



**UNION  
CITY**

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california

**COMPENSATION AND BENEFIT PLAN  
FOR UNREPRESENTED EMPLOYEES**

**Department Heads, Management and Non-Management  
Updated March 22, 2022**

(Excludes Unrepresented Seasonal and Police Department positions)

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**SECTION 1.00 CLASSIFICATIONS**

The classifications listed below of unrepresented positions shall be compensated pursuant to the City’s Compensation Plan and the salary schedule as set forth in Attachment A attached hereto and incorporated herein by this reference. The classifications that are participating in the unrepresented management compensation and benefit plan are those listed below:

<p><b>DEPARTMENT HEADS</b></p> <p>Assistant City Manager/Chief Financial Officer  Deputy City Manager  Economic and Community Development Director  Finance Director  Human Resources Director  Information Technology Director  Community and Recreation Services Director  Public Works Director</p>	<p><b>UNREPRESENTED MANAGEMENT</b></p> <p>Assistant to the City Manager  Chief Human Resources Officer  Chief Technology Officer  City Clerk  Human Resources Analyst I  Human Resources Analyst II  Human Resources Manager  Supervising Construction Inspector</p>
	<p><b>UNREPRESENTED NON-MANAGEMENT</b></p> <p>Human Resources Technician  Administrative Specialist - Confidential</p>

**SECTION 2.00 COMPENSATION**

Administration of the Compensation Plan:

The Compensation Plan may provide a flat salary rate or a defined salary range for each management employee classification with a minimum/maximum salary level and one or more intermediate steps.

**A. Longevity Pay (For Department Heads Only):**

Upon completion of nineteen (19) years of permanent full-time service with the City, employees shall be entitled to longevity pay of 5% of base salary.

**B. Vehicle Allowance (For Department Heads only):**

Employees shall be provided a vehicle allowance in the amount of Four Hundred Dollars (\$400) per month (\$184.62 per pay period).

**C. Salary Step Schedule**

Salary Step increases shall be implemented in the following manner:

An employee who is eligible for a step increase and whose anniversary date occurs during the first seven (7) days of the pay period shall have his/her step increase implemented on the first day of the pay period during which the anniversary date occurs. An employee who is eligible for a step increase and whose anniversary date occurs during the last seven (7) days of the pay period shall have his/her step increase implemented on the first day of the following pay period.

#### D. Salaries

Effective April 4, 2022, the City will provide each Unrepresented Management and Non-management classification with a cost-of-living increase of three percent (3.0%). Additionally, the City shall provide a one-time lump sum payment equivalent to 3% for the period of January 10, 2022 through April 3, 2022 for these classifications.

Department Head employees will receive a one-time lump sum payment equivalent to the required contributions made toward medical, dental, and vision premiums from January 10, 2022, through April 3, 2022.

For all Unrepresented employees:  
Effective the first full pay period following January 1, 2023 the City will provide each unrepresented classification subject to this Compensation and Benefits Plan with a cost-of-living increase of three percent (3.0%).

Effective the first full pay period of January 1, 2024, the City will provide each unrepresented classification subject to this Compensation and Benefits Plan with a cost-of-living increase of three percent (3.0%).

### **SECTION 3.00 WORK SCHEDULES**

The City normally operates on a 9/80 work schedule with employees working eighty (80) hours over nine (9) consecutive business days, Monday through Friday. However, Department Heads, with the City Manager approval, shall structure the work schedules for all management and non-management employees in their department. In structuring schedules, the Department Head shall be governed by the priority to provide quality service to the community. In delivering these services Department Heads have the opportunity to consider flexible scheduling options. These scheduling opportunities shall remain solely at the City's discretion.

### **SECTION 4.00 LEAVE**

#### A. Administrative Leave for FLSA exempt positions:

In lieu of paid overtime, Unrepresented Management employees shall receive seventy (70) hours of Administrative Leave at the beginning of each fiscal year. In addition, those

management employees whose work assignments require additional work effort and/or attendance at evening and/or weekend meetings and/or special events on behalf of the City above and beyond seventy (70) hours per fiscal year shall be eligible for an additional forty (40) hours per fiscal year of Administrative Leave (II) for a total of one hundred ten (110) hours. Additional Administrative Leave is subject to the recommendation of the Department Head and approval by the City Manager.

