

ORDINANCE NO 10291 (NEW SERIES)

AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE SECTIONS RELATING TO THE TENTATIVE AGREEMENT FOR THE SAN DIEGO COUNTY PROBATION OFFICERS' ASSOCIATION

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Appendix One of the Compensation Ordinance is hereby amended by establishing compensation for classes designated PO effective December 27, 2013.

Section 2. Subsection (d) of section 1.4.3 of the Compensation Ordinance is hereby added to read as follows:

SECTION 1.4.3: ADVANCEMENT WITHIN RANGE: BIWEEKLY RATE EMPLOYEES.

- (d) Employed September 24, 2013 or subsequently. Persons appointed on September 24, 2013 or subsequently, paid at a biweekly rate, having an appointment as the result of suspension of competitive examination, or certification from an eligible list, and who have served in class for at least the number of hours equivalent to fifty-two (52) weeks of full-time service at any step in the range shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed for the class.

Eligible Classes: Classes designated PO

Section 3. Subsections (c) and (d) of section 1.4.4 of the Compensation Ordinance is hereby added or amended to read as follows:

SECTION 1.4.4: ADVANCEMENT WITHIN RANGE: HOURLY RATE EMPLOYEES.

- (c) Employed June 28, 2013 or subsequently. Persons appointed on June 28, 2013 or subsequently, paid at an hourly rate, having an appointment as the result of suspension of competitive examination, or certification from an eligible list, and who have served in class for at least the number of hours equivalent to fifty-two (52) weeks of full-time service at any step in the range shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed for the class.

Eligible Classes: Classes designated AM, AS, CE, CEM, CR, DA, DI, DM, MA and NR

- (d) Employed September 24, 2013 or subsequently. Persons appointed on September 24, 2013 or subsequently, paid at an hourly rate, having an appointment as the result of suspension of competitive examination, or certification from an eligible list, and who have served in class for at least the number of hours equivalent to fifty-two (52) weeks of full-time service at any step in the range shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed for the class.

Eligible Classes: Classes designated PO

Section 4. Section 1.6.11 of the Compensation Ordinance is hereby added to read as follows:

SECTION 1.6.11: MANDATORY OVERTIME CANCELLATION COMPENSATION.

Employees who are required to work an ordered overtime shift, whose shift is cancelled with less notice than the employee's regularly assigned shift hours prior to the start of the shift, shall receive a thirty dollar (\$30) premium in addition to the employee's prescribed biweekly salary.

Eligible Classes: Employees in classes designated PO

Section 5. Section 1.7.28 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 1.7.28: SHIFT LEADER PREMIUM. Eligible employees shall receive a differential of three dollars (\$3.00) per hour when assigned as a shift-leader. This premium shall not apply to paid leave and shall not apply to terminal payoff.

Eligible Classes: Classes designated PO.

Section 6. Section 1.7.32 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 1.7.32 ARMED UNIT DIFFERENTIAL. Eligible employees assigned to a position in an Armed Unit that requires the carrying of a firearm shall be paid five (5%) percent higher than their hourly rate. This premium shall be paid for time worked only and shall not apply towards terminal payoff.

Eligible Classes:

5065	Deputy Probation Officer
5068	Correctional Deputy Probation Officer I
5069	Correctional Deputy Probation Officer II
5090	Senior Probation Officer
5115	Supervising Probation Officer

Section 7. Section 1.7.33 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 1.7.33: INSTRUCTOR TRAINING DIFFERENTIAL.

- (a) Eligible employees shall receive a training differential of one dollar and seventy-five cents (\$1.75) per hour when assigned to instruct a class. This premium shall not apply to paid leave and shall not apply to terminal payoff.

Eligible Classes: Classes designated SO.

- (b) Eligible employees shall receive a training differential of three dollars and fifty cents (\$3.50) per hour when assigned to instruct a class. This premium shall not apply to paid leave and shall not apply to terminal payoff.

Eligible Classes: Classes designated PO.

Section 8. Section 1.7.36 of the Compensation Ordinance is hereby added to read as follows:

SECTION 1.7.36: FIELD TRAINING OFFICER PREMIUM.

- (a) Eligible employees in the unit who are designated by the Department shall receive a differential of one dollar and seventy-five cents (\$1.75) per hour when assigned as a Field Training Officer.

Eligible Classes: Classes designated PO.

