by their department as emergency personnel must report to work as  
23 scheduled unless otherwise notified by the Appointing Officer or designee.  
24

1 Employees who begin their shifts and are subsequently relieved of duty due to  
2 the above reasons shall be paid a minimum of two hours, and for hours  
3 actually worked beyond two hours, computed to the nearest one-quarter hour.

4 (2) Night Duty

5 Employees, exclusive of employees in classes which are exempt from the Fair  
6 Labor Standards Act, who, as part of their regularly scheduled work shift, are  
7 required to work any hours between (six) 6:00 p.m. and (six) 6:00 a.m. shall  
8 receive a premium of 5% per hour in addition to their straight time hourly base  
9 rate of pay for any and all hours worked between (six) 6:00 p.m. and (six) 6:00  
10 a.m. Excluded from this provision are those employees who participate in an  
11 authorized flex-time program where the work shift includes hours to be worked  
12 between the hours of (six) 6:00 p.m. and (six) 6:00 a.m. Day shift employees  
13 assigned to work during the night duty premium hours are not eligible for night  
14 duty premium. Payment of this premium shall be made for actual hours worked.

15 (3) Alternate Work Schedule

16 The Appointing Officer may enter into cost equivalent alternate work schedules  
17 for some or all employees. Such alternate work schedules may include, but are  
18 not limited to, core hours flex-time; full-time work weeks of less than five (5)  
19 days; or a combination of features mutually agreeable to the parties. Such  
20 changes in the work schedule shall not alter the basis for, nor entitlement to,  
21 receiving the same rights and privileges as those provided to employees on five  
22 (5) day, forty (40) hour a week schedules.

1 (4) Voluntary Reduced Work Week

2 Employees subject to the approval by the Appointing Officer may voluntarily  
3 elect to work a reduced work week for a specified period of time. Such reduced  
4 work week shall not be less than twenty (20) hours per week. Pay, vacation,  
5 holidays and sick pay shall be reduced in accordance with such reduced work  
6 week.

7 **Section 12. Probationary Periods**

8 The definition of a probationary period shall be as provided under the Rules of the Civil Service  
9 Commission. All permanent appointees shall serve a minimum of a six month probationary  
10 period except that the Human Resources Director may designate specific classifications which  
11 shall require up to a one year probationary period.

12 A probationary period may be extended by mutual written agreement between the employee and  
13 the appointing officer.

14 An employee who is granted a leave while serving a probationary period shall have such  
15 probationary period extended by the period of such leave in order to complete the required period  
16 of service.

17  
18 **Section 13. Seniority**

19  
20 In the event of layoffs, the employee in the class with the least Civil Service seniority within that  
21 employee's department shall be laid off. Bumping rights shall be limited to the employee's  
22 current department.

1 **Section 14. Overtime Compensation**

- 2
- 3 (1) Subject to sub-paragraphs 2-4 below, the Appointing Officer may require
- 4 employees to work longer than the regular work day or the regular work week.
- 5 Any time worked by an employee with proper authorization, exclusive of part-
- 6 time employees, in excess of forty (40) hours actually worked during a regular
- 7 work week shall be designated as overtime and shall be compensated at one-and-
- 8 one-half times the base hourly rate. For the purposes of calculating overtime
- 9 compensation, an employee's base hourly rate may include certain premiums for
- 10 those hours actually worked at the premium rate.
- 11 (2) Employees working in classifications that are designated as having a regular work
- 12 week of less than forty (40) hours shall not be entitled to overtime compensation
- 13 for work performed in excess of said specified regular hours until they exceed
- 14 forty (40) hours per week. Overtime shall be calculated and paid on the basis of
- 15 the total number of straight time hours actually worked in a week. Overtime
- 16 compensation so earned shall be computed subject to all the provisions and
- 17 conditions set forth herein.
- 18 (3) Employees occupying Fair Labor Standards Act ("FLSA") exempt (executive,
- 19 administrative, or professional) positions shall not be paid for overtime worked
- 20 but may earn CTO at the rate of one hour for each hour worked in excess of 40
- 21 hour/week. The maximum amount of CTO that may be accrued may be
- 22 established by each appointing officer. In lieu of accruing CTO during the fiscal
- 23 year, unrepresented department heads and employees in AB44 Confidential Chief

1 Attorney II shall have the same administrative time off benefit applicable to  
2 employees in classifications assigned to the EM Unit.