Department Head employees shall receive one hundred fifty (150) hours of Administrative Leave at the beginning of each fiscal year. In addition, those management employees whose work assignments require additional work effort and/or attendance at evening and/or weekend meetings and/or special events on behalf of the City above and beyond 150 hours per fiscal year shall be eligible for an additional ten (10) hours per fiscal year of Administrative Leave for a total of one hundred (160) hours.

Effective fiscal year 2022-2023, Department Head employees shall receive one hundred sixty (160) hours of Administrative Leave at the beginning of each fiscal year.

The guidelines for making use of Administrative Leave will be as follows:

1. Employees shall submit requests for time off under Administrative Leave in writing directly to their immediate supervisor. The supervisor will approve or deny the request based upon operational needs.
2. Administrative Leave is based on the City's fiscal year and therefore runs from July 1 to June 30.
3. Administrative Leave for employees hired after July 1 or who leave prior to June 30 of the following year will be prorated.
4. Employees may not use Administrative Leave during their first six months of service. (Exceptions to this rule may be granted by the City Manager).

For Unrepresented Management only: For fiscal year 2021-2022, unused Administrative Leave may be accumulated up to a maximum of two hundred forty (240) hours or may be cashed out as requested by the employee at the end of the fiscal year 2022 only. Said payment shall be based upon the employee's salary rate at the time of the cash out request. For separation provisions concerning Administrative Leave, please see Section 8.00 of this document. The unused 240-hour accumulation does not include the Additional Administrative Leave identified in paragraph below.

The award of Administrative Leave is subject to the recommendation of the Department Head and approval by the City Manager. The first 10 (ten) hours of additional Administrative Leave awarded will be deposited in the same leave bank as regular, recurring Administrative Leave, (70 hours). Additional Administrative Leave awarded above 10 hours will be loaded in a separate Administrative Leave bank and must be used during the fiscal year awarded. These hours are awarded for the prior year's work and may not be accumulated or cashed out.

For Department Heads only: For fiscal year 2021-2022, unused Administrative Leave may be carried over to the subsequent fiscal year or may be cashed out as requested by the employee at the end of fiscal year 2022 only. Cash out is up to maximum accruals. Said payment shall be based upon the employee's salary rate at the time of the cash out request. For separation provisions concerning Administrative Leave, please see Section 10.00 of this document. For fiscal year 2022-23, Department Heads may sell back up to their maximum accrual by December 31, 2022.

For Department Heads and Unrepresented Management: Effective calendar year 2023, and every calendar year thereafter, under the following conditions employees may make an irrevocable election to sell back to the City accrued administrative leave per fiscal year at the employee's base rate of pay. Unrepresented Management positions may make an irrevocable election to sell back to the City up to seventy (70) hours. Department Head positions may make an irrevocable election to sell back to the City up to one hundred and sixty (160) hours. At the time of distribution, the following must be true:

- The employee is in good standing and meeting performance expectations on the last performance evaluation received.
- The employee must have taken a minimum of eighty (80) hours of vacation, holiday and/or administrative leave in the preceding twelve (12) months.

Requests to sell back administrative leave must be received by Payroll no later than December 31 for the following year's election.

The City makes no representation as to the tax consequences of an employee cashing out accrued leave. It is the employee's sole responsibility to address the tax consequences of cashing out accrued leave.

## B. Bereavement Leave:

Employees may be granted paid bereavement leave, not to exceed five (5) workdays, upon the occasion of the death of a close relative. The five days may be taken non-consecutively. Close relatives are defined as mother, father, sister, brother, spouse, child, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, stepmother, stepfather, stepchild, domestic partner, or individuals residing in the household for whom the employee has legal guardianship. In addition, employees may be granted one (1) workday's paid bereavement leave to attend the funeral of a close relative not in the employee's immediate family (for example, aunts, uncles, nephews, nieces, or spouse/domestic partner's close relatives as defined above).

