

LIVERMORE AREA RECREATION AND PARK DISTRICT

DISTRICT NOTICES

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Livermore Area Recreation and Park District

Staff Report

TO: Chair Palajac and Board of Directors

FROM: Mat Fuzie, General Manager

PREPARED BY: Jeffrey Schneider, Administrative Services Manager
Megan Shannon, Human Resources Officer

DATE: December 9, 2020

SUBJECT: District Notice 0001 - Personnel Rules and Regulations: Holiday Pay (**Revised**)

COMMISSION: Personnel Commission recommended approval, with edits (December 1, 2020)

COMMITTEE: Personnel Committee recommended approval, with edits (Nov.10 and Dec. 2, 2020)

Recommendation: That the Board of Directors approve proposed revisions to District Notice 0001 - Personnel Rules and Regulations: Holiday Pay.

This District Notice (DN) supersedes District Notice 0001- Personnel Rules and Regulations: Holiday Pay, which was published on November 27, 2018.

Purpose: This revised Holiday Pay District Notice serves four primary purposes:

1. To enable employees to have more flexibility to celebrate holidays that are important to them but which are not currently observed by the District.
2. To facilitate staff scheduling processes by revising how Floating Holidays are utilized by allowing them to be in full-day increments only (hourly-based, partial days have been allowed to date).
3. To discontinue a non-standard and fiscally impactful practice whereby benefited staff who are not scheduled to work on an Observed Holiday are, at present, able to designate another day within the same pay period as a holiday not worked.
4. To enhance flexibility in how the District addresses instances in which an Observed Holiday actually occurs on a weekend.

Effective: January 1, 2021

Highlights:

1. In an attempt to be more inclusive when it comes to our diverse workforce and the holidays which employees wish to celebrate, the District proposes modifications to its schedule of Observed Holidays and annual Floating Holiday allocation. While this proposal would reduce the number of Observed Holidays from thirteen (13) to nine (9), staff also recommends that the annual allocation of Floating Holidays be increased from two (2) to six (6).
 - 1.1. Moving forward, the District will observe nine (9) Federal holidays, all of which it currently observes, and will no longer formally observe the following four (4) holidays: Spring Holiday, the Friday after Thanksgiving, Christmas Eve Day, and New Year's Eve Day.
 - 1.1.1. For operating units that work a standard Monday to Friday schedule (the majority of employees), the District will observe holidays in a fashion that is consistent with the Federal Government. For operating units whose employees work a non-standard schedule, the District will observe holidays on the actual date upon which they occur.
 - 1.1.1.1. Example: Independence Day falls on a Sunday in 2021. The Federal Government will observe the holiday on Monday, July 5, 2021. The District will observe the holiday on Monday, July 5th for employees whose operating units rely on a Monday to Friday schedule. Units with a non-standard schedule, a current example being Open Space, will be subject to an Observed Holiday schedule that includes Sunday, July 4th, not July 5th.
 - 1.2. In place of the four (4) Observed Holidays that are proposed to be dropped, the District will grant benefited staff four (4) Floating Holidays per calendar year, in addition to the current allocation of two (2) Floating Holidays (bringing the new annual count to six (6)), to provide more flexibility for employees to celebrate holidays of their choosing that are not currently observed by the District (i.e. Juneteenth, Cesar Chavez Day), or any other day deemed important to the employee. These Floating Holidays will be provisioned on January 1st of each year.
 - 1.2.1. Floating Holiday provisions will be pro-rated for new employees who join the District after January 1st (please see item 6.5 of the DN)
2. The nine (9) Federal holidays that will continue to be observed are not guaranteed, meaning that if an employee is not normally scheduled to work on the date that the District observes a holiday, they will no longer be able to elect an alternative day during that same pay period to observe that holiday and be paid for it.
3. At present, benefited employees receive two (2) Floating Holidays on July 1st each year and these hours are available to be used until June 30th of the following calendar year. Employees who have

not used their latest allocation of Floating Holiday hours by the time the new allocation is provisioned (January 1, 2021) may continue to use them until December 31, 2021, while also receiving the new grant of 6 Floating Holidays.

4. As is currently the case, Floating Holidays that are unused after 12 months (now coinciding with December 31st each year) will no longer be available in the new calendar year, when a new grant of Floating Holidays will be made available. As documented in District Notice 0005 - Reduction in Force, Floating Holiday balances that exist at the time an employee leaves the District will have no cash-out value upon termination.
5. An important change to the use of Floating Holidays will be effective with this District Notice: Floating Holidays may only be taken in the form of full days off to minimize scheduling challenges. No longer will Floating Holidays be denominated in hours, with a one-time exception for employees who currently have a balance of Floating Holiday hours that is not equivalent to one or two full days (6 hours per day for Part-Time Benefited and 8 hours per day for Full-Time staff); in these cases, employees will be able to work down these legacy balances in the form of hours and will be encouraged to do so by December 31, 2020.
6. Of note is that the attached Notice reflects no change to the combined total of Observed and Floating Holidays (15), just a modification to the mix of them: from 13 Observed and 2 Floating to 9 Observed and 6 Floating. Clearly the Board may decide to reduce this total in the future, but staff recommends no change at present given the significance of the recent organizational and compensation changes that have been implemented in response to the COVID-19 pandemic.

District Notice 0001 - Personnel Rules and Regulations: Holiday Pay (Revised)

This District Notice replaces the existing District Notice 0001, published November 27, 2018, and supersedes existing Rules and Regulations concerning Holiday pay, which will be revised to reflect its contents.

The District's Observed Holidays, allocation of Floating Holidays, and treatment of Holiday pay will be as follows:

1. **Observed Holidays:** employees will be eligible for up to nine (9) Observed Holidays per calendar year, though this number may vary based on individual employee schedules, which will be reflected in all recruitment and new hire materials, effective immediately.
 - 1.1. The District will observe the following holidays, which align with Federal holidays but which may vary in terms of the specific day on which the holidays are observed: **New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day.**
 - 1.2. When an Observed Holiday actually occurs on a weekend, which is possible for Independence Day, Christmas Day, and New Year's Day, the District will accommodate operating units with non-standard schedules, as outlined below.
 - 1.2.1. For operating units that work a standard Monday to Friday schedule (the majority of employees), the District will observe holidays in a fashion that is consistent with the Federal Government. For operating units whose employees work a non-standard schedule which includes weekends, the District will observe holidays on the actual date upon which they occur.
 - 1.2.1.1. Example: Independence Day falls on a Sunday in 2021. The Federal Government will observe the holiday on Monday, July 5, 2021. The District will observe the holiday on Monday, July 5th for employees whose operating units rely on a standard schedule. For units that operate on a non-standard schedule, the District will observe a holiday schedule that includes Sunday, July 4th, not July 5th.
 - 1.2.2. Prior to the onset of each calendar year, the District will formally establish which operating units will be subject to the Federal Government's dates for Observed Holidays and which will be subject to a non-standard schedule for Observed Holidays. Both the standard and non-standard Observed Holiday schedules will be communicated prior to the onset of the calendar year.
2. **Observed Holiday worked:** any non-exempt employee, regardless of benefit status (Pensioned, Regular, Part-Time Benefited, and Casual, defined below), will be paid at the rate of 1.5 times their normal pay rate for all hours worked on a Observed Holiday.
3. **Observed Holiday not-worked:** a non-exempt employee who would normally be scheduled to work on a day on which an Observed Holiday falls but who does not work that day, will receive

Holiday pay that is based upon his/her standard pay rate. A standard number of hours (6 hours for a Part-Time Benefited employee and 8 hours for Full-Time Regular and non-exempt Pensioned employees) will be used to calculate holiday pay (provided the employee is on paid status the day prior to the holiday and the day following the holiday).

