

RESOLUTION NO. 2020-058

A RESOLUTION OF THE CENTRAL CONTRA COSTA SANITARY DISTRICT
APPROVING SALARY AND BENEFIT ADJUSTMENTS
FOR UNREPRESENTED AT-WILL POSITIONS, OUTLINING THE EMPLOYMENT
BENEFITS FOR UNREPRESENTED AT-WILL POSITIONS,
AND RESCINDING RESOLUTION NO. 2018-052

WHEREAS, the Central Contra Costa Sanitary District Management Group is the formally recognized exclusive employee representative for all Management Employees, excluding the Executive Management Team, and

WHEREAS, the Management Group voted in August 2016 to modify and remove from the bargaining unit the positions of Deputy General Manager and Human Resources Manager; and

WHEREAS, the Management Group voted in July 2018 to modify and remove from the bargaining unit the positions of Director of Engineering and Technical Services and the Director of Finance and Administration; and

WHEREAS, the salary and benefits of the four unrepresented at-will positions should be memorialized.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Central Contra Costa Sanitary District ("District") as follows:

THAT the unrepresented at-will employees shall be entitled to the following salary and benefits:

- a. GENERAL AND MERIT INCREASES - Effective April 18, 2019, and April 18, 2020, employees' wages shall be adjusted by the change in the Consumer Price Index for all Urban Consumers (San Francisco/Oakland/San Jose) during the most recently completed February-to-February time period prior to the applicable April, with a minimum of 1.75 percent and a maximum of 3.75 percent. Effective April 18, 2021, employees' wages shall be adjusted by the change in Consumer Price Index, with a minimum of 1.75 percent and a maximum of 3.5 percent. Employees will normally receive a salary step increase every 12 months until they reach the top of their range.

b. VACATION

<u>Years Employed</u>	<u>Annual Accrual</u>	<u>Maximum Accrual</u>
0 - 3 Years	10 Days	20 Days
3 - 5	15	30
5 - 10	16	32
10 - 15	17	34
15 - 20	20	40
20 - 25	25	50
25+	30	60

The extra days accrued due to service of over five years are credited to each employee's account on his/her anniversary date.

If an employee leaves the District, they will be paid for any earned vacation time not used. Payment of accumulated vacation time above the maximum annual accrual shall occur automatically on the anniversary date on which the time would be lost.

An employee may request a payment of the cash equivalent of vacation accruals subject to the following:

1. Employee must make an irrevocable election before the end of each calendar year to either (a) receive payment in the following calendar year of the cash equivalent of all or a portion of the vacation hours that will accrue during the following calendar year, or (b) to take those vacation hours as paid vacation during the following calendar year. Elections must be made every year and will not carry over from one calendar year to the next. If an employee fails to make an election, the employee will be deemed to have irrevocably elected to take all of the vacation hours that will accrue in the following calendar year as paid time off.
2. The election must designate the number of vacation hours being requested for payment. The payment cannot exceed the value of the maximum vacation accruals based on the employee's years of service in the year of payment up to a maximum of one hundred sixty (160) hours. An employee may request cash payment of the value of vacation hours the employee elected to convert to cash compensation before the end of the previous calendar year at any time during the current calendar year; provided, however, that no cash payment for the value of vacation hours will be made unless and until the vacation hours have been earned and accrued as detailed in the above accrual schedule.
3. Vacation hours an employee elects to convert to cash compensation in the following calendar year as described above will be converted to cash

compensation based on the employee's hourly rate of pay in effect at the time of the payment request.

- c. SICK LEAVE - Twelve (12) days of sick leave per year. Sick leave may be used up to 10 days annually to attend to the health needs of an immediate family member. Also, in the event of a death in the employee's immediate family, the employee may charge a maximum of 10 days to their sick leave account.

Unused sick leave accumulates from one year to the next. There is no maximum limitation. The District shall augment the sick leave policy with an incentive benefit using the following schedule:

<u>Years of Service</u>	<u>Pay-Off Credit at Termination</u>	<u>Pay-Off Credit at Retirement</u>
0-5	0%	0%
5-10	25	25
10-25	25	35
25+	25	40

Employees hired or promoted into one of the classifications in the unrepresented at-will group, effective on or after December 18, 2017, will be subject to the following provision:

Any cash out of sick leave accruals shall be deducted from an employee's sick leave accrual bank at time of retirement. Any remaining balance shall be reported to the Contra Costa County Employees' Retirement Association as retirement service credit.