## C. Family Leave:

The City shall comply with all provisions of the Federal Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA), including their respective implementing regulations. However, Administrative Policy Memorandum (APM) #61

shall provide the overriding basis and criteria for all decisions and matters relating to Family Leave.

#### D. Holidays

The following are holidays:

New Year's Day	January 1
Martin Luther King, Jr.'s Birthday	3 <sup>rd</sup> Monday in January
President's Day	3 <sup>rd</sup> Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 <sup>st</sup> Monday in September
Veteran's Day	November 11
Thanksgiving Day	4 <sup>th</sup> Thursday in November
Friday after Thanksgiving	4 <sup>th</sup> Friday in November
Christmas Eve	December 24*
Christmas Day	December 25

In the event a holiday falls on a normal day off which is either a Saturday or the first day off of the two normal days off, the employee shall observe the previous workday as the holiday. In the event a designated holiday falls upon a normal day off which is either a Sunday or the second day of the two normal days off, the employee shall observe the following workday as the holiday. Should the holiday fall on a closed (non-working) Friday, eight (8) additional floating holiday hours shall be added to each employee's floating holiday bank.

\*Christmas Eve Observed

If Christmas Day falls on a Saturday, the Christmas Day holiday is observed on Friday; the Christmas Eve holiday is then observed on Thursday. If Christmas Day falls on a Sunday, the Christmas Day holiday is observed on Monday; there is no Christmas Eve holiday observance. When Christmas Day falls on Monday, there is no Christmas Eve holiday observance.

City offices shall be closed between Christmas Day and New Year's Day.

For Non-Management Employees Only:

Prior approval for holiday work must be obtained from the City Manager, except in an emergency situation where said approval cannot be obtained. Work performed on a holiday shall be compensated at time and one-half the straight time hourly rate, in addition to regular salary.

Floating Holidays

Each employee shall also be granted twenty-seven (27) additional Floating Holiday hours per fiscal year, which may be scheduled for use upon approval. The Floating Holiday hours, if not used within the fiscal year earned, may not be accumulated.

In the event a holiday falls on a normal day off which is either a Saturday or the first day off of the two normal days off, the employee shall observe the previous workday as the holiday. In the event a designated holiday falls upon a normal day off which is either a Sunday or the second day of the two normal days off, the employee shall observe the following workday as the holiday.

Should the holiday fall on a closed (non-working) Friday, eight (8) additional floating holiday hours shall be added to each employee's floating holiday bank in the pay period immediately before the holiday.

#### E. Jury Leave:

An employee summoned to jury duty or summoned as a witness in a City-related matter shall not suffer a loss of pay or other benefits by reason of said service. Employees are required to submit verification of jury leave attendance to their supervisor promptly upon returning to work. The juror badge attached to the jury summons notice does not qualify as verification of attendance.

#### F. Military Leave:

Military Leave shall be granted in accordance with the provisions of State law. All employees entitled to Military Leave shall give their Department Head an opportunity within the limits of military requirements to determine when such leave shall be taken.

#### G. Occupation Injury Leave:

For employee injury or disability falling within the provisions of the State Worker's Compensation Act, additional compensation equal to the difference between said employee's regular pay and their disability compensation allowance shall be paid for a total not to exceed one-hundred seventy-six (176) hours or equal to one-half the amount of the employee's accumulated Sick Leave balance as of July 1 for each fiscal year, whichever is greater.

Included in the calculation of the one-hundred seventy-six (176) hours granted will be compensation for any waiting period. Following exhaustion of this benefit, employees may utilize accumulated Sick Leave to the extent available to make up the difference between said employee's regular pay and their disability compensation allowance.

## H. Personal Leave:

The City shall allow twenty (20) hours per fiscal year of accumulated Sick Leave to be used for conducting personal or emergency business that cannot be conducted outside regular working hours. An additional eight (8) hours will be allowed for those employees who have an accumulated Sick Leave balance as of July 1 of each fiscal year of one hundred (100) hours or more for a total of twenty-eight (28) hours per fiscal year. An additional twelve (12) hours will be allowed for those employees who have accumulated a Sick Leave balance as of July 1 of each fiscal year of two hundred (200) hours or more, for a maximum total of forty (40) hours per fiscal year. Personal Leave shall not be used as a substitute for, or in conjunction with any other type of leave. The employee must request Personal Leave at least 48 hours (2 days) prior to time of utilization. In cases of need, the immediate supervisor may waive the 48-hour notification procedure.