- 3 (4) Employees not exempted from the FLSA who are required to work overtime shall  
4 be paid at a rate of one and one-half times their regular base rate. An employee  
5 may elect to accrue CTO in lieu of overtime, provided that the Appointing Officer  
6 approves of such election. In no instance may an employee accrue more than two  
7 hundred forty (240) hours of CTO.  
8

9 **Section 15. Fair Labor Standards Act**

10 To the extent that this ordinance fails to afford employees the overtime or compensatory time off  
11 benefits to which they are entitled under the Fair Labor Standards Act, this ordinance authorizes  
12 and directs all City Departments to ensure that their employees receive, at a minimum, such Fair  
13 Labor Standards Act Benefits.  
14

15 **Section 16. Standby Pay and Pager Pay**

16 Employees who, as part of the duties of their positions are required by the Appointing Officer to  
17 standby when normally off duty to be instantly available to be called in for immediate emergency  
18 service for the performance of their regular duties, shall be paid 25 percent of their regular  
19 straight time rate of pay for the period of such standby service, except that employees shall be  
20 paid ten (10) percent of their regular straight time rate of pay for the period of such standby  
21 service when outfitted by the department with an electronic paging device. When such  
22 employees are called to perform their regular duties in emergencies during the period of such  
23

1 standby service, they shall be paid while engaged in such emergency service the usual rate of pay  
2 for such service.

3 The provisions authorizing standby pay do not apply to classifications designated by a "Z"  
4 symbol and which would qualify for designation as executive, administrative or professional  
5 under the duties test provisions of the Federal Fair Labor Standards Act.  
6

### 7 **Section 17. Call Back**

8 Employees (except those at remote locations where City supplied housing has been offered, or  
9 who are otherwise being compensated) who are called back to their work locations following the  
10 completion of his/her work day and departure from his/her place of employment, shall be paid at  
11 the applicable rate for all hours actually worked. This section shall not apply to employees who  
12 are called back to duty when on stand-by status.  
13

14 Notwithstanding the general provisions of this section, call back pay shall not be allowed in  
15 classes which are FLSA exempt (executive, administrative or professional).  
16

### 17 **Section 18. Holidays**

18 Except when normal operations require, or in an emergency, employees shall not be required to  
19 work on the following days hereby declared to be holidays for such employees:

20 January 1 (New Year's Day)

21 the third Monday in January (Martin Luther King, Jr.'s Birthday)

22 the third Monday in February (President's Day)

23 the last Monday in May (Memorial Day)



1 July 4 (Independence Day)  
2 the first Monday in September (Labor Day)  
3 the second Monday in October (Columbus Day)  
4 November 11 (Veteran's Day)  
5 Thanksgiving Day  
6 the day after Thanksgiving  
7 December 25 (Christmas Day)

8 Provided further, if January 1, July 4, November 11 or December 25 falls on a Sunday, the  
9 Monday following is a holiday.

10  
11 The City shall accommodate religious belief or observance of employees as required by law.  
12 Employees are entitled to three additional floating days off to be taken on days selected by the  
13 employee subject to prior scheduling approval of the appointing officer. Employees (both full-  
14 time and part-time) must complete six (6) months continuous service to establish initial  
15 eligibility for the floating days off. Employees hired on an as-needed, intermittent or seasonal  
16 basis shall not receive the additional floating days off. Floating days off may not be carried  
17 forward from one fiscal year to the next. No compensation of any kind shall be earned or granted  
18 for floating days off not taken. Employees who have established initial eligibility for floating  
19 days off and subsequently separate from City employment, may at the sole discretion of the  
20 appointing authority, be granted those floating day(s) off to which the separating employee was  
21 eligible and had not yet taken off. In addition, any day declared to be a holiday by proclamation  
22 of the Mayor after such day has heretofore been declared a holiday by the Governor of the State  
23 of California or the President of the United States.