4. If a non-exempt benefited or Casual employee is not normally scheduled to work on a day on which an Observed Holiday occurs, they shall not be granted paid holiday leave for that day. Effective with this District Notice, the District will no longer allow benefited employees who are not normally scheduled to work on the day on which an Observed Holiday occurs to designate another day within the same pay period as a holiday not worked.
5. No employee who is required to work on an Observed Holiday will be eligible to identify, and be paid for, an alternative day to report time-not-worked for the Observed Holiday that he/she actually worked (a reference to prior, inactive, District policy).
6. **Floating Holidays:** in addition to the aforementioned Observed Holidays, and in an attempt to recognize the diversity of our employees, all benefited employees shall be granted six (6) Floating Holidays on January 1st each year.
 - 6.1. To facilitate scheduling, employees will be required to submit all of their requests for Floating Holidays (via the Kronos application) by the end of January each year. Supervisors or managers, as applicable, will respond to each request no later than February 15th (or earlier if the request is submitted for a date prior to February 15th as long as such requests are submitted with at least two weeks' notice prior to the requested day(s) off) and will work with each employee whose request has been denied to explain their decision and to work with the employee to establish an alternative date. Supervisor and manager discretion in reviewing time off requests is required to ensure that customer service and/or important deliverables are not impacted. These decisions will be made objectively and should be based upon criteria such as seniority, submission timing, and the aforementioned customer service and/or deliverable considerations.
 - 6.2. As of the effective date of this District Notice, Floating Holidays may only be taken in the form of full days off in order to minimize scheduling challenges. No longer will Floating Holidays be denominated in hours.
 - 6.3. For Payroll purposes, the District will treat a Floating Holiday like an Observed Holiday: Part-Time Benefited employees will receive the equivalent of six (6) hours of pay for each Floating Holiday reported, while Full-Time employees will receive the equivalent of eight (8) hours of pay.
 - 6.4. If circumstances are such that a supervisor determines that an employee is needed to work on a date that had previously been approved as a Floating Holiday, the supervisor will work with the employee to identify an alternative date for the employee to schedule the Floating Holiday. Hours worked on the originally scheduled Floating Holiday will be paid at the employee's normal pay rate. In the rare case that an alternative date cannot be

identified (likely only very late in the calendar year), the employee will earn 1.5x his/her normal pay rate for hours worked on that day.

- 6.5. Floating Holiday allocations will be pro-rated as follows for new employees who join the District after January 1st:

Start Date	Floating Holidays Awarded in Year of Hire
Jan-Feb	5
Mar-Apr	4
May-Jun	3
Jul-Aug	2
Sep-Oct	1
Nov-Dec	0

- 6.6. Floating Holidays not used as of December 31st of each year cannot be carried over to the new calendar year and will be lost. In addition, and as documented in District Notice 0005 - Reduction in Force, Floating Holiday balances that exist at the time an employee leaves the District will have no cash-out value upon termination.

7. Definitions:

- 7.1. **Pensioned employees:** includes all exempt employees and non-exempt Full-Time employees who are currently included in the Alameda County Employees' Retirement Association (ACERA) pension plan;
- 7.2. **Regular employees:** non-exempt, full-time benefited;
- 7.3. **Part-Time Benefited employees:** non-exempt, part-time benefited staff who work a minimum of 1,456 hours per 12-month measurement period (see below) and a maximum of 1,664 hours per 12-month measurement period, which can only be exceeded with the prior approval of the General Manager (rare);
- 7.4. **Casual employees:** non-benefited, typically (but not necessarily) seasonal staff whose hours cannot exceed 1,560 in the 12-month measurement period; and
- 7.5. **12-month measurement period for hours worked:** to comply with reporting requirements for the Affordable Care Act (ACA), the District measures hours worked for all staff for a standard 12-month period that ends mid- November each year. We will use this same 12-month period for purposes of managing the hours of Part-Time Benefited and Casual staff.

Sections Removed from Original District Notice 0001:

1. When an Observed Holiday occurs on a day of the week on which a benefited employee is not scheduled to work, the employee can coordinate with his/her supervisor to identify an alternative day, during that same pay period, for which the employee will report a holiday-not-worked. As outlined above in item 2, his/her standard pay rate will applied to a standard number of hours (6 hours for a Part-Time Benefited employee and 8 for Full-Time Regular and non-exempt Pensioned employees) in order to calculate holiday pay.
2. The District recognizes the following holidays: New Year's Eve Day, New Year's Day, Martin Luther King Day, Presidents' Day, Spring Holiday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Friday after Thanksgiving, Christmas Eve Day and Christmas Day.

Livermore Area Recreation and Park District

Staff Report

TO: LARPD Staff

FROM: Megan Shannon, Human Resources Analyst

DATE: November 20, 2018

SUBJECT: DN002 - Benefit Waiting Period for Part-Time Benefited Employees

This notice supersedes existing Rules and Regulations concerning the 90-day waiting period for Part-Time Benefited staff benefits, which will be revised to reflect its contents.

Effective January 1, 2019, Part-Time Benefited employees will be eligible for all benefits as follows:

1. Any newly appointed benefited employees will be eligible to receive all benefits on the first day of the month following their date of hire. Our previous practice, whereby Part-Time Benefited employees were not eligible to receive benefits until the 90th calendar day of employment, will cease immediately. This amendment will place Full-Time and Part-Time Benefited employees on the same benefit schedule.
2. Additionally, these employees shall begin accruing vacation and sick leave immediately at the rates defined in the existing Rules and Regulations. Benefited employees will no longer receive a lump sum of 24 hours of sick and 24 hours of vacation on the 90th day of their employment, but rather, will accrue as scheduled from day one of appointment. Casual employees will continue to receive 24 hours of sick hours upon their 90th day of employment pursuant to AB 1522, California's Paid Sick Leave law.