- (b) The differential provided to Field Training Officers shall not apply toward paid time off or terminal payoff. This differential will only be provided to those officers designated by the appointing authority.

Section 9. Subsection (a) of section 1.8.4 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 1.8.4: PROBATION INSTITUTIONAL EMPLOYEES PREMIUM.

- (a) Eligible employees with a normal full-time schedule of eighty (80) or eighty-four (84) working hours per biweekly pay period who works in a twenty four (24) hour institutional facility work location specifically designated below shall receive additional compensation at a rate approximately two and one-half percent (2.5%) above the employee's regular base rate for such assignment. This premium shall apply to time worked and shall not apply toward paid time off or to terminal pay.

Eligible Classes

5065 Deputy Probation Officer
5068 Correctional Deputy Probation Officer I
5069 Correctional Deputy Probation Officer II
5090 Senior Probation Officer

Institutional/Principal Work Locations: Juvenile Ranch Facility; Girls Rehabilitation; Camp Barrett; Kearny Mesa Juvenile Detention Facility; East Mesa Juvenile Detention Facility

Section 10. Subsection (b) of 1.13.9 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 1.13.9: UNIFORM ALLOWANCE (INITIAL ISSUE AND MAINTENANCE).

- (b) Probation Uniform Allowance.

- (1) Initial Issue. Employees in classes designated PO or SO, newly hired or newly assigned to Camp Barrett, Work Project, East Mesa Juvenile Detention Facility, Kearny Mesa Juvenile Detention Facility, the Girls Rehabilitation Facility, Juvenile Ranch Facility, or Armed Units shall be reimbursed for an amount not to exceed the following:

<u>Facilities</u>	<u>Classes Designated</u>	
	<u>PO</u>	<u>SO</u>
Juvenile Ranch Facility	\$550	\$450
Camp Barrett	\$550	\$450
Work Project – CDPO I & II	\$800	\$700
Work Project – Senior Probation Officer	\$400	\$300
East Mesa Juvenile Detention Facility	\$400	\$300
Kearney Mesa Juvenile Detention Facility	\$400	\$300
Girls Rehabilitation Facility	\$400	\$300
Armed Units	\$350	\$250

- (2) Special Qualifications.

- (a) Employees transferring from one work location to another work location where different uniforms are required, shall receive the initial uniform allowance described above, except that employees transferring from a Juvenile Camp Facility to East Mesa Juvenile Detention Facility, Kearny Mesa Juvenile Detention Facility or the Girls Rehabilitation Facility are not eligible for an initial allowance at the new work location.
- (b) Employees who are separated during the probationary period are required to return all uniforms and patches for which reimbursement was paid or issued to a place designated by the Chief Probation Officer.

- (3) Maintenance. The appointing authority shall require employees to purchase and maintain uniforms and equipment as specified.

- (a) If an employee in an eligible class is on leave (paid or unpaid) during Payroll 04, and has sufficient hours in the previous year to qualify for a Uniform Allowance maintenance payment, that payment will be made when the employee returns to active County service. If an eligible employee is active in Payroll 04, but on leave (paid or unpaid) in Payroll 05, the maintenance payment will be made when the employee returns to active County service. If an employee is in an eligible class in Payroll 04, but terminates County service, transfers to an ineligible class in Payroll 05, or is on leave (paid or unpaid) for more than twelve (12) months, that employee is not entitled to receive the maintenance payment as that employee is no longer required to wear a uniform, or was not required to purchase and/or maintain uniforms and equipment during the 12 months or longer when they were on leave. Payment will be included in the paycheck issued on the payday of Payroll 05 of each fiscal year.

Eligible Classes: Classes designated PO and SO

- (b) For purposes of computing the correct prorated payment amount, three-thirds (3/3) of the maintenance allowance is as follows:

<u>Facilities</u>	<u>Classes Designated</u>	
	<u>PO</u>	<u>SO</u>
Juvenile Ranch Facility	\$450	\$350
Camp Barrett	\$450	\$350
Work Project – CDPO I & II	\$650	\$550
Work Project – Senior Probation Officer	\$400	\$300
East Mesa Juvenile Detention Facility	\$400	\$300
Kearny Mesa Juvenile Detention Facility	\$400	\$300
Girls Rehabilitation Facility	\$400	\$300
Armed Units	\$350	\$250

The amount of the allowance shall be computed on paid service as follows:

<u>% of Required Service in Paid Status</u>	<u>Allowance</u>	
Over 75% through 100%	Three-thirds	(3/3)
Over 50% through 75%	Two-thirds	(2/3)
Over 25 % through 50 %	One-third	(1/3)
25% or less	Zero	(0/3)

Eligible Classes: Classes designated PO and SO.

