

**San Bernardino County Board Agenda
Item 164 for June 14, 2016
Related to Compensation and Working
Conditions of the Exempt Group**

Attachment 1

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

164

June 14, 2016

**FROM: GREGORY C. DEVEREAUX, Chief Executive Officer
County Administrative Office**

**SUBJECT: INTRODUCTION OF AN ORDINANCE RELATING TO COMPENSATION AND
WORKING CONDITIONS OF THE EXEMPT GROUP**

RECOMMENDATION(S)

1. Consider proposed ordinance relating to compensation and working conditions of the Exempt Group.
 2. Make alterations, if necessary, to proposed ordinance.
 3. Approve introduction of proposed ordinance.
 4. Read title only of proposed ordinance; waive reading of the entire text and SCHEDULE FOR FINAL ADOPTION ON TUESDAY, JUNE 28, 2016 on the Consent Calendar.
- (Presenter: Gregory C. Devereaux, Chief Executive Officer, 387-5570)

BOARD OF SUPERVISORS COUNTY GOALS AND OBJECTIVES

**Create, Maintain and Grow Jobs and Economic Value in the County.
Operate in a Fiscally-Responsible and Business-Like Manner.**

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost).

BACKGROUND INFORMATION

The salary ordinance for the Exempt Group sets the terms, compensation, and other working conditions for employees covered by the ordinance.

To ensure consistency, it is proposed that certain Exempt Group classifications with fixed annual salaries be moved to a salary range to be effective when any employee is newly hired into such classification. In addition, it is recommended that other obsolete or outdated provisions of the salary ordinance be updated.

The proposed amendments to the ordinance will become effective in the pay period immediately following its adoption, which will be pay period 16 of 2016, should the Board adopt the ordinance on June 28, 2016.

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PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (W. Andrew Hartzell, Principal Assistant County Counsel, 387-5455) on May 19, 2016; Human Resources (Bob Windle, Assistant Director, 387-5570) on May 19, 2016; Finance (Amanda Trussell, Administrative Analyst, 387-4773) on May 23, 2016; and County Finance and Administration (Katrina Turturro, Deputy Executive Officer, 387-5423) on June 1, 2016.

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ORDINANCE NO.

AN ORDINANCE OF THE COUNTY OF SAN BERNARDINO,
STATE OF CALIFORNIA, AMENDING THE SAN
BERNARDINO COUNTY CODE, RELATING TO
COMPENSATION OF COUNTY EXEMPT EMPLOYEES.

The Board of Supervisors of the County of San Bernardino, State of California,
ordains as follows:

SECTION 1. Section 12.4006 of the San Bernardino County Code is repealed.

SECTION 2. Section 12.3906 of the San Bernardino County Code is repealed.

SECTION 3. Subsection 13.0602 of the San Bernardino County Code is
amended, to read:

13.0602 Basic Salary Schedules.

(a) Except as expressly stated in this chapter, each salary range shall have
14 steps. The spread between steps shall be approximately two and one-half percent.
The salary schedule shows the hourly, approximate biweekly, approximate monthly, and
approximate annual rate for each step in the salary range. The biweekly, monthly and
annual rates are computed on the basis of full- time employment.

Upon approval by the Board of Supervisors, an extended salary grade may be
established which contains more than 14 steps. At the time an extended salary grade is
approved, the salary level and the number of steps contained in the extended salary
grade shall also be established.

The salary schedules for Exempt Group and all non-represented employees
effective March 21, 2015, are as on file with the Clerk of the Board of Supervisors.

(b) The following wage increases shall be included in the salary schedules
and salary tables for Exempt Group employees and all non-represented employees, as
are on file with the Clerk of the Board of Supervisors:

Effective January 9, 2016, the County shall provide all classifications in

1 the Exempt Group) with a one percent (1.00%) across the board salary increase.

2 Effective July 23, 2016, the County shall provide all classifications in the
3 Exempt Group with a one percent (1.00%) across the board salary increase.

4 Effective July 22, 2017, the County shall provide all classifications in the
5 Exempt Group with a two percent (2.00%) across the board salary increase.

6 Effective July 21, 2018, the County shall provide all classifications in the
7 Exempt Group with a three percent (3.00%) across the board salary increase.

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9 SECTION 4. Section 13.0604 of the San Bernardino County Code is amended,
10 to read:

11 **13.0604 List of Exempt Group Classifications.**

12 (a) Exempt – Executive County Administrators

13 (1) Table 1.