1 For those employees assigned to a work week of Monday through Friday, and in the event a legal  
2 holiday falls on Saturday, the preceding Friday shall be observed as a holiday; provided,  
3 however, that except where the Governor declares that such preceding Friday shall be a legal  
4 holiday, each department head shall make provision for the staffing of public offices under  
5 his/her jurisdiction on such preceding Friday so that said public offices may serve the public as  
6 provided in the Administrative Code (Section 16.4). Those employees who work on a Friday  
7 which is observed as a holiday in lieu of a holiday falling on Saturday shall be allowed a day off  
8 in lieu thereof as scheduled by the appointing officer in the current fiscal year. The City shall  
9 provide one week's advance notice to employees scheduled to work on the observed holiday,  
10 except in cases of unforeseen operational needs.

11  
12 **Section 19. Holiday Compensation for Time Worked**

13 Employees required by their respective Appointing Officers to work on any of the above-  
14 specified or to substitute holidays excepting Fridays observed as holidays in lieu of holidays  
15 falling on Saturday, shall be paid extra compensation of one (1) additional day's pay at time and  
16 one-half (1-1/2) the usual rate in the amount of twelve (12) hours' pay for eight (8) hours worked  
17 or a proportionate amount if less than eight (8) hours worked; provided, however, that at an  
18 employee's request and with the approval of the appointing officer, an employee may be granted  
19 compensatory time off in lieu of paid overtime.

20  
21 Employees occupying positions which are exempt from the FLSA (Executive, Administrative  
22 and Professional) shall not receive extra compensation for holiday work but may be granted time  
23 off at the discretion of the Appointing Officer.

1  
2 **Section 20. Holidays for Employees on Work Schedules Other Than Monday Through**  
3 **Friday**

- 4 (1) Employees assigned to seven (7) day-operation departments or employees working a  
5 five (5) day work week other than Monday through Friday shall be allowed another  
6 day off if a holiday falls on one of their regularly scheduled days off.  
7 (2) Employees whose holidays are changed because of shift rotations shall be allowed  
8 another day off if a legal holiday falls on one of their days off.  
9 (3) Employees required to work on a holiday which falls on a Saturday or Sunday shall  
10 receive holiday compensation for work on that day. Holiday compensation shall not  
11 then be additionally paid for work on the Friday preceding a Saturday holiday, nor  
12 on the Monday following a Sunday holiday.  
13 (4) Sections (2) and (3) above shall apply to part-time employees on a pro-rata basis.

14 If the provisions of this section deprive an employee of the same number of holidays  
15 that an employee receives who works Monday through Friday, s/he shall be granted  
16 additional days off to equal such number of holidays. The designation of such days  
17 off shall be by mutual agreement of the employee and the appropriate employer  
18 representative. Such days off must be taken within the fiscal year. In no event shall  
19 the provisions of this section result in such employee receiving more or less holidays  
20 than an employee on a Monday through Friday work schedule.  
21  
22  
23  
24  
25

1 **Section 21. Holiday Pay for Employees Laid Off**

2 An employee who is laid off at the close of business the day before a holiday who has worked  
3 not less than five (5) previous consecutive workdays shall be paid for the holiday at their normal  
4 rate of compensation.

5  
6 **Section 22. Employees Not Eligible for Holiday Compensation**

7 Persons employed for holiday work only, or persons employed on a part-time work schedule  
8 which is less than twenty (20) hours in a bi-weekly pay period, or persons employed on an  
9 intermittent part-time work schedule (not regularly scheduled), or persons employed on as-  
10 needed, seasonal or project basis for less than six (6) months continuous service, or persons on  
11 leave without pay status both immediately preceding and immediately following the legal  
12 holiday shall not receive holiday pay.