Section 11. Subsection (a) of section 2.1.7 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 2.1.7: LUMP SUM PAYMENTS FISCAL YEAR 2013/2014.

- (a) Fiscal Year 2013/2014. A one-time lump sum payment of 2% of individual annualized compensation shall be paid to all regular employees in eligible classes listed below in addition to the regular compensation for work performed during the payout pay period.

- (1) Eligibility. All regular employees in eligible classes listed below who have paid service during pay-period 26 of Fiscal Year 2012/2013 (June 14, 2013 to June 27, 2013).

Eligible Classes. All classes designated: AM, AS, CC, CE, CEM, CR, CS, DA, EM, MA, NA, NE, NM, NS, PD, PM, PO, SO and UM.

- (2) Payroll Calculation. Such one-time payment of 2% annualized compensation shall:

- (a) Be subject to normal deductions;
 - (b) Not modify the salary base or computations of premiums or bonuses;
 - (c) Not continue beyond Fiscal Year 2013/2014.
- (3) Conditions. This payment is made unconditionally to all eligible employees and is not related to the quality or quantity of the employee's past or future service.
- (4) Payment Date.
- (a) This payment shall be made on July 19, 2013 to employees in classes designated: AM, AS, CC, CE, CEM, CR, CS, DA, EM, MA, NA, NE, NM, NS, and UM.
 - (b) This payment shall be made on August 2, 2013 to employees in classes designated: PD, PM, and SO.
 - (c) This payment shall be made on October 25, 2013 to employees in classes designated: PO.

Section 12. Section 2.1.8 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 2.1.8: LUMP SUM PAYMENTS FISCAL YEAR 2014/2015.

- (a) Fiscal Year 2014/2015. A one-time lump sum payment of 2% of individual annualized compensation shall be paid to all eligible County employees in addition to the regular compensation for work performed during the payout pay period.
- (1) Eligibility. All regular employees in eligible classes listed below who have paid service during pay-period 26 of Fiscal Year 2013/2014 (June 13, 2014 to June 26, 2014).
- Eligible Classes. All classes designated AM, AS, CC, CE, CEM, CR, CS, DA, EM, MA, NA, NE, NM, NS, PD, PM, PO, SO and UM.
- (2) Payroll Calculation. Such one-time payment of 2% annualized compensation shall:
- (a) Be subject to normal deductions;
 - (b) Not modify the salary base or computations of premiums or bonuses;
 - (c) Not continue beyond Fiscal Year 2014/2015.
- (3) Conditions. This payment is made unconditionally to all eligible employees and is not related to the quality or quantity of the employee's past or future service.
- (4) Payment Date. This payment shall be made on July 18, 2014.

Section 13. Subsection (d)(3) of section 4.2.6 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 4.2.6: MILITARY LEAVE.

- (d) Anti-Terrorist Campaign Leave Provisions.
- (3) Duration. This leave is provided as temporary relief from financial hardship due to loss of pay and benefits for employees on active military duty as a direct result of the September 11, 2001 attacks on the World Trade Center and Pentagon. This paid leave shall cease on the date the employee officially is released from the active military duty, or on:

(a) December 31, 2013, whichever occurs earlier.

Eligible Classes: Classes designated AE, CL, CM, DS, FS, HS, MM, PR, PS, RN, SM, SS and SW.

(b) June 25, 2015, whichever occurs earlier.

Eligible Classes: Classes designated AM, AS, CC, CE, CEM, CR, CS, DA, DI, DM, EM, EO, MA, NA, NE, NM, NS, PD, PM, PO, SO and UM

Section 14. Subsection (d) of section 4.2.12 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 4.2.12: ADMINISTRATIVE LEAVE.

(d) Duration.

(1) Administrative leave may be authorized for up to ten (10) working days for each occurrence. At the request of the appointing authority and when more time is needed to complete an investigation, up to twenty (20) additional work days may be authorized, and may be extended beyond a total of twenty (20) work days in cases of criminal investigations by law enforcement agencies or pending Skelly hearings, upon approval of the Director; provided, however, that the duration of administrative leave shall not continue beyond the day the appointing authority determines, through an investigation, that the employee's absence is no longer essential.