- d. ADMINISTRATIVE LEAVE - Eighty (80) hours per year. These administrative leave hours will be credited to each employee's account on the first day of the May pay cycle of each applicable year.
- e. HOLIDAYS - Thirteen (13) paid holidays per year.
- f. MEDICAL INSURANCE - Employees shall be provided with a choice of three health plans. The premium cost of the plans shall be borne by the District for employee and qualified eligible dependents. However, employees hired after June 30, 2009 who select the PPO plan shall pay through payroll deduction the difference in premiums between the PPO plan and the highest cost HMO plan. Employees with dual health insurance coverage may waive District medical coverage and in lieu receive a District contribution to the Section 401(a) plan in the amount of \$400 per month.

TRANSITION TO CALPERS HEALTH - The District is transitioning to CalPERS Healthcare under the Unequal/PEMCHA (Public Employees' Medical and

Hospital Care Act) minimum schedule. Upon implementation, current employees shall be provided with health care options through CalPERS.

"Core Plans" – Effective upon the implementation of CalPERS, the District agrees to pay the full monthly premium cost of the Kaiser Permanente or Health Net SmartCare plan (the "Core Plans") for active employees and qualified eligible dependents.

The District will pay the CalPERS minimum required contribution amount toward the employee's health care coverage directly to CalPERS in accordance with CalPERS requirements. The District will make a contribution for the remaining amount (that portion of the District's contribution that exceeds the CalPERS minimum required contribution) to the District's Section 125 cafeteria plan for employees to allocate toward the cost of their health care benefits. If an employee selects any other plan that is offered by CalPERS that exceeds the cost of either of the Core Plans, the employee must pay the difference in premiums between the highest cost Core Plan and the plan he or she selects. If the selected plan is less than either of the core plans, employees shall not be reimbursed the difference.

If CalPERS no longer offers the Core Plans that the District has designated above, the parties agree to meet to determine which plans will be designated as Core Plans.

Vision Coverage: Full paid by the District for employee and qualified eligible dependents.

- g. DENTAL PLAN - Fully paid by the District for employee and qualified eligible dependents.
- h. RETIREMENT PROGRAM - Employees will contribute to the employee cost-of-living share of the retirement system as required by the Contra Costa County Retirement System. In addition, effective April 18, 2017, employees shall pay the entire employee contribution rate toward their pension based on their age at the time of hire as calculated and determined by Contra Costa County Employees' Retirement Association.
- i. 401(A) PLAN - District's contribution in an amount equal to that which normally would have been contributed to Social Security.
- j. RETIREE MEDICAL AND DENTAL COVERAGE -

TIER II: Employees hired after May 1, 1985 but before April 19, 2003, shall be provided with the continuation of medical and dental and reduced life insurance plans (\$10,000 policy) in force at the time of retirement provided that they meet the "Rule of 65." Under the "Rule of 65," an employee's age plus years of service

with the District at the time of requirement must total 65, with a minimum requirement that the employee must be at least age 50 and have a minimum of 10 years of continuous service with the District at the time of retirement. Employees hired after April 18, 2003, who have reached age 55 and have a minimum of 10 years of continuous service with the District at the time of retirement shall be covered by medical and dental plans when they retire from District employment. The District shall continue to pay for the full cost of an eligible retired employee's medical and dental coverage until the employee's 65th birthday. At age 65, the retired employee shall pay the District 50 percent of the cost to the District for the employee's medical and dental coverage. Eligible employees' qualified dependents (as defined by the plan provider) who were covered as dependents at the time of retirement also shall be covered by medical and dental plans with the exception that the District shall only pay for the full cost of an eligible dependent's medical and dental plan premiums until the eligible dependent's 65th birthday. At age 65, the eligible dependent shall pay the District 50 percent of the cost to the District for the eligible dependent's medical and dental coverage.

TIER III: Employees hired after June 30, 2009 shall be covered by medical and dental plans when they retire from District employment provided that they meet the "Rule of 70." Under the "Rule of 70," an employee's age plus years of service with the District at the time of retirement must total 70, with a minimum requirement that the employee must be at least age 55 and have at least 10 years of continuous service with the District at the time of retirement. The District shall only pay 50 percent of the premium cost for the lowest cost medical and dental plan for the retiree and spouse. Eligible employees' qualified dependents (as defined by the plan provider) other than the employee's spouse who were covered as dependents at the time of retirement also shall be covered by medical and dental plans with the exception that the employee shall pay the full cost of coverage for those dependents. Tier III retirees and dependents are ineligible for life insurance.

