

RESOLUTION NO. 24-074

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS (1) ADOPTING A COMPENSATION AND BENEFITS RESOLUTION ESTABLISHING TERMS AND CONDITIONS OF EMPLOYMENT FOR UNREPRESENTED EMPLOYEES, ELECTED DEPARTMENT HEADS, AND ELECTED OFFICIALS AS DETERMINED BY THE BOARD OF SUPERVISORS, AND (2) RESCINDING RESOLUTION NO. 10-006 (AND ALL SUBSEQUENT AMENDMENTS TO RESOLUTION 10-006) AND THE SPECIFIC PROVISIONS IN RESOLUTION 17-189 THAT LINKED THE TERMS AND CONDITIONS OF EMPLOYMENT FOR THESE EMPLOYEES TO THE MENDOCINO COUNTY DEPARTMENT HEADS UNIT

WHEREAS, on January 5, 2010, the Board of Supervisors rescinded Resolution No. 92-209 and adopted Resolution No. 10-006 to address specific terms and conditions of employment for certain unrepresented management employees and exempted elected officials as identified in that resolution; and

WHEREAS, Resolution No. 10-006, among other things, designates and makes applicable to certain identified unrepresented management employees those specific terms and conditions of employment as have been afforded to the Mendocino County Department Heads Unit; and

WHEREAS, the Board of Supervisors has made the terms and conditions of employment afforded to the Mendocino County Department Heads Unit applicable to additional unrepresented management employees by amending Resolution 10-006 through the adoption of the following resolutions: Resolution No. 13-109, adopted November 5, 2013; Resolution No. 17-128, adopted September 12, 2017; Resolution 17-180, adopted December 5, 2017; Resolution No. 17-197, adopted December 19, 2017; Resolution No. 18-045, adopted March 27, 2018; Resolution No. 18-048, Resolution No. 18-078, adopted June 5, 2018; adopted March 27, 2018; Resolution No. 18-149, adopted October 2, 2018; and Resolution No. 18-150, adopted October 2, 2018; and Resolution No. 19-141, adopted March 12, 2019; and Resolution No. 19-204, adopted July 9, 2019; and Resolution No. 19-392, adopted November 19, 2019; and Resolution No. 19-394, adopted December 10, 2019; and Resolution No. 20-162, adopted November 17, 2020; Resolution No. 21-081, adopted June 8, 2021; and Resolution No. 22-055, adopted March 1, 2022; and Resolution No. 22-216, adopted November 1, 2022; and

WHEREAS, on December 19, 2017, the Board of Supervisors adopted Resolution No. 17-189, providing, among other things, that as of December 13, 2017, elected Department Heads (Auditor-Controller, Assessor-Clerk Recorder, and Treasurer-Tax Collector) and elected officials (District Attorney and Sheriff) will receive all eligible benefits included in the current Department Head Memorandum of Understanding; and

WHEREAS, it is the intent of the Board of Supervisors to rescind Resolution No. 10-006, and all subsequent amendments thereto, which made applicable to certain identified unrepresented management employees the specific terms and conditions of employment afforded to the Mendocino County Department Heads Unit; and

WHEREAS, it is the intent of the Board of Supervisors to rescind the specific provisions in Resolution 17-189, which provided that elected department heads and elected officials will receive all eligible benefits included in the current Department Head Memorandum of Understanding; and

WHEREAS, it is the intent of the Board of Supervisors that the terms and conditions of employment of all unrepresented employees, elected department heads, and elected officials, identified in Attachment A to this Resolution, shall be determined by the Board of Supervisors and shall not be linked to the terms and conditions of employment afforded to the Mendocino County Department Heads Unit or any other bargaining unit; and

WHEREAS, the Board of Supervisors intends this resolution to confer specific terms and conditions of employment to the unrepresented employees, elected department heads, and elected officials identified in Attachment A to this resolution.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors hereby adopts a Compensation and Benefits Resolution, identified as Attachment A, and incorporated herein, establishing the terms and conditions of employment for unrepresented employees, elected department heads, and elected officials identified in Attachment A. It is the intent of the Board of Supervisors that the specific terms and conditions of employment in Attachment A will be self-executing based on existing and future Salary Resolutions as approved by the Board of Supervisors.

