

RESOLUTION 2024-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORTUNA ESTABLISHING AND AUTHORIZING SUPPLEMENTAL COMPENSATION AND BENEFITS FOR MANAGEMENT AND CONFIDENTIAL ("UNREPRESENTED") EMPLOYEES Effective July 1, 2024

BE IT RESOLVED by the City Council of the City of Fortuna that the following list of management and confidential employees, which are not represented ("UNREPRESENTED") by a union or association, shall receive the supplemental compensation and benefits contained within.

Department Heads	
Director Parks and Recreation	Director of Community Development
Division Heads	
Chief Treatment Plant Operator	Public Works Project Manager
General Services Superintendent	Utility Superintendent
City Engineer	Police Lieutenant
Deputy City Engineer	
Confidential Employees/Mid-Management	
Payroll/Benefits Administrator (Finance)	Finance Office Supervisor
Building Official	Engineering Tech II
Senior Administrative Assistant/Deputy City Clerk (City Manager's Office)	Conference Center Manager
Planner II	Recreation Program Supervisor

Those employees identified above shall receive the following supplemental compensation and benefits to be administered at the direction of the City Manager. Department Heads, Division Heads and Confidential/Mid-Management employees hold their positions at the will of the City Council or City Manager.

SECTION 1. Pay

Pay Adjustments

All unrepresented employees will receive a 3% Cost of Living Adjustment (COLA) increase to their base pay for Fiscal Year (FY) 2024-25.

For fiscal year 2024-25 the Police Lieutenant shall be eligible for the retention bonus in the same amount and at the same time as other Sworn Officers as approved in the FPEA MOU.

Longevity Pay

Upon completion of five (5) years of continuous employment with the City of Fortuna, eligible employees shall receive an additional 5% of their base salary as longevity pay. Upon completion of fifteen (15) years of continuous employment with the City of Fortuna, eligible employees shall receive an additional 2% of their base salary as longevity pay. Upon completion of twenty (20) years of continuous employment with the City of Fortuna, eligible employees shall receive an

additional 2% of their base salary as longevity pay.

SECTION 2. HEALTH & WELFARE

The City agrees to provide medical, dental, vision and life insurance for UNREPRESENTED Fortuna Employees in the same manner as for employees with the Fortuna Employees Association.

Employees in the Unrepresented Group shall pay the same cost share allocations, including insurance premium increases. For the term July 1, 2024– June 30, 2025, for all unrepresented employees, the employee contribution towards medical, dental, vision, life insurance, and employee assistance program (EAP) shall be as follows:

Monthly Costs	With \$250 Deductible		
	Employee	Employee +1	Employee +2 (or more)
Medical- Anthem/Blue Cross	\$1,075.00	\$2,252.00	\$3,215.00
Vision-VSP	\$18.20	\$18.20	\$18.20
Dental-Delta Dental	\$56.84	\$96.20	\$143.20
Life (10,000)	\$1.65	\$1.65	\$1.65
Employee Assistance Program	\$2.84	\$2.84	\$2.84
Total insurance costs	\$1,154.53	\$2,370.89	\$3,380.89
Amount paid by City	\$993.29	\$2,033.09	\$2,898.65
Amount paid by Employees (Monthly)	\$161.24	\$337.80	\$482.24

1. The cost of medical premiums will be split between the City at 85% and the employee at 15%.
2. The City will provide a vision plan and a dental plan through the Redwood Empire Municipal Insurance Fund (REMIF) for all UNREPRESENTED employees. Vision and dental coverage are optional; however, if an employee declines the coverage amount paid by the employee will stay the same.
3. Life insurance is provided for full-time City employees under REMIF. The City contributes the premium for ten thousand dollars (\$10,000) term life insurance per employee.
4. Cal Ore Life Flight benefits will be provided for FY 2024-25, for all full time benefitted employees and their household. Employees that opt-out of medical coverage will also be provided Cal Ore Life Flight benefits at no additional cost.
5. The City offers an employee assistance program that offers 24/7 counseling, nursing, legal, and financial assistance for employees. The City pays this benefit in full for all full time employees.
6. The City will provide access to Aflac supplemental insurance options to all City employees. Premiums for supplemental insurance are to be paid by the employee and may be set up on a “pre-tax” payment schedule.

