

**NON-ASSOCIATED EMPLOYEES PAY AND BENEFITS RESOLUTION**

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## EXHIBIT A

### SECTION I – PAY

#### A. Appointed Salary Schedule

Effective March 19, 2022, the parties agree that the salary schedule in Exhibit 1A reflects the following modifications from the salary schedule in Resolution No. 2016-50:

1. The salary schedule will include seven (7) steps from A-G;
2. The steps will be five percent (5%) steps;
3. The salary ranges will be one percent (1%) apart;
4. Each job classification will be assigned a salary range by:
  - a. Locating the range on the new salary schedule with a Step F that is nearest to the position's current top step (Step E) without being less; and then,
  - b. Moving two ranges higher, thereby providing a wage increase of not less than two percent (2%) for all appointed non-represented employees.
5. Each employee will be placed on the step (A-F) of their classification's assigned salary range that is nearest to their base salary step (A-E of the November 2, 2020, salary schedule) without being less.
6. Once placed on the new, seven-step salary schedule, employees will be eligible to move to the next step on their anniversary date (i.e., the date they are due for their next evaluation) upon receipt of a satisfactory evaluation.
7. The City Manager is authorized to set the salaries of the appointed executive management positions identified in Exhibit 1A at any rate at or below Step E of the designated salary range. The City Manager is authorized to increase the salary by 5% based upon performance at annual review and market data. However, no salary for a new employee may be set above Step E at any time without City Council approval.

#### B. Elected Salary Schedule

1. All elected executive management positions shall receive the salaries as identified in Exhibit 1B.
2. The City Council shall set the salaries of the elected executive management positions identified in Exhibit 1B, at any rate within the designated salary range.

#### C. Performance Bonus

1. Appointed employees who are at Step G on the salary schedule are eligible for an annual performance bonus of up to three percent (3%) of their base pay at the time of their evaluation.
2. The annual performance bonus amount will be determined based upon the evaluation of the employee's performance. A completed performance evaluation with specific

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recognition of outstanding performance must be attached to the Personnel Action Form and sent to the Human Resources Division. The evaluation will also identify performance goals and objectives.

The parties agree that to the extent permitted by CalPERS or law, the City will report the compensation in this section as special compensation pursuant to Title 2 CCR, Section 571(a)(1) Bonus.

D. Direct Deposit

All Non-Associated employees are required to utilize direct deposit of payroll checks.

E. Assigned Vehicle/Auto Allowance

Appointed Department Heads, Contract Non-Department Heads, as well as the City Clerk, City Treasurer, and City Attorney shall receive an auto allowance in the amount of two hundred thirty dollars and seventy-seven cents (\$230.77) per bi-weekly pay period plus reimbursement of out-of-town travel at the approved mileage rate. Appointed Department Heads and the City Clerk, City Treasurer, and City Attorney shall have the option of an assigned City vehicle in lieu of an auto allowance.

### **SECTION II – HOURS OF WORK/TIME OFF**

A. Executive Leave

Non-Associated exempt employees shall not be eligible for overtime compensation. Exempt department heads and contract non-department heads shall be credited with eighty (80) hours of executive leave per calendar year.

B. Flexible and Alternative Work Schedules

1. 5/40 Work Schedule

The 5/40 work schedule shall be defined as working five (5), eight (8) hour days, Monday through Friday each week, with a one-hour lunch during each work shift, totaling a forty (40) hour work week.

2. 9/80 Work Schedule

The 9/80 work schedule, as outlined in Exhibit 3, shall be defined as working nine (9) days for eighty (80) hours in a two-week pay period by working eight (8) days at nine (9) hours per day and working one (1) day for eight (8) hours (Friday), with a one-hour lunch during each work shift, totaling forty (40) hours in each FLSA designated work week. The 9/80 work schedule shall not reduce service to the public, departmental effectiveness, productivity and/or efficiency as determined by the City Manager or designee.

3. Alternative Work Schedule

Non-associated employees may elect any alternative work schedule approved by the City Manager or designee.

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## SECTION III – HEALTH AND OTHER INSURANCE BENEFITS

### A. Health Insurance

#### 1. Medical, Dental, and Vision Insurance

The City shall continue to make group medical, dental, and vision benefits available to all Non-Associated employees.

#### 2. City and Employee Paid Health Insurance

The City and the employee shall pay for health insurance premiums for employees and qualified dependent(s) effective the first of the month following the employee's hire date. The employee payroll deduction for premium contributions shall be deducted on a pre-tax basis.

Such deductions shall be aligned with the effective date of coverage and the ending date of coverage upon employment separation. The employee's payroll deduction amount shall begin no later than the beginning of the first full pay period following the effective date of coverage and pro-rated for coverage through the end of the month in which employment was separated.

i. Maximum Employer Contributions – The City's maximum monthly employer contributions for each employee's health and other insurance premiums are set forth as follows:

- a. The City's maximum monthly contribution to medical premiums for elected non-represented positions will continue at the current City contribution rate. Actual contributions for plan year 2022 based on premium costs are shown in the rate sheet included herein.
- b. Effective the beginning of the month following Council approval, the City's maximum monthly contribution to medical premiums for appointed non-represented positions will increase as summarized in the table below.
- c. Effective the pay period that includes January 1, 2023, the City's maximum monthly contribution to medical premiums will increase by \$23.33 per month, per medical plan and enrollment tier, up to, but not to exceed the monthly plan premium cost.
- d. The maximum City contribution shall be based on the employee's enrollment in each plan. If the employee enrolls in a plan wherein the costs exceed the City contribution, the employee is responsible for all additional premiums through pre-tax payroll deductions.