RETIREE MEDICAL, VISION AND DENTAL COVERAGE AFTER THE TRANSITION TO CalPERS HEALTH:

Retiree Benefits: Employees are eligible for retiree medical benefits through CalPERS provided that they retire from the District within 120 days of separation from the District and begin receiving a retirement allowance from the Contra Costa County Employee's Retirement Association.

For employees who do not meet the eligibility requirements as outlined in Tiers II and III, the District will only pay the minimum employer contribution that CalPERS requires toward medical coverage upon retirement from the District. The District will pay the CalPERS minimum required contribution amount toward a retiree's health care coverage directly to CalPERS in accordance with CalPERS requirements.

For those employees that are eligible for Tiers II or III benefits, the District will pay the CalPERS minimum required contribution amount toward the employee's health care coverage directly to CalPERS in accordance with CalPERS requirements. The District will contribute any amount that exceeds the CalPERS minimum required contribution, in accordance with the employees' Tier, to a retiree-only Health Reimbursement Account.

TIER II: Employees hired after May 1, 1985, will be covered by medical, dental, vision and reduced life insurance plans (\$10,000). The District will pay more than the minimum employer contribution that CalPERS requires, if the employees meets the "Rule of 65." For employees hired after May 1, 1985 but before

April 19, 2003, the "Rule of 65" requires that an employee's age plus years of service with the District at the time of retirement total 65 with a minimum age of 50 and minimum of 10 years of continuous service. For employees hired between April 19, 2003 and June 30, 2009 the "Rule of 65" requires a minimum age of 55 years old and a minimum of 10 years of continuous service. If an employee meets the "Rule of 65," effective upon the ratification of the Memorandum of Understanding and the implementation of CalPERS, the District shall pay the full monthly premium cost of the Kaiser Permanente or Health Net SmartCare plan (the Core Plans for active employees).

At age 65, the District will pay 50 percent of the retiree's chosen Core Plan premium or the minimum employer contribution that CalPERS requires, whichever is greater. The District will also pay 50 percent of the cost of the retiree's dental and vision coverage. Eligible employees' qualified dependents (as defined by the plan provider) who were covered as dependents at the time of retirement also shall be covered by medical, vision, and dental plans with the exception that the District will only pay for the full cost of an eligible dependent's medical, vision, and dental plan premiums until the eligible dependent's 55th birthday.

At age 65, the District will pay 50 percent of a retiree's eligible dependent's core medical, dental and vision plan premiums.

TIER III: Employees hired after June 30, 2009, will be covered by medical, dental, and vision plans. The District will pay more than the minimum employer contribution that CalPERS requires toward the cost of the retiree's coverage, if the employee meets the "Rule of 70." The "Rule of 70" requires that an employee's age plus years of service with the District at the time of retirement total 70 with a minimum age of 55 and minimum of ten years of continuous service. If an employee meets the "Rule of 70," the District will pay 50 percent of the monthly premium cost of the retiree's chosen Core Plan or the minimum employer contribution that CalPERS requires, whichever is greater. The District will also pay 50 percent of the core medical plan premium and vision premium for

the retiree's spouse or domestic partner. The District will not pay for any coverage for other dependents of the retiree.

The District will pay 100 percent of the premium cost for dental for the retiree and spouse or domestic partner until they each reach the age of 65. At age 65, the District will pay 50 percent of the cost for dental coverage for the retiree and the spouse or domestic partner. For Tier III employees hired on or after April 18, 2013, the District will pay 50 percent of the premium cost for dental coverage for the retiree and spouse or domestic partner upon retirement.

Core Plan for those retirees under the age of 65 are Kaiser Permanente and Health Net SmartCare. For those retirees age 65 and older, the Core Plans are Kaiser Senior Advantage and United Healthcare. If a retiree selects any other plan that is offered by CalPERS that exceeds the cost of either of the Core Plans, the employee must pay, in addition to their share of the monthly premium, the difference in premiums between the highest cost Core Plan and the plan he or she selects. If the selected plan is less than either of the core plans, retirees shall not be reimbursed the difference.

At the time of an employee's retirement, all qualified dependents (as defined by the plan provider) who already were dependents at the time of retirement, shall continue to be covered by the District's medical and dental plans in accordance with the Tiers I and II benefits as stated above. The District shall have no obligation to pay for coverage for more than two-party (retiree plus one) coverage for any new and different dependent added after the date of retirement.

