

1 (Unrepresented Employees)

2 AN ORDINANCE FIXING COMPENSATION FOR PERSONS EMPLOYED BY THE CITY
3 AND COUNTY OF SAN FRANCISCO WHOSE COMPENSATIONS ARE SUBJECT TO
4 THE PROVISIONS OF SECTION A 8.409 OF THE CHARTER, IN CLASSES NOT
5 REPRESENTED BY AN EMPLOYEE ORGANIZATION, AND ESTABLISHING WORKING
6 SCHEDULES AND CONDITIONS OF EMPLOYMENT AND METHODS OF PAYMENT,
7 EFFECTIVE JULY 1, 1999.

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

10
11 Pursuant to Charter Section A 8.409-1, the Mayor hereby proposes and the Board of Supervisors
12 approves the wages, hours and other terms and conditions of employment set forth herein to be
13 applicable to all unrepresented classifications or positions of City employment.

14 Unless specifically noted, the following provisions are applicable to all employees covered by
15 this Ordinance, which includes Miscellaneous Unrepresented employees and Management
16 Unrepresented employees. See Attachment A for the list of classifications designated as
17 Miscellaneous Unrepresented and Management Unrepresented.

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

19 1 All terms and conditions of employment not covered under this Ordinance shall
20 continue to be subject to the City's direction and control. Unless specifically
21 addressed herein, those terms and conditions of employment which are currently
22

Mayor

BOARD OF SUPERVISORS

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.
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8 **Section 2. Wage Rates**

9 The wage rates for the employees covered by this Ordinance for fiscal year 1999-2000, shall be
10 increased as follows:

11	Effective July 1, 1999	Effective December 25, 1999
12	2 %	1.5%

13 Effective July 1, 1999, the salary for the positions listed below shall be as indicated, wherein 'B'
14 signifies biweekly:

15	AC01 Executive Assistant I	\$1,030B\$1,246
16	AC02 Executive Assistant II	\$1,107B\$1,339
17	AC03 Executive Assistant III	\$1,188B\$1,440
18	AC04 Executive Assistant IV	\$1,276B\$1,547
19	AC05 Executive Assistant V	\$1,372B\$1,662
20	AC06 Executive Assistant VI	\$1,467B\$1,778
21	AC07 Executive Assistant VII	\$1,577B\$1,914

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AC08 Executive Assistant VIII	\$1,694B\$2,058
AC09 Executive Assistant IX	\$1,823B\$2,215
AC10 Executive Assistant X	\$1,970B\$2,395
AC11 Executive Assistant XI	\$2,120B\$2,577
AC12 Executive Assistant XII	\$2,281B\$2,772
AC13 Executive Assistant XIII	\$2,442B\$2,969
AC14 Executive Assistant XIV	\$2,627B\$3,193
AC15 Executive Assistant XV	\$2,827B\$3,436
AC16 Executive Assistant XVI	\$3,041B\$3,696
AC17 Executive Assistant XVII	\$3,273B\$3,978
AC18 Executive Assistant XVIII	\$3,520B\$4,278
AC19 Executive Assistant XIX	\$3,689B\$4,484
AC20 Executive Assistant XX	\$3,966B\$4,821
AC21 Executive Assistant XXI	\$4,270B\$5,190
AC22 Executive Assistant XXII	\$4,591B\$5,581

Effective July 1, 1999, the salary for AB44 Confidential Chief Attorney II shall be \$4,311 B \$5,241 (Sch. 79.00).

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

1 **Section 3. Acting Assignment Pay**

2 The Appointing Officer assigns duties to employees covered by this ordinance. Employees
3 assigned by the Department Head or designee to perform the full range of essential functions of a
4 position in a higher classification shall receive compensation at a higher salary if all of the
5 following conditions are met:

- 6 (1) The assignment shall be in writing with copies to the Department of Human
7 Resources and Controller.
- 8 (2) The assignment shall conform to all Civil Service Commission Rules, policies and
9 procedures.
- 10 (3) The position to which the employee is assigned must be a budgeted position.
- 11 (4) The employee is assigned to perform the duties of a higher classification for longer
12 than thirty (30) consecutive working days.
- 13 a. If each of the above criteria are met and upon written approval by the
14 Department Head, an employee shall be paid a one full salary step adjustment
15 (approximately 5%) but which does not exceed the maximum step of the
16 salary schedule of the class to which temporarily assigned. Premiums based
17 on percent of salary shall be paid at a rate which includes out of class pay.
- 18 b. Requests for classification or reclassification review shall not be governed by
19 this provision.

