

RESOLUTION NO. 2018-09

A RESOLUTION OF THE BOARD OF THE FIVE CITIES FIRE AUTHORITY AMENDING WAGES AND BENEFITS FOR MANAGEMENT EMPLOYEES FOR CALENDAR YEARS 2018 AND 2019

WHEREAS, the Board of the Five Cities Fire Authority (“Authority”) has established a system of classification for all positions within the FCFA service with descriptive occupational titles used to identify and distinguish positions from one another based on job duties, essential functions, knowledge, skills, abilities and minimum requirements; and

WHEREAS, the Board has established a system of compensation for the classification titles listed herein, based on resolutions and agreements as approved and adopted by the Board; and

WHEREAS, the Board deems it in the best interest of the Authority that compensation for management employees be adjusted as hereinafter provided.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Five Cities Fire Authority that:

SECTION 1. AFFECTED EMPLOYEES

The wages and benefits set forth herein are to be provided to all management employees and this Resolution supersedes Resolution No. 2018-01.

SECTION 2. WAGES

The salary ranges for all affected job classes shall be as set forth on Exhibit A, which is attached hereto and by this reference made a part hereof.

SECTION 3. BATTALION CHIEF DUTY COMPENSATION

Battalion Chiefs are classified as exempt positions under the Fair Labor Standards Act and are assigned to a 40 hour per week schedule. In recognition of the responsibility to respond to calls and assignments outside regular work hours, the Battalion Chief salary range will be increased by 5%, effective September 21, 2018, which is reflected in Exhibit A.

SECTION 4. DEFERRED COMPENSATION

The Authority shall contribute \$600 per year to management employees and \$1,200 for the Fire Chief to a defined contribution supplemental retirement plan established in accordance with sections 401 (a) and 501 (a) of the Internal Revenue Code of 1986 and California Government Code sections 53215-53224.

SECTION 5. HEALTH PLAN BENEFITS

A. Cafeteria Plan

1. The Authority shall contribute an equal amount towards the cost of medical coverage under the Public Employee's Medical and Hospital Care Act (PEMHCA) for both active employees and retirees. The Authority's contribution toward coverage under PEMHCA shall be the minimum contribution amount established by CalPERS on an annual basis.
2. Employees participating in the full flex Cafeteria Plan shall receive a flex dollar allowance to purchase group health coverage for medical, dental and vision under the Cafeteria Plan. For the period of January 1, 2018 through November 30, 2018, the total monthly flex dollar allowance shall be \$798.96 with respect to an employee enrolled for self alone, \$1,491.88 for an employee enrolled for self and one dependent, and \$1,917.40 for any employee enrolled for self and two or more dependents. Effective December, 2018, for the January, 2019 premium, the total monthly flex dollar allowance shall be \$803.78 for an employee enrolled for self alone, \$1,511.70 for an employee enrolled for self and one dependent, and \$1,946.20 for an employee enrolled for self and two or more dependents. Effective December, 2019 for the January, 2020 premium, the total monthly flex dollar allowance shall be increased by an amount equal to one-half of the premium increase for the lowest cost HMO plan offered by CalPERS, up to a maximum of 5% of the premium increase. Any increase in premiums above this amount will be the full responsibility of the employee.
3. A portion of the flex dollar allowance (the PEMHCA minimum) is identified as the Authority's contribution towards PEMHCA. This amount shall be adjusted on an annual basis as the PEMHCA minimum contribution increases. Remaining flex dollars must be used by employees to participate in the Authority's health plans. Employees who waive medical coverage under the Cafeteria Plan because he/she provided the Authority with written proof that medical insurance coverage is in force through coverage provided by another source consistent with any rules or restrictions on the Authority by the medical plan provider, can take flex dollars for the amount provided to employees enrolled for self alone (taxable income), deposit it into their 457 plan, or use it to purchase voluntary products. No remaining flex dollars may be redeemed.

B. Medical Insurance

1. The Authority shall maintain health benefits through CalPERS for calendar year 2019.

C. Vision Insurance

The Authority shall provide a Vision Care Plan for management employees. The Authority shall contribute up to the full family premium. The Authority may select an alternate vision care provider during the term of this resolution providing that:

1. Any new plan maintains equivalent benefits to the employees; and
2. At least twenty-one (21) days advanced notice of plan changes are provided to affected employees.

D. Dental Insurance Plan

The Authority shall provide a dental plan of the Authority's choice for management employees. The Authority shall contribute up to the full family premium. The Authority may select an alternate dental insurance plan provider during the term of this resolution providing that:

1. Any new plan maintains equivalent benefits to the employees; and
2. At least twenty-one (21) days advanced notice of plan changes are provided to affected employees.