14 This table applies to employees hired into the listed positions before July 9, 2016.

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<i>Classifications</i>	<i>Exempt Group</i>	<i>Annual Salary Effective 1/9/16</i>	<i>Annual Salary Effective 7/23/16</i>	<i>Annual Salary Effective 7/22/17</i>	<i>Annual Salary Effective 7/21/18</i>
Agricultural Commissioner/Sealer	B	\$148,204	\$149,686	\$152,680	\$157,260
Assistant Executive Officer-Finance and Administration	A	\$218,568	\$220,754	\$225,169	\$231,924
Assistant Executive Officer-Human Services	A	\$218,568	\$220,754	\$225,169	\$231,924
Behavioral Health Medical Director	C	\$295,046	\$297,996	\$303,956	\$313,075
Chief Executive Officer	A	\$315,751	\$318,909	\$325,287	\$335,046
Chief Information Officer	A	\$197,407	\$199,381	\$203,369	\$209,470
Chief Probation Officer	B	\$177,276	\$179,049	\$182,630	\$188,109

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<i>Classifications</i>	<i>Exempt Group</i>	<i>Annual Salary Effective 1/9/16</i>	<i>Annual Salary Effective 7/23/16</i>	<i>Annual Salary Effective 7/22/17</i>	<i>Annual Salary Effective 7/21/18</i>
Clerk of the Board of Supervisors	B	\$142,954	\$144,384	\$147,272	\$151,690
County Chief Financial Officer	A	\$196,900	\$198,869	\$202,846	\$208,931
County Clerk	N/A	\$10,258	\$10,361	\$10,568	\$10,885
County Counsel	A	\$238,229	\$240,611	\$245,423	\$252,786
County Librarian	B	\$144,258	\$145,701	\$148,615	\$153,073
Director of Aging and Adult Services	B	\$144,311	\$145,754	\$148,669	\$153,129
Director of Airports	B	\$140,750	\$142,158	\$145,001	\$149,351
Director of Arrowhead Regional Medical Center	A	\$262,928	\$265,557	\$270,868	\$278,994
Director of Behavioral Health	B	\$191,612	\$193,528	\$197,399	\$203,321
Director of Child Support	B	\$172,266	\$173,989	\$177,469	\$182,793
Director of County Museum	B	\$133,223	\$134,555	\$137,246	\$141,363
Director of Economic Development	B	\$139,902	\$141,301	\$144,127	\$148,451
Director of Fleet Management	B	\$133,223	\$134,555	\$137,246	\$141,363
Director of Human Resources	A	\$192,984	\$194,914	\$198,812	\$204,776
Director of Land Use Services	B	\$170,406	\$172,110	\$175,552	\$180,819
Director of Preschool Services	B	\$144,311	\$145,754	\$148,669	\$153,129
Director of Public Works	B	\$195,518	\$197,473	\$201,422	\$207,465
Director of Purchasing	B	\$137,179	\$138,551	\$141,322	\$145,562
Director of Real Estate Services	B	\$133,223	\$134,555	\$137,246	\$141,363
Director of Risk Management	B	\$135,150	\$136,502	\$139,232	\$143,409

<i>Classifications</i>	<i>Exempt Group</i>	<i>Annual Salary Effective 1/9/16</i>	<i>Annual Salary Effective 7/23/16</i>	<i>Annual Salary Effective 7/22/17</i>	<i>Annual Salary Effective 7/21/18</i>
Director of Transitional Assistance	B	\$165,772	\$167,430	\$170,779	\$175,902
Director of Veterans' Affairs	B	\$133,223	\$134,555	\$137,246	\$141,363
Director, Children and Family Services	B	\$182,770	\$184,598	\$188,290	\$193,939
Director, Community Development and Housing	B	\$139,902	\$141,301	\$144,127	\$148,451
Director, Regional Parks	B	\$134,031	\$135,371	\$138,078	\$142,220
Director, Workforce Development	B	\$139,902	\$141,301	\$144,127	\$148,451
Economic Development Administrator	B	\$175,486	\$177,241	\$180,786	\$186,210
Public Defender	B	\$215,905	\$218,064	\$222,425	\$229,098
Public Health Director	B	\$166,918	\$168,587	\$171,959	\$177,118
Registrar of Voters	B	\$153,860	\$155,399	\$158,507	\$163,262

(2) Table 2.

This table applies to employees hired into the listed positions on or after July 9, 2016.