Related details:

1. All Benefits Include:
 - a. Medical
 - b. Dental
 - c. Life and AD&D
 - d. Short Term Disability
 - e. Long Term Disability
 - f. Flexible Spending Account (FSA)
 - g. Employee Assistance Program (EAP)



Livermore Area
Recreation and Park District
An independent special district

4444 East Avenue, Livermore, CA 94550-5053
(925) 373-5700 www.larpd.org

General Manager
Mathew L. Fuzie

Date: February 22, 2019
To: All Staff
From: Megan Shannon, Human Resources Analyst
RE: DN003 - Required Tuberculosis Testing for All Employees

Effective immediately and in accordance with Public Resources Code 5163, all employees will be required to provide proof of a negative Tuberculosis (TB) test in order to maintain employment with the District.

Timeline:

Initially, employees shall provide Human Resources with a negative test from within the last two years. Thereafter, employees will need to resubmit negative results to HR every four years.

Your results are due to HR by Friday, May 3. There will be no exceptions. New employees shall receive the test during the pre-employment process.

Process:

If you have proof of a negative TB test from the last two years, you may submit results to HR and will need to do nothing further.

If you have not had a TB test in the last two years, the process will include obtaining a tuberculin skin test, which is a two-step process. Step one will include visiting your medical provider's injection clinic and receiving a shot in the lower part of your arm. Step two will include returning to your medical provider's injection clinic 48-72 hours later to evaluate any potential reactions. Please note that some tests can yield false positives and may require additional testing, such as a check x-ray. Please allow yourself plenty of time for this process. **Do not wait until the last minute.**

Kaiser members will not be required to make an appointment or get a referral, but can simply stop by during injection clinic hours (schedule attached). Minors should go to pediatric injection. TB tests will not be administered on Thursdays at Kaiser.

Non-Kaiser members will need to coordinate with their provider. If necessary, please contact HR, who can arrange a referral with Kaiser Occupational Medicine (non-Kaiser members only).

All results should be submitted to HR immediately.

Board of Directors
Maryalice Faltings

David Furst

Jan Palajac

Philip Pierpont

Beth Wilson

Cost:

In most instances, employees with medical coverage will not incur a fee for the test. If however, employees are charged, they may submit for a reimbursement through the District (Expense Voucher form).

What is TB?

According to the Center for Disease Control, "Tuberculosis (TB) is a disease that is spread through the air from one person to another. When someone who is sick with TB coughs, speaks, laughs, sings, or sneezes, people nearby may breathe TB bacteria into their lungs. TB usually attacks the lungs, but can also attack other parts of the body, such as the brain, spine, or kidneys.

TB bacteria can live in the body without making a person sick. This is called **latent TB infection**. People with latent TB infection do not feel sick, do not have TB symptoms, and cannot spread TB bacteria to others. Some people with latent TB infection go on to develop **TB disease**. People with TB disease can spread the bacteria to others, feel sick, and can have symptoms including fever, night sweats, cough, and weight loss."

Questions:

Please contact Megan Shannon (373-5705), Jessie Masingale (373-5723), or Robert Sanchez (373-5784) for questions regarding the TB process.

Departments

[View by A-Z](#)

[View by Location](#)



Immunizations / Injection Clinic

Immunizations for children and adults. Timely immunizations (also known as “vaccinations”) help to keep your family and the community healthy.

Livermore Medical Offices

3000 Las Positas Road
Livermore, CA 94551

Telephone

925-243-2791

Hours

Adults: Monday through Friday

9:00 a.m. – 5:00 p.m.

Adult – Closed for Lunch:

12:00 p.m. – 1:30 p.m.

Pediatric Walk-in Hours: Monday through Friday

9:00 a.m. – 4:30 p.m.

Pediatrics – Closed for Lunch:

12:00 p.m. – 2:00 p.m.

Adult Injection Clinic: TB skin tests are not done on Thursdays and Wednesday after 4:00 p.m.

Walk in for Adult injections.

Pediatric Injection Clinic: No drop-ins for TB test on Thursdays.

Livermore Area Recreation and Park District Staff Report

TO: Chair Furst and Board of Directors

FROM: Mat Fuzie, General Manager

PREPARED BY: Administrative Services

DATE: April 24, 2019

SUBJECT: District Notice 0004 – Hiring Process

PERSONNEL COMMISSION: Reviewed and approved, with identified edits, on April 2, 2019

PERSONNEL COMMITTEE: Recommended submission to the Board, with specific edits,
on April 11, 2019

Recommendation: That the Board of Directors adopt Resolution No. ____, approving District Notice 0004 - Hiring Process, which will supersede existing Rules and Regulations (included as Attachment B) concerning Selection of Employees.

Background – District Notices and Existing Personnel Rules, Regulations, and Policies

1. The Administrative Services staff is committed to the task of reviewing and updating the District's Personnel Rules and Regulations (last updated May 2012) and HR-related Policies to assure compliance with applicable laws and promote a culture of consistency and fairness in the District, where protocols and expectations are clearly defined.
2. In discussions with both the Personnel Commission and the Personnel Committee (from November, 2018 and as recently as March-April 2019), the following conclusions were drawn:
 - a. It was established that the current Personnel Rules and Regulations document is too outdated and ineffective in structure to attempt to amend. The District's recommendation is to prioritize areas of immediate need and submit for board approval through the process of a District Notice.
 - b. The process will include recommendations by the General Manager and Administrative Services Staff, review by the Personnel Commission and Personnel Committee, and final submission to the District's Board of Directors for approval.
 - c. At the conclusion of the process, board approved HR District Notices will be merged into a complete Employee Handbook format and the previous Personnel Rules and Regulations will deemed to be obsolete.
3. In November, 2018, the District began producing District Notices as a means of addressing relatively urgent opportunities to effect improvements to District policies and procedures,

explaining that existing rules and regulations would be superseded by these Notices and, eventually, completely replaced by them.

- a. The first two Notices, and a Staff report, were reviewed and approved by the Personnel Commission, Personnel Committee, and Finance Committee in November, 2018:
 - i. District Notice 0001 – Holiday Pay – clarification and revision;
 - ii. District Notice 0002 – Benefit Waiting Period for Part-Time Benefited Employees – eliminated 90-day waiting period for health and paid-time-off benefits to be effective.
- b. A third District Notice, 0003 – Required Tuberculosis Testing for All Employees, was released to all staff in February, 2019, following confirmation on approach with the Personnel Commission and Personnel Committee.
- c. In addition, the District issued a Staff Report that was approved by the Board in January, 2019, that, while not issued as a District Notice, did outline material changes to employee status:
 1. new rules and regulations for a new employee status, “Regular”, which amounts to a non-exempt, full-time employee;
 2. new hours constraints for part-time benefitted positions;
 3. a single part-time employee classification (eliminating part-time A and B designations; and
 4. the establishment of the term “Casual” to be used for all part-time, non-benefited staff.

District Notice 0004 – Hiring Process

Authority

The District’s Board of Directors is the appointing authority for all Board-appointed positions, which includes the General Manager (GM) and Legal Counsel. A representative of the Board may participate in the final interviews to fill the position of Assistant General Manager (AGM).