## I. Sick Leave:

Employees shall earn three and 69/100 (3.69) hours per pay period of Sick Leave without limit on accumulation. Employees absent without pay for more than thirty-six (36) hours during a two week pay period shall not earn sick leave benefits for that pay period. Sick leave shall be taken in periods of no less than one-quarter of an hour.

Sick leave may be utilized due to the employee's personal sickness, injury, maternity leave, sickness, or injury in the immediate family, in accordance with the provisions outlined in Administrative Policy Memorandum (APM) #21, Administration of Sick Leave, which shall serve as the operating guideline for both employees and management.

Employees shall be allowed to convert sixty (60) hours of unused Sick Leave per fiscal year to their Vacation Time Bank provided the employee maintains a balance of four-hundred eighty (480) hours of Sick Leave. Conversion of Sick Leave to Vacation Leave is on an hour-for-hour basis and may only take place at the end of each fiscal year.

## J. Unpaid leave of Absence

The City Manager may grant, a regular employee other than a probationary employee, a Leave of Absence without pay for a maximum period of one (1) year. The City Manager may grant an extension of an approved Leave of Absence without pay for an additional period, said extension not to exceed one additional (1) year. An Unpaid Leave of Absence may be granted if it does not have an unduly adverse impact on the service of the City, the purpose of the leave would be beneficial to the City, or it would meet some pressing and extreme need of the employee. Whenever granted, such leave requests shall be in writing and signed by the City Manager.

Upon expiration of the Unpaid Leave of Absence, the employee will be reinstated to the position held at the time leave was granted. Failure of the employee to report promptly at the expiration of the Unpaid Leave of Absence, or within a reasonable time after notice to return to duty shall terminate their right to be reinstated. Unpaid Leaves of Absence shall not be taken during the first six (6) months of City employment.

Employee is fully responsible for all benefit premiums while on approved Unpaid Leave of Absence.

## K. Vacation

Employees shall accrue vacation benefits annually in accordance with the following schedule and provisions:

Years of Service	Annual Accrual Rate	Non-Mgmt. Max Accrual	Mgmt. Max Accrual	Dept Head Max Accrual
0-3 Years	80	160	320	560
4 – 8 Years	120	240	400	560
9-12 Years	140	280	440	560
13 - 15 Years	160	320	480	560
16+ Years	200	400	560	560

- Non-Management employees shall be limited to accruing two times their maximum number of annual accrual rate.
- Management employees shall be limited to accruing two times their maximum number of annual accrual rate plus 160 hours per year.
- Department Heads may accrue up to 560 hours.

The City Manager shall have the authority to provide credit for years of service with a prior agency for newly hired Department Heads for purposes of establishing the vacation accrual rate per City Council Resolution 5793-21.

For calendar year 2022, Management and Non-Management employees may receive annual cash payment for up to eighty (80) hours of Vacation Leave provided an 80-hour balance vacation balance is maintained after cash out. Department Heads may cash out any number of hours provided an 80-hour balance is maintained after cash out.

Effective calendar year 2023, under the following conditions employees may make an irrevocable election to sell back to the City accrued vacation leave per calendar year at the employee's base rate of pay. Management and Non-Management may make an irrevocable election to sell back up to eighty (80) hours and Department Heads may make an irrevocable election to sell back to the City up to their annual accrual.

At the time of distribution, the following must be true:

- The employee is in good standing and meeting performance expectations on the last performance evaluation received.
- The employee must have taken a minimum of eighty (80) hours of vacation, holiday and/or administrative leave in the preceding twelve (12) months.

Requests to sell back vacation leave must be received by Payroll no later than December 31 for the following year's election.

The City makes no representation as to the tax consequences of an employee cashing out accrued leave. It is the employee's sole responsibility to address the tax consequences of cashing out accrued leave.