<i>Classifications</i>	<i>Exempt Group</i>	<i>Salary Grade</i>
Agricultural Commissioner/Sealer	B	85
Assistant Executive Officer-Finance and Administration	B	101
Assistant Executive Officer-Human Services	B	101
Behavioral Health Medical Director	C	113
Chief Executive Officer	B	116
Chief Information Officer	B	97

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<i>Classifications</i>	<i>Exempt Group</i>	<i>Salary Grade</i>
Chief Probation Officer	B	93
Clerk of the Board of Supervisors	B	84
County Chief Financial Officer	B	97
County Clerk ¹	N/A	N/A
County Counsel	B	105
County Librarian	B	84
Director of Aging and Adult Services	B	84
Director of Airports	B	83
Director of Arrowhead Regional Medical Center	B	109
Director of Behavioral Health	B	96
Director of Child Support	B	92
Director of County Museum	B	81
Director of Economic Development	B	83
Director of Fleet Management	B	81
Director of Human Resources	B	96
Director of Land Use Services	B	91
Director of Preschool Services	B	84
Director of Public Works	B	97
Director of Purchasing	B	82
Director of Real Estate Services	B	81
Director of Risk Management	B	82
Director of Transitional Assistance	B	90
Director of Veterans' Affairs	B	81
Director, Children and Family Services	B	94
Director, Community Development and Housing	B	83
Director, Regional Parks	B	81
Director, Workforce Development	B	83

¹ Salary for this position is set at \$1, not a salary grade.

<i>Classifications</i>	<i>Exempt Group</i>	<i>Salary Grade</i>
Economic Development Administrator	B	92
Public Defender	B	101
Public Health Director	B	90
Registrar of Voters	B	87

(b) Exempt – Associate Administrators

<i>Classification</i>	<i>Exempt Group</i>	<i>Grade Effective 1/9/16</i>	<i>Grade Effective 7/23/16</i>	<i>Grade Effective 7/22/17</i>	<i>Grade Effective 7/21/18</i>
Administrative Analyst I	D	56	56	56	56
Administrative Analyst II	C	66	66	66	66
Administrative Analyst III	C	73	73	73	73
Administrative Analyst Trainee	D	45T	45T	45T	45T
ARMC Chief Compliance Officer	C	75	75	75	75
ARMC Chief Financial Officer	B	100	100	100	100
ARMC Chief Operating Officer	B	98	98	98	98
ARMC Medical Director	C	108	108	108	108
ARC Project Administrator	C	57	57	57	57
Assistant Administrator, Economic Development Agency	B	85	85	85	85
Assistant Agricultural Commissioner/Sealer	C	75	75	75	75
Assistant Assessor	B	80	80	80	80
Assistant Chief Information Officer	C	86	86	86	86
Assistant Chief Probation Officer	C	85	85	85	85

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<i>Classification</i>	<i>Exempt Group</i>	<i>Grade Effective 1/9/16</i>	<i>Grade Effective 7/23/16</i>	<i>Grade Effective 7/22/17</i>	<i>Grade Effective 7/21/18</i>
Assistant County Librarian	C	73	73	73	73
Assistant Director of Airports	C	73	73	73	73
Assistant Director of Behavioral Health	C	86	86	86	86
Assistant Director of Child Support	C	85	85	85	85
Assistant Director of Children and Family Services	C	85	85	85	85
Assistant Director of Facilities Management	C	73	73	73	73
Assistant Director of Human Resources	C	87	87	87	87
Assistant Director of Land Use Services	C	84	84	84	84
Assistant Director of Preschool Services	C	78	78	78	78
Assistant Director of Public Health	C	82	82	82	82
Assistant Director of Real Estate Services	C	77	77	77	77
Assistant Director of RES Project Management Division	C	77	77	77	77
Assistant Director of Risk Management	C	77	77	77	77
Assistant Director of Transitional Assistance	C	84	84	84	84
Assistant District Attorney	B	97	97	97	97
Assistant Hospital Administrator - Ambulatory Services	C	74	74	74	74
Assistant Hospital Administrator - Behavioral Health	C	75	75	75	75

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<i>Classification</i>	<i>Exempt Group</i>	<i>Grade Effective 1/9/16</i>	<i>Grade Effective 7/23/16</i>	<i>Grade Effective 7/22/17</i>	<i>Grade Effective 7/21/18</i>
Assistant Hospital Administrator - Nursing Services	C	75	75	75	75
Assistant Public Defender	C	97	97	97	97
Assistant Recorder	B	80	80	80	80
Assistant Registrar of Voters	C	78	78	78	78
Assistant Sheriff	C	93	93	93	93
Associate Chief Nursing Officer	C	82	82	82	82
Associate Hospital Administrator Professional Services	C	82	82	82	82
Assistant Auditor-Controller/Treasurer/Tax Collector	B	84	84	84	84
ATC Project Administrator	C	57	57	57	57
Auditor-Controller Division Chief	C	76	76	76	76
Auditor-Controller Manager	C	71	71	71	71
Board of Supervisor's Administrative Analyst	B	73	73	73	73
BOS Chief of Staff	B	84	84	84	84
Building Official	C	79	79	79	79
Chief Administrative Analyst	C	80	80	80	80
Chief Appraiser	C	76	76	76	76
Chief Assistant County Counsel	B	98	98	98	98
Chief Assistant District Attorney	B	100	100	100	100
Chief Compliance Officer -Behavioral Health	C	72	72	72	72