SECTION 3. OPTING OUT OF MEDICAL COVERAGE

1. Under the following circumstances, a full-time employee may decline medical coverage, and receive a stipend for opting out of coverage provided the following conditions are met:
 - a) The medical insurance plan must allow an employee to decline coverage, and the employee can meet any and all requirements for opting out of coverage.
 - b) The employee must provide written proof of other coverage.
 - c) All local, federal and state laws must be observed, as well as conditions of any contract into which the City has entered, or will enter; particularly the Section 125 plan the City has in place.
2. This Resolution provides for employees to opt out of the medical insurance coverage and receive \$500.00 per month paid out in two equal payments, the first two paydays of the month, as long as the employee works in a full time capacity for two full pay periods in the month. In order to exercise this option, an employee must provide evidence of other insurance coverage provided by a member of his/her immediate family. If an employee does opt out, he/she will not be eligible to come back into the City plan until the next open enrollment period, or in the case of a qualifying event as stated in the medical insurance contract.
3. If an employee chooses to “opt out” of the medical coverage, the employee will still have the option to be covered for vision and dental only. The cost to the employee would be the minimum monthly contribution rate of: \$50 single/\$75 employee +1/\$100 employee +2, respectively for both, as a package. The employee share for the vision/dental package will be deducted from the employee’s bi-weekly paycheck twice a month split in equal amounts if the employee chooses this option.

SECTION 4. STATE DISABILITY PROGRAM

All employees covered by this Resolution are required to enroll for State Disability Insurance (S.D.I.) benefits. S.D.I. benefits shall be integrated with sick leave benefits. S.D.I. premiums are to be paid by the employee.

SDI benefit as determined by the State will be applied first. Long Term Disability benefits, if applicable, will be applied second. Accrued sick leave, paid time off, and approved personal leave will then be applied in a proportionate amount which, when added to SDI, will provide compensation equal to the employee’s regular wage or wage. Under no circumstances will an employee be permitted to aggregate SDI, or other benefits in an amount exceeding the employee’s regular wage or wage.

SECTION 5. HOLIDAY BENEFITS AND PAID LEAVES

Paid Time Off

The paid time off schedule for all UNREPRESENTED employees shall be as follows:

Full Years of Service Completed by Employee	Paid time off Earned
---	----------------------

1 through 5 years	80 Hours annually
6 through 10 years	120 Hour annually
11 years and Over	160 Hours annually

Paid time off leave may be taken as it accrues, after one year of employment. Each UNREPRESENTED employee shall be granted at least eighty (80) hours of paid time off per calendar year provided the employee has paid time off time accrued.

An employee who becomes ill or has a family medical emergency during his or her scheduled paid time off may elect to use sick leave or family sick leave in lieu of paid time off time, provided the department head is notified at the beginning of the illness, injury or emergency and; provided further the employee, upon return from paid time off provides the Human Resources Manager with a certificate from a medical doctor stating the nature and extent of the employee's illness or injury during his or her paid time off.

SECTION 6. ACCRUED PAID TIME OFF / SICK LEAVE RECORDS

The City will provide each employee on a bi-weekly basis a record of accrued paid time off and sick leave, which the employee has earned. Paid time off may be accumulated up to an amount equal to an employee's allowable paid time off credits for two (2) years. Once an employee has reached the maximum accumulation limit for paid time off leave, the employee will cease accruing additional paid time off benefits until the employee has used a portion of his or her accrued paid time off and reduces his or her balance below the maximum accumulation limit. Thereafter, paid time off benefits will again begin to accrue, on a prospective basis only, until the employee again reaches the maximum accumulation limit.

SECTION 7. ANNUAL PAID TIME OFF BUYBACK PROGRAM

On an annual basis, the City agrees to allow those employees covered by this Resolution to sell up to one hundred (100) hours of paid time off. The minimum leave time, which may be subject to the buyback, is eight (8) hours.

Paid time off time may be sold back two times each fiscal year to a maximum of 100 hours. In order to participate in this program, the employee must return a form approved by the department director that is dated and signed. Payment will be made at the regular pay rate as of the date the form is submitted to the Finance Department. Paid time off time cashed out pursuant to this provision shall be subtracted from the employee's accumulated paid time off time balance when paid. Upon separation, all unused accrued paid time off leave shall be paid in cash to the employee at his or her regular rate of pay.

SECTION 8. ADMINISTRATIVE TIME/MANAGEMENT LEAVE

All UNREPRESENTED employees are entitled to Administrative Leave to be accrued on July 1st of each year. New employees hired throughout the year will receive pro-rated Administrative leave. Administrative leave is a management level benefit that represents the time requirement for

managers in the public sector, to work on organizational meetings or other work related tasks, outside the regular work period. Management leave is over and above paid time off entitlement, in lieu of overtime pay or compensation time off and is allocated as follows:

- Department Head: 80 Hours
- Police Lieutenant: 80 Hours
- Division Head: 40 Hours
- All other UNREPRESENTED - Exempt Employees: 20 hours

SECTION 9. HOLIDAYS

1. The City agrees to pay all UNREPRESENTED Fortuna Employees for twelve (12) holidays per year. Recognized holidays are: New Year's Day, Martin Luther King Jr., the day observed as President's Day, Caesar Chavez Day, Memorial Day, Juneteenth, Veteran's Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving Day, Christmas Day, and any other day proclaimed by the Fortuna City Council as a public holiday, day of mourning or day of thanksgiving. Employees shall receive eight (8) hours of pay for a holiday.
2. In addition to the ten paid holidays referenced above, in lieu of providing paid holidays on, Admission Day and Columbus Day the City agrees to provide two (2) floating holidays for those employees covered by this Resolution. Floating holidays will be accrued at the time the actual holidays occur. Floating holidays may be accrued up to a maximum of 10 days. The timing of taking the floating holidays shall be subject to management's approval.