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Plan	Tier	Current City Contribution // Maximum for Elected Positions*	Maximum City Contributions for Appointed Positions	
			Effective the Month Following City Council Approval	Effective the Pay Period Including January 1, 2023
Kaiser	Single	551.00	587.92	611.25
	Two-Party	1,174.36	1,233.08	1,256.41
	Family	1,370.04	1,438.54	1,461.87
Blue Shield TRIO HMO	Single	621.00	662.61	685.94
	Two-Party	1,174.36	1,233.08	1,256.41
	Family	1,370.04	1,438.54	1,461.87
Blue Shield HMO	Single	677.00	722.36	745.69
	Two-Party	1,174.36	1,233.08	1,256.41
	Family	1,370.04	1,438.54	1,461.87
Blue Shield PPO	Single	740.00	789.58	812.91
	Two-Party	1,335.78	1,402.57	1,425.90
	Family	1,514.31	1,590.03	1,613.36
Blue Shield HDHP	Single		567.00	590.33
	Two-Party		1,163.00	1,186.33
	Family		1,432.00	1,455.33

\*Applies to elected non-represented positions for an indefinite period.

ii. “Safety Member” Health Premiums – Employer Contribution

Employees who are classified as a “safety member” by the California Public Employees’ Retirement System (CalPERS) may have access to the medical plans offered by CalPERS as contracted by the City. In accordance with eligibility provisions, the Police Chief and the Fire Chief may elect to enroll in the CalPERS health insurance program offered by the City.

The City’s maximum monthly employer contributions for the CalPERS health insurance program will match the PORAC Region 2 premiums, but not to exceed the maximum amounts indicated in the chart below. The amounts listed therein include the mandated Public Employees’ Medical and Hospital Care Act (PEMHCA) contribution.

Non-Associated Safety Members				
Plan	Tier	Current City Contribution	Effective the Month Following City Council Approval	Effective the Pay Period Including January 1, 2023
Medical	Single	774.00	825.86	849.19
	Two-Party	1,623.00	1,704.15	1,727.48
	Family	2,076.00	2,179.80	2,203.13

iii. Employees shall not be entitled to the difference between the employer contribution and the premiums for insurance plan(s) selected by the employee.

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### iv. Future Premiums

The City caps its contributions toward monthly group medical, dental, and vision plan premiums by category (Single, Two-Party, and Family) as outlined in sections i and ii above.

For the term of this agreement, and thereafter unless modified by negotiated agreement of the parties, the City's monthly contributions to medical, dental, and vision insurance shall remain as specified for the 2022 and 2023 Health Premiums and Contribution amounts, unless otherwise specified herein. The City's contribution caps will remain in place, even if premium increases result in these additional costs being borne by the employee.

### 3. Medical Cash Out

If an employee is covered by a medical program outside of a City-provided program (evidence of which must be supplied to Human Resources), the employee may elect to discontinue City medical coverage and receive the monthly value of the City's contribution to the Kaiser, Employee-only medical premium offered to this unit. Safety Members will receive the monthly value of the City's contribution for the lowest-cost, employee only medical coverage as described in Article III.A.2.(ii).

### 4. Section 125 Plan

Employees shall be eligible to participate in a City-approved Section 125 Flexible Spending Account Plan the same as all other eligible employees, as provided by IRS law. This plan allows employees to use pre-tax salary to pay for regular childcare, adult dependent care, and/or medical expenses.

## B. Life and Accidental Death and Dismemberment Insurance

Each Non-Associated employee shall be provided with \$50,000 life insurance and \$50,000 accidental death and dismemberment insurance paid for by the City. Each employee shall have the option, at their own expense, to purchase additional amounts of life insurance and accidental death and dismemberment insurance to the extent provided by the City's current providers. Evidence of insurability is contingent upon total participation in additional amounts.

## C. Long-Term Disability Insurance

This program provides benefits for each incident of illness or injury after a waiting period of thirty (30) calendar days during which the Non-Associated employee may use accumulated sick leave, general leave, or executive leave pay. Subsequent to the thirty-(30) day waiting period, the employee will be covered by an insurance plan paid for by the City providing sixty-six and two-thirds percent (66 2/3%) of the first \$12,500 of the employee's basic monthly earnings up to a maximum monthly benefit of \$8,332.50. The maximum benefit period for disability due to injury or illness shall be to age sixty-five (65).

Days and months refer to calendar days and months. Benefits under the plan are integrated with sick leave, Worker's Compensation, Social Security and other non-private program benefits to which the employee may be entitled. Disability is defined as: "*The inability to perform all of the duties of regular occupation during two years and thereafter the inability to engage in any employment or occupation, for which they are fitted by reason of education, training or experience.*" Rehabilitation benefits are provided in the event the individual, due to disability,

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must engage in other occupation. Survivor's benefits continue the plan payment for three (3) months beyond death. A copy of the plan is on file in the Human Resources Office.

### **D. City-Paid Physical Examinations**

Non-Associated employees shall be provided, once every two years, with a City-paid physical examination comparable to the current pre-placement class physical examination or reimbursed the amount authorized for said physical examination. No more than one-half of the eligible employees shall receive examinations in any one fiscal year. Said exam shall be comprehensive in nature and shall include:

1. A complete medical history, physical exam and review of results by physician.
2. Health testing including vision, hearing, breathing, chest x-ray and stress EKG.
3. Laboratory test including standard chemical test, blood count, HDL, urinalysis and stool test for blood.

### **E. Miscellaneous**

When a Non-Associated employee is on a leave of absence without pay for reason of medical disability, the City shall maintain the City-paid insurance premiums during the period the employee is in a non-pay status for the length of said leave, not to exceed twenty-four (24) months.

