ORDINANCE NO. 247

AN ORDINANCE AMENDING CHAPTER 20, ARTICLE II, DIVISION 2, SECTION 20-21 (OVERTIME); 20-23(a) (CALL DUTY STANDBY); DIVISION 3, SECTIONS 20-27(f) (HOLIDAY); 20-28 (VACATION); 20-29(o) (BEREAVEMENT LEAVE); AND 20-34.2 (UNIFORM ALLOWANCE)

The Board of Supervisors of Solano County, State of California, does ordain as follows:

SECTION I.

Chapter 20, Article II, Division 2, Section 20-21 of the Solano County Code is amended to read as follows:

If, in the judgment of a department head, work beyond the normal eight hour work day or five day work week is required, he may order such overtime work. This overtime work will be compensated for by equivalent time off. No overtime shall be ordered in excess of eighty hours, for any one employee or one hundred twenty hours for law enforcement personnel in the Sheriff's office without specific approval by the county administrator. The county administrator shall report monthly to the board of supervisors all overtime work approved for an employee whose compensatory time balance exceeds eighty hours or law enforcement personnel in the Sheriff's office whose compensatory time balance exceeds one hundred twenty hours. In extreme emergencies, a department head may assign overtime work to such an employee, and seek ratification from the board of supervisors as soon thereafter as possible. Any such compensatory time accumulated in excess of eighty hours, or one hundred twenty hours respectively, must be taken within one year from the date on which it was earned.

(a) Overtime may be accrued by employees who are required to work on a paid holiday, in order that vital county services may be maintained.

(b) Off-duty time spent as a witness in court in connection with regular duties as a county employee shall be considered overtime.

(c) Time worked beyond the eight hour day of a normal five day work week shall not be considered overtime unless it has been specifically ordered or authorized by the department head.

(d) Any employee separating from the county service

-1-
shall be paid for accumulated overtime at the time of such separation.

(e) Payment for overtime shall be separately itemized on the attendance report. When such overtime is paid for, the rate of payment shall be at the rate at which the employee is currently employed.

(f) Time worked as overtime shall not be used to earn employee benefits or to serve out probation or merit increase periods. Compensatory time off may be used as part of the established work week to earn employee benefits and to serve out probation and merit increase periods.

(g) When any employee in a regular part-time position is required to work in excess of his regular work schedule during any week to cover seasonal peak work loads, emergency extra work loads of limited duration, necessary vacation relief and other similar situations, such work shall be considered overtime.

(h) Employees in extra help positions are not considered to have a regular work schedule and shall not be subject to the provisions of this section. They shall receive compensation for the actual time worked.

(i) No department head shall assign an employee within the department as a substitute for another employee who is on compensatory time off, where such employee assigned receives an increase in pay, as a result of such assignment. Within budget limitation, extra help or intermittent employees may be utilized to substitute for employees who are on compensatory time off.

(j) No regular or probationary employee may be employed in one or more positions, full or part-time, more than a total of forty hours per week, excepting authorized overtime, unless authorized by the board of supervisors. Nothing in this section is to preclude a regular or probationary employee from serving as a matron or deputy sheriff in the event of an
emergency, provided he has the written approval of his department head.

(k) Department heads shall not be subject to this section.

SECTION II.

Chapter 20, Article II, Division 2, Section 20-23(a) of the Solano County Code is amended to read as follows:

(a) Standby: If an employee is placed on standby duty, such employee shall be compensated for time spent on an assigned standby at seventy-five cents per hour. If such standby is spent on weekends or holidays, the employee shall be compensated at one dollar per hour. No employee shall be paid for standby duty and call back work simultaneously. Classes used on standby and call back must be approved by the county administrator both as to authorized classes and authorized numbers.

SECTION III.

Chapter 20, Article II, Division 3, Section 20-27(f) of the Solano County Code is amended to read as follows:

(f) Paid Holidays include:

(1) January 1st, New Year's Day
(2) February 12th, Lincoln's Birthday
(3) The third Monday in February, Washington's Birthday
(4) Good Friday, from 12:00 Noon to 3:00 PM
(5) The last Monday in May, Memorial Day
(6) July 4, Independence Day
(7) The first Monday in September, Labor Day
(8) The second Monday in October, Columbus Day
(9) The fourth Monday in October, Veteran's Day
(10) Thanksgiving Day, as designated by the President or Governor
(11) Friday, The day after Thanksgiving Day
(12) December 25th, Christmas Day
(13) Every day on which an election is held throughout the State
(14) Special or limited holidays appointed by the President or Governor
(15) Such other days in lieu of holidays as the board of supervisors may determine.

When a paid holiday falls on a Saturday, the preceding Friday is a paid holiday. When a paid holiday falls on a Sunday, the Monday following is a paid holiday.

SECTION IV.