(*A holiday that falls on a weekend is usually observed on the closest weekday (e.g. a holiday falling on a Saturday is observed on the preceding Friday, while a holiday falling on a Sunday is observed on the succeeding Monday.)

SECTION 10. SICK LEAVE

Sick leave is a benefit, and should be used only when necessary. The accrual rate for sick leave is 8 hours for each calendar month of service.

1. Sick leave shall not be considered a privilege, which an employee may use at his/her discretion, but shall be allowed only in case of necessity and actual sickness or disability. Sick leave may be used, with prior department head approval, for dental, eye, and doctor appointments.
2. Employees who have accumulated four hundred eighty (480) or more hours of sick leave may on an annual basis convert any sick leave accumulated over four hundred eighty (480) hours to a cash payment at twenty-five percent (25%) of the value of said sick leave time over four hundred eighty (480) hours.
3. In order to receive compensation while absent on sick leave, the employee shall notify his or her immediate supervisor prior to, or within thirty (30) minutes after the time set for beginning his or her daily duties, or as may be otherwise specified by the employee's department head. Failure to do so without good reason shall result in that day of absence being treated as leave of absence without pay and may result in disciplinary action.

SECTION 11. FAMILY SICK/BEREAVEMENT LEAVE

1. An employee may be granted up to forty eight (48) hours per Fiscal Year for family sick leave with pay, per California Labor Code Section 233, utilizing an employee's accumulated sick leave for family illness purposes. Family sick leave is applicable when the employee's presence is necessary to provide or arrange proper care for the employee's ill child or an ill member of the employee's immediate family or immediate household. For family sick leave purposes, immediate family member shall include spouse, domestic partner, parents, children and other close relatives, with the approval of the Department Head. Misuse of family sick leave privileges is grounds for disciplinary action.

Family sick must be taken in not less than quarter hour increments.

2. An UNREPRESENTED employee may be granted up to forty (40) hours bereavement leave with pay. Bereavement leave is applicable when death occurs in the employee's immediate family. Such family shall include spouse, domestic partner, parents, children, stepchildren, children of a domestic partner, grandparent, grandchild, brother, sister, mother/father-in-law, parent of a domestic partner, son or daughter-in-law, brother or sister-in-law, legal guardian, or custodial child, or other person as approved by the Human Resources Manager. Misuse of bereavement leave privileges is grounds for disciplinary action. Bereavement leave shall be approved by the City Manager.
3. For purposes of this section, domestic partner means an individual as defined in Family Code section 297 et seq.

SECTION 12. JURY DUTY

1. Any employee who is required to report for jury duty shall receive full pay for such absence from duty provided the employee endorses to the City any checks or warrants received in payment for jury duty exclusive of mileage for personal vehicles or other out-of-pocket expenses incurred due to jury duty and provides verification of jury duty service.
2. An employee summoned to serve on a jury must notify his or her supervisor or department head as soon as possible after receiving notice of both possible and actual jury service.
3. Time spent on jury duty is not work time for purposes of calculating overtime compensation.

SECTION 13. HOURS OF WORK AND OVERTIME

1. For Non-Management UNREPRESENTED Employees the normal work period shall consist of forty (40) hours worked within seven (7) consecutive days beginning at 12:00 a.m. Sunday and ending 11:59 p.m. on the second successive Saturday, except as otherwise designated for employees on a flexible schedule approved in writing by both the Department Head and City Manager.
2. Schedule of alternative work hours may be established by the Department Head with the approval of the City Manager. The Department Head, with the approval of the City Manager, may change the work week hours at any time.

3. Overtime is defined as hours worked in excess of forty (40) hour per week. Non-management employees will not work overtime without prior authorization from their supervisor or department head, except in case of emergency.
4. Unless otherwise specified overtime shall be paid at the rate of one and one-half (1-1/2) times the non-management employee's base rate of pay. The non-management employee shall have the choice of taking overtime or compensatory time off.
5. For all UNREPRESENTED positions eligible for overtime and for the purpose of overtime calculations, the base rate will include incentive pay, longevity pay, and special assignment pay as applicable.