Medicare: The medical coverage for retirees and their eligible dependents will be integrated with Medicare (Tiers II and III) at age 65. For Tier II retirees, upon submission of evidence of payment to Medicare, the District will reimburse the retiree and/or dependent for the cost of the Medicare (Part A and/or B) premiums. However, the District will not be responsible for any penalties or increased costs in the Medicare premium should the employee and/or eligible dependent not enroll in Medicare during the enrollment period surrounding his/her 55th birthday. For Tier III, the District will not reimburse any Medicare premiums.

The District will make a contribution to a Health Reimbursement Account equal to the cost of the Medicare reimbursement based on the eligible Tier.

Survivor Benefits: Qualified dependents of a deceased employee/retiree will be eligible for the continuance of health and dental benefits at the same level as the retiree unless the dependents are no longer eligible under District or CalPERS rules, regulations or policies.

- k. **DISABILITY PLAN** - Employees shall pay the premiums for the Long-Term Disability Program.

- I. LIFE INSURANCE - The District provides term life insurance and accidental death and dismemberment coverage as follows:

The lesser of (a) an amount equal to two times the employee's annual earnings, the result rounded to the next higher multiple of \$1,000 if not an exact multiple thereof, or (b) \$250,000.

Dependents term life insurance equals \$1,500 for employee's spouse and \$100 for employee's children according to attained age of 14 days or over but less than six months, and \$1,000 for children six months or over until age nineteen, unless a full-time student less than 23 years of age and dependent upon the employee for support.

- m. CAFETERIA PLAN - \$425 per month. Yearly benefits will be calculated as of January 1 of each year.

- n. PROFESSIONAL EXPENSE REIMBURSEMENT - \$3,000 per fiscal year for use in improving knowledge and skills. This allowance may be used for professional, job-related training, class, or conference, subject to approval by the General

Manager Travel is limited to the United States and Canada unless approved by the General Manager and the District Board. The unused portion may carry over two additional fiscal years, allowing for a maximum expenditure in any fiscal year of \$9,000.

- o. REGISTRATION DIFFERENTIAL - Five percent salary increase to employees who achieve registration or license as a Professional Engineer, Land Surveyor, or Certified Public Accountant in a position not requiring such registration or license.

- p. PROFESSIONAL REGISTRATION - The District shall pay the registration and renewal fees for all professional registered engineers, licensed land surveyors, Certified Public Accountants, and those employees who hold a current California Wastewater Treatment Plant Operator's Certificate. The registration and/or certificate must be a requirement of the employee's classification.

- q. LONGEVITY COMPENSATION - An additional 2.5 percent salary increase after 10 years or more of employment with the District and an additional 2.5 percent salary increase (for a total of five percent) after 20 years of continuous employment with the District.

- r. SALARY CONTINUANCE - It is the general policy of the District to continue pay to an employee under the Salary Continuance Plan when an employee incurs a work -related injury or illness. This plan commences if the employee qualifies for temporary disability payments from Worker's Compensation for the disability and1 if in the opinion of the District, the disability is work -related. If the injury or

illness is determined legitimate all of the employee's regular benefits will continue during the time this plan is in effect.

The salary continuance will be equivalent to 70 percent of gross salary less any Worker's Compensation payments. The maximum period for which this plan could be used by an employee will be six months or until a stable level of disability is reached, whichever comes first.

The Salary Continuance Plan will commence on the fourth day after the disabled employee leaves work as a result of the injury or illness after a three-day waiting period. However, if the injury or illness causes disability of more than 21 days or necessitates hospitalization, the Plan will become effective from the first day the injured employee leaves work as a result of the injury or illness. The employee may use vacation or sick leave accrual during this waiting period.

s. EMPLOYEE ASSISTANCE PROGRAM (EAP) - Provided by the District to the employee.

THAT the unrepresented at-will employees may discuss their salary, benefits, and conditions of employment with the General Manager at any time.

THAT as of the effective date of this resolution, the existing Central San Resolution No. 2018-052 is rescinded.

PASSED AND ADOPTED this 3rd day of December, 2020 by the Board of Directors of the Central Contra Costa Sanitary District by the following vote:

AYES:	Members:	Pilecki, Williams, McGill
NOES:	Members:	None
ABSTAIN:	Members:	Causey, Nejedly

Michael R. McGill

Michael R. McGill, P.E.
President of the Board of Directors
Central Contra Costa Sanitary District
County of Contra Costa, State of California

COUNTERSIGNED:

Katie Young

Katie Young
Secretary of the District
Central Contra Costa Sanitary District
County of Contra Costa, State of California

Approved as to form: *Kenton L. Alm*
Kenton L. Alm, Esq.
Counsel for the District