The General Manager is the appointing authority for all other positions in the District, which includes Pensioned, Regular, Part-time Benefited, and Casual positions, persons employed under contract to supply expert professional or technical service, and volunteers.

In hiring the most qualified candidates for positions, the following guidelines outline the process:

Personnel Requisitions – required for all benefitted positions

The hiring process for benefitted positions is initiated with a Personnel Requisition (ATTACHMENT A) submitted by a unit supervisor and/or manager. The requisition is reviewed by the GM and, at his/her discretion, the core management staff, consisting of the AGM, Administrative Services Manager (ASM), and other District Managers, and the hiring process will commence only upon the approval of the GM.

Recruitment Strategy Meeting

Upon receipt of an approved Personnel Requisition, Human Resources (HR) will arrange a meeting with the hiring manager, prior to posting a job opening, to gather information about the position and requirements for it, along with the profile of the ideal candidate. The recruiting strategy will be developed during this meeting, including the extent of outreach, and will be reviewed with the GM prior to implementation. Recruiting steps may include determining types of panels and participants, considering written and/or practical exams, and other talent assessment techniques.

For positions for which there is an active Eligibility List (see below), the hiring manager and HR may decide to invite candidates from the List to a final interview, thus avoiding the need to post the job opening again.

Alternatively, the hiring manager and HR may elect to invite candidates from an active Applicant Pool (defined as candidates who have yet to formally interview with the District but whose resumes have been on file for a particular role for less than a year) to initial interviews, thus providing an alternative to engaging in a new job posting.

Job Postings

HR is responsible for posting the position as outlined in the recruitment plan and tracking all applicants and retaining applications and resumes as required.

Interview Process

HR and the hiring manager/supervisor will screen applications to determine which candidates will move forward to the interview process. The number of selected candidates will vary depending on the applicant pool.

Eligibility List – required for all benefited positions (exception being Open Until Filled – see below)

After the initial interview, an eligibility list of the top qualified candidates is created based on criteria established in the recruitment strategy meeting and as assessed by the interview panel. Candidate rankings resulting from the initial interview process will include scoring of each candidate's interview responses, exams, and other selection-related processes as appropriate. The definition of a passing grade (e.g., 70% or higher) will be communicated to panel members by HR prior to the onset of interviews/exams to ensure clarity in scoring. While initial scores will be an important factor in identifying which candidates will be invited to the final interview process, hiring managers will have the opportunity to request an adjustment to the list, which must be approved by HR and the GM. Eligibility lists for all pensioned full-time positions will be reviewed with the District's Personnel Commission to ensure that a fair and objective process has been demonstrated in the creation of each list, and the Commission's recommendations will be reflected in the District's final eligibility list. The District's HR team will provide an equal level of assurance for processes associated with eligibility lists for all full-time and part-time benefited job classifications.

Eligibility lists are generally active for one year. If another, similar position becomes open, hiring supervisors/managers, with the GM's approval, may elect to open an active Eligibility List rather than restart the recruitment process.

Open Until Filled - exception

In some cases, significant hiring pressures may exist that warrant an exception to the aforementioned eligibility list process. In such cases, hiring managers may obtain approval from HR and the GM to recruit and interview qualified candidates as they become available by conducting interviews with a panel. HR will facilitate the panel process. Upon identifying a viable candidate, the hiring manager may work with HR to begin the pre-employment process as outlined below.

Pre-Employment Process and Job Offers

Upon the completion of the final interview process for benefited positions, the GM's approval is required prior to initiating the pre-employment process.

For any open position, an offer of employment is made contingent on the successful completion of required prescreening. This screening will vary depending on position-specific legal/licensing requirements and may include:

- Reference checks
- Fingerprinting: All employees or volunteers must be fingerprinted at time of hire
- TB Test: In accordance with Public Resources Code 5163, all employees are required to provide proof of a negative Tuberculosis (TB) test
- Physical Examination

Pay level recommendations to be reflected in a job offer will be developed by the hiring manager, in conjunction with HR, and, for all benefited positions, must be approved by the GM. If a candidate declines an offer of employment, the recruitment process may begin again or referred back to the existing, active eligibility list.

Selection of Casual Employees

HR will coordinate with hiring managers to recruit, conduct pre-employment, and complete job offers for Casual employees. The interview process for casual employees will be conducted by unit supervisors/managers; direct involvement by HR in the selection process for Casual employees will occur only on an exception basis.

Promotional Opportunities

The District supports and encourages opportunities for internal promotions. At the approval of the GM, a vacancy may be opened for current district staff only. Any current employee who meets the qualifications for the position and has maintained a satisfactory employment status is eligible to apply for internal job openings. The consent of the employee's manager and the HR department may be necessary for employees with less than three months service with the District.

Candidates for promotional positions are considered based upon factors such as meeting eligibility requirements, prior service accomplishments, performance reviews, completion of training courses, or any other screening methods. Meeting eligibility requirements is not a guarantee of placement. Hiring decisions remain with the hiring authorities' discretion at the best interest of the District.

Veterans' Preference Credit

The purpose of preferential credits for military service is to assist qualified applicants in transitioning from the military to civilian careers with the District. Military preferential credits apply when the applicant meets the minimum qualifications for the job and is successfully placed on the Eligibility List. The preferential credit (five percent) is applied to the successful candidate's final score. Proof of military service must be provided. Preferential credits are only given on open recruitments, and not promotional opportunities.

Hiring of Relatives

The District will consider hiring relatives of District staff if: a) candidates for employment will not be working directly for or supervising a relative; and b) candidates will not be in the same line of authority in which employees can initiate or participate in decisions involving a direct benefit to the relative. Such decisions include hiring, retention, transfer, promotion, wages and leave requests. The GM will review any proposal for an exception to this general rule and make a determination regarding the potential hire.

A "relative" is defined as relationships by blood, adoption, marriage, or domestic partnership: partner, parent, child, sibling, first cousin, uncle, aunt, nephew, niece, spouse, brother- or sister-in-law; father- or mother-in-law, son- or daughter-in-law; step-parent, or step-child.

Personnel Rules and Regulations Sections to be superseded (ATTACHMENT B):

- III. SELECTION OF EMPLOYEES IN THE COMPETITIVE SERVICE
- IV. SELECTION OF AT-WILL PART-TIME, TEMPORARY AND SEASONAL PERSONNEL
- V. GRANT FUNDED POSITIONS
- VI. EMPLOYMENT OF RELATIVES

Board Policy Manual, Policy Title: Personnel Policy Number: 2000

ATTACHMENT A



Livermore Area
Recreation and Park District
An independent special district

Personnel Requisition Form

Required for approval of all requests to post a Benefited job, including replacements and additions to staff.