### **F. Retiree Medical Coverage for Retirees Not Eligible for the City Medical Retiree Subsidy Plan**

Employees who retire from the City after January 1, 2004, and are granted a retirement allowance by the California Public Employees' Retirement System and are not eligible for the City's Retiree Subsidy Medical Plan may choose to participate in City-sponsored medical insurance plans until the first of the month in which they turn age sixty-five (65).

The retiree shall pay the full premium for City-sponsored medical insurance for themselves and/or qualified dependents without any City subsidy.

Employees who retire from the City and receive a retirement allowance from the California Public Employees' Retirement System and are not eligible for the City's Retiree Subsidy Medical Plan and choose not to participate in City-sponsored medical insurance upon retirement permanently lose eligibility for this insurance.

However, if a retiree who is not eligible for the City's Retiree Subsidy Medical Plan chooses not to participate in City-sponsored medical insurance plans because the retiree has access to other group medical insurance, and subsequently loses eligibility for that group medical insurance, the retiree and their qualified dependents will have access to City-sponsored medical insurance plans reinstated.

Eligibility for Retiree Medical Coverage terminates the first of the month in which the retiree or qualified dependent turns age sixty-five (65).

### **G. Post-65 Supplemental Medicare Coverage**

Retirees who are participating in the Retiree Subsidy Medical Plan as of January 1, 2004, and all future retirees who meet the criteria to participate in City-sponsored medical insurance, with or



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without the Retiree Medical Subsidy Plan, may participate in City-sponsored medical insurance plans that are supplemental to Medicare, after a contract is in place between the City and a health insurance provider.

A retiree or qualified dependent must choose to participate in City-sponsored medical insurance plans that are supplemental to Medicare beginning the first of the month in which the retiree or qualified dependent turns age sixty-five (65).

The retiree shall pay the full premium to participate in City-sponsored medical insurance plans that are supplemental to Medicare for themselves or qualified dependents without any City subsidy.

Retirees or qualified dependents, upon turning age 65, who choose not to participate in the City-sponsored medical insurance plans that are supplemental to Medicare permanently lose eligibility for this insurance.

### **SECTION IV – RETIREMENT**

#### **A. Benefits**

##### **1. Self-Funded Supplemental Retirement Benefit**

In the event a Non-Associated employee member elects Option #1, #2, #2W, #3, #3W or #4 of the Public Employees' Retirement law, the City shall pay the difference between such elected option and the unmodified allowance which the member would have received for their life alone as provided in California Government Code sections 21455, 21456, 21457, and 21548 as said referenced Government Code sections exist as of the date of this agreement. This payment shall be made only to the member (Non-Associated employee), shall be payable by the City during the life of the member, and upon that member's death, the City's obligation shall cease. Unless previously excluded by employment or resolution, eligibility for this benefit is limited to employees hired before December 27, 1997.

##### **2. Medical Insurance for Retirees**

- a. Upon retirement, whether service or disability connected, each Non-Associated employee shall be entitled to cause self, spouse, and dependents to participate fully in the City's group health insurance program at the equivalent of the City's group premium rate in accordance with the provisions specified by Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). Such participation shall be at employee's expense and upon terms, conditions, and restrictions currently in effect.
- b. As an alternative to the benefit described in the preceding paragraph, the City will provide a financial contribution towards the cost of retiree medical premiums as described in Section VI.

#### **B. Public Employees' Retirement System Contributions and Reporting**

##### **1. "Classic Member" Miscellaneous Members Retirement Benefits**

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- a. Retirement Formula – The City shall provide all miscellaneous employees described as classic members by the Public Employees’ Pension Reform Act of 2013 with that certain retirement program commonly known and described as the “2.5% at age 55 plan,” which is based on the retirement formula as set forth in the California Public Employees’ Retirement System (CalPERS), Section 21354 of the California Government Code.
  - b. Classic Member Miscellaneous CalPERS Member Contribution – All miscellaneous bargaining unit classic members shall pay to CalPERS as part of the required member retirement contribution eight percent (8%) of pensionable income. This provision shall not sunset.
  - c. One-Year Final Compensation – The City shall contract with CalPERS to have retirement benefits calculated based upon the classic employee’s highest one year’s compensation, pursuant to the provisions of Section 20042 (highest single year).
  - d. The obligations of the City and the retirement rights of employees as provided in this Article shall survive the term of this resolution.
2. “New Member” Miscellaneous Members Retirement Benefits – For New Members within the meaning of the California Public Employees’ Pension Reform Act of 2013 as defined in California Government Code Section 7522.04(f).
- a. Retirement Formula – New Members shall be governed by the two percent at age 62 (2% @ 62) retirement formula set forth in Government Code section 7522.20.
  - b. Final Compensation – Final compensation will be based on the highest annual average compensation earnable during the 36 consecutive months immediately preceding the effective date of retirement, or some other 36 consecutive month period designated by the member.
  - c. New Member Miscellaneous CalPERS Member Contribution – Effective January 1, 2013, all new members, as defined by PEPRA and determined by CalPERS, shall contribute one half (50%) of the normal cost as established by CalPERS each year in its annual valuation for the City, as required by California Government Code Section 7522.30(c).
3. “Classic Member” Safety Members Retirement Benefits
- a. Retirement Formula – The City shall provide all safety employees described as “classic” members by the Public Employees’ Pension Reform Act of 2013 – “PEPRA” with that certain retirement program commonly known and described as the “3% at age 50 plan” which is based on the retirement formula as set forth in the California Public Employees’ Retirement System (CalPERS), Section 21362.2 of the California Government Code.