13  
14 **Section 23. Part-time Employees Eligible for Holidays**

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

17 Regular full-time employees are entitled to 8/80 or 1/10 time off when a holiday falls in a bi-  
18 weekly pay period, therefore, part-time employees, as defined in the immediately preceding  
19 paragraph, shall receive a holiday based upon the ratio of 1/10 of the total hours regularly  
20 worked in a bi-weekly pay period. Holiday time off shall be determined by calculating 1/10 of  
21 the hours worked by the part-time employee in the bi-weekly pay period immediately preceding  
22 the pay period in which the holiday falls. The computation of holiday time off shall be rounded  
23 to the nearest hour.

1  
2 The proportionate amount of holiday time off shall be taken in the same fiscal year in which the  
3 holiday falls. Holiday time off shall be taken at a time mutually agreeable to the employee and  
4 the appropriate employer representative.  
5

6 **Section 24. In-Lieu Holidays**

7 (1) Requests for in-lieu holidays shall be made to the appropriate management  
8 representative within thirty (30) days after the holiday is earned and must be taken  
9 within the fiscal year.

10 (2) In-lieu days will be assigned by the appointing officer or designee if not scheduled in  
11 accordance with the procedures described herein

12 (3) An in-lieu holiday can be carried over into the next fiscal year only with the written  
13 approval of the appointing officer.  
14

15 **Section 25. Sick Leave**

16 Requests for sick leave in excess of forty (40) consecutive hours shall be certified by a licensed  
17 medical doctor, doctor of dental surgery, doctor of podiatric medicine, licensed clinical  
18 psychologist, Christian Science practitioner, or licensed doctor of chiropractic. Verification of  
19 sick leave for less than forty (40) hours may be required at the sole discretion of the Appointing  
20 Officer or his/ her designee.  
21  
22  
23

1 **Section 26. Health and Welfare and Dental Insurance**

2 1. City Contribution

3 The City will provide dental contributions at the present level during the term of  
4 this ordinance.

5 The level of the City's contribution to health benefits will be set in accordance  
6 with the requirements of Charter Sections A 8.423 and A 8.428.

7  
8 The City will cease payment of any and all contributions for employee health and  
9 dental benefits for those employees who remain on unpaid status, with the  
10 exception of approved sick leave, Worker's Compensation Leave, Family Medical  
11 Leave Act leave, and or California Family Rights Act Leave, in excess of twelve  
12 (12) continuous weeks.

13  
14 2. Dependent Health Care

15 The City's contribution for dependent health care coverage for Miscellaneous  
16 Unrepresented employees shall be \$225.00 per covered employee per month. In  
17 the event that the cost of dependent care increases, the City will adjust its pick-up  
18 level up to 75% of the cost of Kaiser's dependent health care medical costs  
19 charged to the employee for the employee plus two or more dependents category.

20  
21 The City's contribution for dependent health care coverage for Management  
22 Unrepresented employees to the Flexible Benefits Plan shall be the greater  
23 amount of \$225.00 per covered employee per month or 75% per covered  
24

1 employee per month of the dependent rate charged to employees for Kaiser  
2 coverage at the dependent plus two or more level. The specific benefits offered  
3 are subject to change.  
4

5 **Section 27. Retirement Contribution**

6 The City shall pick up the employee contribution to Retirement (as defined by Section 414(h) of  
7 the Internal Revenue Code of 1986 as amended from time to time for any successor statute) to  
8 the extent set forth below:  
9

10 The City will contribute to the appropriate pension plan a total of:

11 8% of pension covered gross salary for old plan full rate SFERS members;

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

13 7.0% of pension covered gross salary for miscellaneous PERS members;

14 7.0% of pension covered gross salary for safety PERS members (where  
15 applicable);