Unit #/Name:
(drop down menu - select unit number and the rest of the unit-related data are populated)

Supervisor Name:

Manager Name:

Is this a new job classification?

If yes: Attach a new job description and compensation recommendation that has been reviewed and approved by Human Resources

If no: Job Code: < this is populated based on your job classification entry
 Job Classification:
 Job Status: < Full Time (ACERA), Regular, Part-Time Benefited

Desired Start Date: < coincides with the start of a pay period

Desired Step:

Salary per Hour: Hours per Week: Salary per Year:
 Full Cost per Year (assumes max ben):

Is this a replacement? If yes, indicate the name of the person being replaced and when that person has/will leave LARPD

Yes/No If Yes, Employee being replaced

IF this is an addition to staff, is this position in your budget and when was it assumed?

	in Budget?	Yes
	Start Date assumed in the Budget?	September
	Pay Step assumed in the budget?	3
	Status assumed in Budget?	PT Benefited

Justification:

Management Assessment:

	Signature	Approved/ Declined	Comments
Unit Supervisor			
Department Manager			
Human Resources			
Administrative Services Manager			
General Manager			

For HR Use Only:

Note: a new job classification and related compensation recommendation requires a review by the Personnel Commission and Personnel Committee, and approval by the Board of Directors, prior to the onset of a job posting.

Approval Dates (new job classifications only):

Personnel Commission	<input style="width: 50px;" type="text"/>
Personnel Committee	<input style="width: 50px;" type="text"/>
Board of Directors	<input style="width: 50px;" type="text"/>

ATTACHMENT B

**LIVERMORE AREA RECREATION AND PARK DISTRICT
EXISTING PERSONNEL RULES AND REGULATIONS**

< to be SUPERSEDED BY District Notice 0004 >

Amended by Resolution No. 2334 dated May 30, 2012

III. SELECTION OF EMPLOYEES IN THE COMPETITIVE SERVICE

- A. A "full-time" employee in the competitive service is defined as either:
1. Full year: an employee holding a 12-month position scheduled to work 40 hours per week;
OR
 2. Three-quarter year: an employee holding a 9-month position, scheduled to work 40 hours per week. Positions so designated in the classification plan are identified by "9", i.e., "Park Maintenance I (9)" or "7474 (9)".
- B. Eligibility List
1. Vacant positions in the competitive service shall be filled from qualified candidates certified on an eligibility list. The selection procedure described herein does not apply where the District is required to fill a vacancy as a result of a legal obligation, disciplinary action, or where an employee has preferential rehire or reinstatement rights.
 2. Eligibility lists shall be developed for each vacant position in the competitive service and shall be in force for three months after certification, subject to a six month extension at the discretion of the General Manager. In the event the District does not hire a candidate on the eligibility list, the list shall be terminated and the District may conduct another recruitment to fill the vacancy.
 3. Only qualified candidates shall be certified on an eligibility list. To the extent qualified candidates are available,
 - a. Four candidates with the highest scores shall be certified on an eligibility list established to fill one vacant position.
 - b. For two or more vacant positions in the same classification, the number of candidates certified on the eligibility list for the classification shall be three times the number of vacant positions.
 4. The General Manager is the appointing authority for competitive service employees, and may select any candidate on the eligibility list.
- C. Vacant full-time positions in the competitive service subject to this selection procedure shall be posted and advertised where appropriate.
- D. Any offer of full-time employment in the competitive service is conditional on a medical examination certifying that the candidate is able to perform all the essential tasks and duties of the position, with or without reasonable accommodation. The medical examination will be made by a physician selected by the District and at District expense.
- E. Examination

1. An eligibility list of qualified candidates shall be based on a competitive examination. A qualified candidate is one who meets or exceeds the minimum qualifying aggregate score.
2. A competitive examination is an evaluation of the job-related abilities of the candidates. The method of examination may consist of any of the following personnel selection techniques: achievement tests, aptitude tests, interviews, performance tests, evaluation of daily work performance, work samples or physical agility tests.
3. The General Manager shall determine the manner and method of the examination. The Board of Directors, on recommendation of the Personnel Commission and General Manager, may contract with any qualified agency or individual to conduct any aspect of the examination. In the absence of such a contract, the General Manager shall conduct the examination.
4. The General Manager shall establish the minimum qualifying score for each part of the examination and the total examination. If the examination consists of multiple parts, the General Manager shall determine the appropriate weight of each part of the examination. To the extent possible, the examination announcement should describe the method of examination, the weight given to each part of the examination and the minimum qualifying score. In a multi-part examination, failure to pass one part of the examination may subject the candidate to disqualification from the entire examination.

F. Veterans Preference

For initial employment with the District, an honorably discharged armed forces veteran of the United States who meets the minimum final qualifying score in an open competitive examination shall be given an additional credit equal to five percent of the maximum score attainable in the examination. The candidates must apply for this credit by presenting with the application proof of honorable discharge from the armed forces of the United States showing the dates of military service.

G. Promotional Examination

At the discretion of the General Manager, a vacant position in the competitive service may be "closed" to candidates who are not presently employed in the competitive service with the District. Candidates for promotional positions may be examined based upon prior service accomplishments, completion of training courses, or any other testing method. Candidates must be full-time employees in the competitive service who possess the minimum qualifications for the position. For purposes of this section, promotion for an employee in the competitive service is defined as a move to a position in the competitive service with a higher salary range than that currently held by the employee.

H. Payment of Travel Expenses for Candidates

The General Manager may, in his or her discretion, authorize payment of travel expenses for candidates invited to participate in examinations for openings in positions at or above the supervisory level, provided the candidate is required to travel a distance in excess of 200 miles.

IV. SELECTION OF AT-WILL PART-TIME, TEMPORARY AND SEASONAL PERSONNEL

- A. A Part-Time position is defined as an at-will position with a regular work schedule of less than 40 hours per week. A temporary and/or seasonal position is defined as an appointment for a specific length of time. Part-Time, temporary and seasonal positions are not competitive service positions and are not eligible for competitive service benefits. Part-Time, temporary and seasonal positions may

be compensated on an hourly, monthly, or per event basis as specified annually in the salary resolution.

- B. At the discretion of the General Manager, job postings for Part-Time, seasonal or temporary positions may be advertised.
- C. Although Part-Time, temporary and seasonal employees are not required to be residents of the District, such openings will be filled in so far as possible by qualified residents of the District.
- D. The General Manager shall determine the method of selection for Part-Time, temporary and seasonal positions. At the discretion of the General Manager, a competitive examination may be conducted.
- E. The General Manager is the appointing authority for all Part-Time, temporary and seasonal positions.

V. GRANT FUNDED POSITIONS

Employees holding grant funded positions shall come under the provisions of these rules and regulations only as required by the implementing federal/state legislation and its administrative regulations. Where no such legislation and/or administrative regulations exist, such employees shall be considered as exempt from the competitive service.