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- b. Classic Member Safety CalPERS Member Contribution – All safety employees described as “classic” members shall pay to CalPERS as part of the required member retirement contribution nine percent (9%) of pensionable income. This provision shall not sunset.
  - c. One-Year Final Compensation – The City shall contract with CalPERS to have retirement benefits calculated based upon the “classic” employee’s highest one year’s compensation, pursuant to the provisions of Section 20042 (highest single year).
  - d. The obligations of the City and the retirement rights of employees as provided in this Article shall survive the term of this resolution.
4. “New Member” Safety Members Retirement Benefits – For New Members within the meaning of the California Public Employees’ Pension Reform Act of 2013.
- a. Retirement Formula – New Members shall be governed by the two and seven tenths percent at age 57 (2.7% @ 57) retirement formula set forth in Government Code section 7522.25(d)
  - b. Final Compensation – Final compensation will be based on the highest annual average compensation earnable during the 36 consecutive months immediately preceding the effective date of retirement, or some other 36 consecutive month period designated by the member.
  - c. New Member Miscellaneous CalPERS Member Contribution – All new members as defined by PEPR and determined by CalPERS, shall contribute one half (50%) of the normal cost, as established by CalPERS.
5. IRS Code Section 414(h)(2)

The City has adopted the CalPERS Resolution in accordance with IRS Code section 414(h)(2) to ensure that both the employee contribution and the City pickup of the required member contribution are made on a pre-tax basis. However, ultimately, the tax status of any benefit is determined by the law.

6. Pre-Retirement Optional Settlement 2 Death Benefit

Non-Associated employees shall be covered by the Pre-Retirement Optional Settlement 2 Death Benefit as identified in Section 21548 of the California Government Code when approved by the City Council.

7. Fourth Level of 1959 Survivor Benefits

Non-Associated employees shall be covered by the Fourth Level of the 1959 Survivor Benefit as identified in Section 21574 of the California Government Code.

8. VEBA Plan Requirements

a. Eligibility Defined

Effective December 23, 2009, all eligible non-associated employees with 25 years of continuous service to the City of Huntington Beach will participate in the Plan. An eligible employee is an employee who works twenty (20) or more hours per week and

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receives benefits. Eligibility criteria may be amended upon a majority vote of non-associated employees, as no cost is borne by the City.

b. Leave Payout Plan Contribution

Each eligible unrepresented management employee shall designate all leave payouts to be rolled over to their VEBA Plan account based on the established range upon separation from City employment.

c. Participant Account

A separate account is maintained for each contributing eligible non-associated employee, which documents the employee's contributions and disbursements. Contributions to a VEBA plan account as well as any disbursements to cover nonreimbursed, post-tax medical care expenses are both tax free. Eligible benefits subject to reimbursement by the Plan shall be limited to long-term care expenses and nonreimbursed medical premiums, co-pays, prescribed drug expenses and other medical care costs as that term is defined by the Internal Revenue Code Section 213.

d. Administrative Fees

Any Plan administrative fees will be deducted from interest on the total Plan investments.

An eligible non-associated employee's Plan account is subject to a monthly administrative fee for expenses related to recordkeeping, claims processing, and claims reimbursement. The fee will first be deducted from interest on total plan investments, and then deducted, if necessary, from the employee's individual account.

e. Dispute Resolution

This Resolution and any disputes arising under or in connection with this Resolution shall not be subject to any dispute resolution procedures in the City's Personnel Rules, nor shall this Resolution and any such dispute relating thereto be subject to the jurisdiction of the City's Personnel Commission for any reason whatsoever.

f. Indemnification

All non-associated employees agree to indemnify and hold the City of Huntington Beach harmless against any claims made of any nature and against any suit instituted against the City arising from this Resolution, including, but not limited to, claims arising from an employee's participation in VEBA or from any salary reduction initiated by the City for VEBA contributions.

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**SECTION V – LEAVE BENEFITS**

A. General Leave

1. Accrual

General leave may be used for any purpose, including vacation, sick leave, and personal leave. General leave for non-associated employees shall be accrued as follows:

Years of Service	Annual General Leave Allowance	Biweekly General Leave Allowance
First through Fourth Year	176 hours	6.77
Fifth through Ninth Year	200 hours	7.69
Tenth through Fourteenth Year	224 hours	8.62
Fifteenth Year and Thereafter	256 hours	9.85

2. Eligibility and Approval

General leave must be pre-approved except for illness, injury or family sickness, which may require a physician’s statement for approval. General leave accrued time is to be computed from hiring date anniversary. Employees shall not be permitted to take general leave in excess of actual time earned. Employees shall not accrue general leave in excess of six hundred forty (640) hours. Employees may not use their general leave to advance their separation date on retirement or other separation from employment.

3. Leave Benefit Entitlements

The City shall comply with all State and Federal leave benefit entitlement laws. An eligible employee on an approved leave shall be allowed to use applicable earned Sick Leave, General Leave, or Executive Leave for family or personal health issues. For more information on employee leave options contact the Human Resources Office.

4. Conversion to Cash

a. Pay Off at Termination

An employee shall be paid for unused general leave upon termination of employment at which time such terminating employee shall receive compensation at their current salary rate for all unused, earned general leave to which they are entitled up to and including the effective date of their termination.

b. Conversion to Cash

Two times during each fiscal year, each permanent employee shall have the option to convert into a cash payment or deferred compensation up to a total of one hundred and sixty (160) general leave benefit hours per fiscal year. The employee shall give payroll two (2) weeks’ advance notice of their decision to exercise such option.

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### **c. Deferred Compensation Contribution at Time of Separation**

The value of any unused earned leave benefits may be transferred to deferred compensation at separation (including retirement), but only during the time that the employee is actively employed with the City. The latest opportunity for such transfer must be the beginning of the pay period prior to the employee's last day of employment.

