

ORDINANCE NO. 200 N.S.

AN ORDINANCE ESTABLISHING THE PERSONNEL POLICY AND FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF EL PASO DE ROBLES AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES INCONSISTANT THERIEWITH

The City Council of the City of El Paso de Robles does ordain  
as follows:

Section 1. Short Title

The Ordinance shall be known as the Personnel and Salary Ordinance.

Section 2. Classification of Positions

(a) The classification of positions for the purpose of this ordinance shall be as contained in the official book of class specifications.

(b) The classification of positions may hereafter be amended by the addition, division, consolidation or abolishment of classes on recommendation of the City Administrator (Clerk) and of the City Council.

Section 3. Allocation of Positions

Each position shall be allocated to its appropriate class on the basis of duties and responsibilities. The present allocation of positions may hereafter be changed by the City Administrator (Clerk) with the approval of the City Council, provided the proposed change conforms with this ordinance, with the established classification plan, and with the approved budget.

Section 4. Use of Class Titles

The title of the class to which any position is allocated shall be used in all official personnel records and in all official personnel transactions of the City of El Paso de Robles.

Section 5. Compensation Plan

(a) The five-step schematic schedule of salary ranges and steps listed below, as Schedule I, constitutes the compensation plan applicable to classes of positions included under Schedule III, the Schematic List of Classes.

(b) All salaries prescribed are monthly rates. In those positions where it is more appropriate to pay upon an hourly or daily basis, the hourly and daily rates shall be determined by the following formula:

40-hour week is equivalent to 173.333 hours a month;

Daily rates are equivalent to the appropriate hourly  
rate multiplied by 8 hours

Section 18. Vacation Leave with Pay

Every employee shall be allowed vacation leave with pay at the rate of 5/6 of one working day for each calendar month of service; provided that no vacation shall be granted during the first six months of employment, but on successful completion thereof, vacation time shall be allowed for time of service accrued. Except upon authorization fo the City Council, earned vacations shall not be accumulated in excess of 20 working days.

(a) No accumulated vacation time shall be allowed to any person who is discharged from the City service for cause.

(b) It is the policy of the City that vacation be taken in the year earned. Vacation leave may be accumulated to a maximum of 20 days only with approval of the City Administrator (Clerk). Vacations shall be scheduled by the Department Heads so as not to interfere seriously with or impair the efficiency of the various departments.

(c) An employee about to resign, about to retire, or who is to be laid off without fault on his part, and who has earned vacation time to his credit shall be paid for such vacation on the effective date of such resignation, retirement or layoff.

(d) Fifteen calendar days vacation shall be accumulated each year by the uniformed personnel of the police and fire departments in accordance with the provisions of Sections 38634-7 and Sections 53250-2 of the Governement Code of the State of California.

(e) Holidays occuring during a vacation shall not be counted as a day of vavation.

Section 19. Holidays

(a) With the exception hereinafter stated, holidays for all officers and employees of the public offices of the City of El Paso de Robles shall be January 1st, May 30, July 4, the first Monday in September (Labor Day), November 11, (Armistice Day), Thanksgiving Day, December 25, every day on which an election is held throught out the State, and every day appointed by the President or the Governor of this State for Public Fast, Thanksgiving or holiday, provided that on any day appointed by the President or by the Governor as a special or limited holiday, city offices shall be open and shall function in their normal and usual manner and all other public functions shall be performed as on days which are not holidays.

...observed as a holiday. ...and all classes of persons.  
Section 20. Sick Leave With Pay

- (a) Each City employee is entitled to one day of sick leave with pay for each calendar month of service, on the submission of satisfactory proof of the necessity for sick leave.
- (b) No employee shall be entitled to receive any sick leave with pay until he has been continuously employed for a period of six months. Upon completion of this six month period, the employee shall be credited with six days of sick leave.
- (c) Sick leave shall be granted only in case of a bonafide illness of an employee or in case of the death of a member of an employee immediate family. In the latter case allowable sick leave shall not exceed five days.
- (d) Sick leave may be accumulated without limitation as to maximum.
- (e) A City employee who is entitled to temporary disability indemnity under the Labor Code may elect to take as much of his accumulated sick leave, or his accumulated vacation after his disability indemnity which will result in a payment to him of his full salary or wage. He is nevertheless entitled to medical, surgical, and hospital treatment as provided in the Labor Code. When his accumulated sick leave and vacation is exhausted, he is still entitled to receive disability indemnity.
- (f) Holidays occurring during sick leave shall not be counted as a day of sick leave.
- (g) Paid sick leave shall not be granted for illness due to pregnancy.
- (h) Evidence, in the form of a physician's certificate or otherwise, may be required in determining the adequacy of reasons for absence during a time for which sick leave is taken.
- (i) No payment shall be made for sick leave taken during the termination of an employee's service.