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<i>Classification</i>	<i>Exempt Group</i>	<i>Grade Effective 1/9/16</i>	<i>Grade Effective 7/23/16</i>	<i>Grade Effective 7/22/17</i>	<i>Grade Effective 7/21/18</i>
Chief Deputy Clerk of Board of Supervisors	C	73	73	73	73
Chief Deputy County Museum	C	65	65	65	65
Chief Deputy District Attorney	C	94	94	94	94
Chief Deputy Public Defender	C	94	94	94	94
Chief Deputy Registrar of Voters	C	65	65	65	65
Chief Deputy Treasurer	C	76	76	76	76
Chief Learning Officer	C	78	78	78	78
Chief Medical Information Officer	C	90	90	90	90
Chief Nursing Officer	C	90	90	90	90
Chief of Animal Care and Control	C	80	80	80	80
Chief of Assessment Services	C	76	76	76	76
Chief of Clinical Operations	C	71	71	71	71
Chief of Community Health and Nursing Services	C	80	80	80	80
Chief of County Counsel's Administration	C	70	70	70	70
Chief of District Attorney's Administration	C	73	73	73	73
Chief of Environmental Health Services	C	80	80	80	80
Chief of Public Defender's Administration	C	70	70	70	70
Chief Public Works Engineer	C	82	84	86	88

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<i>Classification</i>	<i>Exempt Group</i>	<i>Grade Effective 1/9/16</i>	<i>Grade Effective 7/23/16</i>	<i>Grade Effective 7/22/17</i>	<i>Grade Effective 7/21/18</i>
Child Support Chief Attorney	C	90	90	90	90
Children's Network Officer	C	69	69	69	69
Code Enforcement Chief	C	79	79	79	79
Community Services Finance and Operations Chief	C	73	73	73	73
Contracts and Compliance Officer	C	75	75	75	75
County Chief Operating Officer	B	98	98	98	98
County Counsel Research Attorney I	C	62T	62T	62T	62T
County Counsel Research Attorney II	C	71	71	71	71
County Surveyor	C	82	82	82	82
Department Technology Chief	C	82	82	82	82
Departmental IS Administrator	C	80	80	80	80
Deputy Chief of Community Health Services	C	73	73	73	73
Deputy Chief of Network Services	C	77	77	77	77
Deputy Chief Probation Administrator	C	77	77	77	77
Deputy Chief Probation Officer	C	81	81	81	81
Deputy County Counsel I	C	62T	62T	62T	62T
Deputy County Counsel II	C	71T	71T	71T	71T
Deputy County Counsel III	C	78T	78T	78T	78T

<i>Classification</i>	<i>Exempt Group</i>	<i>Grade Effective 1/9/16</i>	<i>Grade Effective 7/23/16</i>	<i>Grade Effective 7/22/17</i>	<i>Grade Effective 7/21/18</i>
Deputy County Counsel IV	C	84C	84C	84C	84C
Deputy County Counsel V	C	87C	87C	87C	87C
Deputy Director Behavioral Health - Program Services	C	83	83	83	83
Deputy Director DAAS	C	73	73	73	73
Deputy Director of Alcohol & Drug Abuse Program Services	C	83	83	83	83
Deputy Director of Governmental & Legislative Affairs	B	73	73	73	73
Deputy Director of Regional Parks	C	77	77	77	77
Deputy Director of Risk Management	C	71	71	71	71
Deputy Director, Behavioral Health - Admin Services	C	83	83	83	83
Deputy Director, Behavioral Health Quality Management	C	83	83	83	83
Deputy Director, Child Support	C	73	73	73	73
Deputy Director, Children and Family Services	C	73	73	73	73
Deputy Director, Community Development and Housing	C	74	74	74	74
Deputy Director, Economic Development	C	74	74	74	74
Deputy Director, Facilities Management	C	71	71	71	71
Deputy Director, Preschool Services	C	73	73	73	73

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<i>Classification</i>	<i>Exempt Group</i>	<i>Grade Effective 1/9/16</i>	<i>Grade Effective 7/23/16</i>	<i>Grade Effective 7/22/17</i>	<i>Grade Effective 7/21/18</i>
Deputy Director, Program Development	C	73	73	73	73
Deputy Director, Redevelopment Agency	C	74	74	74	74
Deputy Director, Sheriff's Coroner Division	C	75	75	75	75
Deputy Director, Transitional Assistance	C	73	73	73	73
Deputy Director, Workforce Development	C	74	74	74	74
Deputy Executive Officer	B	89	89	89	89
Deputy Public Information Officer	C	66	66	66	66
Director of Governmental & Legislative Affairs	B	80	80	80	80
Director of Public Relations and Marketing	C	68	68	68	68
District Attorney Assistant Chief Investigator	C	83	83	83	83
District Attorney Chief Investigator	C	89	89	89	89
District Attorney, Public Affairs Officer	C	67	67	67	67
Division Chief, Disease Control	C	80	80	80	80
Economic Development Manager	C	69	69	69	69
EMACS Manager	C	71	71	71	71
Employee Relations Chief	C	80	80	80	80
Ethics Resource Officer	D	64	64	64	64
Field Representative	B	63	63	63	63