20 **Section 4. Supervisory Differential Adjustment**

21 The Appointing Officer may adjust the compensation of a supervisory employee whose schedule
22 of compensation is set herein subject to the following conditions:
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- 1 (1) The supervisor, as part of the regular responsibilities of his/her class, supervises,
2 directs, is accountable for and is in responsible charge of the work of a subordinate
3 or subordinates.
- 4 (2) The supervisor must actually supervise the technical content of subordinate work and
5 possess education and/or experience appropriate to the technical assignment.
- 6 (3) The organization is a permanent one approved by the appointing officer, chief
7 administrative officer, Board or Commission, where applicable, and is a matter of
8 record based upon review and investigation by the Department of Human Resources.
- 9 (4) The classifications of both the supervisor and the subordinate are appropriate to the
10 organization and have a normal, logical relationship to each other in terms of their
11 respective duties and levels of responsibility and accountability in the organization.
- 12 (5) The compensation schedule of the supervisor is less than one full step (approximately
13 5%) over the compensation schedule, exclusive of extra pay, of the employee
14 supervised. In determining the compensation schedule of a classification being paid
15 a flat rate, the flat rate will be converted to a bi-weekly rate and the compensation
16 schedule the top step of which is closest to the flat rate so converted shall be deemed
17 to be the compensation schedule of the flat rate classification.
- 18 (6) The adjustment of the compensation schedule of the supervisor shall not exceed 5%
19 over the compensation exclusive of extra pay, of the employee supervised. If the
20 application of this section adjusts the compensation schedule of an employee in
21 excess of his/her immediate supervisor, whose class is also covered by this ordinance
22 the pay of such immediate supervisor shall be adjusted to an amount \$1.00 bi-weekly
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1 in excess of the base rate of his/her highest paid subordinate, provided that the other
2 applicable conditions of this section are also met.

3 (7) In no event will the Appointing Officer approve a supervisory salary adjustment in
4 excess of two (2) full steps (approximately 10%) over the supervisor's current basic
5 compensation. If in the following fiscal year a salary inequity continues to exist, the
6 Appointing Officer may again review the circumstances and may grant an additional
7 salary adjustment not to exceed two (2) full steps (approximately 10%).

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

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12 **Section 5. Internal Adjustment Process**

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

16 1. Standards

17 The following shall be the standards for internal adjustments for the wage rates
18 for a particular classification:

- 19 a) The salary for the classification is below the prevailing wage level in the
20 relevant labor market as demonstrated by verifiable salary data; and/or
21 b) There is an ongoing and demonstrable recruitment and/or retention
22 problem; and/or

- 1 c) Traditional salary relationships, which continue to be justified, have been
2 substantially altered; and/or
3 d) The duties, responsibilities and/or minimum requirements for a
4 classification have been altered significantly.

5 2. Internal Adjustment Cap

6 Internal adjustment costs shall not exceed an annualized cost of .3% of the total
7 payroll cost for the employees covered by this Ordinance.
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9 **Section 6. Premium Pay**

10 All premiums and additional forms of compensation described in this ordinance shall be paid
11 only for actual hours worked.
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13 There shall be no pyramiding of premiums for purposes of compensation calculations. Each
14 premium shall be calculated on the base wage rate exclusive of any and all premiums, benefits
15 and other forms of additional compensation.
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17 **Section 7. Bilingual Pay**

18 Unrepresented employees who are assigned by their Department to a position designated by their
19 Department as a "Bilingual Position", subject to approval by the Human Resources Department,
20 shall receive an additional \$35.00 in each pay period when bilingual duties are performed 5 hours
21 or more in each week. A designated "Bilingual Position" is one in which the employee is
22 required to translate to and from a foreign language, or sign language as used by the deaf.
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2 **Section 8. Project Managers**

