

RESOLUTION NO. 9500

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOUNTAIN VALLEY RELATING TO THE CLASSIFICATION AND COMPENSATION PLAN FOR PART-TIME EMPLOYEES OF THE CITY AND SUPERSEDING ALL PROVISIONS CONTAINED IN RESOLUTION NO. 9457 WHICH PERTAIN TO PART-TIME EMPLOYEES AND WORKERS' COMPENSATION COVERAGE FOR VOLUNTEERS

**WHEREAS**, the City Council of the City of Fountain Valley has established the classification, compensation, and terms of employment of regular, permanent, full-time employees; and

**WHEREAS**, the City Council desires to establish the classification, compensation, and terms of employment of non-represented part-time employees and workers' compensation coverage for volunteers by separate resolution; and

**WHEREAS**, the Healthy Workplaces/Healthy Families Act of 2014 (California Labor Code section 245-249) provides specified paid sick leave benefits to employees; and

**WHEREAS**, the City of Fountain Valley is hereby required to provide specified paid sick leave benefits to all employees including part-time employees currently not eligible for those benefits; and

**WHEREAS**, the provisions of the Healthy Workplaces/Healthy Families Act of 2014 will be included in the Memorandum of Understanding or City Council Resolution for all full-time employees and in this City Council Resolution for part-time employees.

**NOW, THEREFORE**, the City Council of the City of Fountain Valley does hereby RESOLVE as follows:

**Section 1.** Resolution No. 9457 is hereby repealed in its entirety.

**Section 2. Applicability.** The provisions of this resolution pertaining to classification, compensation, and terms of employment shall apply to any individual hired by the City as a part-time employee, except as specifically provided to the contrary in other resolutions.

**Section 3. Classification and Compensation – Part-Time and Hourly Employees.**

A. Pursuant to the provisions of Fountain Valley Municipal Code Section 2.52.030, the following classifications and corresponding hourly rates for part-time employees are hereby established:

Code	Classification	Step 1	Step 2	Step 3
T06	Administrative Intern	\$12.31	\$12.93	\$13.58
T28	Administrative Intern – City Manager’s Office	\$10.00	\$10.50	\$11.03
T29	Administrative Specialist①	\$15.90	\$16.70	\$17.54
T14	Customer Service Representative①	\$21.39	\$22.46	\$23.59
T15	Dispatcher①	\$24.91	\$23.16	\$27.47
T21	Dispatcher Trainee②	\$16.00	N/A	N/A
T32	Emergency Medical Services Manager	\$49.23	\$51.69	\$54.27
T22	Emergency Preparedness Assistant	\$17.50	\$18.37	\$19.29
T05	Engineering Technician I	\$23.07	\$24.22	\$25.43
T31	Graduate Intern	\$14.70	\$15.43	\$16.20
T25	Information Systems Technician	\$25.59	\$26.87	\$28.21
T10	Lifeguard	\$10.54	\$11.07	\$11.63
T33	Management Aide	\$27.31	\$28.67	\$30.11
T23	Management Intern	\$18.48	\$19.40	\$20.37
T17	Office Specialist I	\$15.74	\$16.53	\$17.36
T13	Office Specialist II	\$17.50	\$18.37	\$19.29
T18	Personnel Aide	\$11.09	\$11.64	\$12.22
T12	Police Reserve Officer②	\$20.00	N/A	N/A
T30	Police Services Officer	\$19.77	\$20.76	\$21.80
T20	Police Cadet	\$10.80	\$11.34	\$11.90
T26	Recreation Coordinator	\$21.76	\$22.85	\$23.99
T02	Recreation Leader I	\$9.00	\$9.45	\$9.92
T03	Recreation Leader II	\$10.50	\$11.02	\$11.57
T04	Recreation Specialist	\$14.70	\$15.43	\$16.20
T09	Swim Instructor/Lifeguard	\$11.60	\$12.18	\$12.79
T07	Temporary Laborer	\$11.32	\$11.89	\$12.49

① These classifications are full-time positions filled on a part-time basis. The salary is subject to change by City Council Resolution when the full-time salary range for the position is adjusted.