<i>Classification</i>	<i>Exempt Group</i>	<i>Grade Effective 1/9/16</i>	<i>Grade Effective 7/23/16</i>	<i>Grade Effective 7/22/17</i>	<i>Grade Effective 7/21/18</i>
Franchise Programs Analyst	C	65	65	65	65
Government Relations Analyst I	C	58	58	58	58
Governmental Relations Analyst II	C	66	66	66	66
Government Relations Officer	B	63	63	63	63
Health Officer	C	96	96	96	96
Healthcare Program Administrator	D	70	70	70	70
Homeless Services Officer	C	72	72	72	72
HS Administrative Manager	D	60	60	60	60
HS Auditing Chief	C	75	75	75	75
HSS Program Integrity Division Chief	C	73	73	73	73
Human Resources Analyst I	D	60	60	60	60
Human Resources Analyst II	D	65	67	68	68
Human Resources Analyst III	C	71	71	71	71
Human Resources Analyst Trainee	D	47T	47T	47T	47T
Human Resources Division Chief	C	80	80	80	80
Human Resources Officer I	C	65	65	65	65
Human Resources Officer II	C	71	71	71	71
Human Resources Officer III	C	76	74	74	74
Human Resources Section Manager	C	73	73	73	73
Information Services Division Chief	C	82	82	82	82

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<i>Classification</i>	<i>Exempt Group</i>	<i>Grade Effective 1/9/16</i>	<i>Grade Effective 7/23/16</i>	<i>Grade Effective 7/22/17</i>	<i>Grade Effective 7/21/18</i>
Information Services Finance Officer	C	71	71	71	71
Information Services Security Officer	C	71	73	75	78
Investment Officer	C	71	71	71	71
Labor Negotiator	C	80	80	80	80
Labor Relations Financial Analyst	D	57	57	57	57
Legislative Analyst I	D	56	56	56	56
Legislative Analyst II	C	66	66	66	66
Legislative Analyst III	C	73	73	73	73
Legislative Program Manager	C	66	66	66	66
Network Services Division Chief	C	82	82	82	82
Payroll Supervisor	C	68	68	68	68
Planning Director	C	82	82	82	82
Principal Administrative Analyst	C	77	77	77	77
Principal Appraiser	C	65	67	67	67
Principal Assistant County Counsel	B	92	92	92	92
Principal Management Analyst	B	84	84	84	84
Probation Health Services Manager	C	73	73	73	73
Public Health Chief Financial Officer	C	80	80	80	80
Public Health Division Chief	C	80	80	80	80
Public Health Medical Director	C	92	92	92	92
Public Information Officer	B	83	83	83	83
Public Works Chief Financial Officer	C	80	80	80	80

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<i>Classification</i>	<i>Exempt Group</i>	<i>Grade Effective 1/9/16</i>	<i>Grade Effective 7/23/16</i>	<i>Grade Effective 7/22/17</i>	<i>Grade Effective 7/21/18</i>
Quality and Compliance Officer	C	75	75	75	75
Real Estate Services Manager	C	67	67	67	67
Risk Assessment Officer	C	70	70	70	70
Sheriff's Deputy Director of Administrative Services	C	84	84	84	84
Sheriff's Administrative Manager	C	73	73	73	73
Sheriff's Captain	C	82	82	82	82
Sheriff's Deputy Chief	C	88	88	88	88
Sheriff's Financial Manager	C	73	73	73	73
Sheriff's Health Services Manager	C	75	75	75	75
Small Business Development Manager	C	69	69	69	69
Solid Waste Management Division Manager	C	82	82	82	82
Special Assistant Deputy District Attorney	C	88	88	88	88
Special Assistant to the District Attorney	B	97	97	97	97
Supervising Deputy County Counsel	C	90	90	90	90
Systems Development Division Chief	C	82	82	82	82
Systems Support Division Chief	C	82	82	82	82
Undersheriff	B	98	98	98	98
Victim Services Chief	C	71	71	71	71

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(c) Exempt – Executive Assistants

<i>Classification</i>	<i>Exempt Group</i>	<i>Grade</i>
Administrative Aide (K)	C	57
Administrative Aide to the County Counsel	C	57
County Counsel Law Clerk	C	58
County Counsel Lead Secretary	D	48
County Counsel Paralegal	D	50
Executive Assistant	D	57
Executive Assistant to the District Attorney	D	57
Executive Secretary I	D	40
Executive Secretary II	D	45
Executive Secretary III - Classified	D	50
Executive Secretary III - Unclassified	C	50
Executive Secretary, Board of Supervisors	C	52
Secretary, Civil Service Commission	D	45
Sheriff's Special Assistant	C	57

(d) Notwithstanding the salary as established by this chapter, the Board of Supervisors may establish salary, benefits and other terms and conditions of employment by contract for the positions listed in Section 13.0604.

