

RESOLUTION NO. 09-67

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX
ESTABLISHING WAGES AND BENEFITS FOR MANAGEMENT EMPLOYEES
FOR THE PERIOD OF JULY 1, 2009, THROUGH JUNE 30, 2010

I. GENERAL PROVISIONS

This resolution is adopted in order to promote the development of a stronger, more effective management team, not only for purposes of employer-employee relations, but also as a means of recognizing outstanding management performance in all public service areas.

Position Title	Step A	Step B	Step C	Step D
Assistant to the Town Manager	5920.50	6216.52	6527.35	6853.71 82,244.61
Finance Director	8133.57	8540.25	8967.25	9415.65 112,987.80
Planning and Building Director	8133.57	8540.25	8967.25	9415.65 112,987.80
Police Chief	8716.89	9150.26	9658.60	10,166.95 122,003.44
Public Works Director	8133.57	8540.25	8967.25	9415.65 112,987.80
Chief Building Official	6249.31	6561.77	6889.86	7234.35 86,812.23
Senior Planner	6249.31	6561.77	6889.86	7234.35 86,812.23

The Town Manager shall establish the placement of an employee within the ranges as specified above. Movement within the ranges is based on achieving a satisfactory or above rating in an annual employee performance evaluation, to be approved by the Town Manager. Upon appointment, new employees are to be placed within the ranges established, to be approved by the Town Manager.

The Police Chief shall have the use of a Town-owned vehicle and any other benefits provided in the current agreement with the Police Officers Association except overtime and holiday pay.

II. COST OF LIVING ADJUSTMENT

There shall be no cost of living adjustment for the duration of this MOU from July 1, 2009- June 30, 2010:

III. VACATION LEAVE

Management employees accumulate vacation time in accordance with the following vacation entitlement schedule:

<u>SERVICE</u>	<u>DAYS</u>
1 through 48 months	13*
49 through 120 months	17
121 months and over	22

provided, however, that the current Public Works Director shall accrue vacation time at 15 days per year.

No employee shall be entitled to take any vacation until he/she has at least six (6) months of continuous service. The vacation entitlement is earned on a monthly basis calculated by multiplying the annual entitlement times 8 hours and dividing by 12. Odd fractions will be rounded to the nearest tenth (1/10th). Upon termination of an employee's service with the Town, he/she shall be paid for all properly earned and unused vacation at or below the accrual cap.

An employee may take vacation at times approved by the Town Manager. It is the policy of the Town that employees take their normal vacation each year (at least one consecutive week of vacation); provided, however, with the approval of the Town Manager, an employee may take less than a normal vacation in one year and carry the balance of his/her earned time over to the next year. Provided, however, that no employee shall be allowed to accumulate more than 30 days (240 hours) of earned vacation.

IV. HOLIDAYS

The Town agrees to provide employees covered by this Resolution thirteen (13) paid holidays per year:

- January 1, New Year's Day
- 3rd Monday in January, Martin Luther King Jr. Holiday
- 3rd Monday in February, Washington's Birthday
- Last Monday in May, Memorial Day
- July 4, Independence Day
- 1st Monday in September, Labor Day
- November 11, Veteran's Day

Thanksgiving Day
Friday after Thanksgiving
December 24, Christmas Eve
December 25, Christmas Day
2 Floating Holidays

When a holiday falls on a Saturday, the preceding Friday shall be deemed a holiday. When a holiday falls on a Sunday, the following Monday shall be deemed a holiday. When an employee is required to work on a holiday, he/she may select another day as holiday leave with pay with the consent of the Town Manager.

Two floating holidays (16 hours) shall be credited July 1 of each year. Floating holidays may be taken at times approved by the Town Manager. Floating holidays may not be accumulated and carried forward to the next fiscal year. Floating holidays cannot be cashed out at separation from the Town.

V. EDUCATION LEAVE

In order to promote continued development of skills, knowledge and abilities among the management team of the Town, the Town Manager may grant time off to any management employee for education leave. Such leave may be received in order to attend professional, technical or managerial workshops, courses, conferences, conventions, seminars, or related activities. The costs for attendance at these activities including travel, per diem, registration, tuition, material or other reasonable costs are legitimate Town expenses.

A tuition and textbook reimbursement program shall be available to Town employees to encourage and financially assist employees to continue their education and broaden their backgrounds so as to improve job knowledge, skills and capacities of their present job.

Eligible employees will be reimbursed a portion (to be determined by the Town Manager) of the tuition and/or fees for textbooks and supplies under certain conditions for professional and technical courses offered by accredited colleges, universities, business, trade, or correspondence schools or by an otherwise accepted professional association or institute.

Conditions under which reimbursements may be approved are as follows:

1. The course work must relate to the employee's present position or must be beneficial to the employee's related professional development, or must enhance career advancement potential within the Town as follows:
 - a. An improvement in skills or knowledge required by the present position;
 - b. Preparing the employee for changes in duties due to the different use of a position or class;

- c. Preparing the employee for the assumption of new and different duties as a result of a recent professional appointment; or
 - d. Preparing the employee for promotional opportunities.
2. Requests for reimbursement must be approved by the Town Manager before enrollment in the course.
 3. Reimbursement will be made for tuition fees and/ or required textbooks and a reasonable amount of supplies verified by receipts upon completion of the course with a grade of "C" or better, "satisfactory", "pass", or the equivalent.
 4. The employee must have completed his or her probation period.
 5. The employee must not be receiving funds for the same course from any other source, such as Veteran's Benefits, scholarships, etc.

