

2. ADMINISTRATION AND PERSONNEL

Title 2

Chapter 2.04

ADMINISTRATION AND PERSONNEL

CONFLICT OF INTEREST CODE

Chapters:

- 2.04 Conflict of Interest Code
- 2.08 Personnel Regulations

Sections:

- 2.04.010 Adopted by reference.

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The Political Reform Act, Government Code Section 81000, et seq., required state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are incorporated by reference and, along with the appendix in which members and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the city.

Designated employees shall file statements of economic interests with the city clerk.

Also adopted are the Fair Political Practices Commission Appendix of Disclosure Categories and Fair Political Practices Commission Appendix of Designated Positions as attached to the ordinance codified in this paragraph and incorporated by reference. City may by resolution adopt such further modifications of the Fair Political Practices Act pertaining to Amador City as are hereinafter enacted by the state of California. (Ord. 149 § 1 (part), 2002, Ord. 100, 1992)

Chapter 2.08
PERSONNEL REGULATIONS

Sections:

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2.08.010 Salary schedule.

A. The salary schedule is based upon the following criteria: New employees shall be appointed at the first step of the salary range in effect for the particular class of position in which the appointment is made. Salary step advancement within range shall be on an annual basis, at five percent increments, and dependent upon employee's satisfactory annual performance rating, until the employee reaches the maximum salary step of the appropriate salary range. The salary schedule will be reviewed annually and may be changed by resolution.

B. Every employee in the classified service shall have a salary anniversary date which shall be the first day of the month following the month in which he or she completes his or her first twelve (12) months of satisfactory service. Accrual for step salary increases, as well as vacation and sick leave credits, on or before the fifteenth of that month; if he or she is hired after the fifteenth, accrual begins on the first day of the following month. Employees working less than half-time are not included in this schedule. The salary schedule may be adjusted according to council discretion for cost of living increases or decreases, effective July 1st of each year. The salary schedule ranges are as follows:

General Government

- City clerk
- Building inspector
- Treasurer

Public Works

- General maintenance
- Sewer maintenance

C. The effective date of a range change for an employee who has obtained a higher level certificate shall be the first of the month following his or her qualifying for such certificate. Evidence of possession of the certificate should be submitted to the city clerk to become part of the employee's personnel record. (Ord. 67 § 1, 1986)

2.08.020 Time cards.

All employees shall keep weekly time cards. (Ord. 67 § 2, 1986)

2.08.030 Personnel records.

A. Permanent personnel records shall be kept by the city clerk including:

1. A personal employment record for each employee showing date of hire, positions held, effective dates of position changes, salary rates received and their effective dates, overall performance ratings, Social Security account number, birthdate, W4 information, marital status;
2. Records of accrued sick leave, vacation, and overtime credits for compensating time off (CTO); and
3. Performance evaluation reports.

B. The personnel records kept in the city clerk's office shall be the official records for accrued sick leave and vacation credits, overtime for compensating time off (CTO), and attendance. The original of all absence requests (sick leave and vacation), as well as performance evaluation reports, shall be filed in employees' individual personnel folders as part of their official personnel record. (Ord. 67 § 3, 1986)

2.08.040 Employee performance evaluation reports.

A. Every newly hired employee placed in a permanently established position shall serve a six-month probationary period. An employee performance evaluation report shall be completed for the probationer at the end of

his or her second, fourth, and sixth month of employment. A probationary employee must receive at least an overall rating of “average” to be kept in employment beyond his or her probationary period.

B. Permanent employees who are given promotional appointments shall also serve a six-month probationary period and must receive an overall rating of at least “average” to stay in higher level position.

C. An employee who completes a satisfactory probationary period shall attain permanent status. Thereafter, he or she will be given a performance evaluation on an annual basis beginning with the first anniversary date of his or her date of hire. He or she must receive at least an overall rating of “average” to receive a merit salary increase.

D. The evaluation report shall be made by the commissioner of the respective department. (Ord. 67 § 4, 1986)

2.08.050 Sick leave.

A. While in the continuous service of the city, full-time employees, other than temporary, shall accrue credit for one day of sick leave with pay for each month of service. Part-time employees (one-half time or more) will accrue credits on a pro rata basis; i.e., a half-time employee will accrue four hours (equivalent to one-half day) for each month of service.

B. Sick leave credit accrued during the first six calendar months of service will not be available for use by the employee until he or she completes six continuous calendar months of service, (see Section 2.08.010 for accrual date).

C. Any absence on sick leave, regardless of length, must be supported by an absence request form. An absence of three days or more requires substantiation by attending physician in the space provided on the absence request

form.

D. Sick leave may not be used in advance of accrued credit.

E. Absence requests must be approved by the commissioner of the respective department. (Ord. 67 § 5, 1986)

2.08.060 Vacation.

A. All monthly-rate employees, other than temporary, seasonal, extra-hire or less than half-time employees, shall be entitled to the following paid vacation subject to limitations provided in this chapter. (See Section 2.08.080, salary schedule, relative to accrual date):

B. Qualifying part-time employees will accrue credits on a pro rata basis.

C. After completion of six months of continuous service, an employee may use accrued vacation credits with the prior approval of the commissioner of the respective department and city council. Department heads must have prior approval of the city council. Employees will be responsible for verifying their accrued vacation balance before requesting time off on vacation.

D. Under no circumstances will an employee be permitted to take vacation time off in excess of his or her accrued credits as of the inclusive dates of his or her vacation.

E. No employee will be permitted to have accrued vacation credits in excess of one year’s credits at his or her earning rate, as of January 1st of each year, except by special approval of the city council.