SECTION 6. LIFE INSURANCE PLAN

- A. The Authority shall provide group term life insurance benefit plan for management employees, which shall provide for fifty thousand dollars (\$50,000) life and AD&D coverage for employees only during the term of their employment.
- B. The Authority shall make available additional voluntary life insurance coverage, at the employee's expense, as long as the minimum participation requirements of the insurance provider are met.

SECTION 7. SHORT AND LONG-TERM DISABILITY

The Authority shall provide a short and long-term disability plan for management employees during the term of their employment.

SECTION 8. RETIREMENT

A. Retirement Defined

Retirement is defined as the termination of employment at an age when the employee would qualify for an allowance under the Public Employees' Retirement System (PERS).

B. PERS Retirement Contributions

1. G.C. Section 21354.4. The CalPERS 2.5% at Age 55 Retirement Plan shall be provided for non-sworn employees hired prior to December 21, 2012. Non-sworn employees under this plan shall pay the full eight percent (8%) of the employee share of CalPERS.
2. G.C. Section 21354. The CalPERS 2.0% at Age 55 Retirement Plan shall be provided for non-sworn employees hired between December 21, 2012 and December 31, 2012, CalPERS "Classic" members hired on or after January 1, 2013, and those eligible for reciprocity hired on or after January 1, 2013. Non-sworn employees under this plan shall pay the full seven percent (7%) of the employee share of CalPERS.
3. G.C. Section 7522.20. The CalPERS 2% @ 62 Retirement Plan shall be provided for new non-sworn employees hired on or after January 1, 2013 who are not CalPERS "Classic" employees and are not eligible for reciprocity. Non-sworn employees under this plan shall pay at least 50% of the total normal cost rate (currently 6.25%) of the employee share of CalPERS.
4. G.C. Section 21362.2. The CalPERS Public Safety Officer 3% @ 55 Retirement Plan shall be provided for sworn personnel hired prior to December 31, 2012 or those who are CalPERS "Classic" employees or eligible for reciprocity. The FCFA pays two percent (2%) of the nine percent (9%) employee share of CalPERS. Effective on the first full pay period following July 1, 2018, the FCFA will pay zero percent (0%) and the employee will pay the full nine percent (9%) employee share of CalPERS.
5. G.C. Section 7522.25. The CalPERS Public Safety Officer 2.7% @ 57 Retirement Plan shall be provided for new employees hired on or after January 1, 2013 who are not CalPERS "Classic" employees and are not eligible for reciprocity. Sworn employees under this plan shall pay at least 50% of the total normal cost rate (currently 11.5%) of the employee share of CalPERS.

6. GC Section 20636 (c)(4) pursuant to Section 20691. The employee portion of the PERS contribution paid by the FCFA shall be reported to PERS as income.
7. G.C. Sections 21024 and 21027. Employees may buy back, at their expense, retirement service credit for prior military service as permitted by PERS.
8. GC Section 20042. For safety employees hired prior to December 31, 2013 and non-sworn employees hired prior to December 21, 2012, retirement benefits are based on the highest single year compensation.
9. GC Section 20037. For sworn safety employees hired on or after December 31, 2012 and non-sworn employees hired on or after December 21, 2012, retirement benefits are based on the highest average annual compensation earnable by a member during three consecutive years of employment.
10. GC Section 20965. Employees shall receive credit for unused sick leave.
11. GC Section 21548. The spouse of a deceased member, who was eligible to retire for service at the time of death, may elect to receive the Pre-Retirement Optional Settlement 2 Death Benefit.
12. Effective January 1, 2013, the Public Employees' Pension Reform Act of 2013 (PEPRA) shall apply to all sworn and non-sworn employees, as well as for employees transferring from other CalPERS or reciprocal agencies.

C. Retiree Medical

1. Employees who retire from Authority service shall be allowed to purchase medical insurance coverage through the Authority.
2. GC Section 22892. The Authority's contribution shall be an equal amount for both employees and annuitants, which shall be the minimum contribution amount established by CalPERS on an annual basis. The Authority's contribution shall be adjusted annually thereafter by the CalPERS Board to reflect any change in the medical care component of the Consumer Price Index, provided that the Authority is participating in the CalPERS Health Plan.
3. The Authority shall provide a supplemental contribution to employees that are: 1) employed on a full-time basis as of June 30, 2008 and who have been employed with the Authority on a full-time basis for five (5) years or more at the time of retirement; or 2) employed on a full-time

basis after June 30, 2008 and who have been employed by the Authority on a full-time basis for ten (10) years or more at the time of retirement.