SECTION 5. Subsection 13.0613(e)(1) of the San Bernardino County Code is amended, to read:

13.0613 Exempt Group Working Conditions

(e) Leave Provisions.

(1) Sick Leave. Sick leave with pay is an insurance or protection provided by the County to be granted in circumstances of adversity to promote the health of the

1 individual employee. It is not an earned right to time off from work. SICK LEAVE is
2 defined to mean the authorized absence from duty of an employee because of physical
3 or mental illness, injury, pregnancy, confirmed exposure to a serious contagious
4 disease, for a medical, optical, or dental appointment, for certain purposes related to
5 being a victim of domestic violence, sexual assault or stalking, or other purpose
6 authorized herein.

7 (A) Definition.

8 (I) Family Member. A family member, as defined by Labor Code
9 section 245.5, is a parent, child, spouse, registered domestic partner, grandparent,
10 grandchild, or sibling. Parent means a biological, foster, or adoptive parent, a step
11 parent, legal guardian, or a person who stood in loco parentis when the employee was a
12 minor child. Child means a biological, foster, or adopted child, a stepchild, a legal ward,
13 a child of a domestic partner, or a child to whom the employee stands in loco parentis.
14 Domestic partner is defined by Family Code § 297.

15 (II) Extended Family. Extended family is defined as, parent/sibling-in-
16 law, aunt, uncle, niece, nephew, or any step relations as defined herein.

17 (B) Accumulation. Employees in regular positions shall accrue sick leave for
18 each payroll period completed, prorated on the basis of 3.69 hours per pay period,
19 except as provided in § 13.0613 (e)(14). Earned sick leave shall be available for use
20 the first day following the payroll period in which it is earned. Employees in regular
21 positions paid less than 80 hours per pay period or job-shared positions shall receive
22 sick leave accumulation on a pro rata basis. There shall be no limit on sick leave
23 accumulation.

24 (C) Compensation. Approved sick leave with pay shall be compensated at the
25 employee's base rate of pay. The minimum charge against accumulated sick leave
26 shall be 15 minutes.

27 (D) Administration.

28 (I) Investigation. It shall be the responsibility and duty of each

1 appointing authority to investigate each request for sick leave and to allow sick leave
2 with pay where the application is determined to be proper and fitting, subject to approval
3 of the Director of Human Resources.

4 (II) Notice of Sickness. In 24 hour departments, the appointing
5 authority or designee should be notified at least two hours prior to the start of the
6 employee's scheduled tour of duty of a sickness on the first day of absence and must
7 be notified at least one hour prior to the start of the employee's scheduled tour of duty.
8 In other departments, the appointing authority or designee must be notified within one-
9 half hour after the start of the employee's scheduled tour of duty of a sickness on the
10 first day of absence.

11 It is the responsibility of the employee to keep the appointing
12 authority informed as to continued absence beyond the first day for reasons due to
13 sickness or occupational disability. Failure to make such notification shall result in
14 denial of sick leave with pay. If the employee receives a doctor's off-work order and
15 provides notice of same to the appointing authority, the employee is not required to
16 contact the department daily. If the employee does not have an off-work order or has
17 not notified the appointing authority that one has been issued, the employee shall be
18 required to contact the department daily in accordance with the timeframe above.

19 (III) Review. The Director of Human Resources may review and
20 determine the justification of any request for sick leave with pay and may, in the interest
21 of the County, require information from a doctor to support a claim for sick leave pay.

22 (IV) Proof. A doctor's certificate or other adequate proof shall be
23 provided by the employee in all cases of absence due to illness if requested by the
24 appointing authority. All requests for proof of illness shall be made in compliance with
25 the Labor Code and other law.

26 (V) Improper Use. Evidence substantiating the use of sick leave for
27 willful injury, gross negligence, intemperance, trivial indispositions, instances of
28 misrepresentation, or violation of the rules defined herein will result in denial of sick

1 leave with pay and shall be construed as grounds for disciplinary action up to and
2 including termination.

3 (E) Sick Leave for Other than Personal Illness/Injury.

