

**City of Foster City/
Estero Municipal Improvement District**

PART-TIME EMPLOYEE

Compensation and Benefits Plan

July 1, 2017

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The City of Foster City/Estero Municipal Improvement District (hereinafter called “City/District”) provides the following wages, hours, and other terms and conditions of employment to two categories of Part-Time Employees – Casual Employees and Part-Time CalPERS Eligible Employees (hereinafter called “Part-Time Employees” or “Employees”) – as described in this City/District Part-Time Employee Compensation and Benefits Plan (hereinafter called the “Plan”).

1. Definitions

As used in this Plan, a Part-Time Employee is an employee working “at will” and not on a full time basis. An “at will” employee is defined as an employee who is not in the competitive service, serves at the pleasure of the City/District Manager and may be removed from service at any time, with or without cause. “At will” employees are not entitled to a hearing upon termination.

Casual Employees

Casual Employees are defined as those employees who work on a per diem, seasonal or temporary basis, and do not work sufficient hours to meet the mandated CalPERS benefits criteria. Casual Employees are not eligible for benefits under any portion of Sections 4.A and/or 4.C of this Plan.

Part-Time CalPERS Eligible Employees

Part-Time CalPERS Eligible Employees are those employees who qualify for participation as an “employee” as defined by the Public Employees’ Retirement Law in the City’s CalPERS defined benefit plan. Part-Time CalPERS Eligible Employees are eligible to participate in CalPERS pension and health insurance programs and other benefit programs as provided in Sections 4.A and 4.C.

2. Salary and Classification

Salary Rates

The salary rates for all classifications are listed in Appendix A.

Starting Salary

Part-Time Employees are normally hired at the bottom of the salary range unless they are exceptionally qualified and a higher starting salary is recommended by the Department Head and approved by the City Manager.

Step or Salary Increases

A salary increase is based upon a review and evaluation of the Employee's job performance as specified in Section 5. Employees must receive at least a satisfactory rating, as indicated on the Evaluation Form, in order to be considered for a salary increase.

Casual Employees who work on a seasonal basis must receive an evaluation rating of "above average" or higher during the last seasonal appointment to receive a step increase upon reemployment to the same seasonal classification. When Casual Employees who work on a seasonal basis are re-hired to fill a seasonal position in a classification previously held, step increases are not automatic. Step increases are determined by the Supervisor based on the above criteria.

Step increases may be granted when incumbent Employees are assigned additional responsibilities and/or when they have obtained additional knowledge/coursework pertaining to the job responsibilities (i.e. recreation leader, recreation/education coursework).

All changes in compensation will become effective on the first payroll following the effective date of the compensation change.

3. Overtime Pay

Part-Time Employees are eligible for overtime pay at time and one-half their regular rate of pay when required to work more than a standard 40-hour week. A Part-Time Employee's workweek shall begin at 12:01 a.m. Sunday and ends at 11:59 p.m. the following Saturday, unless otherwise designated by the Department Head.

4. Benefits

A. Part-Time CalPERS Eligible Employees

Retirement – PERS Membership

Eligibility:

1. Persons who are already members of CalPERS
2. Persons whose appointment fixes a term of full-time, continuous service in excess of six months or the position requires regular, full-time service for at least an average of 20 hours per week for one year or longer
3. “Monitored” qualification
 - No length of appointment is specified, but full-time employment continues longer than six months
 - Person works more than 125 days in a fiscal year if paid on a “per diem” basis
 - Person works 1,000 hours in a fiscal year if paid on other than a per diem basis. Any overtime hours worked is counted as qualifying time.
 - Employees hired on or before December 31, 2012 will be enrolled in the 2.7% @ 55 retirement benefit formula. P.E.R.S. refers to employees hired before January 1, 2013 as classic members.
 - Effective January 1, 2013, the Public Employees Pension Reform Act (PEPRA) provides new miscellaneous employees the 2% @ 62 retirement benefit formula with final pension calculated on the average highest annual compensation over a consecutive 36-month period.
 - A new member is (a) someone who has never been in P.E.R.S. or a reciprocal retirement system or (b) someone previously in P.E.R.S. or a reciprocal retirement system, but who has a gap of at least six (6) months since being covered by any of those pension systems.

PERS Health Benefits

Part-Time CalPERS Eligible Employees may participate in the CalPERS health programs and will receive the minimum contribution required under the Public Employees’ Medical Care and Hospital Act (PEMCHA) and Affordable Care Act (ACA). In addition, if a Part-Time CalPERS Eligible Employee elects to enroll in a CalPERS health plan, the employee will receive a monthly group benefit allowance equal to seventy five percent (75%) of the current monthly group

benefit allowance established for full-time City/District employees set forth in Memorandum of Understanding (MOU) which covers the employee's job classification. However, if a Part-Time CalPERS Eligible Employee does not enroll in a CalPERS health plan, the employee is not eligible for and will not receive seventy five percent (75%) of the "No Plan" group benefit allowance.

B. Casual Part-Time Employees

Sick Leave

Eligibility:

Effective July 1, 2015, Part-Time Employees who work for 30 or more days within a year from the beginning of employment are entitled to paid sick leave. Paid sick leave accrues at the rate of one (1) hour for every thirty (30) hours worked (including overtime), paid at the Employee's regular wage rate. Accrual begins on the first day of employment or July 1, 2015, whichever is later, up to a maximum accrual of twenty-four (24) hours per twelve (12) month fiscal year (July 1 to June 30). Beginning July 20, 2015, Part-Time Employees' pay check stubs will show the number of hours of sick leave earned and available for use, if any.