16 \*7.5% of pension covered gross salary for safety PERS members (where  
17 applicable). \*For Uniform Deputy Sheriffs, 7 ½% employer pick up and 1 ½%  
18 pick up per Charter Section A8.506.  
19

20 The aforesaid contributions shall not be considered as part of an employee's compensation for  
21 the purpose of computing straight time earnings, compensation for overtime worked, premium  
22 pay, or retirement benefits, nor shall such contributions be taken into account in determining the  
23 level of any other benefit which is a function of or percentage of salary.  
24

1  
2 On and after July 1, 1997, any employee covered by this ordinance shall have no right to alter the  
3 amount of such contribution, nor shall the employee have the right to receive directly the  
4 contributed amounts instead of having the employer pay them directly to the Retirement System.  
5

6  
7 **Section 28. Worker's Compensation and Return to Work**

8 The City will make a good faith effort to return employees who have sustained an occupational  
9 injury or illness to temporary modified duty within the employee's medical restriction. Duties of  
10 the modified assignment may differ from the employee's regular job duties and/or from job  
11 duties regularly assigned to employees in the injured employee's class. Where appropriate  
12 modified duty is not available within the employee's classification, on the employee's regular  
13 shift, and in the employee's department, the employee may be temporarily assigned pursuant to  
14 this section to work in another classification, on a different shift, and/or in another department,  
15 subject to the approval of the Appointing Officer or designee. The decision to provide modified  
16 duty and/or the impact of such decisions shall not be subject to grievance or arbitration.  
17 Modified duty assignments may not exceed three (3) months. An employee assigned to a  
18 modified duty assignment shall receive their regular base rate of pay and shall not be eligible for  
19 any other additional compensation (premiums) and or out of class assignment pay as may be  
20 provided under this Ordinance.  
21



1 An employee who is absent because of an occupational disability and who is receiving  
2 Temporary Disability, Vocational Rehabilitation Maintenance Allowance, State Disability  
3 Insurance, may request that the amount of disability indemnity payment be supplemented with  
4 salary to be charged against the employee's accumulated unused sick leave with pay credit  
5 balance at the time of disability, compensatory time off, or vacation, so as to equal the normal  
6 salary the employee would have earned for the regular work schedule. Use of compensatory  
7 time requires the employee's Appointing Officer's approval.

8  
9 An employee who wishes not to supplement, or who wishes to supplement with compensatory  
10 time or vacation, must submit a written request to the Appointing Officer or designee within  
11 seven (7) calendar days following the first date of absence. Disability indemnity payments will  
12 be automatically supplemented with sick pay credits (if the employee has sick pay credits and is  
13 eligible to use them) to provide up to the employee's normal salary unless the employee makes  
14 an alternative election as provided in this section.

15 Employee supplementation of workers compensation payment to equal the full salary the  
16 employee would have earned for the regular work schedule in effect at the commencement of the  
17 workers compensation leave shall be drawn only from an employee's paid leave credits including  
18 vacation, sick leave balance, or other paid leave as available. An employee returning from  
19 disability leave will accrue sick leave at the regular rate and not an accelerated rate.

20 Salary may be paid on regular time-rolls and charged against the employee's sick leave with pay,  
21 vacation, or compensatory time credit balance during any period prior to the determination of  
22 eligibility for disability indemnity payment without requiring a signed option by the employee.