### **B. Holidays and Pay Provisions**

1. Non-Associated employees shall receive the following legal holidays as of the first pay period following adoption of the Non-Associated Resolution paid in full per the employee's regularly scheduled work shift:

- (1) New Year's Day (January 1)
- (2) Martin Luther King Day (third Monday in January)
- (3) Presidents Day (third Monday in February)
- (4) Memorial Day (last Monday in May)
- (5) Independence Day (July 4)
- (6) Labor Day (first Monday in September)
- (7) Veteran's Day (November 11)
- (8) Thanksgiving Day (fourth Thursday in November)
- (9) The Friday after Thanksgiving
- (10) Christmas Day (December 25)

In addition, all appointed positions shall receive the following holidays:

- (11) Christmas Eve (December 24)
- (12) New Year's Eve (December 31)

2. Any day declared by the President of the United States to be a national holiday or by the Governor of the State of California to be a state holiday and adopted as an employee holiday by the City Council of the City of Huntington Beach.

3. The parties agree that the City shall issue an official City holiday calendar in January of each year that will determine the dates that holidays are observed, following the guidelines below:

- a. City paid holidays which fall on Saturday shall be observed the preceding Friday, and those falling on Sunday shall be observed the following Monday.
- b. In the event that two consecutive City paid holidays fall on a Friday and Saturday, the two holidays shall be observed on the preceding Thursday and Friday.
- c. In the event that two consecutive City paid holidays fall on a Sunday and Monday, the two holidays shall be observed on Monday and the following Tuesday.

### **C. Bereavement Leave**

Employees shall be entitled to bereavement leave not to exceed twenty-four (24) hours in each instance of death in their immediate family. Immediate family is defined as a parent, sibling, spouse, registered domestic partner, child, grandparent, grandchild, or wards of which

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the employee is the legal guardian, recognizing all birth, marital, and other legal ties (i.e., step relatives, in-laws, etc.).

### **D. Voluntary Catastrophic Leave Donation Program**

Under certain conditions, an employee may donate leave time to another employee in need. The program is outlined in Exhibit 4.

## **SECTION VI – RETIREE SUBSIDY MEDICAL PLAN**

An employee who has retired from the City shall be entitled to participate in the City-sponsored medical insurance plans in accordance with the Retiree Subsidy Medical Plan as outlined in Exhibit 2. Employees hired on or after December 1, 2009, shall not be eligible for this benefit.

## **SECTION VII – MISCELLANEOUS**

### **A. Collection of Payroll Overpayments**

In the event that a payroll overpayment is discovered and verified, and considering all reasonable factors including the length of time that the overpayment was made and if and when the employee could have reasonably known about such overpayment, the City shall take action to collect from the employee the amount of overpayment(s). Such collection shall be processed by payroll deduction over a reasonable period of time considering the total amount of overpayment.

In the event the employee separates from employment during the collection period, the final amount shall be deducted from the last payroll check of the employee. If applicable, the balance due from the employee shall be communicated upon employment separation if the last payroll check does not sufficiently cover the amount due the City.

It shall be the responsibility of the employee and the City to periodically monitor the accuracy of compensation payments or reimbursements due to the possibility of a clerical oversight or error. The City reserves the right to also collect compensation overpayments caused by or the result of misinterpretation of a pay provision by non-authorized personnel. The interpretation of all pay provisions shall be administered by the City Manager or designee and as adopted by the City Council. Unauthorized compensation payments shall not constitute a past practice (1/03/05).

### **B. Uniforms and CalPERS Reporting**

The City provides uniforms to active duty employees in the classifications of Police Chief and Fire Chief. These employees are required to wear a standard uniform for appearance, uniformity, and public recognition purposes.

The City will report to the California Public Employees' Retirement System (CalPERS) the average annual cost of uniforms as special compensation for each eligible employee in accordance with Title 2, California Code of Regulations, Section 571(a)(5).

## NON-ASSOCIATED EMPLOYEES PAY AND BENEFITS RESOLUTION

### EXHIBIT 1A NON-ASSOCIATED APPOINTED EXECUTIVE MANAGEMENT SALARY SCHEDULE Effective March 19, 2022\*

			Starting Point				Control Point		High Point
Job No	Description	Pay Range	A	B	C	D	E	F	G

#### EXECUTIVE MANAGEMENT

0591	City Manager	294	103.38	108.55	113.98	119.68	125.66	131.94	138.54
0029	Interim City Manager	289	98.36	103.28	108.44	113.87	119.56	125.54	131.82

#### DEPARTMENT HEADS

0592	Assistant City Manager	275	85.57	89.85	94.34	99.06	104.01	109.21	114.67
0015	Fire Chief	275	85.57	89.85	94.34	99.06	104.01	109.21	114.67
0011	Police Chief	275	85.57	89.85	94.34	99.06	104.01	109.21	114.67
0518	Chief Financial Officer	269	80.61	84.64	88.88	93.32	97.99	102.88	108.03
0589	Community Development Director	269	80.61	84.64	88.88	93.32	97.99	102.88	108.03
0800	Director of Administrative Services	269	80.61	84.64	88.88	93.32	97.99	102.88	108.03
0801	Director of Community & Library Services	269	80.61	84.64	88.88	93.32	97.99	102.88	108.03
0010	Director of Public Works	269	80.61	84.64	88.88	93.32	97.99	102.88	108.03

#### CONTRACT NON-DEPARTMENT HEADS

0593	Chief Assistant City Attorney	261	74.44	78.17	82.08	86.18	90.49	95.01	99.76
0860	Deputy Dir. of Homelessness & Behavioral Health Services	258	72.26	75.87	79.66	83.64	87.83	92.22	96.83
0845	Deputy Director of Public Works	258	72.26	75.87	79.66	83.64	87.83	92.22	96.83
0900	Assistant Chief Financial Officer	249	66.07	69.37	72.84	76.48	80.30	84.32	88.53
0850	Deputy Director of Administrative Services	249	66.07	69.37	72.84	76.48	80.30	84.32	88.53
0855	Deputy Director of Community & Library Services	249	66.07	69.37	72.84	76.48	80.30	84.32	88.53
0840	Deputy Director of Community Development	249	66.07	69.37	72.84	76.48	80.30	84.32	88.53
0699	Deputy Community Prosecutor	206	43.07	45.22	47.48	49.86	52.35	54.97	57.72