BE IT FURTHER RESOLVED, that should the Board of Supervisors approve a specific employment contract with any of the unrepresented employees, elected department heads, and elected officials identified in Attachment A, the terms of any such employment contract shall control any provisions in Attachment A.

BE IT FURTHER RESOLVED, that the Mendocino County Board of Supervisors hereby rescinds Resolution No. 10-006, and all subsequent amendments thereto, which made applicable to certain unrepresented management employees the specific terms and conditions of employment afforded to the Mendocino County Department Heads Unit.

BE IT FURTHER RESOLVED, that the Mendocino County Board of Supervisors hereby rescinds the specific provisions in Resolution 17-189, which provided that elected department heads and elected officials will receive all eligible benefits included in the current Department Head Memorandum of Understanding.

The foregoing Resolution introduced by Supervisor Williams, seconded by Supervisor Haschak, and carried this 7th day of May, 2024, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde and Williams
NOES: None
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE
Clerk of the Board


Deputy

APPROVED AS TO FORM:
JAMES R. ROSS
Interim County Counsel




MAUREEN MULHEREN, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

BY: DARCIE ANTLE
Clerk of the Board


Deputy

COUNTY OF MENDOCINO

**UNREPRESENTED EMPLOYEES
COMPENSATION AND BENEFITS
(ATTACHMENT A – RESOLUTION No. 24-074)**

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UNREPRESENTED EMPLOYEES COMPENSATION AND BENEFITS RESOLUTION

SECTION 1 – TITLE

This Resolution Number 24-074 shall be known as the Unrepresented Employees Compensation and Benefits Resolution of the County of Mendocino. The provisions of this Resolution may be superseded in whole or in part by subsequent resolutions adopted by the Board of Supervisors of Mendocino County. Each such resolution shall be effective on the first day of the County pay period next succeeding its adoption unless such resolution provides otherwise. Any provision of Resolution No. 24-074 superseded by subsequent resolution of the Board of Supervisors shall be deemed repealed upon the effective date of the superseding resolution.

The Board of Supervisors reserves the right and ability to amend any of the provisions of this Resolution at any time, including, but not limited to, the right and ability to decrease or terminate any compensation and benefits provided in this Resolution.

To the extent any provision of this Resolution may be inconsistent or in conflict with applicable state or federal law or County ordinance, the provisions of such state or federal law or County ordinance shall control.

This Resolution is designed to work in conjunction with all other official Mendocino County employment policies and shall be construed to work in harmony with such policies. To the extent there is an irreconcilable conflict between this Resolution and a Mendocino County employment policy on a specific subject matter, the Mendocino County policy addressing the specific subject matter shall control.

SECTION 2 – APPLICABILITY

2.1. Services

The provisions of this Resolution shall apply to the unclassified services of the County of Mendocino.

2.2. Employees

The provisions of this Resolution apply only to employees in positions specifically exempted from County classified service by Mendocino County Code Section 3.16.100 and are not represented by a recognized employee organization. Attachment A provides a list of classification titles of which this Resolution applies.

The provisions of this Resolution also apply to department heads and executive officials, including elected department heads and elected officials, who are not represented by a recognized employee organization, are not under an individual employment contract with the County, and/or are specifically excluded by Board of Supervisors resolution or by law.

"Unrepresented employee" shall mean those employees in positions applicable to this Resolution. When used in Sections 3 through 9 the term "employee" shall mean Unrepresented employee.

The term "unrepresented employee" does not include the Board of Supervisors.