3 For fiscal year 1999-2000, the wage differential that existed in 1992-93 shall be re-established
4 between the Project Manager classifications and their related professional engineering
5 classifications as follows:

6 5502 Project Manager I and 5206 Associate Civil Engineer

7 5504 Project Manager II and 5208 Civil Engineer

8 5506 Project Manager III and 5210 Senior Civil Engineer

9 5508 Project Manager IV and 5212 Principal Engineer
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11 **Section 9. Appointment and Advancement**

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

16 Employees appointed to an Executive Assistant position on July 1, 1999 shall receive the same
17 salary the employee received on June 30, 1999 in their former classification including any
18 general wage increase authorized by this Ordinance.
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20 **Section 10. Methods of Calculation**

- 21 (1) Monthly. An employee whose compensation is fixed on a monthly basis shall be
22 paid monthly or bi-weekly in accordance with State Law or other applicable
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1 provision. There shall be no compensation for time not worked unless such time
2 off is authorized time off with pay.

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

7 (3) Per Diem or Hourly. An employee whose compensation is fixed on a per diem or
8 hourly basis shall be paid the daily or hourly rate for work performed during the
9 bi-weekly payroll period on a bi-weekly pay schedule. There shall be no
10 compensation for time not worked unless such time off is authorized time off with
11 pay.

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

16 (5) Conversion of Annual or Monthly Rates to Semimonthly or Bi-Weekly Rates.
17 When rates of compensation provided on an annual or monthly basis are
18 converted to bi-weekly rates for payroll purposes and the resulting amount
19 involves a fraction of a cent, the converted bi-weekly rate shall be adjusted to
20 eliminate such fraction of a cent on the following basis:

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

1 may be required to work in excess of five working days in conjunction with
2 changes in their work shifts or schedules.

3 Employees shall receive no compensation when properly notified (2-hour
4 notice) that work applicable to the classification is not available because of
5 inclement weather conditions, shortage of supplies, traffic conditions, or other
6 unusual circumstances. Employees who are not properly notified and report to
7 work and are informed no work applicable to the classification is available
8 shall be paid for a minimum of two hours. Employees who have been
9 designated by their department as emergency personnel must report to work as
10 scheduled unless otherwise notified by the Appointing Officer or designee.

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

14 (2) Night Duty

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

3 (3) Alternate Work Schedule

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

11 (4) Voluntary Reduced Work Week

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

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18 **Section 12. Probationary Periods**

19 All permanent appointees shall serve a minimum of a six month probationary period. The
20 Human Resources Director may designate specific classifications which shall require up to a one
21 year probationary period.

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

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

7 **Section 13. Seniority**

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

12 **Section 14. Overtime Compensation**

13 (1) The Appointing Officer may require employees to work longer than the regular
14 work day or the regular work week. Any time worked by an employee with
15 proper authorization, exclusive of part-time employees, in excess of forty (40)
16 hours actually worked during a regular work week shall be designated as overtime
17 and shall be compensated at one-and-one-half times the base hourly rate. For the
18 purposes of calculating overtime compensation, an employee's base hourly rate
19 may include certain premiums for those hours actually worked at the premium
20 rate.

21 (2) Employees working in classifications that are designated as having a regular work
22 week of less than forty (40) hours shall not be entitled to overtime compensation
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1 for work performed in excess of said specified regular hours until they exceed
2 forty (40) hours per week. Overtime shall be calculated and paid on the basis of
3 the total number of straight time hours actually worked in a week. Overtime
4 compensation so earned shall be computed subject to all the provisions and
5 conditions set forth herein.

6 (3) Employees occupying Fair Labor Standards Act ("FLSA") exempt (executive,
7 administrative, or professional) positions shall not be paid for overtime worked
8 but may earn CTO at the rate of one hour for each hour worked in excess of 40
9 hour/week. The maximum amount of CTO that may be accrued may be
10 established by each appointing officer. In lieu of accruing CTO during the fiscal
11 year, unrepresented department heads and employees in AB44 Confidential Chief
12 Attorney II shall have the same administrative time off benefit applicable to
13 employees in classifications assigned to the EM Unit.