Section 21. Incompatible Activities

No full time employee of the City shall engage in any occupation or outside activity which is incompatible with his employment by the City. Any officer or employee engaging in an occupation or out-side activity for compensation shall inform the City Administrator (Clerk) of the time required and the nature of such activity, and the City Administrator (Clerk) shall determine whether or not such activity is incompatible with City employment.

Section 22. Personnel Records

The City Administrator (Clerk) shall maintain such employee records as are necessary to the accomplishment of the various provisions of this ordinance. The records shall include a central roster of employees and positions which is to include the record of employment of each employee in the classified service including dates of service, positions held, salaries or wages received, vacation, sick leave earned and taken, and other such information as may be deemed appropriate.

Section 23. Military Leave

Military leave with pay shall be granted in accordance with Section 395 of the Military and Veteran's Code.

Section 24. Definition of Terms

The words and terms defined in this section shall have the following meanings in this ordinance and in any other ordinance classifying and fixing the salaries and compensation or authorizing the employment of personnel in any department or office of the City.

(a) "Class" or "Class of positions" means a definitely recognized kind of employment in the City service designed to embrace all positions having duties and responsibilities sufficiently similar so that the same title may be used, the same requirements as to education, experience, knowledge and ability may be demanded of incumbents, and the same schedule of compensation may be made to apply with equity.

(b) "Title", "Class Title" or "Title of Class" means the designation given to or name applied to a class or to each position allocated to the class and to the legally appointed incumbent of each position allocated to the class. Its meaning is set forth in the corresponding class specification.

(c) "Positions": A group of current duties and responsibilities assigned or delegated by competent authority, requiring the full or part-time services of one person.

(d) "Employee" means a person legally occupying a position in the City service.

(e) "Limited Service" is defined as employment on a part-time or seasonal basis of a nature which is not equivalent to any position in any class included in the classification plan.

(f) "Allocation" means the official determination of the class in which a position shall be deemed to exist and the assignment of an individual position to an appropriate class.

(g) "Reallocation" means a reassignment or change in allocation of an individual position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same level on the basis of substantial changes in the kind, difficulty, or responsibility of duties performed in such position.

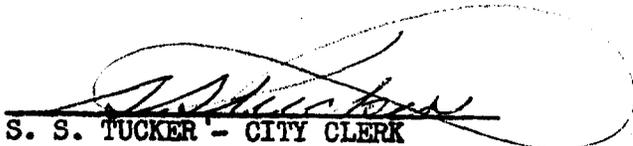
(h) "Probationary Period": a working test period during which an employee is required to demonstrate his fitness for the duties to which he is appointed by actual performance of the duties of his position.

PASSED and ADOPTED by the City Council of the City of El Paso de Robles this 4th day of September, 1956.

CITY OF EL PASO DE ROBLES

  
DR. RUSSELL GATES - MAYOR

ATTEST:

  
S. S. TUCKER - CITY CLERK

STATE OF CALIFORNIA  
COUNTY OF SAN LUIS OBISPO  
CITY OF EL PASO DE ROBLES

} SS.

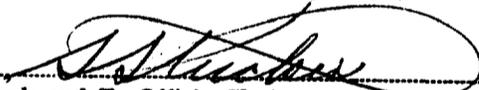
I, S. S. Tucker, City Clerk of the City of El Paso de Robles, California, do hereby certify that the foregoing ORDINANCE No. 200 was duly and regularly adopted, passed, and approved by the City Council of the City of El Paso de Robles, California, at a regular meeting of said City Council held at the regular meeting place thereof, on the 4th day, of September 1956, by the following vote:

AYES: Councilmen Gates, Mandella, McAndress, Smart and Sturgeon.

NOES: Councilmen None

ABSENT: Councilmen None

Dated this 4th day of September, 19 56

  
City Clerk and Ex-Officio Clerk of the City Council,  
City of El Paso de Robles, State of California.

provisions of the classification plan.

- (a) City clerk
- (b) City Attorney
- (c) City Treasurer
- (d) Mayor
- (e) Councilman

The compensations for the above mentioned positions, are hereby fixed as the amounts determined by the City Council at the time of adoption of this ordinance.