SECTION 3 – ADMINISTRATION OF COMPENSATION

3.1. Salary Provision

3.1.1 Salary Adjustments

(a) General Authority. The Board of Supervisors shall establish, by resolution, the salaries of Unrepresented Employees. Except for the Salary Adjustment for Non-Elected Unrepresented Employees noted at Section 3.1.1(b) below, such actions shall be adopted by the Board by resolution separate from this Resolution.

(b) Salary Adjustment for Non-Elected Unrepresented Employees. Effective the first full pay period following Board of Supervisors approval of this Resolution, non-elected Unrepresented employees will receive a 1% Cost of Living adjustment (COLA) increase to base salary.

For those classifications identified as being below market in the County's 2023 total compensation study (the "2023 Compensation Study") effective the first full pay period following July 1, 2024, non-elected Unrepresented employees in those classifications shall receive one-half of the market salary increase designed to bring them to one hundred percent (100%) of market determined by the 2023 Compensation Study.

For those classifications identified as being below market in the 2023 Compensation Study, effective the first full pay period following July 1, 2025, non-elected Unrepresented employees in those classifications shall receive the remaining one-half of the market salary increase designed to bring them to one hundred percent (100%) of market determined by the 2023 Compensation Study.

The Board may, by separate resolution, make future salary adjustments for non-elected unrepresented employees.

(c) Salary Adjustments for Elected Unrepresented Employees. Salary adjustments for elected unrepresented employees shall be done by the Board of Supervisors by separate resolution.

3.1.2. Salary Upon Employment

Except as otherwise provided herein, appointment to any position in any class shall be made at the minimum pay step, and advancement to pay steps greater than the minimum pay step shall be within the limits of the salary scale for the class.

In exceptional cases after reasonable effort has been made to obtain employees for a particular class at the minimum pay step, employment of individuals for employment at a higher pay step than the minimum may be authorized upon recommendation of the appointing authority with the approval of the Human Resources Director and Chief Executive Officer, because of exceptional qualifications or experience higher than the minimum qualifications possessed by the applicant, or because of recruiting difficulties.

3.2. Longevity Increase

Employees who complete multiple years of continuous County employment, which is a period of employment without a break in service, shall receive a longevity increase to the base rate of pay based on the following:

- After completion of seven (7) years of continuous County employment, the employee shall receive a 2.5% increase to the base rate of pay.
- After completion of ten (10) years of continuous County employment, the employee shall receive an additional 2.5% wage increase, for a total 5% increase to the base rate of pay.
- After completion of fifteen (15) years of continuous County employment, the employee shall receive an additional 2.5% wage increase, for a total 7.5% increase to the base rate of pay.
- After completion of twenty (20) years of continuous County employment, the employee shall receive an additional 2.5% wage increase, for a total 10% increase to the base rate of pay.

3.3. Deferred Compensation Plan

In connection with deferred compensation programs offered by the County, the County shall contribute to such deferred compensation programs an amount on behalf of each employee electing to participate in the deferred compensation programs equal to the amount contributed by that employee from his or her own salary but not to exceed a total of 4% of the employee's salary.

The County deferred compensation contribution match shall be made on a bi-weekly basis and shall be consistent with the current laws and regulation governing deferred compensation contributions, including but not limited to Government Code Section 7522.10(g) of the California Public Employees' Pension Reform Act of 2013.

SECTION 4 – EXPENSES, MATERIALS AND REIMBURSEMENTS

4.1. Education, Training and Health Stipend

Each Unrepresented employee shall be provided \$1500.00 per fiscal year (July to June) in the form of a taxable Education, Training and Health Stipend for expenses associated with the following: education, training, travel, computer equipment, software and other supplies and equipment; health club dues and fees and equipment intended to maintain good health and fitness.

The stipend shall be divided equally into four quarterly payments and shall be automatically included in the last paycheck issued in September, December, March, and June, as long as the employee remains an Unrepresented employee at the time of the quarterly payment.

This stipend will be taxable per IRS regulations and no receipts or claim forms are required.