SECTION 14. ACCUMULATION OF COMPENSATORY TIME OFF (CTO)

1. In the event that overtime must be incurred, non-management UNREPRESENTED employees will have two options: 1) be paid at one and one-half (1.5) times the employee's base rate of pay, or 2) accumulate at one and one-half (1.5) times the employee's base rate of pay up to a maximum of one hundred sixty (160) hours as compensatory time to be taken off at a later time as requested by the employee, and approved by the Department Head.
2. Once an eligible non-management UNREPRESENTED employee has banked a maximum of 160 hours of compensatory time, any additional overtime will be paid to the employee.
3. UNREPRESENTED non-management employees may sell back up to 80 hours of banked CTO time up to two times per fiscal year.
4. Any non-Management UNREPRESENTED employee who has accrued compensatory time off may be permitted by his/her supervisor to use such compensatory time within a reasonable period of time if the use of compensatory time does not unduly disrupt the operations of the City.
5. Compensatory time off must be used in increments of not less than one-quarter hour.

SECTION 15. PROTECTIVE FOOTWEAR / BUSINESS APPAREL

1. The City will provide an annual stipend up to \$200.00 per Fiscal Year (July 1 to June 30) for the purchase of work boots and/or business attire based on job classification. The stipend will accumulate and be paid out one time annually and included in the last pay period of the Fiscal Year. The stipend will be pro-rated for new employees or employees that leave employment prior to the end of the Fiscal Year.
2. The Police Lieutenant is eligible for an annual Uniform/Duty Gear allowance made in two payments, by January 15 and July 15 of each year. The maximum allowance shall be \$1,000.00 per year. The Police Lieutenant is *not eligible* for the Protective Footwear/Business Apparel allowance outlined in 15.1, above.

SECTION 16. RESIDENCY AND OTHER INCENTIVES

1. As an incentive for employees to live within the city limits of the City, eligible UNREPRESENTED Fortuna employees who reside within 20 miles of the City of Fortuna shall receive \$50.00 per month as additional compensation.

2. Certain unrepresented City employees are eligible for incentives. Incentives can be given or taken away at the discretion of the City Manager based on employee being able and willing to provide additional value to the City based on the certificate/s achieved. Incentives shall be paid as shown in the following table:

Position	Incentive Amount	For
Chief Treatment Plant Operator	\$630/year	Grade IV Waste Water
Building Official	\$630/year	ICC Maintenance & Housing Inspector
Payroll and Benefits Administrator or Finance Office Supervisor*	\$2800/year	Accounting Certificate
Utility Superintendent	\$630/year	Distribution Level 4 (D4)

*Only one employee will be allowed to receive certificate pay at a time. Certificate pay offering will be determined by the Finance Director and approved by the City Manager.

Position	Incentive*	For
Sworn Employees	\$3,950.00/year	P.O.S.T. Intermediate Certificate, <i>or</i>
	\$7,900.00/year.	P.O.S.T. Advanced Certificate
	\$2,800.00/year	P.O.S.T. Supervisory Certificate
	\$2,800.00/year.	P.O.S.T. Management Certificate

SECTION 17. EMPLOYEE USE OF PARK & RECREATION PROGRAMS

1. The following programs are offered to City Employees and the Children of City employees free of charge:
 - President's Week – 4 days
 - Spring Break – 5 days
 - Summer Fun/Kiddie Kamp – 10 weeks
 - Thanksgiving Week – 3 days
 - Winter Break – up to 8 days
 - Youth Basketball
 - Basketball Camp
 - Public Skating at The Firemen's Pavilion in Rohner Park
2. Employees must enroll their Children during the designated employee enrollment period, which will open to employees prior to the enrollment period for the general public. If employees enroll their children after the designated employee enrollment period, the employee's children may be subject to a waitlist.

SECTION 18. EDUCATION AND TRAINING REIMBURSEMENT

As an incentive to employee education and training, the City will reimburse employees for successful completion of coursework and exams related to their employment with the City. Reimbursements must be pre-approved by the Department Head and City Manager. Reimbursement will be given following the satisfactory completion of the course and/or exam. To ensure adequate funds are available in department budget(s), requests for reimbursement must be made and approved by the City Manager no later than March 1st. Books and reusable materials will become the property of the City and will be made available for use by other employees.

SECTION 19. MISCELLANEOUS

1. UNREPRESENTED employees shall be eligible to receive step increases when applicable under the same system as afforded to the Fortuna Employees Association (for non-sworn employees) and the Fortuna Police Employees Association (for sworn employees).
2. This Agreement shall be effective from July 1, 2024 and shall continue in effect through June 30, 2025.

PASSED AND ADOPTED on this 1st day of July 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Tami Trent, Mayor

ATTEST:

Siana L. Emmons, City Clerk