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

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

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

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

5 Employees who, as part of the duties of their positions are required by the Appointing Officer to
6 standby when normally off duty to be instantly available on call for immediate emergency
7 service for the performance of their regular duties, shall be paid 25 percent of their regular
8 straight time rate of pay for the period of such standby service, except that employees shall be
9 paid ten (10) percent of their regular straight time rate of pay for the period of such standby
10 service when outfitted by the department with an electronic paging device. When such
11 employees are called to perform their regular duties in emergencies during the period of such
12 standby service, they shall be paid while engaged in such emergency service the usual rate of pay
13 for such service.

14 The provisions authorizing standby pay do not apply to classifications designated by a "Z"
15 symbol and which would qualify for designation as executive under the duties test provisions of
16 the Federal Fair Labor Standards Act.

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18 **Section 17. Call Back**

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

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

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7 **Section 18. Holidays**

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

10 January 1 (New Year's Day)

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

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

13 the last Monday in May (Memorial Day)

14 July 4 (Independence Day)

15 the first Monday in September (Labor Day)

16 the second Monday in October (Columbus Day)

17 November 11 (Veteran's Day)

18 Thanksgiving Day

19 the day after Thanksgiving

20 December 25 (Christmas Day)

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

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

15
16 For those employees assigned to a work week of Monday through Friday, and in the event a legal
17 holiday falls on Saturday, the preceding Friday shall be observed as a holiday; provided,
18 however, that except where the Governor declares that such preceding Friday shall be a legal
19 holiday, each department head shall make provision for the staffing of public offices under
20 his/her jurisdiction on such preceding Friday so that said public offices may serve the public as
21 provided in Section 7.702 of the Charter. Those employees who work on a Friday which is
22 observed as a holiday in lieu of a holiday falling on Saturday shall be allowed a day off in lieu
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1 thereof as scheduled by the appointing officer in the current fiscal year. The City shall provide
2 one week's advance notice to employees scheduled to work on the observed holiday, except in
3 cases of unforeseen operational needs.
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5 **Section 19. Holiday Compensation for Time Worked**

6 Employees required by their respective Appointing Officers to work on any of the above-
7 specified or to substitute holidays excepting Fridays observed as holidays in lieu of holidays
8 falling on Saturday, shall be paid extra compensation of one (1) additional day's pay at time and
9 one-half (1-1/2) the usual rate in the amount of twelve (12) hours' pay for eight (8) hours worked
10 or a proportionate amount if less than eight (8) hours worked; provided, however, that at an
11 employee's request and with the approval of the appointing officer, an employee may be granted
12 compensatory time off in lieu of paid overtime.
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14 Employees occupying positions which are exempt from the FLSA (Executive, Administrative
15 and Professional) shall not receive extra compensation for holiday work but may be granted time
16 off at the discretion of the Appointing Officer.
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18 **Section 20. Holidays for Employees on Work Schedules Other Than Monday Through**
19 **Friday**

- 20 (1) Employees assigned to seven (7) day-operation departments or employees working a
21 five (5) day work week other than Monday through Friday shall be allowed another
22 day off if a holiday falls on one of their regularly scheduled days off.
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1 (2) Employees whose holidays are changed because of shift rotations shall be allowed
2 another day off if a legal holiday falls on one of their days off.

3 (3) Employees required to work on a holiday which falls on a Saturday or Sunday shall
4 receive holiday compensation for work on that day. Holiday compensation shall not
5 then be additionally paid for work on the Friday preceding a Saturday holiday, nor
6 on the Monday following a Sunday holiday.

7 (4) Sections (2) and (3) above shall apply to part-time employees on a pro-rata basis.

8 If the provisions of this section deprive an employee of the same number of holidays
9 that an employee receives who works Monday through Friday, s/he shall be granted
10 additional days off to equal such number of holidays. The designation of such days
11 off shall be by mutual agreement of the employee and the appropriate employer
12 representative. Such days off must be taken within the fiscal year. In no event shall
13 the provisions of this section result in such employee receiving more or less holidays
14 than an employee on a Monday through Friday work schedule.