The goals of this Program are the increased professional and personal competence, education, training, skills, health, benefit and well-being of employees. The payments do not depend on hours worked, services rendered, job performance, or other criteria that depend on the quality or quantity of the employee's work. Programs, courses, education, training, and services or materials that contribute to or advance these goals are appropriate expenditures. These monies are not to be taken from the particular departmental funds.

An employee shall not be required to purchase necessary workplace equipment using these funds. The County shall not be responsible for maintaining any items purchased with these funds.

4.2. Mileage Reimbursement

An Unrepresented employee who is authorized to and does provide a motor vehicle for travel required of the employee in the performance of official duty shall be reimbursed at the standard IRS business mileage rate. Mileage reimbursements must be submitted in accordance with Mendocino County Policy #18, Travel and Meal Policy.

4.3. Automobile Allowance

The Automobile Allowance created by this Resolution is extended to Unrepresented County executive employees (department heads) and executive officials as denoted in Appendix A.

Individuals serving as interim, acting, or temporary department heads or executive officials, or as assistant department heads or executive officials may petition the appointed CEO or designee for eligibility for an automobile allowance. In these cases, the individual can only receive the automobile allowance upon approval of the appointed CEO or designee and acceptance and approval of the Board of Supervisors.

The Automobile Allowance is use-based. Eligible employees who have a frequent and ongoing need to travel within the County for County business purposes may be provided the Automobile Allowance in lieu of requesting reimbursement for actual mileage in

accordance with the County's travel policy. Frequent and ongoing need to travel means the employee would typically need to travel intra-county on a weekly basis in the performance of their job.

4.3.1. Conditions of Electing to Receive the Automobile Allowance:

All eligible executive employees and officials may elect from the following options:

1. Receive an automobile allowance under the terms and conditions of this Agreement and Resolution; **or**
2. Continue to receive reimbursement for actual mileage expended on County business for intra-County travel as well as outside of the County travel, as set forth in the County's travel policy; and/or receive usage of a County vehicle for business travel; in accordance with the County travel policy and vehicle use policy.

While an eligible executive employee or official who elects to receive an automobile allowance may continue to be reimbursed or use County vehicles, for travel outside Mendocino County in accord with County policies; the employee or official may not be reimbursed for travel within the county, nor may the employee or official use a County vehicle for normal business travel within the County.

Electing this option does not affect the employee's or official's ability to use County trucks, vans, 4x4's or other utility vehicles for appropriate utilitarian, emergency, or extraordinary use. The intent of this section is to prevent the abusive use of this benefit by electing to receive an automobile allowance yet continuing to use County vehicles on a daily, frequent or constant basis.

4.3.2. Electing to Receive an Automobile Allowance

An eligible executive employee or official must inform the Payroll Manager of their decision to receive an automobile allowance. The employee or official will receive the auto allowance beginning the next pay period after filing for this option.

4.3.3. Removal of Automobile Allowance

The County shall remove the automobile allowance for executive employees or officials who are placed on or take continuous extended leave for a period of two or more pay periods. Upon returning to work from extended leave and at the request of the executive employee or official, the automobile allowance can be reinstated effective on the next full pay period following their return.

4.3.4. Amount of the Automobile Allowance

Eligible executive employees and officials who elect to receive an automobile allowance shall receive \$250.00 [two-hundred fifty dollars] per month as a taxable allowance added to their paycheck.

SECTION 5 – HEALTH AND WELFARE BENEFITS

5.1. Health Insurance

5.1.1. Health Plan Description

The medical benefits shall be as contained in the County's health plan document as approved by the Board of Supervisors. Information on the County's current health plan may be found on the Executive Office website and is provided for information purposes only. To the extent the provisions on the County's website are inconsistent with official resolutions and documents approved by the Board of Supervisors and other applicable laws, such official resolutions and documents and applicable laws shall govern.