The supplemental contribution shall be equal to the difference between the minimum contribution amount established by CalPERS as set forth above in Section 4. A. 1. and the following amounts:

For single annuitant coverage:	\$175.10
For annuitant + 1 dependent:	\$302.85
For annuitant + 2 or more dependents:	\$376.79

SECTION 9. ANNUAL LEAVE

Regular, full-time management employees shall accrue annual leave with pay to be used as leave for vacation, illnesses, and other personal purposes. Management employees may accrue such paid leave as provided by this provision to be used in the future or may convert annual leave to salary compensation under the conditions contained in these regulations.

A. Accumulation Rates:

Management employees shall accrue annual leave based upon the following schedule:

1. Management employees with less than five (5) years of service shall earn annual leave at the rate of 29 days (232 hours) per year;
2. Management employees with five (5) to ten (10) years of service shall earn annual leave at the rate of 31 days (248 hours) per year;
3. Management employees with ten (10) to fifteen (15) years of service shall earn annual leave at the rate of 33 days (264 hours) per year; and
4. Management employees with over fifteen (15) years of service shall earn annual leave at the rate of 34 days (272 hours) per year.
5. New full-time management employees shall be granted fifty-six (56) hours of Annual Leave upon hiring. However, additional Annual Leave shall not be accumulated until after completion of three (3) months of continuous service. If a new management employee terminates during the first three months of employment, the Annual Leave balance shall reflect the actual amount that would have been accumulated at the established rate per pay period, less any usage. If the employee's usage of Annual Leave exceeds the adjusted accumulation amount, the employee shall refund the excess amount used. The refund to the

City shall be equal to excess hours used times the employee's hourly salary compensation rate.

B. Maximum Accrual:

The maximum accrual of annual leave shall be 725 hours. If an employee has accrued the maximum number of hours, accrual of annual leave shall be discontinued. Accrual shall resume on the first day of the pay period following a reduction in the accrued balance below the maximum allowed.

C. Conversion to Salary:

A management employee may convert a maximum of 48 hours of annual leave to salary compensation per year. Such conversions shall be allowed at the first pay period in July and at the first pay period in December of each year. In order to be eligible to convert annual leave to salary compensation, the employee must: a) convert a minimum of sixteen (16) hours to pay; and b) upon making the conversion to pay, the employee must be left with a minimum of 160 hours of annual leave.

Employees who are promoted or reclassified into a management position and were not subject to the annual leave program for the entire twelve (12) month period shall be allowed to include previous vacation and sick leave use as annual leave for the purpose of this provision.

D. Notification and Approval:

Annual leave shall be scheduled in advance by the employee whenever possible, subject to the approval of the department director. It is the responsibility of the employee to provide the supervisor or Fire Chief with reasonable notice of an absence. The Fire Chief shall have the authority to approve or deny the use of annual leave for any period of absence. The scheduling of the use of annual leave shall be by the Fire Chief with due regard to the wishes of the employee and particular regard for the needs of the Authority. Employees who are off for extended periods due to illness or injury may be required to provide a physician's statement authorizing their return to work.

Reasonable absences of less than eight (8) hours shall not be debited against annual leave. Such absences should have the prior approval of the employee's supervisor and/or Fire Chief.

E. Separation from Employment:

Management employees who separate their employment from the Authority shall have all annual leave accumulations converted to salary compensation at the employee's current rate. Compensation shall be paid in one lump sum. Annual leave shall not be used to extend an employee's actual date of separation. When notice is given by an employee that he/she is terminating, the use of annual leave shall be suspended. The only exception to this provision is that with the approval of the employee's supervisor, the employee may be granted short-term leave (one (1) to three (3) days) to attend to personal business. However, such short-term leaves may not be conducted consecutively and with a frequency to create in effect, a long-term leave.

F. Service Credit Conversion:

1. Upon retirement an employee may have unused annual leave converted to Service Credit with the Public Employees' Retirement System (PERS).
2. Annual leave shall be converted to sick leave for PERS at the rate of one (1) hour of annual leave equals one (1) hour of sick leave.
3. When unused annual leave is converted to sick leave, for a service credit conversion, an employee may not receive additional cash compensation for the unused leave.

G. Conversion of Sick leave and Vacation Leave to Annual leave:

Employees who are promoted or reclassified into a management position shall convert their sick leave and vacation leave accumulation to annual leave.