1 Sick leave with pay, vacation, or compensatory time credits shall be used to supplement  
2 disability indemnity pay at the minimum rate of one (1) hour units.  
3

4 This provision clarifies and supersedes any conflicting provisions of the Civil Service  
5 Commission Rules which are within the Charter authority of the Board of Supervisors.  
6

7 **Section 29. State Disability Insurance (SDI) Coverage**

8 Upon a statement by a majority of employees in a classification, or by the sole incumbent in a  
9 single "A" position or by the majority of employees in a multi "A" position, requesting that  
10 they be enrolled in the State Disability Program, the City shall take all necessary action to enroll  
11 affected employees therein.  
12

13 **Section 30. Compliance with Disability and Anti-Discrimination Statutes**

14 This Ordinance shall be interpreted, administered and applied in a manner that complies with the  
15 provisions of federal, state and local disability and anti-discrimination statutes. The City shall  
16 have the right to take whatever action it deems appropriate to ensure compliance with such laws.  
17

18 **Section 31. Tuition Reimbursement**

19 The City will allocate \$10,000 for the Tuition Reimbursement Program for employees covered  
20 by this Ordinance. Employees shall not be reimbursed for more than \$500. Classes which will  
21 enhance an employee's work skills shall be considered as qualifying for tuition reimbursement.  
22 Tuition reimbursement must be approved by the employee's Appointing Officer and be in  
23 accordance with procedures determined by the Human Resources Director.  
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**Section 32. Renewal Fees for Certifications, Licenses or Registrations**

When a certificate, license or registration is required by the Civil Service Commission as a minimum qualification for City employment, the City may reimburse the employee for the amount of the mandatory fee for the renewal of such certificate, license or registration.

**Section 33. Training, Career Development and Incentives**

Unrepresented employees shall be on paid status when assigned to attend required educational programs scheduled during normal working hours.

**Section 34. Life Insurance**

The City shall provide life insurance in the amount of \$50,000 for Management Unrepresented Employees.

**Section 35. Long-Term Disability**

The City shall provide Miscellaneous Unrepresented Employees with six (6) months full-time continuous service a Long-Term Disability (LTD) plan that provides, after a one hundred eighty (180) day elimination period, sixty percent (60%) salary (subject to integration) up to age sixty-five (65). Employees who receive payment under the LTD plan shall not be eligible to continue receiving payments under the City's Catastrophic illness Program.

1 **Section 36. Parental Release Time**

2 Upon proper advance notification, covered employees may be granted up to forty (40) hours  
3 Parental Leave for fiscal year 2000-2001 – two (2) hours of which will be paid leave each  
4 semester – to participate in the activities of a school or licensed child day care facility of any of  
5 the employee’s children. Parental leave shall not exceed eight (8) hours in any calendar month of  
6 the year.

7 In order to qualify for Parental leave, the employee must give reasonable notice to his/her  
8 immediate supervisor prior to taking the time off. The employee must provide written  
9 verification from the school or licensed child day care facility that he/she participated in  
10 school/child care related activities on a specific date and at a particular time, if requested by  
11 management.

12 The employee may utilize either existing vacation, compensatory time off, or personal (unpaid)  
13 leave to account for absences after the two (2) paid hours per semester have been used. If both of  
14 the child’s parents are employed by the City at the same worksite, the entitlement to a planned  
15 absence applies only to the parent who first gives notice.

16 Denial of Parental Leave under this section is not subject to the grievance process.

17  
18 **Section 37. Mileage Reimbursement**

19 Covered employees shall be reimbursed at the Controller’s certified rate per mile when required  
20 to use their personal vehicle for City business.  
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**Section 38. Grievance Procedure**

Definition

A Grievance shall be defined as any dispute which involves the interpretation or application of this Ordinance.

The grievance must state the circumstances on which the grievant claims to be aggrieved, the section(s) of the Ordinance which the grievant believes violated and the remedy or solution being sought by the grievant.

General Provisions

In no event shall a grievance include a claim for money relief for more than a thirty (30) working day period prior to the initiation of the grievance.

If the supervisor or appointing officer fails to respond within the required time limits, the grievant may then present the grievance in writing to the next higher step. If the grievant fails to present the grievance to the next higher step within the required time limits, then the grievance will be considered to be resolved.

The time limits set forth in this grievance procedure may be extended by mutual agreement between the parties.

1 Any deadline date under this section that falls on a Saturday, Sunday or Holiday shall be  
2 continued to the next business day.