Employees may participate in the County's plans. Employees who can provide proof of enrollment in an alternate group health insurance may opt out of the County's plans. Employees who opt out of the County's plans shall not receive any County contribution to health insurance premiums. In the event their alternate insurance ceases, the employee will be allowed to re-enroll in the County plan pursuant to the provisions of the plan and applicable law.

5.1.2. Health Insurance Premiums

The County/employee cost sharing on health (vision, dental, medical) insurance premiums will continue in the amounts as set forth below. The County may reasonably delay implementation of any new premium increase and changes in order to assure appropriate administration and technical requirement for implementation.

County Contribution Rates 2024:

• County Employee Contribution for Gold & Silver (over \$52k)	81.00%
• County Dependent Contribution for Gold & Silver (over \$52k)	79.00%
• County Employee Contribution for Silver (under \$52k)	83.25%
• County Dependent Contribution for Silver (under \$52k)	79.00%
• County Employee Contribution for Bronze HDHP	79.75%
• County Dependent Contribution for Bronze HDHP	75.00%

County 2024 contribution rates will sunset 12/31/24 - rates may increase or decrease based on the annual renewal premium received from the health plan broker, contribution rates will be evaluated yearly.

5.1.3. Domestic Partner

The County of Mendocino offers medical, dental and vision coverage for domestic partners as defined by Family Code Section 297 (as amended).

To be eligible the following conditions must be complied with:

Employees and their Domestic Partners must register with and be certified by the State of California.

The employee must provide a copy of the State Certification of Domestic Partner Registration at time of enrollment. Enrollment is completed through BenXcel, the County's online health benefits administration portal.

It is understood that the IRS does not (currently) recognize Domestic Partners as a spouse or dependent for federal income tax purposes. Therefore, it is understood that any additional taxes incurred by registering a Domestic partner will be the sole financial responsibility of the employee. The County of Mendocino will endeavor to implement any changes in the Domestic Partner tax law as they occur in a timely manner.

This benefit will terminate upon termination of the Domestic Partnership pursuant to Family Code Section 299.

5.2. Retirement Benefit

Unrepresented employees who work at least 80% of the full-time standard hours are eligible for retirement benefits as a member of the Mendocino County Employees Retirement Association (MCERA). Information on retirement benefits can be found on the MCERA website and is provided for information purposes only. To the extent the provisions on the MCERA website are inconsistent with official resolutions and documents approved by the MCERA Board of Retirement (and, when required by law, ratified by the Board of Supervisors) and other applicable laws, such official resolutions and documents and applicable laws shall govern.

5.3. Life Insurance Benefit

The County will provide a total of \$50,000 term life insurance for all Unrepresented employees.

SECTION 6 – HOLIDAYS

Pursuant to County Code § 3.04.190 the following are paid holidays. All employees occupying a permanent full-time or permanent part-time position shall receive their regular pay for these holidays:

- | | |
|----------------------------|--------------------------------|
| • January 1st | New Year's Day |
| • 3rd Monday in January | Martin Luther King, Jr Day |
| • 3rd Monday in February | President's Day |
| • Last Monday in May | Memorial Day |
| • July 4th | Independence Day |
| • 1st Monday in September | Labor Day |
| • 2nd Monday in October | Indigenous Peoples' Day |
| • November 11th | Veteran's Day |
| • 4th Thursday in November | Thanksgiving Day |
| • 4th Friday in November | Day following Thanksgiving Day |
| • December 25th | Christmas Day |

Every day designated by the President or the Governor of the State of California and formally recognized by the Board of Supervisors as a holiday, day of Thanksgiving, or of public mourning.

SECTION 7 – VACATION

7.1. Vacation Accrual

7.1.1. Full-Time Employees

Pursuant to County Code 3.04.150 every permanent full-time employee of the County of Mendocino shall be credited with forty (40) hours of paid vacation upon the completion of thirteen (13) bi-weekly pay periods of service. Thereafter, vacation shall accrue at the rate of 3.079 hours per pay period of service until the employee has completed three (3) years of service; thereafter, vacation shall accrue at the rate of 4.616 hours every pay period until the employee has completed eight (8) years of service; thereafter, vacation shall accrue at the rate of 6.157 hours per pay period until the employee has completed fifteen (15) years of service; thereafter, vacation shall accrue at the rate of 7.694 hours per pay period. Vacation accrual limit is 440 hours.