VI. ADMINISTRATIVE LEAVE

In recognition of the long hours required to accomplish the requirements of the job, including attendance at numerous meetings outside normal working hours, all management employees shall be granted ten (10) days (80 hours) of paid Administrative Leave each July 1. Administrative Leave may be taken at any time during the fiscal year with the approval of the Town Manager. Administrative leave cannot be cashed out upon separation from the Town. Administrative Leave may not be accumulated and carried forward to the next fiscal year.

VII. PROFESSIONAL MEMBERSHIP FEES

Most management personnel may maintain membership in appropriate professional organizations. These memberships serve to acquaint the Town with current state-of-the-art in these professional areas by means of publications and special activities. The costs for membership in these organizations are legitimate Town expenditures to the extent provided for in the annual Town Budget.

VIII. HEALTH AND LIFE INSURANCE BENEFITS

Town shall cover the amount necessary to provide up to the Family Kaiser and Dental premium rates for each full-time regular employee covered by this agreement. For the classification of Police Chief, the full cost of medical (Medical, Dental and Life Insurance) for employee and dependents shall be covered.

The Town and the Management Employees hereby agree to use CalPERS Health Plan for medical insurance, thereby accepting that plan's benefit stipulations.

Management Employees and the Town will jointly explore, during the term of this MOU, alternative health plans to CalPERS for the purpose of cost-savings, and Town will meet with the Management Employees to discuss implementation if it is determined that cost savings can be achieved through alternative plans.

Town will pay premium for life insurance coverage of \$100,000 for each management employee.

When an employee commences work for the Town, his/her benefit distribution selection shall become effective the first of the month following the date of employment. Deduction for benefits shall be made within the month for which coverage is provided.

Employees can individually choose any combination of benefit options no later than July 1 of each year, except that employee life insurance coverage must be taken. The employee may add or delete dependent health coverage only during the year if one of the following conditions apply:

1. Birth/adoption (add dependent coverage).
2. Death (delete dependent coverage).
3. Marriage (add dependent coverage).
4. Divorce (delete dependent coverage).
5. Change in employment status of dependent (dependent becomes employed, may delete dependent coverage; dependent ceases employment, may add dependent coverage).

IX. UNIFORM ALLOWANCE

The Police Chief shall be entitled to a uniform allowance of \$700 per year to maintain the items of uniform equipment as provided by departmental regulations. Payments will be made on November 30th and May 30th of each year.

X. RETIREMENT

- A. The Town agrees to continue to provide the Public Employee's Retirement System 2.5% at 55 Local Miscellaneous Members Retirement Program for non-safety employees plus the 3rd Tier Survivor Benefits, Post-Retirement Service Survivor Benefits, Sick Leave Service Credit and Average of Three Highest Years Final Compensation. Effective August 1, 2009 the Town agrees any new full-time employee hired after the PERS contract is amended to the two-tier system, will be members of the Public Employee's Retirement System 2% at 55 Local Miscellaneous Members Retirement Program for non-safety employees plus the 3rd Tier Survivor Benefits, Post-Retirement Service Survivor Benefits, Sick Leave Service Credit and Average of Three Highest

Years Final Compensation. Any new employee hired after the PERS contract is amended to the two-tiered system 2% at 55 modified Retirement Plan B will receive a \$100 per month non-matching contribution towards a deferred compensation plan.

- B. Effective August 1, 2009, Town agrees to provide the PERS 3% at 55 Local Safety Members Retirement Program including the 1959 Survivor Benefits, Post-Retirement Survivor Benefits and average of three highest years final compensation for the next Police Chief hired by the Town if such employee is not already employed by the Town.
- C. Payment of PERS Contribution, employee agrees to pay 1.5% of the employee 8% PERS contribution. Town agrees to continue to fund the remaining 6.5% of the 8% employee's contribution rate to PERS, except that the contribution for Police Chief shall be 9%, and the Town shall fund 9%.
- D. PERS Class III Survivors benefits shall be implemented.
- E. The Town will pay an employee who retires from the Town of Fairfax subsequent to the execution of this MOU an amount to cover medical insurance at the Kaiser employee only rate based on service according to the following formula:

10 years of service.....	50%
15 years of service.....	75%
20 years of service.....	100%

XI. LEAVES

A. Sick Leave

- 1. Management employees shall be entitled to one working day of sick leave with pay for each month or major fraction thereof up to a maximum accumulation of one hundred sixty (160) days or 1280 hours.
- 2. Sick leave with pay up to the total number of sick leave days accumulated shall be granted by the Town Manager in case of bona fide illness or injury.

B. Bereavement and Special Sick Leave

Leave with pay up to five (5) working days per year shall be granted by the Town Manager in case of the death or serious illness of a mother, father, spouse, sister, brother, son or daughter. Bereavement leave or special sick leave in case of death or serious illness of other persons may be granted only upon approval of the Town Manager.

C. Miscellaneous Leaves with Pay

Management employees shall be granted leave of absence with full pay for:

1. Jury service;
2. Appearance required of him/her as a witness; or
3. Attendance in court resulting from his/her official duties.

Any extra compensation received shall be remitted to the Town.

D. Leave of Absence Without Pay

Upon written request, the Town Manager may approve in writing a leave of absence without pay for a period not to exceed three months; the Town Council may approve such a leave for a period not exceeding one (1) year.

E. Compensation for Temporary Assignment

A management employee who is appointed to act within a higher pay classification may receive an additional 5 to 7% of base pay for the time worked in the higher classification.

The foregoing Resolution No. 09-67 was duly and regularly passed and adopted at a Regular meeting of the Town Council of the Town of Fairfax held in said Town on the 6th day of October 7, 2009 by the following vote, to wit:

AYES: Bragman, Brandborg, Maggiore, Tremaine, Weinsoff
NOES: None
ABSENT: None

MAYOR

Attest:

Town Clerk