15
16 **Section 21. Holiday Pay for Employees Laid Off**

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

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2 **Section 22. Employees Not Eligible for Holiday Compensation**

3 Persons employed for holiday work only, or persons employed on a part-time work schedule
4 which is less than twenty (20) hours in a bi-weekly pay period, or persons employed on an
5 intermittent part-time work schedule (not regularly scheduled), or persons employed on as-
6 needed, seasonal or project basis for less than six (6) months continuous service, or persons on
7 leave without pay status both immediately preceding and immediately following the legal
8 holiday shall not receive holiday pay.
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10 **Section 23. Part-time Employees Eligible for Holidays**

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

13 Regular full-time employees are entitled to 8/80 or 1/10 time off when a holiday falls in a bi-
14 weekly pay period, therefore, part-time employees, as defined in the immediately preceding
15 paragraph, shall receive a holiday based upon the ratio of 1//10 of the total hours regularly
16 worked in a bi-weekly pay period. Holiday time off shall be determined by calculating 1/10 of
17 the hours worked by the part-time employee in the bi-weekly pay period immediately preceding
18 the pay period in which the holiday falls. The computation of holiday time off shall be rounded
19 to the nearest hour.
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1 The proportionate amount of holiday time off shall be taken in the same fiscal year in which the
2 holiday falls. Holiday time off shall be taken at a time mutually agreeable to the employee and
3 the appropriate employer representative.
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5 **Section 24. In-Lieu Holidays**

- 6 (1) Requests for in-lieu holidays shall be made to the appropriate management
7 representative within thirty (30) days after the holiday is earned and must be taken
8 within the fiscal year.
- 9 (2) In-lieu days will be assigned by the appointing officer or designee if not scheduled in
10 accordance with the procedures described herein
- 11 (3) An in-lieu holiday can be carried over into the next fiscal year only with the written
12 approval of the appointing officer.
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14 **Section 25. Sick Leave**

15 Requests for sick leave in excess of forty (40) consecutive hours shall be certified by a licensed
16 medical doctor, doctor of dental surgery, doctor of podiatric medicine, licensed clinical
17 psychologist, Christian Science practitioner, or licensed doctor of chiropractic. Verification of
18 sick leave for less than forty (40) hours may be required at the sole discretion of the Appointing
19 Officer or his/ her designee.
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1 **Section 26. Health and Welfare and Dental Insurance**

2 1. City Contribution

3 The City will maintain health and dental contributions at present levels for the life
4 of 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.

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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.

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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 for the
19 employee plus two or more dependents category.

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21 The City's contribution for dependent health care coverage for Management
22 Unrepresented employees to the Flexible Benefits Plan shall be the greater
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1 amount of \$225.00 per covered employee per month or 75% per covered
2 employee per month of the dependent rate charged to employees for Kaiser
3 coverage at the dependent plus two or more level. The specific benefits offered
4 are subject to change.

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6 **Section 27. Retirement Contribution**

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

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.

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

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

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

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

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

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

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

1 Salary may be paid on regular time-rolls and charged against the employee's sick leave with pay,
2 vacation, or compensatory time credit balance during any period prior to the determination of
3 eligibility for disability indemnity payment without requiring a signed option by the employee.
4

5 Sick leave with pay, vacation, or compensatory time credits shall be used to supplement
6 disability indemnity pay at the minimum rate of one (1) hour units.
7

8 This provision clarifies and supersedes any conflicting provisions of the Civil Service
9 Commission Rules which are within the Charter authority of the Board of Supervisors.
10

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

12 Upon a statement by a majority of employees in a classification, or by the sole incumbent in a
13 single position A or by the majority of employees in a multi-position A, requesting that they be
14 enrolled in the State Disability Program, the City shall take all necessary action to enroll affected
15 employees therein.
16

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

18 This Ordinance shall be interpreted, administered and applied in a manner that complies with the
19 provisions of federal, state and local disability and anti-discrimination statutes. The City shall
20 have the right to take whatever action it deems appropriate to ensure compliance with such laws.
21
22
23