Years of Pay Service	Accrual Rate	Hours	Maximum Accruals
0 to 3	3.079	80	440
>3 to 8	4.616	120	440
>8 to 15	6.157	160	440
>15	7.694	200	440

7.1.2. Vacation Accrual Upon Termination

When an employee terminates, the accrual of vacation shall cease as of the last day of work, except when an employee is on paid sick leave.

7.2. Cash Out for Vacation

Unrepresented employees may at their request receive compensation in lieu of unused vacation leave, not to exceed eighty (80) hours per fiscal year. Said compensation shall be paid to the employee following the submission of the request to the Human Resources Department. The amount of compensation paid to an employee shall be calculated at the employee's current rate of pay. Employee must submit an irrevocable election form no later than December 15 of the prior calendar year.

7.3. Flexible Time Off

For employees determined to be exempt from the Fair Labor Standards Act (FLSA), Flexible time off (FTO), computed at the direct rate of one times the hours worked beyond the regular forty (40) hour per week, may be accumulated to a maximum of 120 hours. This time is not accumulative from year to year and is not to be considered part of earned vacation accrual. Accumulated FTO hours may be taken by an employee as time off with pay upon the request of the employee and approval of the appointing authority. Unused accumulated FTO hours shall not be cashed out at any time and an employee separating

from County employment will not receive payment for unused FTO. The choice of using Flexible Time Off, Vacation Leave, or Personal Leave for an approved absence from work is at the election of the employee.

SECTION 8 – SICK LEAVE

8.1. Sick Leave Accrual Limit

Pursuant to County Code § 3.04.160 sick leave hours may be accrued without limit.

8.2. Family Sick Leave/Use for Domestic Violence Concerns

In addition to use by the employee for their own health condition or preventative care, in accordance with County Code § 3.04.160, employees shall be allowed to use accrued paid sick leave for the following purposes:

- a. Diagnosis, care or treatment of an existing health condition of, or preventive care for an employee's family member. The term "family member" means any of the following:
 - (1) A child, which means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.
 - (2) A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
 - (3) A spouse.
 - (4) A registered domestic partner.
 - (5) A grandparent.
 - (6) A grandchild.
 - (7) A sibling.
 - (8) A designated person, which means a person identified by the employee at the time the employee requests paid sick days. An employee shall be limited to one designated person per 12-month period.

The same procedures and verification standards used for personal sick leave shall be used for family sick leave.

- b. Paid sick leave which is designated as family sick leave shall normally be limited to a maximum of sixty-one (61) hours per calendar year. Additional accrued paid

sick leave can be authorized to be used for reasons held to be sufficient by the employee's Department Head, or designee. In the case of a Department Head, such approval shall be by the Chief Executive Officer. In the case of the Chief Executive Officer, such approval shall be by the Chair of the Board of Supervisors.

- c. For an employee who is a victim of domestic violence, sexual assault, or stalking, the purposes described in Labor Code section 230(c) and Labor Code section 230.1(a).

As a condition for the use of paid sick leave, the employee shall give reasonable advance notice of the employee's intention to take time off for any of the purposes identified above, unless advance notice is not feasible. When an unscheduled absence occurs, the County may require the employee to certify that the absence is a result of domestic violence, sexual assault, or stalking, in the form of a police report, a court order, or medical documentation. To the extent authorized by law, the County will maintain the confidentiality of any employee's request for time off under this subsection.