② Specified positions are established with only a single hourly rate.

The City Council hereby grants the City Manager with the authority to establish hourly rates for part-time employees as necessary.

B. In addition to the above part-time classifications, employees may be hired in any of the full-time classifications in the competitive service on a part-time basis. When an employee is employed in a full-time position on an hourly basis, the three-step range for the position shall consist of the hourly equivalent of the first three steps of the range for the classification and shall be added to the part-time salary table.

C. Employees classified as part-time are at-will and shall not be deemed regular, competitive service employees and shall not be entitled to any of the rights or benefits of such regular employees including, but not limited to, paid holidays and vacation, except as otherwise provided in this resolution or as mandated by State or Federal Law.

#### **Section 4. Rules of Compensation – Part-Time Employees.**

A. City employees in any of the classifications listed in Section 3 shall be considered part-time employees and shall be exempt from the provisions of the competitive service for regular permanent employees, have no vested rights to their position, and serve at the pleasure of the employer.

B. When a part-time or hourly employee is hired, he/she shall be assigned to an authorized part-time or hourly position. The first step of the salary range is the normal hiring rate for any classification.

C. Evaluations. All part-time employees will receive written performance evaluations from their immediate supervisor according to the following schedule:

1	Upon completion of six months of service.
2	Upon completion of 1,040 hours of service.
3	Upon completion of 2,080 hours of service.

D. Merit Increases. Part-time employees shall be eligible for advancement within their salary range based on completion of a specified number of hours of satisfactory service, as follows:

Step 1:	Entry level.
Step 2:	Eligible for advancement upon completion of 1,040 hours of satisfactory service.
Step 3:	Eligible for advancement upon completion of 2,080 hours of satisfactory service.

Advancement from one step to another shall be made only upon written recommendation of the employee's supervisor and approval of the Department Director, in accordance with the criteria contained herein.

E. Salary Range Adjustments. Salary ranges for all part-time classifications will be adjusted in accordance with Section 3.A.

**Section 5. Hours Worked Per Year.** Part-time employees may work a maximum of 1,000 hours in a fiscal year. The City Manager may authorize specified part-time employees to work in excess of 1,000 hours depending upon the needs of the City.

**Section 6. Uniforms.** Part-time employees employed in the following classifications shall be entitled to uniforms or uniform allowances as indicated:

Classification	Uniform Provisions	Allowance
Reserve Police Officers:	Newly hired employees shall receive a pro-rated allowance if they are hired after July 1 for that calendar year.	\$200 per year
Dispatchers:	The allowance will be provided following 6 months of continuous service.	\$100 per year
Police Cadet:	Uniforms provided	N/A

Uniforms and allowances for part-time classifications not listed in this section shall be determined by the Department Director with the approval of the City Manager.

**Section 7. Paid Sick Leave.**

A. Paid Sick Leave Accrual. Pursuant to the Healthy Workplaces, Healthy Families Act of 2014 (California Labor Code section 245-249), effective July 1, 2015, part-time employees accrue sick leave (pursuant to the Healthy Workplaces, Healthy Families Act of 2014 (California Labor Code sections 245-240) at the rate of one (1) hour for every 30 hours worked up to a maximum of 24 hours per fiscal year. Part-time employees may begin using accrued sick leave on the 90<sup>th</sup> day of employment or later and may carry into the next fiscal year, up to 48 hours of accrued sick leave.

B. Sick Leave Usage. Part-time employees can use accrued sick leave for themselves for preventative care (such as physical exams) or care of an existing health condition.

