

RESOLUTION NO. 2020-13

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BENITO COUNTY WATER DISTRICT FOR SALARY AND COMPENSATION FOR THE MANAGEMENT/CONFIDENTIAL/PROFESSIONAL EMPLOYEE GROUP

WHEREAS, San Benito County Water District's Management/Confidential/Professional group consists of the following positions:

- A. Accountant
- B. Assistant Engineer
- C. Associate Engineer
- D. Deputy District Engineer
- E. Human Resources/Administrative Assistant
- F. Operations & Maintenance Manager
- G. Senior Engineer
- H. Supervising Accountant
- I. Water Conservation Program Manager

WHEREAS, San Benito County Water District desires to memorialize changes to compensation and benefits provided to Management/Confidential/Professional employees;

THEREFORE, BE IT RESOLVED by the Board of Directors of the San Benito County Water District, that the following employment terms apply for employees in the Management/Confidential/Professional group:

1. Salaries

Effective the first day of the pay period in which the Board adopts this resolution, for employees in the Management/Confidential/Professional group, there will be a cost of living increase of two percent (2%).

Effective July 12, 2021 and July 11, 2022, employees in the Management/Confidential/Professional group will be eligible for a salary increase contingent upon the United States Bureau of Reclamation water supply allocation for Central Valley Project agricultural contractors as follows:

USBR South of Delta

Ag Allocation as of

**May 15th, 2021,
2022**

**COLA effective
July 12, 2021**

**COLA effective
July 11, 2022**

65% or greater	3%	3%
31% - 64%	2%	2%
16% - 30%	1%	1%
0 - 15%	0%	0%

The nominal value of the combined cost of living increases for Fiscal Years 20/21, 21/22, and 22/23 will not exceed a total of eight percent (8%).

The full classification table and salary schedule for Fiscal Year 20/21 is reflected in Appendix A.

2. Unpaid Furloughs

Except for the end of year office closure, there will be no furloughs for employees in the Management/Confidential/Professional group in Fiscal Year 20/21.

For Fiscal Years 21/22 and 22/23, in the event the US Bureau of Reclamation water supply allocation for Central Valley Project agricultural contractors is less than twenty-five percent (25%) as of May 15th prior to the upcoming fiscal year, at the District Board's discretion, the District will schedule unpaid furlough days to be taken by Management/Confidential/Professional employees. The number of furlough days without pay per fiscal year will be contingent on the US Bureau of Reclamation water supply allocation for Central Valley Project agricultural contractors, as follows:

USBR South of Delta Ag Allocation as of May 15th in 2021, 2022	FY 21/22	FY 22/23
25% or greater	0	0
15% to 24%	6 furlough days per fiscal year	6 furlough days per fiscal year
0-14%	10 furlough days per fiscal year	10 furlough days per fiscal year

The District will provide employees with the schedule of furlough days for the upcoming fiscal year by July 1st.

In the event of furloughs, employees may have the option of using accrued vacation, compensatory time off, or personal leave concurrently with the unpaid furlough time off.

FLSA exempt employees in the classifications of Deputy District Engineer, Associate/Senior Engineer, Operations & Maintenance Manager, Supervising Accountant, and Water Conservation Program Manager will be converted to non-exempt status in the workweek(s) containing the unpaid furlough. Such employees who work more than forty (40) hours in the applicable workweek will receive overtime compensation of one and one half (1-1/2) of the employee's regular hourly rate of pay for each hour of FLSA overtime worked. In such cases, time and a half overtime will be paid in lieu of straight time overtime for the Associate Engineer and Senior Engineer. All overtime work by such employees must be pre-approved by the District Manager or designee. The District reserves the right to restrict the work of such employees to forty (40) hours within the applicable workweek.

The District office closure for four (4) non-holiday workdays approximately between December 25th and January 1st will not count as unpaid furlough days for the purpose of this section in the event of a furlough requirement in the applicable fiscal year.

3. Overtime Pay

Non-exempt employees in the classifications of Accountant, Assistant Engineer and Human Resources/Administrative Assistant are authorized to receive overtime compensation. Overtime shall be any authorized work exceeding eight (8) hours in a workday or forty (40) hours in a seven-day consecutive period beginning at 12:00 a.m. on Monday and ending at 11:59 p.m. on Sunday. Overtime compensation shall be paid at one and one half (1-1/2) of the employee's base hourly rate of pay for daily overtime, and one and one half (1-1/2) of the employee's regular hourly rate of pay for work exceeding forty (40) hours in the seven-day consecutive period.

4. Management Leave

FLSA exempt employees are expected to meet the needs of the District, as established by the Manager and Board of Directors. Work schedules shall provide exempt employees availability to meet District standards and requirements.

Effective July 1, 2020, full-time, FLSA exempt employees in the classifications of Deputy District Engineer, Operations & Maintenance Manager, Supervising Accountant, and Water Conservation Program Manager, who are not eligible to earn overtime, shall receive eighty (80) hours of management leave per calendar year, provided as a lump sum on January 1st of each year. Management leave shall be subject to the same standards and requirements as vacation.