Accrued sick leave may be carried over to the following fiscal year. The maximum accrual is forty-eight (48) hours.

Usage:

A Part-Time Employee may use accrued paid sick leave in one-half hour increments beginning on the 90th day of employment for himself/herself or a family member for the diagnosis, care or treatment of an existing health condition or preventive care, or specified purposes for an Employee who is a victim of domestic violence, sexual assault or stalking. Family member includes a child, parent, spouse, registered domestic partner, parent-in-law, sibling, grandparent or grandchild. A Part-Time Employee may use a maximum of twenty-four (24) hours or three (3) days of accrued paid sick leave per fiscal year.

If the need for paid sick leave is foreseeable, the Employee shall provide reasonable advance notice to his/her supervisor. If the need for paid sick leave is unforeseeable, the Employee shall provide notice of the need for the leave as soon as practicable. Department Heads may require Part-Time Employees to support the use of paid sick leave with a physician's note for each absence regardless of the leave duration. Department Heads shall certify all approved or unapproved paid sick

leave and maintain accurate records of paid sick leave use to determine the possible abuse of leave.

A Part-Time Employee will not be paid or otherwise compensated for any unused, accrued sick leave at the end of his/her employment relationship with the City. If a Part-Time Employee is rehired within one (1) year of his/her termination date, his/her previously unused, accrued sick leave bank will be reinstated.

No Other Benefits for Casual Part-Time Employees

Casual Part-Time Employees are not eligible for any benefits other than the sick leave benefits specified in Section 4.B. Casual Part-Time Employees are not Regular Part-Time Employees as defined in the City/District Personnel Rules and Regulations and are not eligible for any benefits provided to Regular Part-Time Employees under the City/District Personnel Rules and Regulations.

C. Part-Time CalPERS Eligible Employees

This Plan creates a separate class of Regular Part-Time Employees. Persons whose appointment fixes regular part-time service for at least an average of 30 hours per week for one year or longer shall accrue sick leave, vacation leave and holiday pay at seventy five percent (75%) of the accrual rate established for full time employees in the same job classification set forth in the MOU which covers the job classification. Part-Time CalPERS Eligible employees are also eligible for administrative/ discretionary leave (if applicable) and vision/professional development reimbursement (if applicable) at seventy-five percent (75%) of the amount established for full time employees set forth in the MOU which covers their job classification. Part-Time CalPERS Eligible Employees may also participate in TLC flexible spending accounts and the 457(b) deferred compensation plan. Part-Time CalPERS Eligible Employees shall accrue sick leave as set forth in this Section 4.C. and not as stated in Section 4.B. above.

Following the completion of the current Internal Revenue Service (IRS) audit of the City/District VEBA program, the Part-Time CalPERS Eligible Employees may discuss, and if approved by a majority of the Part-Time CalPERS Eligible Employees, participate in the VEBA program. The City/District shall provide written notice of the completion of the IRS audit to the Part-Time CalPERS Eligible Employees who will then have sixty (60) days to initiate VEBA discussions by notifying the City/District via the Human Resources Director in writing. Participation in the VEBA program would be mandatory for all Part-Time CalPERS Eligible Employees. Contributions to the

VEBA program would be determined by the Part-Time CalPERS Eligible Employees per side letter in accordance with current law.

5. Performance Evaluations

Part-Time Employees who regularly work 25 hours or more per week are to be given a performance evaluation six months after the date of hire and annually thereafter. Continued improvement and efficient and effective service will warrant a salary step increase.

Part-Time Employees who work on a seasonal basis are evaluated at the end of each seasonal appointment prior to the last day of the assignment. Additional evaluations may be conducted at the supervisor's discretion.

Supervisors who work with all other Casual Employees are encouraged to evaluate performance informally on an as-needed basis.

Upon written justification and Department Head and Human Resources Department approval, an Employee who demonstrates EXCEPTIONAL leadership ability and job performance may be given a merit raise before meeting the time requirements set forth above, if he/she displays outstanding job performance.

6. Duration:

This Plan shall take effect on July 1, 2017 and remain in effect until June 30, 2019.

Appendix A
Part-Time Employees
Salary Schedule

Hourly / Part-Time / Seasonal					
Building Services Coordinator Assistant	\$ 16.00	\$ 16.40	\$ 17.10	\$ 17.90	\$ 18.30
Recreation Leader III	\$ 16.00	\$ 16.40	\$ 17.10	\$ 17.90	\$ 18.30
Recreation Leader II	\$ 13.80	\$ 14.10	\$ 14.35	\$ 14.75	\$ 15.00
Building Services Assistant	\$ 12.00	\$ 12.30	\$ 12.60	\$ 12.90	\$ 13.25
Clerical Assistant	\$ 12.00	\$ 12.30	\$ 12.60	\$ 12.90	\$ 13.25
Recreation Leader I	\$ 12.00	\$ 12.30	\$ 12.60	\$ 12.90	\$ 13.25
Department Intern	\$ 12.00				\$ 30.00
Videographer	\$ 20.00				\$ 30.00
Communications Coordinator/Manager	\$ 35.77	\$ 37.56	\$ 39.44	\$ 41.41	\$ 43.48
Social Media/Communications Assistant/Specialist	\$ 33.03	\$ 34.68	\$ 36.41	\$ 38.23	\$ 40.14

For other City job classifications, please see the current pay plan for hourly rates.