SCHEDULE I

MONTHLY SALARY SCHEDULE  
(All Salaries On Calendar Month Basis)

STEPS

<u>RANGE</u>	<u>A</u> <u>FIRST</u>	<u>B</u> <u>SECOND</u>	<u>C</u> <u>THIRD</u>	<u>D</u> <u>FOURTH</u>	<u>E</u> <u>FIFTH</u>
1	170	180	190	200	210
2	180	190	200	210	220
3	190	200	210	220	231
4	200	210	220	231	243
5	210	220	231	243	255
6	220	231	243	255	268
7	231	243	255	268	281
8	243	255	268	281	295
9	255	268	281	295	310
10	268	281	295	310	325
11	281	295	310	325	341
12	295	310	325	341	358
13	310	325	341	358	376
14	325	341	358	376	395
15	341	358	376	395	415
16	358	376	395	415	436
17	376	395	415	436	458
18	395	415	436	458	481
19	415	436	458	481	505
20	436	458	481	505	530
21	458	481	505	530	556
22	481	505	530	556	584
23	505	530	556	584	613

SCHEDULE II

TABLE OF DAILY AND HOURLY EQUIVALENTS

<u>DOLLAR AMOUNT</u>	<u>HOURLY RATE</u>	<u>DAILY RATE</u>
170	.98	7.84
180	1.04	8.32
190	1.10	8.80
200	1.15	9.20
210	1.21	9.68
220	1.27	10.16
231	1.33	10.64
243	1.40	11.20
255	1.47	11.76
268	1.55	12.40
281	1.62	12.96
295	1.70	13.60
310	1.79	14.32
325	1.87	14.96
341	1.97	15.76
358	2.07	16.56
376	2.17	17.36
395	2.28	18.24
415	2.39	19.12
436	2.52	20.16

SCHEDULE III

SCHEMATIC LIST OF CLASSES  
AND SALARY RANGES

<u>CLASS TITLE</u>	<u>RANGE NO.</u>	<u>STEPS</u>				
		<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
<u>Administrative-Clerical</u>						
Account Clerk	8	243-255-268-281-295				
City Administrator and Clerk	30	710-745-782-821-862				
City Administrator's Secretary	8	243-255-268-281-295				
City Librarian	13	310-325-341-358-376				
Library Assistant	8	243-255-268-281-295				
Tax Collector and Treasurer	17	376-395-415-436-458				
Typist Clerk	6	220-231-243-255-268				
<u>Public Works-Maintenance</u>						
Building Maintenance Man	12	295-310-325-341-358				
Director of Public Works	29	676-710-745-782-821				
Equipment Repairman	14	325-341-358-376-395				
Heavy Equipment Operator	13	310-325-341-358-376				
Janitor	8	243-255-268-281-295				
Light Equipment Operator	11	281-295-310-325-341				
Maintenance Man	10	268-281-295-310-325				
Maintenance Leadman	11	281-295-310-325-341				
Meter Service Man	10	268-281-295-310-325				
Park Caretaker	11	281-295-310-325-341				
Humane Officer-Meter Repairman	12	295-310-325-341-358				
Senior Equipment Repairman	15	341-358-376-395-415				
Sewage Plant Superintendent	16	358-376-395-415-436				
Street Foreman	14	325-341-358-376-395				
Street Division Superintendent	17	376-395-415-436-458				
Water Division Superintendent	17	376-395-415-436-458				
Water Department Foreman	13	310-325-341-358-376				

<u>CLASS</u>	<u>RANGE NO.</u>	<u>STEPS</u>				
		<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
<u>Protection</u>						
Chief of Police	22	481-505-530-556-584				
Patrolman	13	310-325-341-358-376				
Police Captain	17	376-395-415-436-458				
Police Dispatcher	10	268-281-295-310-325				
Police Sergeant	16	358-376-395-415-436				
<u>Recreation</u>						
Director of Recreation	21	458-481-505-530-556				
<u>Part-Time Positions</u>						
Fire Chief		115				
Crossing Guards	( 6)	1.27-1.33-1.40-1.47-1.55				
Fire Inspector	(12)	1.70-1.79-1.87-1.97-2.07				
Plunge Manager	(11)	1.62-1.70-1.79-1.87-1.97				
Recreation Leader II	( 9)	1.47-1.55-1.62-1.70-1.79				
Recreation Leader I	( 6)	1.27-1.33-1.40-1.47-1.55				

( ) Indicates hourly equivalents of a range.