Employees shall receive cash payment for all unused excess Vacation Leave at their current salary rate at the time of separation or upon the start of an extended leave from City employment.

## **SECTION 5.00 INSURANCE COVERAGE**

### **A. Health and Welfare Coverage**

The City will contribute up to Two Thousand Dollars (\$2,000) per month toward the medical, dental and vision premiums for all unrepresented department management and non-management employees, regardless of the plan in which they are enrolled.

This monthly contribution includes the City's basic employer contribution for health premiums under PEMCHA which City Council Resolution No. 2279-02 set as the minimum required under PEMCHA. Employees shall pay premium costs exceeding the City's maximum contribution amount.

Employees who are covered for medical benefits through a spouse or a domestic partner may elect not to enroll in a City group medical plan and are not eligible for the City's contribution towards medical, dental and vision premiums as identified in this Section.

Employees electing this option shall provide proof of medical coverage to the City. In lieu of medical insurance premiums, the City will contribute the amount of \$300 per

month to the employee's deferred compensation account, or pay employees \$300 per month in cash, at the employee's option.

The City agrees to advance the full cost of health premiums (medical, dental, vision, and LTD coverage) when an employee is on leave without pay for medical reasons. Amounts advanced shall be limited to three (3) months beyond any FMLA benefits and shall be due and payable to the City within six (6) months of return to work or upon termination. Retirees may elect to continue coverage with the group medical and dental plans at retiree's cost.

**B. Life Insurance:**

The City shall provide life insurance coverage for unrepresented employees as follows: \$100,000 for life insurance, and \$100,000 for accidental death or dismemberment.

Supplemental life insurance is also available, the cost of which shall be borne by the employee.

**C. Deferred Compensation Plan (for Department Heads and Management Only)**

The City shall contribute one hundred dollars (\$100.00) per month (\$46.15 per pay period) to a pre-tax 401(a) Deferred Compensation Plan. The specific groupings/divisions of management classifications shall be defined at plan inception and shall be based upon criteria stated in the Deferred Compensation Plan. The option to opt out is currently irreversible and can take place only when an employee is hired/promoted to a management-level classification. If an employee opts out of plan entirely, he/she will not receive said benefit.

All details of the Deferred Compensation Plan will be consistent with the requirements of the plan provider.

**D. Disability Insurance:**

Both Short-Term Disability (STD) and Long-Term Disability (LTD) Insurance programs are available. Participation in the Short-Term and Long-Term Disability Plans is not optional.

**SECTION 6.00 RETIREMENT BENEFITS (CalPERS)**

**A. Classic Members:**

Consistent with its historical practice, the City pays the full share of the employee contributions to CalPERS and reports the payments as Employer Paid Member Contributions (EPMC) on behalf of the CalPERS classic members. For classic members receiving benefits based on the 2.5% at 55 formula, these payments are equal to 8% of the member employees' reportable income. For classic members receiving payments

based on the 2% at 60 formula, these payments are equal to 7% of the member employees' reportable income.

2.5% at 55: Classic Members hired prior to November 24, 2010 are provided benefits under the CalPERS 2.5% at 55 retirement formula, with final compensation calculated based on the employee's highest earning year. Employee cost sharing will be 11%.

2% at 60: Employees hired on or after November 24, 2010 are provided benefits under the CalPERS 2% at 60 retirement formula. Final compensation for these employees will be calculated based on the highest three-year average earnings. Employee cost sharing will be 10%.

## B. New Members

CalPERS new members hired by the City on or after January 1, 2013 are provided pension benefits using a 2.0% at 62 formula. New members are responsible for contributing to CalPERS as required by CalPERS law.

In addition to their required employee contribution, new members of management are required to contribute 3% of the City's contribution and new members of non-management are required to contribute 1.5% of the City's contribution. As of the time this compensation plan is adopted, the total employee contribution is 10% for Department Heads and Management employees and 8.5% for Non-Management employees. This contribution will increase if the employee contribution rate for new members is increased above the current rate of 7%.