1 **Section 31. Tuition Reimbursement**

2 The City will allocate \$10,000 for the Tuition Reimbursement Program for employees covered
3 by this Ordinance. Employees shall not be reimbursed for more than \$500. Classes which will
4 enhance an employee's work skills shall be considered as qualifying for tuition reimbursement.
5 Tuition reimbursement must be approved by the employee's Appointing Officer and be in
6 accordance with procedures determined by the Human Resources Director.
7

8 **Section 32. Renewal Fees for Certifications, Licenses or Registrations**

9 When a certificate, license or registration is required by the Civil Service Commission as a
10 minimum qualification for City employment, the City may reimburse the employee for the
11 amount of the mandatory fee for the renewal of such certificate, license or registration.
12

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

14 Unrepresented employees shall be on paid status when assigned to attend required educational
15 programs scheduled during normal working hours.
16

17 **Section 34. Life Insurance**

18 The City shall provide life insurance in the amount of \$50,000 for Management Unrepresented
19 Employees.
20
21
22
23

1 **Section 35. Long-Term Disability**

2 Effective July 1, 1999, the City shall provide Miscellaneous Unrepresented Employees with six
3 (6) months full-time continuous service a Long-Term Disability (LTD) plan that provides, after a
4 one hundred eighty (180) day elimination period, sixty percent (60%) salary (subject to
5 integration) up to age sixty-five (65). Employees who receive payment under the LTD plan shall
6 not be eligible to continue receiving payments under the City's Catastrophic illness Program.
7

8 **Section 36. Parental Release Time**

9 Upon proper advance notification, covered employees may be granted up to forty (40) hours
10 Parental Leave for fiscal year 1999-2000 – two (2) hours of which will be paid leave each
11 semester – to participate in the activities of a school or licensed child day care facility of any of
12 the employee's children. Parental leave shall not exceed eight (8) hours in any calendar month of
13 the year.

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

19 The employee may utilize either existing vacation, compensatory time off, or personal (unpaid)
20 leave to account for absences after the two (2) paid hours per semester have been used. If both of
21 the child's parents are employed by the City at the same worksite, the entitlement to a planned
22 absence applies only to the parent who first gives notice.
23

1
2 Denial of Parental Leave under this section is not subject to the grievance process.
3

4 **Section 37. Mileage Reimbursement**

5 Covered employees shall be reimbursed at the Controller's certified rate per mile when required
6 to use their personal vehicle for City business.
7

8 **Section 38. Severance Pay**

9 The City will provide severance pay for employees in AC01 Executive Assistant I through AC22
10 Executive Assistant XXII positions.
11

12 When an employee is involuntarily removed or released from employment, the appointing officer
13 will endeavor to inform the employee at least thirty (30) calendar days before his/her final day of
14 work. Where the appointing officer is unable to inform the employee a full thirty (30) calendar
15 days in advance, the employee shall receive pay in lieu of the number of days less than thirty
16 (30) upon which he/she was informed.
17

18 If the employee has "bumping rights" and is returned to another City and County classification,
19 the employee shall not be eligible to receive pay in lieu of notification of removal or release from
20 employment.
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Section 39. 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.

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

3
4 Any deadline date under this section that falls on a Saturday, Sunday or Holiday shall be
5 continued to the next business day.

6
7 Procedure

8
9 Step I Immediate Supervisor

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

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

13
14 If a solution to the grievance, satisfactory to the employee and immediate supervisor is not
15 accomplished by the informal discussion, the employee may pursue the matter further.