1. Sick leave accumulations shall be converted to annual leave at the rate of one (1) hour of sick leave equals one-half (0.5) hour of annual leave.
2. Vacation leave accumulations shall be converted to annual leave at the rate of one (1) hour of vacation leave equals one (1) hour of annual leave.

SECTION 10. HOLIDAYS

Management employees shall receive the following paid holidays:

New Year's Eve, December 31
New Year's Day, January 1
Martin Luther King Day, third Monday of January
Lincoln's Birthday, February 12 (or day of observance)
Washington's Birthday, third Monday of February
Memorial Day, the last Monday in May
Independence Day, July 4
Labor Day, the first Monday in September
Veteran's Day, November 11 (or day of observance)
Thanksgiving Day, fourth Thursday in November (or day of observance)
Day following Thanksgiving
Christmas Eve, December 24
Christmas Day, December 25
One Floating Day per Fiscal Year (employee choice with Supervisor approval)

Every day designated by the President, Governor, or Mayor for public observance as a special nonrecurring single event, such as the death of a national leader or end of war.

All holidays in the above schedule that fall on a Saturday shall be observed on the preceding Friday; all holidays in the above schedule that fall on a Sunday shall be observed on the following Monday.

SECTION 11. VEHICLE ASSIGNMENT OR ALLOWANCE

The Fire Chief and the Fire Battalion Chiefs shall be assigned a take home Authority vehicle.

SECTION 12. JURY DUTY

Management employees shall be granted leave with full pay and no loss in benefits when called for jury duty if the employee remits jury fees received for such jury duty. The employee may retain all travel pay or subsistence pay granted by the court because of the employee's participation in jury duty. The employee shall be responsible for notifying his/her supervisor as soon as possible upon receiving notice to appear for jury duty, make every reasonable effort to keep his/her supervisor advised as to the anticipated length of service, and return to work immediately following the end of jury duty service.

SECTION 13. BEREAVEMENT LEAVE

Management employees are entitled to a paid bereavement leave of absence, not to exceed five (5) days (forty (40) hours), in the event of the death of a member of the employee's immediate family, to include an employee's or spouse's parents, spouse, children, brother, sister, stepchildren, grandparents, grandchildren, aunt, uncle, son-in-law, daughter-in-law, step relatives described above, or any other person residing in the same household, for the purpose of attending the funeral and making other arrangements at the time the loss occurs. As a condition of granting leave for bereavement purposes, the appointing authority may request verification of the loss. Such leave is independent of annual leave. In order to receive this benefit, domestic partners must be registered with the Secretary of State.

SECTION 14. EMPLOYEE ASSISTANCE PLAN

The Authority shall provide an Employee Assistance Plan for management employees and their dependents during the term of their employment.

BE IT ALSO RESOLVED that the Clerk to the Board shall certify the passage and adoption of this Resolution and enter it into the book of original Resolutions.

On motion by Board Member Nicolls, seconded by Board Member White, and on the following roll call vote, to wit:

AYES: Nicolls, White, Harmon
NOES: None
ABSENT: None
ABSTAIN: None



BARBARA HARMON, CHAIR

ATTEST:



TRICIA MEYERS, CLERK TO THE BOARD

APPROVED AS TO CONTENT:



STEPHEN C. LIEBERMAN, FIRE CHIEF

APPROVED AS TO FORM:



DAVID P. HALE, GENERAL COUNSEL

OFFICIAL CERTIFICATION

I, TRICIA MEYERS, Clerk to the Board of the Five Cities Fire Authority, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury, that the attached Resolution No. 2018-09 is a true, full, and correct copy of said Resolution passed and adopted at the regular meeting of the Board of the Five Cities Fire Authority on the 21st day of September, 2018.

WITNESS my hand and the Seal of the Five Cities Fire Authority affixed this 21st day of September, 2018.



TRICIA MEYERS, CLERK TO THE BOARD

FIVE CITIES FIRE AUTHORITY SCHEDULE OF SALARY RANGES MANAGEMENT EFFECTIVE September 21, 2018
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RANGE		LOW	MID	HIGH	POSITION
M-34	Biweekly	2,302	2,550	2,798	
	Monthly	4,988	5,526	6,063	ADMIN ASST/CLERK TO THE BOARD
	Annual	59,860	66,309	72,758	
	Biweekly	4,543	5,033	5,523	
M-58	Monthly	9,843	10,904	11,966	BATTALION CHIEF
	Annual	118,112	130,851	143,590	
	Biweekly	5,270	5,839	6,408	
M-66	Monthly	11,418	12,651	13,884	FIRE CHIEF
	Annual	137,020	151,813	166,607	