### Specific Features of CalPERS Benefits

Specific features of the CalPERS benefits applicable to all employees hired prior to January 1, 2011 include:

Indexed Level of the 1959 Survivor Benefit as provided in Section 21574.5.

One-Year Fiscal Compensation as provided in Section 20042.

Post-Retirement Survivor Allowance as provided in Sections 21624, 21626 and 21628.

Benefits Payable to Surviving Spouse upon the death of an employee who qualified for retirement shall continue in full should the Spouse remarry as provided in Section 21551.

Continuation of Surviving Spouse-Benefits upon remarriage as provided in Section 21635.

Military Credit for time served in active military or merchant marine service prior to employment with the City as Public Service as provided in Section 21024, provided such cost of this enhancement be fully borne by the employee.

Sick Leave Credit as provided in Section 20965 for any unused sick leave days will be converted to service credit at the rate of 0.004 years of service for each day of sick leave provided there is less than 120 days between the member's separation date and retirement date.

Non-Industrial Disability pursuant to Section 21427, providing an annuity equal to 30% of final compensation with five years of service increasing 1% for each year in excess of five years to a maximum of 50% of final compensation.

One-time lump sum payout of \$500 upon the death of a retiree paid to the retiree's survivor or retiree's estate pursuant to Section 21620.

COLA Adjustment of 2% beginning after the second calendar year after the year of retirement and each year thereafter provided the adjustment is not greater than the change in CPI-Section 21329.

Two Years Additional Service Credit to employees who retire within a specified period provided in Government Code Section 20903.

Members not covered by Social Security upon retirement shall receive a monthly allowance of \$350, \$700, or \$840 depending on the number of eligible survivors as defined in Section 21573.

## **SECTION 7.00 TUITION REIMBURSEMENT**

### **For Management Employees Only:**

When a management employee voluntarily, and with prior approval of the City Manager, undertakes any education or training program that will improve their skills and abilities in relation to the job, the City will reimburse the employee upon successful completion of the course for the cost of the course or training to a maximum of three thousand dollars (\$3,000) per fiscal year, subject to an annual cap of nine thousand dollars (\$9,000) per fiscal year on total educational reimbursements paid by the City for management employees where the employee identifies the total cost of the course up front. Where the class is of unusual value and cannot be scheduled during the employee's off hours, the employee may be excused at no loss of pay. Employees may be reimbursed for more than one course per fiscal year or over the life of their employment with the City if total cost of all reimbursements does not exceed three thousand dollars (\$3,000) per fiscal year. To qualify for reimbursement, employees shall submit written

requests to the City Manager and requests shall be considered on a first come, first serve basis each fiscal year.

For Non-Management Employees Only:

When an employee voluntarily and with prior approval of their department head undertakes an education or training program that will improve their skills and abilities in relation to the job, the City will reimburse the employee upon successful completion of the course for the cost of the course or training. The reimbursement will be limited to an aggregate annual cap of \$9,000 for all employees, to be distributed in accordance with City procedures. If the books are turned over to the City upon course completion, the City shall reimburse the employee for the costs of the books. Where the class is of unusual value and cannot be scheduled during the employee's off hours, the employee may be excused at no loss of pay.

For purposes of this Section, costs incurred by employees for obtaining and maintaining professional certification or registration shall be reimbursable so long as conditions of approval and course completion are met.

## **SECTION 8.00 SEPARATION**

Upon separation from the City or upon the start of an extended leave from City employment (e.g., military duty, etc.), employees shall receive cash payment on a pro-rated basis for unused Administrative Leave and Holiday Hours. Said payment(s) shall be based upon the employee's accrued Administrative Leave and Holiday hours and base salary rate at the time of separation or upon the start of an extended leave from City employment.

At that time, employees shall also receive full cash payment for any unused accrued vacation and administrative leave. Said payment shall be based upon the employee's base salary rate at time of separation or upon the start of an extended leave from City employment. However, employees shall not receive cash payment for any unused accrued sick or floating holiday leave. All of the aforementioned separation payments, including additional monies owed from negotiated severance packages, shall be paid to employees within 14 calendar days after separation.

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