Employees must use management leave in increments of two (2) hours. Employees are required to use a minimum of forty hours of management leave per year. Any unused management leave at the end of the calendar year shall be either automatically cashed out at the employee's base rate of pay, or converted to a contribution to the employee's 457 deferred compensation account at the employee's base rate of pay, subject to the rules, regulations and limitations governing deferred compensation. Any unused management leave at the time of separation from employment will be cashed out at the employee's base rate of pay, plus any longevity pay and incentive pay applicable at the time of separation.

Newly hired employees and employees promoted into an eligible classification at the District shall receive a pro-rated amount of management leave at the time of hire/promotion.

Exempt employees in the classifications of Associate Engineer and Senior Engineer are not eligible for management leave.

5. Health and Welfare Benefits

A. Flexible Benefit Plan

1. Tier One - District Contribution for Employees Hired Before July 1, 2020:

The District maintains a Flexible Benefit Plan that constitutes a cafeteria plan within the meaning of Section 125 of the Internal Revenue Code. The Flexible Benefit Plan allows active employees to pay for actual medical, dental, vision, and supplemental insurance plan premiums or other qualified expenses, on a pre-tax basis.

For employees hired before July 1, 2020, in addition to the minimum employer contribution to PEMHCA required by CalPERS, the District will provide a monthly contribution in the amount of one thousand two hundred eighty five dollars (\$1,285) for each employee to use toward purchase of health and welfare benefits. Any portion of the District-paid cafeteria plan allowance that is not used for the purchase of health and welfare benefits will be paid to the employee as taxable income.

Effective January 1, 2018, the District will contribute, on behalf of each full time employee enrolled in single party District-provided health insurance, solely for the purchase of medical insurance coverage, an amount up to one hundred dollars (\$100) per month.

Effective January 1, 2018, the District will contribute, on behalf of each full time employee enrolled in employee plus one or employee plus family District-provided health insurance, solely for the purchase of medical insurance coverage, an amount up to two hundred dollars (\$200) per month.

2. Tier Two - District Contribution for Employees Hired On or After July 1, 2020:

For employees hired on or after July 1, 2020, in addition to the minimum employer contribution to PEMHCA required by CalPERS, on behalf of each eligible employee enrolled in medical insurance offered through the District, the District will provide a monthly contribution in the amount of up to one thousand three hundred eighty five dollars (\$1,385) for purchase of

health and welfare benefits. Any portion of the District-paid cafeteria plan allowance that is not used for the purchase of health and welfare benefits will be paid to the employee as taxable income.

Tier two employees who opt out of medical insurance offered through the District are not eligible for cash in lieu.

3. Alternate Benefits for Employees Who Opt Out of District Health Insurance

In order to decline medical coverage through the District and receive alternate benefits, employees must provide evidence of the alternate group health coverage on an annual basis during open enrollment. The District's obligation to pay alternate benefits for employees hired before July 1, 2020 may be conditioned upon compliance with IRS requirements for an eligible opt out program.

The District has the authority to contract for medical benefits for employees, to determine the benefits that will be provided to employees, and to establish premiums.

6. Accrual of Sick Leave

Eligible employees will be granted the equivalent of ninety-six (96) hours of Sick Leave per year. Sick Leave will accrue on a pay period basis at the rate of 3.69 hours per pay period.

For employees hired on or after July 1, 2020, sick leave accrual will be capped at one thousand forty (1,040) hours.

PASSED AND ADOPTED by the San Benito County Water District Board of Directors at the meeting of said board held on the 29th day of July 2020, at Hollister, California, by the following vote:

AYES: DIRECTORS: Tobias, Flores, Tonascia & Williams

NOES: DIRECTORS: None

ABSENT: DIRECTORS: Bettencourt

ABSTAIN: DIRECTORS: None

/s/John Tobias

John Tobias

President

ATTEST:

/s/Sara Singleton

Sara Singleton

Assistant Manager

Appendix A
 San Benito Count Water District
 Management/Confidential/Professional Class

Effective 7/27/20

Monthly									
Class	Range	Step A 12 months	4 % Step B 12 months	4 % Step C 12 months	4 % Step D 12 months	4% Step E 12 months	4% Step F 12 months	4% Step G 24 Months	4% Step H Final
Water Conservation Program Manager	M40	5,813	6,046	6,288	6,539	6,801	7,073	7,356	7,650
Supervising Accountant	M50	6,418	6,675	6,942	7,220	7,509	7,809	8,121	8,446
Accountant	M26	5,061	5,263	5,474	5,693	5,921	6,157	6,404	6,660
Engineer I - (Assistant)	M36	5,588	5,811	6,044	6,285	6,537	6,798	7,070	7,353
Engineer II - (Associate)	M46	6,169	6,416	6,673	6,940	7,217	7,506	7,806	8,118
Engineer III - (Senior)	M78	8,469	8,808	9,160	9,526	9,908	10,304	10,716	11,145
Operations & Maintenance Manager	M68	7,671	7,977	8,297	8,628	8,974	9,332	9,706	10,094
Deputy District Engineer	M96	10,121	10,526	10,947	11,385	11,840	12,314	12,807	13,319

Hourly									
Class	Range	Step A 2080 hrs	4 % Step B	4 % Step C	4 % Step D	4% Step E	4% Step F	4% Step G	4% Step H
HR/Administrative Analyst	CONF	19.9759	20.7719	21.6061	22.4658	23.3700	24.2997	25.2740	26.2865