4 (I) Family Sick Leave. A maximum of one-half of the employee's
5 annual accrual of earned sick leave per calendar year may be used for attendance upon
6 family members who require the attention of the employee.

7 Upon approval of the appointing authority, the employee may use
8 part of this annual allowance for attendance upon members of the employee's extended
9 family residing in the employee's household who require the attention of the employee.

10 (II) Bereavement. A maximum of three days earned sick leave may be
11 used per occurrence for bereavement due to the death of a family member or a member
12 of the employee's extended family, as defined herein, or any relative who resided with
13 the employee.

14 (III) Birth/Adoption. A maximum of 40 hours earned sick leave may be
15 used per occurrence for arrival of an adoptive child at the employee's home. An
16 employee may utilize on an annual basis no more than 40 hours of accumulated sick
17 leave per calendar year for the birth of his or her child.

18 (IV) Medical, Optical or Dental Appointments. The employee may use
19 sick leave for medical, dental or optical appointments; however, every effort should be
20 made to schedule the appointments at a time of day that will minimize the employee's
21 time off work.

22 (F) Return-to-Work Medical Clearance.

23 (I) Under the following circumstances, all employees who have been
24 off work due to an illness or injury will report to the San Bernardino County Center for
25 Employee Health and Wellness for a medical evaluation of condition and authorization
26 to return to work before returning to work.

27 (i) Employees whose treating physician or other qualified
28 medical provider has ordered job modification(s) as a condition for either continuing to

1 work or for returning to work after an illness or injury. This applies to both occupational
2 and non-occupational illness or injury.

3 (ii) Employees who have been off work due to communicable
4 diseases such as, but not limited to, chicken pox and measles.

5 (iii) Employees who have been absent on account of serious
6 medical condition, when so directed by appointing authority, and with concurrence of
7 the San Bernardino County Center for Employee Health and Wellness.

8 (II) Employees are required to attend return-to-work medical
9 appointments at the Center for Employee Health and Wellness on their own time;
10 however, mileage for attending such appointments are eligible for reimbursement
11 pursuant to the Expense Reimbursement provision, § 13.0613(h).

12 (III) It is the responsibility of the employee to obtain written notice from
13 the medical provider of authorization to return to work with or without job modification.
14 To ensure all necessary and relevant medical information is provided, the County shall
15 make available forms to be completed by the medical provider. It is the responsibility of
16 the employee to provide verbal notice to his or her appointing authority immediately
17 upon receipt of the medical provider's authorization to return to work, and no later than
18 24 hours after receipt of the notice. The appointing authority or designee will schedule
19 an appropriate medical evaluation for the employee with the Center for Employee
20 Health and Wellness prior to the employee's return to work. The employee shall
21 provide the medical provider's written notice of authorization to return to work to the
22 Center at or prior to the employee's scheduled appointment time.

23 (IV) Exceptions to the above requirements may be made on a case-by-
24 case basis by the Center for Employee Health and Wellness.

25 (V) The employee is obligated to attend the appointment as scheduled
26 under the conditions outlined above. If the employee fails to adhere to the procedure,
27 the employee is required to use sick leave or leave without pay for any work hours
28 missed. If required notice has been provided, and there is a delay between the

1 employee's appointment with the Center and the start of his or her scheduled tour of
2 duty on the day that he or she was released to return to work, the County will pay for
3 work hours missed, without charge to the employee's leave balances.

4 (VI) The final decision on the employee's ability to return to work rests
5 with the medical provider at the Center. In the event the employee is not released to
6 return to work by the medical provider at the Center, the employee's status would
7 continue on sick leave or, where there is no balance, leave without pay.

8 (G) Workers' Compensation.

9 (I) Employees shall receive full salary in lieu of Workers'
10 Compensation benefits and paid sick leave for the first 40 hours following an
11 occupational injury or illness, if authorized off work by order of an accepted physician
12 under the Workers' Compensation sections of the California Labor Code. Thereafter,
13 accumulated paid leave may be prorated to supplement such temporary disability
14 compensation payments, provided that the total amount shall not exceed the regular
15 gross salary of the employee. Employees eligible for salary continuation pursuant to
16 Labor Code § 4850 are not entitled to this paid time.

17 (H) Employees covered by Labor Code § 4850 of the Labor Code who are
18 injured in the line of duty are entitled to full salary in lieu of Workers' Compensation
19 benefits and sick leave for a period not to exceed one year. After the employee has
20 used one full year of such "4850 time", said employee may use accumulated sick leave
21 with pay with the approval of the appointing authority to augment temporary disability
22 payments if said employee is still temporarily disabled by order of an accepted
23 physician under the Workers' Compensation sections or until said employee is retired.

24 (I) Separation. Unused sick leave shall not be payable upon separation of
25 the employee, except as provided in the Retirement Medical Trust Fund, § 13.0613
26 (i)(4) and as provided below.