8.3. Sick Leave Credit at Retirement

Pursuant to County Code § 3.08.070, any employee who has accrued sick leave at the time of application for retirement is entitled to have credited one hundred percent (100%) of unused sick leave toward the employee's total County service for the purpose of calculating the retirement benefit. The amount of sick leave accrued as of the day of retirement shall in no case be used in calculating the minimum County service required to be eligible for County retirement.

8.4. Use of 8 Hours Sick Leave for Wellness Programs

Up to eight (8) hours of sick leave per calendar year may be used by an employee for the purpose of attending an approved County Wellness program.

To use sick leave the employee must have a balance of 40 hours of sick leave accrued at the time the leave is used to attend the Wellness program.

SECTION 9 – MISCELLANEOUS LEAVES OF ABSENCE

9.1. Bereavement Leave

Employees who suffer a death in their immediate family may be allowed five (5) days of bereavement leave for each instance. The five (5) days may be used non-consecutively within three (3) months of the date of death of the family member and shall be considered paid leave.

9.1.1. Additional Days

Should an employee need additional time beyond five (5) days, the employee may use an additional two (2) days of accrued leave. Accrued leave for this purpose may

be flexible time-off, personal leave, vacation time, or sick leave (if applicable). Should the employee not have any such accrued leave, this absence may be considered leave without pay.

9.1.2. Immediate Family

For the purpose of this Section, “Immediate Family” is defined as the employee’s spouse, child, stepchild, grandchild, parent, brother, sister, grandparent, domestic partner or spouse’s or domestic partner’s parent, brother, sister or stepparent.

9.2. Personal Leave

All Unrepresented employees shall receive a maximum of 48 hours of Personal Leave per calendar year pursuant to this section. Upon hire, a new employee shall be given Personal Leave hours on a pro rata basis based on their date of hire as follows:

9.2.1. Personal Leave Annual Credit

Every calendar year thereafter, an Unrepresented permanent full-time employee will be credited on the first day of the calendar year with Personal Leave of up to forty-eight (48) hours for the calendar year. Forty-eight (48) hours per calendar year will be credited on the first day of the calendar year for every year thereafter the employee remains employed on a full-time basis.

9.2.2. Use of Personal Leave

Personal Leave hours shall not be charged to any accumulated leave balance and must be used no later than the last pay period of the calendar year that does not include January 1.

9.2.3. No Accrual of Personal Leave

Personal Leave shall be taken in the calendar year earned and shall not be carried forward, nor shall there be any payment for credited but unused Personal Leave hours upon separation from County service.

9.3. Family and Medical Leave Act

It is the policy of Mendocino County to provide family, medical, and pregnancy disability leave to eligible employees in accordance with federal and state laws. Mendocino County Policy #27, Family and Medical Leave, outlines family, medical, and pregnancy disability leave entitlements that apply to eligible employees.

It is the intent of the County to comply with both the federal Family and Medical Leave Act of 1993 and the California Family Rights Act (Government Code § 12945.2), as well as other applicable laws concerning leaves of absence. To the extent any provision of Mendocino County Policy #27 may be inconsistent or in conflict with the applicable state or federal medical leave law, the provisions of such state or federal law shall control.

9.4. Salary Continuance During Long Term Disability

After an Unrepresented employee has exhausted all of their sick leave, Flexible Time Off, Personal Leave, and vacation benefits, and who are unable to work or remain absent from

work due to an illness or injury, as certified by their medical provider and approved through the FMLA/CFRA leave entitlement process or the reasonable accommodation, pursuant to the *Americans With Disabilities Act* and California's *Fair Employment and Housing Act*, shall be eligible to receive the following salary continuance benefits:

- a. 100% of base salary for the first two (2) months after such leave has commenced.
- b. If unable to work after that, the employee shall receive 75 percent of base salary for an additional two (2) month period.
- c. If unable to work after that, employee shall receive 50 percent of base salary for an additional two (2) month period.