Section 7. Administration of the Compensation Plan

(a) Normally, and as a general rule, employees may be considered eligible for increase for salary according to the following general plan:

- (1) The letters A,B,C, D, and E, respectively, denote the various steps in the pay range.
- (2) Salary step "A" will be paid during the first six months of employment, which period shall be considered the employees probationary period.
- (3) Salary step "B" will be paid upon completion of six months of employment where the employee has demonstrated satisfactory job progress and normally increasing productivity.
- (4) Salary "C" will paid upon completion of one year employment in salary step "B" where the employee has demonstrated satisfactory job progress and normally increasing productivity.
- (5) Salary "D" will be paid upon completion of one year employment in salary step "C" where employee has convincingly demonstrated job progress and productivity, which are above average for the class.
- (6) Salary "E" will be paid upon completion of one year employment in salary step "D" where the employee has convincingly demonstrated job progress and productivity which are substantially above average for the class, and upon approval of the City Administrator.

(b) In any case where by reason of unusual circumstances, rigid adherence to the foregoing principles related to salary adjustment would cause a manifest injustice, the City Council on recommendation of the City Administrator may make such order relating thereto as in its discretion is proper.

(c) Initial employment at salary step "B" or "C" may be authorized by the City Administrator when a particularly difficult recruiting problem is found to exist, or on the basis that a candidate possesses outstanding job qualifications.

Section 8. Application of Compensation Plan to Positions.

The salary schedule for the respective classes of positions as set forth in Schedules I and II with such amendments as may be adopted by the City Council from time to time by Ordinance shall have the force and effect and shall be interpreted and applied as follows:

- (a) The salaries or rates of compensation prescribed are fixed on the basis of full-time service in full-time positions, unless otherwise designated.
- (b) The rates of pay prescribed shall be deemed to include pay in every form, except for necessary expenses authorized and incurred incident to employment, or except as herein provided.
- (c) Where a salary range for a given class or for several classes is revised upward or downward, the incumbents of positions in classes affected shall have their existing salary adjusted to the same step in the new salary range.

Section 9. Initial Adjustments to Compensation Plan

(a) Subject to the provisions of this Ordinance the salary ranges set out in this Ordinance shall be applicable to all positions allocated to classes listed in Schedule III. From and after the date this Ordinance becomes effective, each employee in the City service shall be paid the salary or compensation for services rendered in behalf of the City in accordance with the salary range prescribed for the class of positions to which his position is allocated.

(b) Upon the taking effect of this ordinance the salary now being paid to each officer and employee of the City shall be adjusted on the following basis:

(1) Each employee, with the exception of those employees not having been in the City's employ for a period of one year or more, shall be adjusted to a step in the assigned salary range for his class which is representative of the nearest higher dollar amount to the salary he is now receiving; provided that such step represents no less than a six dollar

monthly increase over his present salary; provided further that no employee who has been employed by the City for one year or more shall be adjusted to less than second or "B" step of the new salary range.

(2) The salary of an employee not having been in the City service for a period of one year or more shall be adjusted to the step of the new range corresponding to his present salary or to the nearest higher step, whichever is the lesser amount.

(3) Where adjustment of the salary of an employee who has been employed for one year or more, under paragraph (1) above, would result in a monthly increase of less than six dollars, said employee's salary shall be further adjusted to the second higher step above the salary he is now receiving.

#### Section 10. Anniversary Dates

(a) For purposes of administration of the compensation plan, all employees presently employed by the City, with the exception of those employees not employed for six months or longer, shall take as the anniversary date of their employment, for calculation of dates of eligibility for future salary step advancement, the date of adoption of this ordinance.

(b) All new employees and those not employed for a six month period shall have as their anniversary date the actual date of their employment if employed on the first day of a calendar month; otherwise, the anniversary date for purposes of the compensation plan shall be the first day of the next succeeding month.

#### Section 11. Qualifications of Employees

(a) Employees holding positions upon the taking effect of this ordinance are deemed to be qualified for the position to which they are allocated, subject to the right of the City Administrator (Clerk) or the City Council to dismiss any employee in accordance with law.

(b) No person shall be hereafter employed in or appointed to any position requiring full-time or part-time service and which position is included in the classification plan and for which a class specification exists establishing desirable qualifications unless said person possesses substantially the desirable qualifications of education and experience

prescribed for that class provided however, that if qualified persons cannot be recruited the City Administrator (Clerk) may authorize the appointment of persons having less than the stated desirable qualifications.