Chapter 20, Article II, Division 3, Section 20-28 of
the Solano County Code is amended to read as follows:

(a) Every regular full-time employee shall receive vacation benefits for each month of continuous service according to the following schedule:

<table>
<thead>
<tr>
<th>Months of Continuous Service</th>
<th>Vacation Credit per Mo. of Continuous Service</th>
<th>Maximum Earnable Vacation Accrual</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 through 36 months</td>
<td>6.6667 hours</td>
<td>160 hours</td>
</tr>
<tr>
<td>37 months through 120 months</td>
<td>10.0000 hours</td>
<td>240 hours</td>
</tr>
<tr>
<td>Over 120 months</td>
<td>13.3333 hours</td>
<td>320 hours</td>
</tr>
</tbody>
</table>

Vacation accrual shall date from the first of the month following the month in which the employee commenced such continuous service.

If such commencement date was the first working day of the month, the year of service for vacation purposes shall date from the first of the month in which the service began.

(b) Every regular part-time employee shall receive vacation benefits in the same ratio to the vacation benefits received by a regular full-time employee with like months of consecutive service, as the number of hours in the part-time work schedule is to the number of hours in the full-time work schedule.

(c) Absence without pay for more than three working days in a month shall cause the month's service not to be counted toward earning vacation credit.

(d) Employees do not become eligible to take their earned vacation until they have completed six months of continuous service, which service includes successful completion of the probation period and the acquisition of status of a regular employee. Employees in classes having a twelve month probationary period will become eligible to take their earned vacation after completing six months of continuous service. After completion of six months of continuous service, employees then become eligible to take vacation as it is earned. Once an employee becomes eligible to take earned vacation, he may use this vacation as an extension of sick leave.

(e) Department heads shall receive vacation benefits of 13.3333 hours per month of continuous service to a maximum of 320 hours accrual.

(f) Each department head shall be responsible for scheduling the vacations of his employees in such a manner as to achieve the most efficient functioning of the department and of the county service. No person shall be permitted to work for compensation for the county in any capacity during the time of his paid vacation from county service.

(g) Any person separating from county service who has not taken his earned vacation, if any, shall receive the hourly equivalent of his salary for each hour of earned vacation based on the pay rate in effect for each person on the last
day actually worked. For purposes of this section, sick leave and compensatory time off with pay shall be counted as days worked. "When separation is caused by death of an employee, payment shall be made to the estate of such employee, or in applicable cases, as provided by Section 630 of the Probate Code. A person receiving pay in lieu of unused vacation may not be re-employed by the County of Solano in any capacity until a number of working days equal to the the number of days paid vacation has elapsed following effective date of separation. Nothing in this section shall be interpreted as preventing a department head from filling a position vacated by separation immediately following the effective date of separation.

SECTION V.

Chapter 20, Article II, Division 3, Section 20-29(j) of the Solano County Code concerning sick leave is amended to read as follows:

(j) Termination of an employee's continuous service, except by reason of temporary lay-off for lack of work or funds, shall cancel all sick leave accrued to the time of such termination, regardless of whether or not such person subsequently re-enters the County service. No payment shall be made to any employee for unused sick leave accumulated to his credit at the time of termination of employment, except for reasons of regular or disability retirement or by death. Employees terminating employment for reasons of regular or disability retirement or by death shall be paid for 50% of their accumulated unused sick leave up to a maximum payment of 250 hours. The date of termination of employment shall be considered as the date certified by the department head as the last day worked and shall not include the equivalent time involved in any overtime or vacation payoff made at the time of termination.

SECTION VI.

Chapter 20, Article II, Division 3, Section 20-29(o) of the Solano County Code is amended to read as follows:

(o) Employees shall be entitled to a bereavement leave, not chargeable to vacation or sick leave, in the event of a death in the employee's immediate family (mother, father, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law of the employee, (his) spouse, children of the employee or spouse's children, or any relative living in the home of the employee at the time of death). Such leave will be a maximum of three (3) days if services are within the State of California, or a maximum of five (5) days if services are held outside the State of California.

SECTION VII.

Chapter 20, Article II, Division 3, Section 20-34.2 of the Solano County Code concerning uniform allowance is amended to read as follows:

Uniformed law enforcement personnel in the sheriff's office
and the marshall's office shall receive one hundred and thirty dollars per year, except for the classes of matron, correctional officer and deputy marshal-female which shall receive sixty dollars per year. Uniformed personnel in the animal control department shall receive sixty dollars per year. Such payment shall be made in September each year. New personnel shall receive the allowance in September including a monthly pro rata amount from their anniversary date to September.

SECTION VIII.

This Ordinance shall be published once before the expiration of fifteen (15) days after its passage in the , a newspaper of general circulation, printed and published in the County of Solano, and shall be in full force and effect thirty (30) days after its passage.

ATTEST:

NEIL CRAWFORD, County Clerk and ex-officio Clerk of said Board of Supervisors.

I, NEIL CRAWFORD, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Solano, State of California, hereby certify that the above and foregoing Ordinance was regularly introduced, passed and adopted at a regular meeting of said Board on the 20th day of June, 1972, by the following vote:

AYES:  

SUPERVISORS: 

AUDREY  

Chief Deputy  

By  

DEPUTY