



CITY OF WHEATLAND

CITY COUNCIL MEETING STAFF REPORT

December 10, 2019

SUBJECT: Council Discussion and Consideration of Adoption of Resolution 42-19 Amending the City of Wheatland Personnel Rules

PREPARED BY: Susan Mahoney, Finance Director

Recommendation

Adopt Resolution 42-19 amending the City of Wheatland Personnel Rules.

Background

The City Council is authorized and directed under the Wheatland Municipal Code to adopt rules for the administration of the City's personnel system. The Wheatland Personnel Rules ("Rules") were last amended in 2008 and needed significant updates to ensure compliance with current labor laws and best practices.

Discussion

The City contracted with the legal firm Best Best and Krieger to update the Rules to reflect current labor laws. These services were paid for with a grant from the City's insurance carrier, PARSAC. Updates include revisions to policies regarding:

- equal employment opportunity/non-discrimination
- reasonable accommodation
- harassment and retaliation
- records and confidentiality
- complaint procedures
- employment status, classification and appointment
- fitness for duty and employment medical exams
- FMLA and sick leave
- catastrophic leave donations
- drug and alcohol-free workplace
- vacation and compensation time off (CTO) accruals
- definitions for Regular Employees, Full-Time Employees, and Part-Time Employees

In addition to the required legal updates provided by Best Best and Krieger, the following updates were agreed upon by the City's three employee organizations (General Employees, Police Officers, and Sergeants) and City administrative staff:

- Probationary period changed from 6 months to 12 months
- Eligibility for first merit increase for new hires changed from 6 months to 12 months
- Vacation leave can be taken in 15-minute increments (previously not addressed in the Rules)
- Sick leave can be taken in 15-minute increments (changed from one-hour increments)
- The "use it or lose it" vacation policy (illegal under current California law) was replaced with a "maximum accrual of 1.5 times an employee's annual vacation accrual amount". The amended Rules call for a payout on December 1st of each year of the vacation time accrued and unused that is in excess of 1.5 times an employee's applicable annual vacation maximum accrual.

An employee's vacation accrual is based on years of service		
Years of Service	Vacation Accrual	Maximum Accrual
1 – 5	10 days per year	15 days
6 – 12	15 days per year	22.5 days
13 and over	20 days per year	30 days

Alternatives

Direct staff to adopt Resolution 42-19 with amendments as directed by Council.

Fiscal Impact

There is no direct fiscal impact resulting from the adoption of Resolution 42-19 with the exception of the annual payout of unused vacation time accrued. The annual payment to employees with accrued vacation time in excess of 1.5 times their vacation accrual amount will save the City money and assist in cash flow. Employees will be paid out at their hourly rate at the time of the annual payout instead of in a lump sum when they separate from service.

Attachments

1. Resolution 42-19
2. Personnel Rules with changes and comments