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

1 The immediate supervisor will make every effort to arrive at a prompt resolution by investigating
2 the issue. He/she shall respond within five (5) calendar days.
3

4 Step II Department Head/Designee

5 If the employee is not satisfied with the decision rendered, the employee shall submit the
6 grievance in writing to the department head or designee within fifteen (15) calendar days of
7 receiving notification of that decision. The grievance shall include a specific description of the
8 basis for the claim, the Ordinance section(s) believed violated and the resolution desired. The
9 parties shall meet within fifteen (15) calendar days, unless a mutually agreed upon alternative is
10 established. The Department Head/designee shall, within fifteen (15) calendar days of receipt of
11 the written grievance, or within ten (10) calendar days of the date the meeting is held, whichever
12 comes later, respond in writing to the grievance, specifying his/her reason(s) for concurring with
13 or denying the grievance.
14

15 Step III Director, Employee Relations Division

16 If the employee is not satisfied with the decision of the Department Head/designee, the employee
17 shall submit the grievance to the Employee Relations Director within fifteen (15) calendar days
18 after receipt of the Department's decision.
19

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

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

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

This Ordinance shall be effective July 1, 1999.

APPROVED AS TO FORM:

LOUISE RENNE, CITY ATTORNEY

By 

Deputy City Attorney

Attachment A

Miscellaneous Unrepresented Classifications (EGC:0001)

1130 Youth Commission Advisor, Board of Supervisors
1229 Special Examiner
1280 Employee Relations Assistant
1281 Employee Relations Representative
1471 Elections Worker
1649 Accountant Intern
1801 Supervising Performance Auditor
1942 Assistant Materials Coordinator
2529 Assistant Chief, Paramedic Division
2561 Optometrist
2576 Supervising Clinical Psychologist
2782 Laundry Superintendent
3238 Dance Instructor
3248 Pianist
3438 Tree Topper Supervisor II
3484 Agricultural Division Land Agent
3650 Medical Records Librarian
5264 Airport Noise Abatement Technician
5630 Water & Power Analyst I
6218 Inspector of Weights and Measures Trainee
7369 Apprentice Sheet Metal Worker
8121 Investigator, Protective Services, Public Transportation Department
8135 Assistant Chief Victim/Witness Investigator
8222 Housing Authority Police Officer
8247 Emergency Planning Coordinator
8446 Court Alternative Specialist I
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
9924 Public Service Aide – Health Services
A006 Parking Bureau Chief
A032 Traffic Sign Manager
A046 Transit Line Manager
A047 Water Supply Engineer
A100 Parking Enforcement Supervisor
A712 Hydrant Service Person
A739 Transit Maintenance Manager III
A837 Investigative Assistant
A919 Construction Contract Administration

Continued-

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
AB05 Deputy Clerk, Parking & Traffic
AB07 Information Clerk, Parking & Traffic
AB08 Assistant Division Chief Clerk, Parking & Traffic
AB21 Dual Diagnosis Specialist
AB26 Director of Taxpayer Assistant
AB27 Secretary, Commission on the Environment
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

Management Unrepresented Classifications (EGC:0002)

1113 Deputy Director, Retirement System
1282 Principal Employee Relations Representative
1283 Director, Employee Relations Division
1293 Human Resources Director
1378 Special Assistant XIX
1379 Special Assistant XX
1380 Special Assistant XXI
1849 Mayor's Program Manager
2953 Deputy General Manager, Department of Human Services
2978 Contract Compliance Officer
5502 Project Manager I
5504 Project Manager II
5506 Project Manager III
5508 Project Manager IV
8137 Chief/Victim Witness Investigator
A114 MIS Manager
A805 Telecommunication Systems Director
A827 Airport Parking Manager
AA77 Deputy Director, Operations, Dept. of Transportation
AA79 Deputy Director, Administration & Finance, Department of Transportation
AA80 Deputy Director, Capital Projects, Department of Transportation

Continued -

AA81 Executive Director, Ethics Commission
AB16 Operation Manager
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 IXX
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

File Number: 990410

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, 1999.

March 29, 1999 Board of Supervisors — PASSED, ON FIRST READING

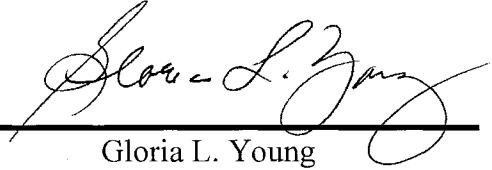
Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

April 5, 1999 Board of Supervisors — FINALLY PASSED

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

File No. 990410

I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on April 5, 1999 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

APR 16 1999

Date Approved



Mayor Willie L. Brown Jr.