Eligible Classes: Classes designated AE, CL, CM, DS, FS, HS, MM, PR, PS, RN, SM, SS, and SW.

(2) Administrative leave may be authorized for up to ten (10) work days for each occurrence and may be extended for additional working days if more time is needed to complete the investigation, subject to the approval of the Director. The duration of administrative leave shall not continue beyond the day the appointing authority determines, through an investigation, that the employee's absence is no longer essential.

Eligible Classes: Classes designated AM, AS, CC, CE, CEM, CR, CS, DA, DI, DM, EM, MA, NA, NE, NM, NS, PD, PM, PO, SO and UM.

Section 15. Subsections (d)(9) and (d)(13) of section 5.1.6 of the Compensation Ordinance are hereby amended to read as follows:

SECTION 5.1.6: FLEXIBLE BENEFITS PLAN.

(d) County Contributions Toward Flexible Benefit Plan. Insurance premium costs shall be borne by the employee excepting that the County shall make the following contribution toward the Flexible Benefits Plan (which includes health insurance). The employee's insurance premium costs will be reduced by the amount the employee elects to distribute to his or her insurance premium costs from the County's contribution toward the Flexible Benefits Plan. The County's contribution toward the Flexible Benefits Plan shall be:

(9) Employees in classes designated under the PO Benefit Program.

<u>Effective January 1, 2013:</u>	<u>Monthly</u>
Employee Only	\$ 421.00
Employee + 1 Dependent	627.00
Employee + 2 or More Dependents	899.00

<u>Effective January 1, 2014:</u>	<u>Monthly</u>
Employee Only	\$ 442.00
Employee + 1 Dependent	658.00
Employee + 2 or More Dependents	944.00

<u>Effective January 1, 2015:</u>	<u>Monthly</u>
Employee Only	\$ 464.00
Employee + 1 Dependent	704.00
Employee + 2 or More Dependents	1029.00

- (13) Employees in classes designated AM, AS, CC, CE, CEM, CR, CS, DA, DI, DM, EM, EO, MA, NA, NE, NM, NS, PD, PM, PO, SO and UM who have flex credits not designated for eligible services shall have such credits placed in the employee's health Flexible Spending Account (FSA). IRS regulations establish annual maximum limits for flexible credits which may be rolled over to a FSA. An employee is not entitled to flexible credits that, when rolled over to an FSA, exceed the maximum limits allowed by law. Any employee who is expected to have flexible credits rolled over to an FSA that will exceed the maximum limits shall have their bi-weekly flex credit contributions adjusted to an amount, that when calculated on an annual basis, will be equal to the maximum allowed by law.

Section 16. Subsection (b) of 5.6.2 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 5.6.2: METHOD OF CALCULATION.

- (b) Retirement Contribution Offset Provisions.
- (1) Employees who are in Tier A or Tier I
- (a) Effective July 13, 2012:

Tier A Effective July 13, 2012		
Retirement Contribution Offset by Union Code		
Union Code	Approximate % of the County contribution toward retirement for employees who have less than 5 yrs. of continuous service is:	Approximate % of the County contribution toward retirement for employees who have at least 5 yrs. of continuous service is:
PO, SO	1.5%	3.0%
SS	1.75%	3.5%
CR	2.25%	4.5%
CL, CM, FS, HS, SW	1.5%	3.0%
AE, AM, AS, CE, CEM, CC, CS, DA, MA, MM, PD, PM, PR, PS, RN	2.25%	4.5%
EM, EO, NA, NE, NM, NS, UM	7.0%	7.0%
DS, SM	7.0%	7.0%
DI, DM	9.5%	11.755%

(b) Effective December 27, 2013:

Tier A Effective December 27, 2013		
Retirement Contribution Offset by Union Code		
Union Code	Approximate % of the County contribution toward retirement for employees who have less than 5 yrs. of continuous service is:	Approximate % of the County contribution toward retirement for employees who have at least 5 yrs. of continuous service is:
AM, AS, CC, CS, DA, PD, PM	0.75%	3.0%
CE, CEM, CR, MA	1.5%	3.0%
PO, SO	1.0%	2.0%
EM, EO, NA, NE, NM, NS, UM	4.67%	4.67%
DI, DM	0%	0%