VI. EMPLOYMENT OF RELATIVES

As a general rule, relatives of employees, members of the Board of Directors or the Personnel Commission are not eligible for employment with the District where potential problems of supervision, safety, security or morale, or potential conflicts of interest exist, as determined in the General Manager's sole discretion. Relatives are defined as a spouse, registered domestic partner, child, parent, grandparent, brother, sister, in-law, or any other relative living in the same household. In addition, unrelated persons living in a family relationship in the same household are included in this category.

For non-benefitted positions, the Personnel Commission will review any proposal for an exception to this general rule and make a determination regarding the potential hiring. The minutes of the Personnel Commission meeting will report the outcome. The approval to hire individuals into a benefitted position under these circumstances must come from the Board of Directors after a review by the Personnel Commission and Personnel Committee. Per prior Board action, this rule does not apply to part-time aquatics positions.

VII. CLASSIFICATION SYSTEM

A. Definitions

1. "Position Classification Plan" means the District's comprehensive plan to assign all positions in the competitive service to a class specification, including title and job description of duties and responsibilities.
2. "Job Classification" means the position held by an employee in the competitive service which is described in the Position Classification Plan and which is assigned a salary range in the Compensation Plan.
3. "Reclassification" means a material change in a competitive service employee's duties and responsibilities which requires an evaluation of the employee's job and salary consistent with the Position Classification Plan and Compensation Plan. The reclassification may mean a

change in job classification which is assigned a higher or lower salary range in the Compensation Plan.

4. "Transfer" means a change from one job classification to another in the competitive service.

B. Position Classification Plan

1. All positions in the competitive service shall be assigned a class specification, including title and job description of duties and responsibilities.
2. When a new position is created, the class specification should be reviewed by the Personnel Commission for recommendation prior to submission to the Board.
3. Supervisors and managers are responsible for ensuring that employees perform their jobs consistent with the employee's class specification.

C. Reclassification

1. Competitive service employees are expected to perform duties and responsibilities described in the job description for the class specification.
2. In the instance where an employee's actual duties and responsibilities materially change from that described in his or her job description, the General Manager may conduct an evaluation of the employee's job and recommend to the Board of Directors that the employee be reclassified to a class specification consistent with the actual duties and responsibilities performed.
3. Reclassification may be to a job classification assigned a higher or lower salary range in the Compensation Plan.
4. In the instance where an employee's reclassification would be to a position with the same salary range, the General Manager shall have the authority to approve the reclassification.
5. Reclassification shall not be used to fill a vacancy which should be filled through the competitive examination process.

D. Transfer

An employee in the competitive service may change from one job classification to another only through the competitive examination process, unless the transfer is required as a result of a legal obligation, disciplinary action, or where an employee has preferential rehire or reinstatement rights.

TO: Chair Palajac and Board of Directors

FROM: Mat Fuzie, General Manager

PREPARED BY: Jeffrey Schneider, Administrative Services Manager
Megan Shannon, Human Resources Officer

DATE: August 12, 2020

SUBJECT: District Notice 0005 – Reduction in Force

COMMITTEES: Personnel Commission July 7, 2020 (recommended approval w/ changes incorporated)
Personnel Committee July 14, 2020 (recommended approval w/ changes incorporated)

Recommendation: That the Board of Directors approve District Notice 0005, “Reduction in Force”.

This District Notice (DN) supersedes Section XV, “ABOLITION OF POSITION”, and Section XVI, “REDUCTION IN FORCE -- COMPETITIVE SERVICE EMPLOYEES” of the District’s Personnel Rules and Regulations), which are attached as Exhibit A.

Purpose: To establish procedures for implementing and managing temporary furloughs and permanent layoffs, ensuring the fair and equitable treatment of all District staff in the event a reduction in force is deemed necessary.

Highlights: principal changes to Personnel Rules and Regulations:

1. A specific consideration of furloughs (previously, only layoffs were addressed);
2. Elimination of the “bump” process outlined in Exhibit A, whereby a full-time employee who is subject to a layoff could supplant another employee in a job classification for which she/he is qualified, based upon seniority with the District;
3. Elimination of any unique process for “competitive service” employees (defined as full time staff); this DN0005 outlines processes that are fair and clear for all employees;
4. Explicit mention that there are no appeal rights within the District for employees who are affected by a furlough or layoff action;
5. Specific criteria are outlined to guide management in determining who is to be furloughed, who is subsequently invited back to work, and who is to be laid off;
6. Specific statements about what employees can expect if they are furloughed.

DISTRICT NOTICE 0005 – REDUCTION IN FORCE

This District Notice (DN) supersedes Section XV, “ABOLITION OF POSITION”, and Section XVI, “REDUCTION IN FORCE -- COMPETITIVE SERVICE EMPLOYEES” of the District’s Personnel Rules and Regulations), which are attached as Exhibit A.

Purpose: To establish procedures for implementing and managing temporary furloughs and permanent layoffs, ensuring the fair and equitable treatment of all District staff in the event a reduction in force is deemed necessary.

Scope: DN0005 applies to all employees.

1. Furloughs – a temporary layoff :

- 1.1. The General Manager may furlough benefited employees because of lack of work and/or concerns over the financial viability of the District.
- 1.2. A specific duration for a furlough must be announced to employees at the time of the furlough: however the existence of an end date of a furlough is not a guarantee of the return to work of anyone who is subject to the furlough. The District may elect to extend the furlough and/or determine that layoffs are necessary.
- 1.3. Prior to the termination of a furlough period, the General Manager may elect to renew the furlough for some, or all, of the furloughed employees depending on the availability of work and the financial condition of the District.
- 1.4. If conditions warrant it, the General Manager may elect to pursue permanent layoffs (see section 2, below) for some, or all, of the furloughed employees.
- 1.5. Furloughs will be implemented by job classification. If work exists for a particular job classification, factors that will determine which employees will remain at work include (in order of importance):
 - 1.5.1. District needs / special skills: the employee has special skills, knowledge or abilities which are necessary for effective operation of the District.
 - 1.5.2. Employee standing – based upon considerations including, but not limited to, the existence of any disciplinary cases in the past 12 months and the existence of a performance improvement plan (active or not).
 - 1.5.3. Seniority, defined as time in that job classification.
 - 1.5.4. Employee Type, in order of priority: full-time, part-time benefited, and casual;
- 1.6. While on furlough, employees:
 - 1.6.1. May file for unemployment;