27 Upon the death of an active employee with five or more years of
28 continuous service from the most recent date of hire in a regular position, the estate of

1 the deceased employee will be paid the cash value for the unused sick leave balances
 2 according to the sick leave conversion formula below, and will not go into the Trust.

<i>Sick Leave Balance as of Date of Separation for Death</i>	<i>Cash Payment Percent of Hours of Sick Leave Balance</i>
480 hours or less	30 percent
481 to 600 hours	35 percent
601 to 720 hours	40 percent
721 to 840 hours	45 percent
841 to 1,000 hours	50 percent

11 (J) Sick Leave Conversion. While employed by the County, employees who
 12 have contributed to a public sector retirement(s) for over five years and have not
 13 withdrawn the contribution from the system(s) may exchange accrued sick leave hours
 14 in excess of 200 hours for vacation time on the following basis:

<i>Sick Leave Balance at Time of Conversion</i>	<i>Sick Leave to Vacation Leave Conversion Ratio</i>
201 to 599 hours	3 sick hours to 1 hour vacation
600 to 799 hours	2.5 sick hours to 1 hour vacation
800 or more hours	2 sick hours to 1 hour vacation

22 Any such exchange must be made in ten hour increments of accrued sick
 23 leave under the procedures established by the Director of Human Resources.
 24 Employees may elect this exchange once per calendar year.

25 SECTION 6. Subsection 13.0613(l)(2) of the San Bernardino County Code is
 26 amended, to read:

27 **13.0613 Exempt Group Working Conditions**

28 (l) Automobiles.

1 (2) All elected officials and all County employees in benefit groups A and B,
2 Assistant Sheriffs, and Sheriff's Deputy Chiefs, and the District Attorney Chief
3 Investigator in a paid status shall receive a biweekly automobile allowance in the
4 amount of \$561.54 with no mileage reimbursement, provided they are not assigned a
5 County vehicle pursuant to § 13.0613(l)(1) above and they provide a private vehicle for
6 their own use on County business. An employee who becomes eligible or ineligible for
7 this benefit in the middle of a pay period will receive a prorated sum of automobile
8 allowance. Employees selecting this allowance shall be required to have a vehicle
9 available at all times for use on County business. This allowance shall be considered
10 complete reimbursement for the acquisition, insurance, maintenance, repair, upkeep,
11 fuel, and all other costs for the required vehicle.

12 SECTION 7. Subsection 13.0613(cc) of the San Bernardino County Code is
13 repealed.

14 SECTION 8. Subsection 13.0613(hh) of the San Bernardino County Code is
15 repealed.

16 SECTION 9. Subsection 13.0613(ii)(2) of the San Bernardino County Code is
17 amended, to read:

18 **13.0613 Exempt Group Working Conditions**

19 (ii) Definitions.

20 (2) Base Rate of Pay/Base Hourly Rate. The employee's base hourly
21 wage, excluding differentials and other pay above the base hourly wage.

22 SECTION 10. Subsection 13.0613(mm) is added to Chapter 6 of Division 3 of
23 Title 1 of the San Bernardino County Code, to read:

24 **13.0613 Exempt Group Working Conditions**

25 (mm) Behavioral Health Director differential. The Behavioral Health Medical
26 Director shall receive a five percent (5.00%) differential above the employee's base rate
27 of pay provided such employee is certified as a Diplomate by the American Board of
28 Psychiatry and Neurology. The differential shall be paid for all hours actually worked up

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to eighty (80) hours per pay period.

SECTION 11. This ordinance shall take effect immediately upon adoption, pursuant to the provisions of Government Code section 25123.

JAMES RAMOS, Chairman
Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

LAURA H. WELCH, Clerk of the Board of Supervisors

1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF SAN BERNARDINO)

4 I, LAURA H. WELCH, Clerk of the Board of Supervisors of the County of San
5 Bernardino, State of California, hereby certify that at a regular meeting of the Board of
6 Supervisors of said County and State, held on the _____ day of _____, 2016,
7 at which meeting were present Supervisors: _____

8 and the Clerk, the foregoing ordinance was passed and adopted by the following vote,
9 to wit:

10 AYES: SUPERVISORS:

11 NOES: SUPERVISORS:

12 ABSENT: SUPERVISORS:

13 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official
14 seal of the Board of Supervisors this ____ day of _____, 2016.

15 LAURA H. WELCH, Clerk of the
16 Board of Supervisors of the
17 County of San Bernardino,
18 State of California

19 _____
20 Deputy

21 Approved as to Form:

22 JEAN-RENE BASLE
23 County Counsel

24 By: _____
25 KENNETH C. HARDY
26 Deputy County Counsel

27 Date: _____
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