(2) Employees who are in Tier B, by Union Code

(a) Effective July 13, 2012:

Tier B Effective July 13, 2012		
Retirement Contribution Offset by Union Code		
Union Code	Approximate % of the County contribution toward retirement for employees who have less than 5 yrs. of continuous service is:	Approximate % of the County contribution toward retirement for employees who have at least 5 yrs. of continuous service is:
PO, SO	1.0%	2.0%
SS	1.25%	2.5%
CR	1.75%	3.5%
CL, CM, FS, HS, SW	1.0%	2.0%
AE, AM, AS, CE, CEM, CC, CS, DA, MA, MM, PD, PM, PR, PS, RN	1.75%	3.5%
EM, EO, NA, NE, NM, NS, UM	6.0%	6.0%
DS, SM	6.0%	6.0%
DI, DM	9.5%	10.755%

(b) Effective July 1, 2013:

Tier B Effective July 1, 2013		
Retirement Contribution Offset by Union Code		
Union Code	Approximate % of the County contribution toward retirement for employees who have less than 5 yrs. of continuous service is:	Approximate % of the County contribution toward retirement for employees who have at least 5 yrs. of continuous service is:
PO, SO	1.0%	2.0%
SS	1.25%	2.5%
CR	1.75%	3.5%
CL, CM, FS, HS, SW	1.0%	2.0%
AE, AM, AS, CE, CEM, CC, CS, DA, MA, MM, PD, PM, PR, PS, RN	1.75%	3.5%
EM, EO, NA, NE, NM, NS, UM	6.0%	6.0%
DS, SM	Hired prior to 7/1/2013: 6.0% Hired on or after 7/1/2013: 3.0%	6.0%
DI, DM	9.5%	10.755%

(c) Effective December 27, 2013:

Tier B Effective December 27, 2013		
Retirement Contribution Offset by Union Code		
Union Code	Approximate % of the County contribution toward retirement for employees who have less than 5 yrs. of continuous service is:	Approximate % of the County contribution toward retirement for employees who have at least 5 yrs. of continuous service is:
AM, AS, CC, CS, DA, PD, PM	0.25%	2.0%
CE, CEM, CR, MA	1.17%	2.33%
PO, SO	.67%	1.34%
EM, EO, NA, NE, NM, NS, UM	4.0%	4.0%
DI, DM	0.0%	0.0%

- (3) The prescribed rate of contribution for Employees who are in Tier C shall be 50 percent of the "Normal Cost Rate" as defined in Government Code §7522.30 (b).

Section 17. Section 5.7.2 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 5.7.2: METHOD OF CALCULATION.

Thirty-year (30) Employees. The County shall provide a payment once annually to employees who have no contribution to the retirement fund. To be eligible for this payment, the employee must have attained thirty (30) years of qualifying retirement service credit, in accordance with the law, rules and regulations governing such credit on the last day of Payroll 02. Such one-time payment shall be made on the payday of Payroll 04 as follows:

Eligible Classes Designated	Amount
DS and SM	\$ 1,500
AE, CL, CM, FS, HS, MM, PR, PS, RN, SS and SW	\$ 1,000

Section 18. Effective Date. This ordinance affects compensation and shall take effect upon adoption. Within fifteen days after the date of adoption of this ordinance, a summary shall be published once with the name of those members voting for and against the same in the newspaper of general circulation published in the County of San Diego.

Section 19. Operative Date. Operative dates by specified section are listed in the table below.

Section Number	Operative Date
Section 1	12/27/13
Section 2	10/4/13
Section 3	10/4/13
Section 4	09/20/13
Section 5	09/20/13
Section 6	09/20/13
Section 7	09/20/13
Section 8	09/20/13
Section 9	09/20/13
Section 10	09/20/13
Section 11	10/4/13
Section 12	10/4/13
Section 13	10/4/13
Section 14	10/4/13
Section 15	10/4/13
Section 16	10/4/13
Section 17	10/4/13

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL BY:

William H. Songer, Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 24th day of September, 2013.



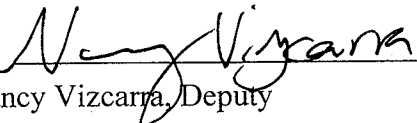
GREG COX
Chairman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 24th day September, 2013.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By 
Nancy Vizcarra, Deputy

Ordinance No. 10291 (N.S.)

09-24-2013 (15)