- 1.6.2. May use leave credits (vacation, floating holidays, sick, compensatory time, administrative leave) up to their normally scheduled hours (40 per week for Regular staff, 32 per week for part-time benefited staff), unless doing so is no longer financially viable for the District.
- 1.6.3. Will continue to receive their normal District contributions to their health and retirement plans unless doing so is no longer financially viable for the District.
- 1.6.4. Will not accrue vacation and sick hours, and floating holidays will not be replenished until they return to active status.
- 1.6.5. Must notify Human Resources immediately of a change in:
 - 1.6.5.1. Contact information (address, email, phone number);
 - 1.6.5.2. Employment status;
 - 1.6.5.3. Enrollment in another health plan.
- 1.6.6. Will not receive any change in salary, including cost of living adjustments (COLAs) and step increases.
- 1.6.7. Must not conduct District work during the duration of the furlough period.
- 1.7. Returning to work: When demand for work in a particular job classification and the District's financial condition supports it, the General Manager may invite furloughed employees to return to active status.
 - 1.7.1. The District will consider return to work by job classification, with the following priorities in determining the order of invitations to return to active status:
 - 1.7.1.1. District needs / special skills: the employee has special skills, knowledge or abilities which are necessary for effective operation of the District.
 - 1.7.1.2. Employee standing (as defined in 1.5.2).
 - 1.7.1.3. Seniority in that job classification (as defined in 1.5.3).
 - 1.7.1.4. Employee Type (as defined in 1.5.4).
 - 1.7.2. Upon being returned to active status, an employee who does not return to work and who misses 5 scheduled work days over a two week period without an acceptable explanation for his/her absences (Manager's assessment), will be considered to have abandoned his/her job and will be subject to termination.
 - 1.7.3. Employees returning to active status will be eligible to receive a step increase in their salary to the extent that it is financially feasible for the District to provide for step increases. The next step increase for furloughed employees will be determined in one

of two ways, depending on the timing of their current anniversary date and their return to work. The following examples illustrate the two possible scenarios:

- Example 1 (anniversary date occurs after the employee returns to duty): an employee returns to work on March 1st, has an anniversary date of April 15th, and was furloughed for 90 days. This employee will be eligible for a step increase on July 14th (90 days after their current anniversary date) and any subsequent step increases, assuming the employee is not at the top step already, will occur on July 14th (which will become their new anniversary date for purposes of determining step increase timing).
- Example 2: (anniversary date occurs while an employee is on furlough): an employee returns to work on April 15th, has an anniversary date of March 1st, and was furloughed for 90 days. This employee will be eligible for a step increase on July 14th (90 days after their return to work) and any subsequent step increases, assuming the employee is not at the top step already, will occur on July 14th (which will become their new anniversary date for purposes of determining step increase timing).

1.8. Furlough (and layoff) decisions are not subject to District appeal.

2. Layoff – permanent employment termination(s)

- 2.1. The General Manager may lay off employees because of material changes in duties or assignment, reorganization/position elimination, concerns about the financial stability of the District, or simply a lack of work for a particular job classification.
- 2.2. If work exists for a particular job classification, factors that will determine which employees will remain employed versus those who will be included in a layoff include (in order of importance):
 - 2.2.1. District needs / special skills: the employee has special skills, knowledge or abilities which are necessary for effective operation of the District
 - 2.2.2. Employee standing (as defined in 1.5.2).
 - 2.2.3. Seniority (as defined in 1.5.3).
 - 2.2.4. Employee Type (as defined in 1.5.4).
- 2.3. Employees who are subject to a layoff will, upon the effective layoff date, be terminated.
 - 2.3.1. Final payout of accrued leave balances, which includes Vacation and Comp. Time balances as of the layoff date, will be provided to employees who are laid off no later than the next payroll process.

- 2.3.2. Benefited employees who are laid off will be eligible for COBRA health benefits; District contributions to health care will cease at the end of the calendar month during which the layoff occurred.
- 2.3.3. District contributions to retirement plans (Pension or 457 plan) will cease as of the effective layoff date.
- 2.4. As stated in section 1.8 above, layoff decisions are not subject to District appeal.
- 2.5. Re-employment Rights
 - 2.5.1. Former employees appointed from re-employment lists within 12 months of their layoff date shall have the following restored as applicable:
 - 2.5.1.1. Seniority for purposes of determining vacation and sick leave accrual rates (hours per pay period);
 - 2.5.1.2. Seniority for consideration of any future furlough or layoff actions if a subsequent reduction in force is deemed necessary (one of several factors to be considered for such actions);
 - 2.5.1.3. The base salary for an employee who returns to the District will be determined by the General Manager and will be based on the then-current Salary Schedule for the employee's new job classification. If the employee is returning to his/her last job classification, they will return to their prior salary grade and step at the then-current salary level.
 - 2.5.2. An employee who declines to accept an offer of re-employment for which he/she is qualified within 12 months of having been laid off, shall relinquish all of the re-employment rights that are outlined in section 2.5.1.

EXHIBIT A – Extract from LARPD’s Personnel Rules and Regulations

XV. ABOLITION OF POSITION

The Board of Directors reserves the right to abolish any position in the best interest of the District, for reasons such as lack of work, lack of funds, reorganization, or changes in duties and assignments. If the position abolished is held by an employee in the competitive service, the employee shall be laid off in accordance with the Reduction in Force Rules. If the position abolished is held by a noncompetitive service employee, the employee shall have no right to remain employed or to be re-employed with the District following abolition of the position.

XVI. REDUCTION IN FORCE -- COMPETITIVE SERVICE EMPLOYEES

This section applies solely to competitive service employees. Noncompetitive service employees who are impacted by a reduction in force shall have no right to remain employed or to be re-employed with the District following the reduction in force.

A. General Layoff Provisions

1. The General Manager, subject to the approval of the Board of Directors, may lay off an employee in the competitive service because of material changes in duties or assignment, reorganization, lack of work or lack of funds, or because a position has been abolished.
2. Layoff shall be accomplished within the competitive service by classification in inverse order of seniority. For purposes of these Rules and Regulations, seniority shall be defined as the total number of days on paid status as a competitive service employee for the District.
3. An employee in a classification affected by a reduction in force may, in lieu of layoff, elect to demote to a lower paying classification provided that such employee is capable by virtue of prior training and experience to perform the work required. The General Manager shall determine whether an employee who elects a demotion in lieu of layoff is capable of performing the work. When a demoted employee and an employee in the lower paying classification have equal seniority, the employee in the lower paying classification shall be laid off first.
4. The Board of Directors, upon recommendation of the General Manager and Personnel Commission, may authorize retention of any employee, irrespective of the employee’s seniority; if it is determined the employee has special skills, knowledge or abilities which are necessary for effective operation of the District.
5. The District shall give as much notice as possible to employees who are to be laid off, but in no case shall notice be less than 10 working days prior to the effective date of the layoff.
6. If an employee elects demotion in lieu of layoff, and if the employee's previous salary level falls within the salary range for the new classification, the compensation shall be set at the salary level the employee had earned in the prior classification. If the salary range for the new classification is lower than the salary level in the previous classification, then the compensation shall initially be set at the top of the new classification's salary range. If the General Manager determines that the employee’s pay will be set lower

than the top of the new classification's salary range, the reduction in pay will be phased in over a period of three months in equal increments.