Section 12. Employment and Hiring

(a) Selection of new employees to fill existing vacancies within the City service shall be on the basis of a qualifications appraisal process as stipulated in Section 11, Paragraph b.

(b) The City shall have the right to require all employees to complete and submit any applications, agreements, or statements pertinent to their employment, as stipulated by decision of the City Council.

(c) The City shall have the right to require a physical examination of any applicant for employment or new employee and in addition shall have the right to require periodic medical examinations of all City employees.

Section 13. Promotion, Demotion and Transfer and Applicable Pay Rates

(a) Promotion of employees to a higher class within the City shall be made by the City Administrator (Clerk) with approval of the City Council.

(b) A promotion to a higher class shall be on the basis of assignment of substantially more responsible duties commensurate with those set forth in the class specification.

(c) A demotion to lower class shall be on the basis of assignment of substantially less responsible duties commensurate with those set forth in the class specification.

(d) In case of the promotion of any employee in the City service to a position in a class with a higher pay range, such employee shall be entitled to receive the rate of compensation in the entrance step of the class to which he has been promoted. In cases where the pay range overlaps, promotion shall be effected at the step in the range of the new class which is next higher than the employee's current salary. A new anniversary date shall be established for purpose of eligibility for future step increases as of the effective date of the promotion.

(e) In the case of the demotion of any employee in the City service to a class with a lower pay range, such employee shall be entitled to retain the pay step in the lower range corresponding in

step number to that which he held in the higher class before such demotion; in such cases the employee shall retain his original anniversary date.

(f) In the case of the transfer of any employee from one position to another in the same class, or to another class to which the same pay range is applicable, the employee shall remain at the same pay step and shall retain his original anniversary date.

Section 14. Cumulation of Service in One Class of Position

Whenever an employee accepts work under a different class of position in the City service, the character and nature of which work is similar and the responsibilities are equal or superior to the work such employee has been performing, and later returns to his former position, his term of employment under such different class of position shall apply on and be added to his term of service in the former class upon his return to same, provided his employment in the City service has been continuous from the date on which the employee accepts work in such different class.

Section 15. Hours of Work

(a) Daily hours of work (or shifts) for employees within departments shall be assigned by department supervisors as required to meet the operational requirements of said departments.

(b) Monthly compensation shall be based on a  $37\frac{1}{2}$  or 40 hour work week, and no authorization may be made for an employee to work less than said  $37\frac{1}{2}$  or 40 hours without directly proportionate decrease in compensation.

(c) Any foreseeable absence or other deviation from regular working hours desired by an employee shall, in advance, be cleared through the office of the City Administrator (Clerk), and such absences shall be noted on the employee's time sheet.

Section 16. Part-Time Employment

Except as otherwise provided herein, a daily work schedule of less than the number of hours of full-time employment shall be considered part-time service, and the actual compensation therefore shall be determined by the relation that the actual number of hours of service bears to the number of hours required in full-time employ-

ment in each class of position. The hourly rates prescribed for part-time employees are considered full compensation to include the value of vacation, sick leave and holidays. Since no other benefits accrue to such part-time employees, compensation will normally be based on the hourly equivalent to the third step of the range designated for the particular class of employment.

Section 17. Overtime

(a) If in the judgement of the Department head, work beyond the established work week is required such work, except in the case of immediate emergency, shall be performed only with the prior authorization of the City Administrator.

(b) In emergencies, where prior authorization cannot be issued, the Department head shall obtain approval for the overtime worked by an employee at the earliest opportunity thereafter, in no case to exceed ten days after the date worked.

(c) Overtime work shall be compensated on the basis of equivalent time off, or by paid compensation at the straight time hourly rate equivalent of the monthly salary at the discretion of the City Administrator.

(d) Incidental overtime is not compensable and may not be credited as overtime.

(e) The time when compensating time off may be taken shall be at the discretion of the appointing power. If the employee fails to take his compensating time off at the time designated by the appointing power, he shall have waived his right to compensation for such overtime.

(f) In those departments in which regular shift assignments require an employee to work on an observed holiday during which other City employees are not required to work, such employee shall have credited as overtime the hours equivalent to those which he worked on the holiday.

(g) In the case of Department heads and other supervisory employees whose compensation is fixed at salary range number (14) and above the monthly salary shall be considered full compensation for all hours worked and no overtime shall be considered accruable for said employees.