\*Per Resolution No. 2022-09



**NON-ASSOCIATED EMPLOYEES PAY AND BENEFITS RESOLUTION**

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**EXHIBIT 1B  
NON-ASSOCIATED ELECTED EXECUTIVE MANAGEMENT SALARY SCHEDULE  
Effective November 2, 2020\***

<b>Job No</b>	<b>Description</b>	<b>Pay Grade</b>	<b>Starting Point</b>	<b>Control Point</b>	<b>High Point</b>
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**ELECTED OFFICIALS**

<b>0016</b>	City Attorney	NA0016	100.18	111.51	124.10
<b>0017</b>	City Clerk	NA0017	69.94	77.85	86.66
<b>0018</b>	City Treasurer (Part-Time)	NA0018	69.94	77.85	86.66

\*Per Resolution No. 2020-80

## NON-ASSOCIATED EMPLOYEES PAY AND BENEFITS RESOLUTION

### EXHIBIT 2 RETIREE MEDICAL PLAN

An employee who has retired from the City shall be entitled to participate in the City sponsored medical insurance plans and the City shall contribute toward monthly premiums for coverage in an amount as specified in accordance with this Plan, provided:

- A. At the time of retirement the employee has a minimum of ten (10) years of continuous full time City service or is granted an industrial disability retirement; and
- B. At the time of retirement, the employee is employed by the City; and
- C. Following official separation from the City, the employee is granted a retirement allowance by the California Public Employees' Retirement System.

The City's obligation to pay the monthly premium as indicated shall be modified downward or cease during the lifetime of the retiree upon the occurrence of any one of the following:

1. On the first of the month in which a retiree or dependent reaches age 65 or on the date the retiree or dependent can first apply and become eligible, automatically or voluntarily, for medical coverage under Medicare (whether or not such application is made) the City's obligation to pay monthly premiums may be adjusted downward or eliminated. Benefit coverage at age 65 under the City's medical plans shall be governed by applicable plan document.
2. In the event of the death of any employee, whether retired or not, the amount of the retiree medical insurance subsidy benefit which the deceased employee was receiving at the time of their death would be eligible to receive if they were retired at the time of death, shall be paid on behalf of the spouse or family for a period not to exceed twelve (12) months.

#### D. Schedule of Benefits

##### 1. Minimum Eligibility for Benefits

With the exception of an industrial disability retirement, eligibility for benefits begins after an employee has completed ten (10) years of continuous full time service with the City of Huntington Beach. Said service must be continuous unless prior service is reinstated at the time of their rehire in accordance with the City's Personnel Rules. Employees hired on or after December 1, 2009 shall not be eligible for this benefit.

##### 2. Disability Retirees

Industrial disability retirees with less than ten (10) years of service shall receive a maximum monthly payment toward the premium for health insurance of \$121. Payments shall be in accordance with the stipulations and conditions, which exist for all retirees. Payment shall not exceed dollar amount, which is equal to the full cost of premium for employee only.

3. Marital Status – Married retirees eligible for benefits under the Retiree Medical Subsidy Plan may each receive the benefit earned pursuant to Section 4 – Maximum Monthly Subsidy Payments, whether enrolled individually as the plan enrollee or whether enrolled as a dependent on any City-sponsored medical plan.

## NON-ASSOCIATED EMPLOYEES PAY AND BENEFITS RESOLUTION

- a. In the case where a retiree is married to a City employee (active or retired) who is not an unrepresented/non-associated employee or retiree, this provision shall remain applicable.
- b. This provision shall apply to State of California registered domestic partners the same as married spouses.

#### 4. Maximum Monthly Subsidy Payments

Payment amounts may be reduced each month as dependent eligibility ceases due to death, divorce or loss of dependent child status. However, the amount shall not be reduced if such reduction would cause insufficient funds needed to pay the full premium for the employee and the remaining dependents. In the event no reduction occurs and the remaining benefit premium is not sufficient to pay the premium amount for the employee and the eligible dependents, said needed excess premium amount shall be paid by the employee.

All retirees, including those retired as a result of disability whose number of years of service prior to retirement, exceeds ten (10) years of continuous full time service, shall be entitled to maximum monthly payment of premiums by the City for each year of completed City service as follows:

Maximum Monthly Payment  
for Retirements After:

Years of Service	Subsidy
10	\$121
11	136
12	151
13	166
14	181
15	196
16	211
17	226
18	241
19	256
20	271
21	286
22	300
23	315
24	330
25	344

## **NON-ASSOCIATED EMPLOYEES PAY AND BENEFITS RESOLUTION**

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### **MISCELLANEOUS PROVISIONS**

#### **A. Eligibility:**

1. The effective start-up date of the Retiree Subsidy Medical Plan for the various employee groups shall be the first of the month following retirement date.
2. A retiree may change plans, add dependents, etc., during annual open enrollment. The Human Resources Office shall notify covered retirees of this opportunity each year.
3. Years of service computed for the Retiree Subsidy Medical Plan are actual years of completed service with the City of Huntington Beach.

#### **B. Benefits:**

1. The Retiree Subsidy Medical Plan includes any medical plan offered by the City to active and/or retired unrepresented/non-associated employees and retirees.
2. City Plans are the primary payer for active employees age 65 and over, with Medicare the secondary payer. Retirees age 65 and over have no City Plan options and are eligible only for Medicare.
3. Premium payments are to be received at least one month in advance of the coverage period.