7. Employees who have been laid off shall not continue to accrue seniority or receive District-paid benefits.

B. Re-employment Rights

1. Employees who have been laid off, or who have been demoted in lieu of layoff, shall have re-employment rights to future vacancies in their former classification and to all other lower classifications for which the employee is qualified. The names of laid off or demoted employees shall be placed in order of seniority on the re-employment list for the classification. These names shall remain on the re-employment lists for a period of 15 months following the date of termination, subject to section 4 below. Vacancies in classifications for which there is a re-employment list shall be filled in order of seniority.

2. Former employees appointed from re-employment lists within 15 months of their layoff date shall have the following benefits restored:

a. Prior sick leave accrual.

b. Seniority at the time of layoff for purposes of determining merit increases, vacation accrual, and future reductions in force.

c. The same base salary that the employee earned before the layoff, unless that base salary is not within the salary range assigned to the new position, in which case, the base salary will be set at the top of the salary range for the new classification.

d. Employees electing demotion in lieu of layoff shall be subject to a probationary period of six months in a position they have previously held with the District. The probationary period shall be one year when demoting to a position the employee has never previously held with the District.

3. Preferential rehire rights are limited to vacant positions.

4. An employee who is on a re-employment list, and who declines to accept an offer of re-employment for which he/she is qualified, shall be dropped from the re-employment list for that position and from any positions of equal or lower salary level. Acceptance of an appointment from a re-employment list for a lower classification shall not affect the right of any employee to re-employment in the class from which the employee was laid off or from which the employee accepted demotion. Such acceptance will result in the employee's name being removed from all other re-employment lists for positions of equal or lower salary. A written offer of re-employment shall be mailed to the employee's last known address. Failure to respond in writing within 15 days of mailing will be deemed a rejection of the offer and the employee will be dropped from the re-employment list.

5. When multiple layoffs occur, one re-hire list will be made for each classification.

6. An employee who has re-employment rights in accordance with this Section shall have the same right to compete for promotion.

Livermore Area Recreation and Park District

Staff Report

TO: Chair Palajac and Board of Directors

FROM: Mat Fuzie, General Manager

PREPARED BY: Jeffrey Schneider, Administrative Services Manager
Megan Shannon, Human Resources Officer

DATE: December 9, 2020

SUBJECT: District Notice 0007 - Elimination of Administrative Leave for Exempt Employees

COMMISSION: Personnel Commission recommended approval, with edits (December 1, 2020)

COMMITTEE: Personnel Committee recommended approval, with edits (December 2, 2020)

Recommendation: That the Board of Directors approve District Notice 0007 - Elimination of Administrative Leave for Exempt Employees.

Purpose: To clarify and simplify how the District's exempt employees, who are not eligible for Compensatory Time off or Overtime Pay, are able to experience a healthy and effective work-life balance. This District Notice (DN) replaces our current Administrative Leave Policy (HR-14-2455) with a more flexible system in which the Management Team can directly manage the effectiveness of their exempt staff in achieving goals and objectives while supporting their ability to achieve a healthy work-life balance. The District classifies all supervisory and managerial staff as exempt, which currently amounts to eleven (11) employees.

Effect of this DN: With the approval and adoption of this DN as of January 1, 2021, the District will forego the existence of a formal Administrative Leave hours bank system of any sort. The last bank of Administrative Leave hours will be exhausted as of December 31, 2020. In its place, the General Manager will implement a more progressive and flexible leave program which provides the autonomy exempt employees require to balance the responsibilities of both their work and home lives, thereby maximizing their effectiveness, work-life balance, and ultimately their value to the District. Exempt employees will be eligible to take leave to address personal responsibilities that cannot be accomplished outside of normal work hours and/or to reinvigorate themselves after completing a particularly challenging set of work deliverables. Prior approval from an exempt employee's Manager will be required, and the District encourages Managers to initiate discussions about such time off as well. Again, the underlying assumption is that Managers and their exempt employees are in agreement that established goals are being met in terms of timing and content.

District Notice 0007
Elimination of Administrative Leave for Exempt Employees

This District Notice (DN) supersedes District Policy Number HR-14-2455: Administrative Leave Policy.

Purpose: To clarify and simplify how the District's exempt employees, who are not eligible for Compensatory Time off or Overtime Pay, are able to experience a healthy and effective work-life balance. This DN replaces our current Administrative Leave Policy (HR-14-2455) with a more flexible system in which the Management Team can directly manage the effectiveness of their exempt staff in achieving goals and objectives while supporting their ability to achieve a healthy work-life balance.

Effective: January 1, 2021

Background: Under the Fair Labor Standards Act (FLSA), exempt employees who work more than forty (40) hours per week are not eligible to receive Compensatory Time Off or Overtime Pay. In recognition of this, the District's exempt employees have historically received forty (40) hours of Administrative Leave on both January 1 and July 1, for a total of eighty (80) hours per year. If the leave time was unused during any six (6) month period, it was forfeited (i.e. if the hours granted on January 1 were not used prior to July 1). In the past, many employees have been unable to take extended time off due to busy schedules, and thus oftentimes have lost out on their Administrative Leave hours.

As stated in the existing Policy, Administrative leave is intended to be used for *time off purposes* in general. In practice, Administrative Leave hours have primarily been used for vacation purposes. As well, because of the fact that hours not used within the six month period in which they were available would be lost, employees have tended to use those balances prior to vacation, which has resulted in many employees reaching their maximum vacation accrual balances, a real financial issue when one of these employees leaves the District and is paid for those balances. (Note: effective 08/12/20, DN0005 - Reduction in Force, discontinued the prior practice of paying out any Administrative Leave balances upon separation).

An exempt employee primarily performs duties that are related to the management and/or professional operations of the District, and receives a salary for the work they perform rather than an hourly rate (i.e. they are paid for the work they do rather than the number of hours they take to complete the task). Job descriptions for these positions are written in a fashion that typically require at least forty (40) hours of work per week to complete and on occasion the duties, responsibilities and activities require additional hours beyond the forty (40). As well, the District's exempt roles are relatively complex and deadline driven, which can result in long, and occasionally stressful work hours.

Effect of this DN: With the approval and adoption of this DN, the District will forego the existence of a formal Administrative Leave hours bank system of any sort. The last bank of Administrative Leave hours will be exhausted as of December 31, 2020. In its place, the General Manager will implement a more progressive and flexible leave program which provides the autonomy exempt employees require to balance the responsibilities of both their work and home lives, thereby maximizing their effectiveness, work-life balance, and ultimately their value to the District. Exempt employees will be eligible to take leave to address personal responsibilities that cannot be accomplished outside of normal work hours and/or to reinvigorate themselves after completing a particularly challenging set of work deliverables. Prior approval from an exempt employee's Manager will be required, and the District encourages Managers to initiate discussions about such time off as well. Again, the underlying assumption is that Managers and their exempt employees are in agreement that established goals are being met in terms of timing and content.