F. If an employee terminates his or her employment prior to completing six months of continuous service, he or she shall not be entitled to any vacation pay. (Ord. 67 § 6, 1986)

Vacation Table

Length of Service	Days per Year	PD	Hours Accumulated Per Month	PD
1 mo to 3 yrs	10	11	6-2/3	7-1/3
3 yrs 1 mo to 10 yrs	15		10	
10 yrs 1 mo to 15 yrs	17		11-1/3	
15 yrs 1 mo to 24 yrs	19		12-2/3	

2.08.070 Holidays.

A. The following are established as paid holidays for all monthly rate city employees:

January 1st	New Year’s Day
February 12th	Lincoln’s Birthday
Third Monday in February	Washington’s Birthday
Last Monday in May	Memorial Day
July 4th	Independence Day
First Monday in September	Labor Day
September 9th	Admission Day
Second Monday in October	Columbus Day
November 1 1th	Veteran’s Day
Fourth Tuesday in November	Thanksgiving Day
December 25th	Christmas Day

Any other day declared a legal holiday by the Governor of the state of California or the President of the United States.

B. When a paid holiday falls on a Sunday, the following Monday shall be deemed a holiday in lieu thereof. When a paid holiday falls on a Saturday, the preceding Friday shall be deemed a holiday in lieu thereof.

C. Should any holiday fall on a regular employee’s scheduled day off, a day of compensating time off shall be granted to him or her in lieu thereof. Employees who are required to work on a holiday shall be paid overtime. (Ord. 67 § 7, 1986)

2.08.080 Overtime.

A. Full-time employees of the city shall be an established forty (40) hour work week from seven a.m. Sunday to seven a.m. the following Sunday.

B. Required work in excess of the forty (40) hour work week shall be compensated by the time off on an hour-for-hour basis unless the required overtime is determined to be an emergency in which case the overtime will be compensated by cash payment at a time and one-half rate, subject to the following conditions:

1. Prior authorization by the commissioner of the respective department shall be required for all overtime. Determination of whether the required overtime is routine or emergency shall be the responsibility of the

commissioner of the respective department.

2. Emergency overtime shall be specifically designated as such when authorization for the overtime is given with a minimum payment of two hours at the one and one-half time rate to be made for any emergency over time.

3. All emergency overtime shall be re viewed and approved by the city council at its first meeting following the month in which the overtime is worked before cash payment is made to employees.

C. Extra hours worked for compensating time off (CTO) must be taken within twelve (12) months of the time worked. Incidental CTO (up to sixteen (16) hours) may be approved by the commissioner of the respective department prior to the CTO, but any time off of more than two consecutive days must be approved by the city council prior to the compensating time off being taken.

D. The city clerk shall report quarterly to the city council the total hours accumulated for CTO by each employee. The city council may require employees to take CTO to keep the accrued overtime for later CTO to an acceptable minimum. Such CTO will be scheduled at the discretion of the council.

E. The city clerk shall be responsible for notifying an employee, at least one month in advance of the maturity date, of any accrued overtime so that the employee may arrange to take CTO prior to the twelve (12) month maturity date. CTO for maturing overtime is subject to the same approval requirements as any other CTO. (Ord. 67 § 8, 1986)

2.08.090 Public employees’ retirement system membership.

A. All full-time employees or employees working half-time or more, with the exception noted in subsection B of this section, shall become members of the public employees’ retirement system (PERS) and shall have a percentage of their wages withheld, based on the formula established by PERS.

B. Exception. The city has an exclusion clause in its contract with PERS excluding any employee from membership in PERS if he or she is employed for less than six months. Should such employee be continued in employment for more than six months, he or she shall become a member of PERS on the first day of his or her seventh month of continuous service. (Ord. 67 § 9, 1986)

2.08.100 Social Security.

All employees are covered by Social Security, except an employee who works less than six hundred (600) hours in any one calendar year, or who is expected to work less than six hundred (600) hours in any one calendar year. This benefit is provided for by the city. (Ord. 67 § 10,1986)

2.08.110 Hourly rate employees.

Employees who work less than the equivalent of half-time will be classed as hourly-rate employees. They will not accrue sick leave or vacation credits, and they will not receive pay for time off on holidays. (Ord. 67 § 11,1986)

2.08.120 New employees.

A copy of the ordinance codified herein and any amendment thereto shall be given to every employee of the city and to every appointee at the time of hire. (Ord. 67 § 12, 1986)

2.08.130 Physical examination requirement.

Prior to initial appointment to a permanent position, every prospective employee shall be required to take and satisfactorily pass a physical examination. Applicants for positions must be informed of this requirement at the time of pre-employment interview. (Ord. 67 § 13,1986)

2.08.140 Grievance procedure.

A. Any city employee who believes he or she has a grievance against any policy set by any commissioner of the respective department shall contact that person and attempt to resolve the grievance.

B. If a grievance cannot be resolved internally within the department chain of command, the employee shall submit a letter to the city council. The letter shall contain the subject matter of the grievance, who the employee has officially contacted concerning grievance, what their solution was, if any, and what solution the employee would suggest.

C. The city council will attempt to resolve the grievance with all parties concerned. (Ord. 67 § 14, 1986)

2.08.150 Compensation of city officers.

A. The salaries provided in this chapter shall be in full compensation for all services, statutory and of every kind and description rendered by the city officers:

B. The premiums, if any, upon the official bonds required by law of all officers herein shall be city charges

and payable out of the General Fund of the city of Amador City.

C. The salaries are fixed on the basis of part-time service.

D. Paydays. All warrants for salary payment to city officers shall be approved by the city council at their regular meeting each month, for the period ending on the last day of the previous month.

E. Salary Schedule. The salaries of city officials of the city of Amador City are established as follows:

CITY CLERK\$150.00 per month.
CITY TREASURER \$150.00 per month.

(Ord. 150 §§ 2, 3, 4, 2003)