In addition to the medical certification indicating the need for medical leave, the employee shall be required to present to the County Human Resources Director a certificate from the treating medical provider, indicating an opinion that the employee can reasonably be expected to recover sufficiently to return to work to perform the employee's essential job functions either without restrictions or with reasonable accommodations. The medical provider's certificate may be obtained through a medical examination at County expense or through consultation between a County-designated physician and the employee's personal medical provider.

9.5. Catastrophic Leave

Catastrophic leave is a paid leave of absence due to verifiable, long-term illness or injury such as, but not limited to, cancer and heart attack which clearly disables the employee, the employee's spouse, parent, or child. Mendocino County Policy #39, Catastrophic Leave, outlines the procedures and eligibility requirements for Catastrophic Leave.

APPENDIX A – JOB CLASSIFICATIONS

Classification Title	Class Code
ADMINISTRATIVE PROJECT MANAGER-MEASURE B	0209
ADMINISTRATIVE ANALYST I	0011
ADMINISTRATIVE ANALYST II	0010
ASSESSOR / CLERK RECORDER ♦	0034
ASSISTANT AGRICULTURE COMMISSIONER/SEALER W&M	2015
ASSISTANT ASSESSOR	0032
ASSISTANT AUDITOR-CONTROLLER	0022
ASSISTANT CHIEF EXECUTIVE OFFICER	0042
ASSISTANT CHIEF PROBATION OFFICER	6014
ASSISTANT CHILD SUPPORT SERVICES DIRECTOR	0208
ASSISTANT CLERK-RECORDER REGISTRAR	0194
ASSISTANT COUNTY COUNSEL	0202
ASSISTANT DIRECTOR SOCIAL SERVICES	0141
ASSISTANT DISTRICT ATTORNEY	7003
ASSISTANT HUMAN RESOURCES DIRECTOR	0207
ASSISTANT PLANNING & BUILDING DIRECTOR	2067
ASSISTANT PUBLIC DEFENDER	7069
ASSISTANT TREASURER-TAX COLLECTOR	0068
AUDITOR – CONTROLLER / TREASURER TAX COLLECTOR ♦	0236
CANNABIS PROGRAM MANAGER	0201
CHIEF DEPUTY COUNTY COUNSEL	7024
CHIEF DEPUTY AUDITOR-CONTROLLER	0167
CHIEF EXECUTIVE OFFICER *	0043
CHIEF RECOVERY RESILIENCY OFFICER	0246
COUNTY COUNSEL *	7019
COUNTY HEALTH OFFICER *	4016
COUNTY SURVEYOR	2004
DEPUTY AIR POLLUTION CONTROL OFFICER	2073
DEPUTY CHIEF EXECUTIVE OFFICER	0040
DEPUTY COUNTY COUNSEL I	7020
DEPUTY COUNTY COUNSEL II	7021
DEPUTY COUNTY COUNSEL III	7022
DEPUTY COUNTY COUNSEL IV	7023
DIRECTOR HEALTH SERVICES*	0248
DIRECTOR HUMAN RESOURCES *	0007
DISASTER RECOVERY FIELD OPERATIONS COORDINATOR	0224
DISASTER RECOVERY UNIT NURSE MANAGER	4114
DISTRICT ATTORNEY ♦	7002
ECONOMIC DEVELOPMENT COORDINATOR	0009
EXECUTIVE DIVISION MANAGER	0247
HUMAN RESOURCES ANALYST I	0005
HUMAN RESOURCES ANALYST II	0038
HUMAN RESOURCES MANAGER	0173
PAYROLL MANAGER	0228
PRINCIPAL ADMINISTRATIVE ANALYST	0225
RISK ANALYST	0192
RISK MANAGER	0235
SHERIFF'S BUSINESS SERVICES OFFICER	0215
SHERIFF – CORONER ♦	7052
SENIOR ADMINISTRATIVE ANALYST	0012
SENIOR HR ANALYST	0006

SENIOR RISK ANALYST	0221
UNDERSHERIFF	7054
VETERINARIAN	4116

*Denotes department head or executive employee

◆ Denotes elected official