#### **C. Subsidies:**

1. The subsidy payments will pay for:
  - a. The Retiree Subsidy Medical Plan.
  - b. HMO.
  - c. Part A of Medicare for those retirees not eligible for paid Part A.
2. Subsidy payments will not pay for:
  - a. Part B Medicare.
  - b. Any other employee benefit plan.
  - c. Any other commercially available benefit plan.
  - d. Medicare supplements

#### **D. Medicare:**

1. All persons are eligible for Medicare coverage at age 65. Those with sufficient credit quarters of Social Security will receive Part A of Medicare at no cost. Those without sufficient credited quarters are still eligible for Medicare at age 65, but will have to pay for Part A of Medicare if the individual elects to take Medicare. In all cases, Part B of Medicare is paid for by the participant.

## NON-ASSOCIATED EMPLOYEES PAY AND BENEFITS RESOLUTION

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2. When a retiree and their spouse are both 65 or over, and neither is eligible for paid Part A of Medicare, the subsidy shall pay for Part A for each of them or the maximum subsidy, whichever is less.
3. When a retiree at age 65 is eligible for paid Part A of Medicare and their spouse is not eligible for paid Part A, the spouse shall not receive subsidy. When a retiree at age 65 is not eligible for paid Part A of Medicare and their spouse who is also age 65 is eligible for paid Part A of Medicare, the subsidy shall be for the retiree's Part A only.

### E. Cancellation:

1. For retirees/dependents eligible for paid Part A of Medicare, the following cancellation provisions apply:
  - a. Coverage for a retiree under the Retiree Subsidy Medical Plan will be eliminated on the first day of the month in which the retiree reaches age 65. If such retiree was covering dependents under the Plan, dependents will be eligible for COBRA continuation benefits effective as of the retiree's 65th birthday.
  - b. Dependent coverage will be eliminated upon whichever of the following occasions comes first:
    - 1) After 36 months of COBRA continuation coverage, or
    - 2) When the covered dependent reaches age 65 in the event such dependent reaches age 65 prior to the retiree reaching age 65.
  - c. At age 65 retirees are eligible to make application for Medicare. Upon being considered "eligible to make application," whether or not application has been made for Medicare, the Retiree Subsidy Medical Plan will be eliminated.
2. See provisions under "Benefits," "Subsidies," and "Medicare" for those retirees/dependents not eligible for paid Part A of Medicare.
3. Retiree Subsidy Medical Plan and COBRA participants shall be notified of non-payment of premium by means of a certified letter from Employee Benefits in accordance with provisions of the Non-Associated Resolution.
4. A retiree who fails to pay premiums due for coverage and is in arrears for sixty (60) days shall be terminated from the Plan and shall not have reinstatement rights.

**NON-ASSOCIATED EMPLOYEES PAY AND BENEFITS RESOLUTION**

**EXHIBIT 3  
9/80 WORK SCHEDULE**

This work schedule is known as “9/80”. The 9/80 work schedule is designed to be in compliance with the requirements of the Fair Labor Standards Act (FLSA). In the event that there is a conflict with the current rules, practices and/or procedures regarding work schedules and leave plans, then the rules listed below shall govern.

9/80 WORK SCHEDULE DEFINED

The 9/80 work schedule shall be defined as working nine (9) days for eighty (80) hours in a two week pay period by working eight (8) days at nine (9) hours per day and working one (1) day for eight (8) hours (Friday), with a one-hour lunch during each work shift, totaling forty (40) hours in each FLSA work week. The 9/80 work schedule shall not reduce service to the public, departmental effectiveness, productivity and/or efficiency as determined by the City Manager or designee.

A. Forty (40) Hour FLSA Work Week

The actual FLSA workweek is from Friday at mid-shift (p.m.) to Friday at mid-shift (a.m.). No employee working the 9/80 work schedule will be able to flex their Friday start time nor the time they take their lunch break, which will be from 12:00 p.m. to 1:00 p.m. on Fridays. All employee work shifts will start at 8:00 a.m. on their Friday worked. The start of the FLSA workweek is 12:00 noon Friday.

B. Two Week Pay Period

The pay period for employees starts Friday mid-shift (p.m.) and continues for fourteen (14) days until Friday mid-shift (a.m.). During this period, each week is made up of four (4) nine (9) hour work days (thirty-six (36) hours) and one (1) four (4) hour Friday and those hours equal forty (40) work hours in each work week (e.g. the Friday is split into four (4) hours for the a.m. shift, which is charged to work week one and four (4) hours for the p.m. shift, which is charged to work week two).

C. A/B Schedules

To continue to provide service to the public every Friday, employees are to be divided between two schedules, known as the “A” schedule and the “B” schedule, based upon the departmental needs. For identification purposes, the “A” schedule shall be known as the schedule with a day off on the Friday in the middle of the pay period, or, “off on payday”, the “B” schedule shall have the first Friday (p.m.) and the last Friday (a.m.) off, or “working on payday”. An example is listed below:

	AM	PM								AM	PM							AM	PM
	F	F	S	S	M	T	W	Th	F	F	S	S	M	T	W	Th	F	F	F
A Schedule	4	4	-	-	9	9	9	9	-	-	-	-	9	9	9	9	4	4	
B Schedule	-	-	-	-	9	9	9	9	4	4	-	-	9	9	9	9	-	-	

## **NON-ASSOCIATED EMPLOYEES PAY AND BENEFITS RESOLUTION**

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### **D. A/B Schedule Changes**

FLSA exempt employees may change A/B schedules at the beginning of any pay period with supervisor or City Manager approval.