3  
4 Procedure

5 Step I Immediate Supervisor

6 An employee having a grievance must first discuss it with the employee's immediate supervisor.

7 The employee's immediate supervisor is the individual who immediately assigns, reviews or  
8 directs the work of an employee.

9  
10 If a solution to the grievance, satisfactory to the employee and immediate supervisor is not  
11 accomplished by the informal discussion, the employee may pursue the matter further.

12  
13 The employee shall submit a written statement of the grievance to the immediate supervisor  
14 within fifteen (15) calendar days of the facts or event giving rise to the grievance or within  
15 fifteen (15) calendar days from such time as the employee should have known of the occurrence  
16 thereof.

17 The immediate supervisor will make every effort to arrive at a prompt resolution by investigating  
18 the issue. He/she shall respond within five (5) calendar days.

19  
20 Step II Department Head/Designee

21 If the employee is not satisfied with the decision rendered, the employee shall submit the  
22 grievance in writing to the department head or designee within fifteen (15) calendar days of  
23 receiving notification of that decision. The grievance shall include a specific description of the

1 basis for the claim, the Ordinance section(s) believed violated and the resolution desired. The  
2 parties shall meet within fifteen (15) calendar days, unless a mutually agreed upon alternative is  
3 established. The Department Head/designee shall, within fifteen (15) calendar days of receipt of  
4 the written grievance, or within ten (10) calendar days of the date the meeting is held, whichever  
5 comes later, respond in writing to the grievance, specifying his/her reason(s) for concurring with  
6 or denying the grievance.

7  
8 Step III Director, Employee Relations Division

9 If the employee is not satisfied with the decision of the Department Head/designee, the employee  
10 shall submit the grievance to the Employee Relations Director within fifteen (15) calendar days  
11 after receipt of the Department's decision.

12  
13 The Director shall have thirty (30) calendar days after receipt of the written grievance in which to  
14 review and seek resolution of the grievance and to render a decision concurring with or denying  
15 the grievance. The Director's decision shall be final and binding.

16 **Savings Clause**

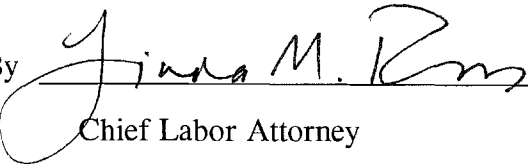
17 Should any part hereof or any provision herein be declared invalid by any decree of court of  
18 competent jurisdiction, such invalidation of such part or portion of this ordinance shall not  
19 invalidate the remaining portions hereof and the remaining portions hereof shall remain in full  
20 force and effect for the duration of this ordinance.

21 Recodifications may have rendered the references to specific Civil Service Rules and Charter  
22 sections contained herein incorrect. Such terms will be read as if they accurately referenced the  
23 same sections in their newly codified form as of July 1, 1996.

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This Ordinance shall be effective July 1, 2000.