C. Family Sick Leave. Part-time employees can use accrued sick leave for the diagnosis, care or treatment of an existing health condition of, or preventative care for family members. In this section, the term "family members" means any of the following:

A child (biological, adopted, foster child, step child, legal ward or a child to whom the employee stands in loco parentis) regardless of age or dependency status.
A biological, adoptive, or foster parent, step parent or legal guardian of an employee or the employee's spouse or registered domestic partner or a person who stood in loco parentis when the employee was a minor child.
A spouse.
A registered domestic partner.
A grandparent.
A grandchild.
A sibling.
Individuals who live in the same household or whose relationship to the employee is that of a dependent or near-dependent.

D. Other Sick Leave. Part-time employees can use sick leave for specified purposes if they are victims of domestic violence, sexual assault or stalking as set forth in California Labor Code section 230(f) and 230.1(a).

E. Sick Leave at Separation. There is no provision for payout of any unused accrued sick leave at separation.

F. Reinstatement of Accrual Upon Rehire. In accordance with California Labor Code section 245 et seq., should a part-time employee separate from employment with the City of Fountain Valley, and then return to City employment within one year from the date of separation, the employee's accrued, unused sick leave hours at the time of separation up to the maximum of 48 hours shall be reinstated upon re-hire.

**Section 8. Volunteers.**

A. Volunteer Defined. A volunteer is a person who performs voluntary service without pay for a public agency in accordance with Labor Code Section 3363.5. Voluntary service without pay shall include services performed by any person who receives no remuneration other than meals, transportation, lodging or reimbursement for incidental expenses.

B. Volunteers as specified in this section are "employees" as that term is defined in the Workers' Compensation provisions of the California Labor Code and are entitled to all of the benefits thereof as provided by Labor Code Section 3363.5. The designation of employee shall be confined to the election authorized by Section 3363.5 for Workers' Compensation benefits and said volunteers shall not be considered "employees" of the City for purposes unrelated to the Workers' Compensation provisions of the California Labor Code.

C. Volunteers include but are not limited to:

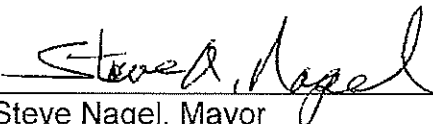
City Commission and Committee Members
Disaster Service Workers
Fire Inspection Reserve Senior Task Force (F.I.R.S.T.)
Fire Reserves
Other volunteers as determined by the City Manager
Police Academy Students that have entered into agreement with the City
Police Chaplains
Police Explorers
Police Reserve Officer
Radio Amateur Civil Emergency Services (RACES)
Retired Senior Volunteer Program (RSVP)
Senior Center volunteers

**Section 9. Miscellaneous Provisions.**


A. Avoidance of Inequities. The City Manager is authorized to issue written administrative regulations designed to augment or clarify the provisions of this resolution.

**Section 10. Effective Date.** Except as otherwise specified to the contrary in this resolution, all provisions shall be effective as of July 1, 2015.

**PASSED AND ADOPTED** by the City Council of the City of Fountain Valley at a regular adjourned meeting this 2<sup>nd</sup> day of June 2015.

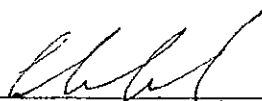
  
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Steve Nagel, Mayor

ATTEST:

  
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City Clerk Administrator, Robin L. Roberts

APPROVED AS TO FORM:

HARPER & BURNS LLP

  
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Colin Burns  
Attorneys for the City

{ State of California  
County of Orange }

I, ROBIN L. ROBERTS, City Clerk of the City of Fountain Valley, do hereby certify that foregoing Resolution No. 9500 was duly passed and adopted at a regular meeting held on the 2nd day of June, 2015, by the following roll call vote, to wit:

AYES: Brothers, Collins, McCurdy, Nagel, Vo

NOES: None

ABSENT: None

IN WITNESS WHEREOF, I have hereby set my hand and affixed seal of the City of Fountain Valley on June 2, 2015.

Robin L. Roberts

Robin L. Roberts,  
City Clerk Administrator