### **E. Emergencies**

All employees on the 9/80 work schedule are subject to be called to work any time to meet any and all emergencies or unusual conditions which, in the opinion of the City Manager, or designee may require such service from any of said employees.

## **LEAVE BENEFITS**

When an employee is off on a scheduled workday under the 9/80 work schedule, then nine (9) hours of eligible leave per workday shall be charged against the employee's leave balance or eight (8) hours shall be charged if the day off is a Friday. All leaves shall continue under the current accrual, eligibility, request and approval requirements.

1. General Leave – As stated in the Non-Associated Resolution.
2. Sick Leave – As stated in the Non-Associated Resolution.
3. Executive Leave – As stated in the Non-Associated Resolution.
4. Bereavement Leave – As stated in the Non-Associated Resolution.
5. Holidays – As stated in the Non-Associated Resolution.
6. Jury Duty – The provisions of the Personnel Rules shall continue to apply, however, if an FLSA exempt employee is called to serve on jury duty during a normal Friday off, Saturday, or Sunday, or on a City holiday, then the jury duty shall be considered the same as having occurred during the employees day off work, therefore, the employee will receive no added compensation.

# NON-ASSOCIATED EMPLOYEES PAY AND BENEFITS RESOLUTION

## EXHIBIT 4 VOLUNTARY CATASTROPHIC LEAVE DONATION

### Guidelines

#### 1. Purpose

The purpose of the voluntary catastrophic leave donation program is to bridge employees who have been approved leave time to either return to work, long-term disability, or medical retirement. Permanent employees who accrue vacation, general leave or compensatory time may donate such leave to another permanent employee when a catastrophic illness or injury befalls that employee or because the employee is needed to care for a seriously ill family member. The leave-sharing Leave Donation Program is Citywide across all departments and is intended to provide an additional benefit. Nothing in this program is intended to change current policy and practice for use and/or accrual of vacation, general, or sick leave.

#### 2. Definitions

Catastrophic Illness or Injury - A serious debilitating illness or injury, which incapacitates the employee or an employee's family member.

Family Member - For the purposes of this policy, the definition of family member is that defined in the Family Medical Leave Act (child, parent, spouse or domestic partner).

#### 3. Eligible Leave

Accrued compensatory, vacation or general leave hours may be donated. The minimum donation an employee may make is two (2) hours and the maximum is forty (40) hours.

#### 4. Eligibility

Permanent employees who accrue vacation or general leave may donate such hours to eligible recipients. Compensatory time accrued may also be donated. An eligible recipient is an employee who:

- Accrues vacation or general leave;
- Is not receiving disability benefits or Workers' Compensation payments; and
- Requests donated leave.

#### 5. Transfer of Leave

The maximum donation credited to a recipient's leave account shall be the amount necessary to ensure continuation of the employee's regular salary during the employee's period of approved catastrophic leave. Donations will be voluntary, confidential and irrevocable. Hours donated will be converted into a dollar amount based on the hourly wage of the donor. The dollar amount will then be converted into accrued hours based on the recipient's hourly wage.

An employee needing leave will complete a Leave Donation Request Form and submit it to the Department Director for approval. The Department Director will forward the form to Human Resources for processing. Human Resources, working with the department, will send out the request for leave donations.



## **NON-ASSOCIATED EMPLOYEES PAY AND BENEFITS RESOLUTION**

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Employees wanting to make donations will submit a Leave Donation Form to the Finance Department (payroll).

All donation forms submitted to payroll will be date stamped and used in order received for each bi-weekly pay period. Multiple donations will be rotated in order to insure even use of time from donors. Any donation form submitted that is not needed will be returned to the donor.

6. Other

Please contact the Human Resources Office with questions regarding employee participation in this program.

**NON-ASSOCIATED EMPLOYEES PAY AND BENEFITS RESOLUTION**

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**Voluntary Catastrophic Leave Donation Program  
Leave Request Form**

Requestor, Please Complete

According to the provisions of the Voluntary Catastrophic Leave Donation Program, I hereby request donated vacation, general leave or compensatory time.

MY SIGNATURE CERTIFIES THAT:

- A Leave of absence in relation to a catastrophic illness or injury has been approved by my Department; and
  
- I am not receiving disability benefits or Workers' Compensation payments.

Name: <i>(Please Print or Type: Last, First, MI)</i>	
Work Phone:	Department:
Job Title:	Employee ID#:
Requester Signature:	Date:
Department Director Signature of Support:	Date:
<b>Human Resources Office Use Only</b>	
End donation date will bridge to: <input type="checkbox"/> Long Term Disability <input type="checkbox"/> Medical Retirement beginning <input type="checkbox"/> Length of FMLA leave ending <input type="checkbox"/> Return to work	End donation date:
Administrative Services Director Signature:	Date signed:

**Please submit this form to the Human Resources Office for processing.**

**NON-ASSOCIATED EMPLOYEES PAY AND BENEFITS RESOLUTION**

**Voluntary Catastrophic Leave Donation Program  
Leave Donation Form**

**Donor, please complete**

Donor Name: <i>(Please Print or Type: Last, First, MI)</i>	
Work Phone:	
Donor Job Title:	
Type of Accrued Leave:	Number of Hours I wish to Donate:
<input type="checkbox"/> Vacation	_____ Hours of Vacation
<input type="checkbox"/> Compensatory Time	_____ Hours of Compensatory Time
<input type="checkbox"/> General Leave	_____ Hours of General Leave

I understand that this voluntary donation of leave credits, once processed, is irrevocable; but if not needed, the donation will be returned to me. I also understand that this donation will remain confidential.

I wish to donate my accrued vacation, comp or general leave hours to the Leave Donation Program for:

Eligible recipient employee's name (Last, First, MI):	
Donor Signature:	Date:

**Please submit to the Payroll/Finance Department.**