APPROVED AS TO FORM:  
LOUISE RENNE, CITY ATTORNEY

By   
Chief Labor Attorney



## Attachment A

### Miscellaneous Unrepresented Classifications (EGC:0001)

1130 Youth Commission Advisor, Board of Supervisors  
1229 Special Examiner  
1471 Elections Worker  
1801 Supervising Performance Auditor  
1942 Assistant Materials Coordinator  
2561 Optometrist  
2576 Supervising Clinical Psychologist  
2782 Laundry Superintendent  
3238 Dance Instructor  
3438 Tree Topper Supervisor II  
3484 Agricultural Division Land Agent  
3650 Medical Records Librarian  
5264 Airport Noise Abatement Technician  
5502 Project Manager I  
5504 Project Manager II  
5506 Project Manager III  
5630 Water & Power Analyst I  
7369 Apprentice Sheet Metal Worker  
8121 Investigator, Public Transportation Commission  
8168 Parking Hearing Supervisor  
8222 Housing Authority Police Officer  
8247 Emergency Planning Coordinator  
8446 Court Alternative Specialist I  
9132 Transit Fare Inspector  
9914 Public Service Aide – Administration  
9916 Public Service Aide – Public Works  
9920 Public Service Aide – Assistant to Professionals  
9922 Public Service Aide – Associate to Professionals  
A046 Transit Line Manager  
A047 Water Supply Engineer  
A100 Parking Enforcement Supervisor  
A739 Transit Maintenance Manager III  
A805 Telecommunications Systems Director  
A837 Investigative Assistant  
A922 Electronic Instrumentation Assistant Supervisor  
AA37 Executive Assistant to the Assessor  
AA56 Parking Citation Hearing Officer  
AA63 Administrative Secretary, Port  
AA85 Administrative Secretary, Transportation Commission  
AB07 Information Clerk, Parking & Traffic  
AB21 Dual Diagnosis Specialist  
AB26 Director of Taxpayer Assistant

AB27 Secretary, Commission on the Environment  
AB80 Principal Public Defender's Investigator  
AC01 Executive Assistant I  
AC02 Executive Assistant II  
AC03 Executive Assistant III  
AC04 Executive Assistant IV  
AC05 Executive Assistant V  
AC06 Executive Assistant VI  
AC07 Executive Assistant VII  
AC08 Executive Assistant VIII  
AC09 Executive Assistant IX  
AC10 Executive Assistant X  
AC11 Executive Assistant XI  
AC12 Executive Assistant XII  
AC23 Public Safety Wire Communications Program Manager  
AC24 Secretary, Port Commission

### **Management Unrepresented Classifications** (EGC:0002)

1283 Director, Employee Relations Division  
1293 Human Resources Director  
1379 Special Assistant XX  
1849 Mayor's Program Manager  
2953 Chief Deputy Director, Department of Human Services  
2978 Contract Compliance Officer II  
5508 Project Manager IV  
8137 Chief/Victim Witness Investigator  
9252 Airport Maintenance Superintendent  
A006 Parking Bureau Chief  
A114 MIS Manager  
A827 Airport Parking Manager  
A919 Construction Contract Administration  
AA81 Executive Director, Ethics Commission  
AB29 Business & Economic Development Director  
AB31 Executive Director, Department of the Environment  
AB44 Confidential Chief Attorney II, (Civil & Criminal)  
AC13 Executive Assistant XIII  
AC14 Executive Assistant XIV  
AC15 Executive Assistant XV  
AC16 Executive Assistant XVI  
AC17 Executive Assistant XVII  
AC18 Executive Assistant XVIII  
AC19 Executive Assistant XIX  
AC20 Executive Assistant XX  
AC21 Executive Assistant XXI  
AC22 Executive Assistant XII



# 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:** 000565

**Date Passed:**

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in classes not represented by an employee organization and establishing working schedules and conditions of employment and methods of payment, effective July 1, 2000.

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April 24, 2000 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Teng,  
Yaki, Yee

Absent: 1 - Katz

May 1, 2000 Board of Supervisors — FINALLY PASSED

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

Absent: 2 - Katz, Teng

File No. 000565

I hereby certify that the foregoing Ordinance  
was **FINALLY PASSED** on May 1, 2000 by  
the Board of Supervisors of the City and  
County of San Francisco.



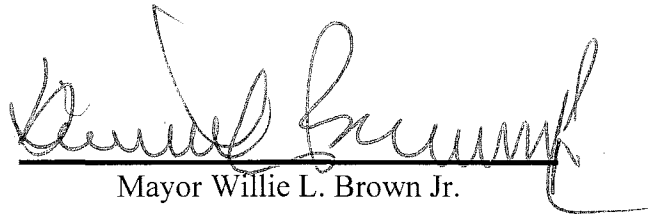
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Gloria L. Young  
Clerk of the Board

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MAY 12 2000

Date Approved



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Mayor Willie L. Brown Jr.