

RESOLUTION NO. 95- 2022

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PORTERVILLE AMENDING THE EMPLOYEE PAY AND BENEFIT PLAN
FOR ALL UNREPRESENTED MISCELLANEOUS AND SAFETY
MANAGEMENT EMPLOYEES**

WHEREAS, the City Council has determined and reiterated that an Employee Pay and Benefit Plan, Classification Plan, Personnel System Rules and Regulations, Health Plan and Retirement Plan are essential for the proper administration of the City's affairs, including employee recruitment and retention, and for proper supervision of City Employees; and

WHEREAS, the City Council recognizes the necessity of amending and/or changing the contents of such plans and regulations from time to time, and of executing instruments to implement and to keep the provisions thereof current, and to maintain the relevancy of the same; and

WHEREAS, the City Council agrees that unrecognized management employees, i.e., employees not designated for purposes of recognition and representation as an organized group for purposes of labor relations, should also be acknowledged through such amendments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville that the Employee Pay and Benefit Plan, for employees holding positions designated in the Executive Management group, including the positions of Deputy City Manager, Assistant City Manager, Director, Deputy Director, Police Chief, Fire Chief, Police Captain, Deputy Fire Chief, Police Lieutenant, Fire Battalion Chief, Fire Marshall, and Administrative Services Manager, hereinafter ("Unrepresented Employees") are hereby ~~amended~~ amended as follows:

The term of the Memorandum of Understanding shall be three (3) years, from July 1, 2022 through June 30, 2025.

II. Salary:

Effective July 1, 2022, Unrepresented Management employees shall receive a five percent (5%) salary increase.

Effective July 1, 2023, Unrepresented Management employees shall receive a two percent (2%) salary increase.

Effective July 1, 2024, Unrepresented Management employees shall receive a two percent (2%) salary increase.

III. Employee Service Awards:

Effective the next full pay period upon ratification and adoption by the City Council, the Employee Service Awards section of the City of Porterville Employee Pay & Benefit Plan (Section III (P)), shall be amended as follows:

In an effort to retain and reward existing employees for their loyal continuous service, and to effectively attract and recruit new employees to the City of Porterville, all regular full-time employees, including provisional employees, and part-time employees who work 1560 hours or more annually, shall be eligible to receive Employee Service Awards for continuous years of service to the City of Porterville, as follows:

<u>Years of Continuous Service</u>	<u>Award Amount</u>
5	\$5,000
10	\$5,000
15	\$5,000
20	\$5,000
25	\$5,000
30	\$5,000
35	\$5,000
40	\$5,000

Payments shall be made to employee during the quarter in which the employee's anniversary date falls, in five year increments as identified above. Employee must work the full five-year increment to be eligible for said pay.

Only continuous, uninterrupted service with the City of Porterville is eligible for award. Should an employee leave the service of the City of Porterville and then subsequently return, the employee's years of service shall reset to zero.

Service as a probationary employee and/or provisional employee is eligible. Part-time employees who work twelve (12) months per year, for a minimum of 1560 hours annually in years for continuous, uninterrupted years of service are eligible.

Employees with at least five (5) continuous, uninterrupted years and up to thirty (30) continuous years of service with the City of Porterville as of the date that this Memorandum of Understanding is fully executed and officially accepted, will be acknowledged and eligible to receive their Employee Service Award effective the pay-period after the MOU is fully executed and officially accepted, or as soon thereafter as possible.

Subsequent to the initial payments made pursuant to this Employee Service Award benefit, payments shall be made on a quarterly basis as defined herein.

IV. Adjustments to Position Pay Plan

In order to mitigate salary compaction issues created by salary adjustments within other bargaining units and for internal parity, effective the next full pay-period after ratification and adoption by the City Council, salaries for the following positions shall be adjusted as follows:

<u>Fire Marshal:</u>	From Salary Range 222 to 232
<u>Administrative Services Director:</u>	From Salary Range 257 to 267
<u>Finance Director:</u>	From Salary Range 262 to 267
<u>Community Dev. Director:</u>	From Salary Range 262 to 267
<u>Parks & Leisure Svs. Director:</u>	From Salary Range 262 to 267
<u>Public Works Director:</u>	From Salary Range 267 to 277
<u>Fire Chief:</u>	From Salary Range 276 to 277
<u>Deputy City Manager:</u>	From Salary Range 277 to 282

- V. Holidays:
Effective immediately, Sections III (F) and III (H) 4 of the Employees Pay & Benefit Plan shall be amended to add Martin Luther King Day as a recognized municipal holiday for which city offices shall be closed.
- VI. Educational Incentive/Certificate Pay
Effective the next full pay period following ratification and adoption by the City Council, Section II (L) of the Employee Pay & Benefit Plan shall be amended to include the following Certificate Pay:
- A. OSFM Certified Chief Officer: 5%
Compensation to sworn unrepresented management employees within the Fire Department who obtain and maintain a certificate through the Office of the State Fire Marshal.
- OSFM Instructor I OR
OSFM Fire Emergency Services Instructor I: 5%
Compensation to sworn unrepresented management employees within the Fire Department who obtain and maintain a certificate through the Office of the State Fire Marshal.
- OSFM Safety Officer Certification: OR
FEMA All Hazard Safety Officer: 5%
Compensation to sworn unrepresented management employees within the Fire Department who obtain and maintain the certificate through either the Office of the State Fire Marshal or FEMA.
- The certificate pay identified above is intended to compensate employees for the extra training, education and work associated with the respective certificate and is only compensable if a determination is made by the Fire Chief and/or City Manager that the certificate is beneficial to the City in its operations. Certificate pay is capped at 12.5%.
- B. OSFM Fire Inspector I: 2.5%
Compensation to unrepresented management employees in the classification of Fire Marshal for possession of the certificate through the Office of the State Fire Marshal.

OSFM Fire Inspector II: 2.5%

Compensation to unrepresented management employees in the classification of Fire Marshal for possession of the certificate through the Office of the State Fire Marshal.

OSFM Fire Marshal: 5%

Compensation to unrepresented management employees in the classification of Fire Marshal for possession of the certificate through the Office of the State Fire Marshal.

The certificate pay for identified above is intended to compensate employees for the extra training, education and work associated with the respective certificate and is only compensable if a determination is made by the Fire Chief that the certificate is beneficial to the City in its operations.

VII. Specialty Pay

Effective immediately, to the extent permissible by California law, including Labor Code Section 4850, payment of specialty pay earned due to standby and/or call back requirements of the employee shall be suspended for sworn unrepresented management employees within the Police and Fire Departments. Said suspension shall take effect in the event the employee is off duty for any reason, including for a work-related or non-work-related injury, for a period of time of sixty (60) days or longer. At such time as the employee returns to work, the applicable Specialty Pay shall be reinstated effective as of the date of return to active duty.

VIII. Life Insurance

Effective immediately, Life Insurance policies for unrepresented management employees in the classifications of Police Captain, Police Lieutenant, Deputy Fire Chief, Fire Battalion Chief, Fire Marshal, and Administrative Services Manager shall increase from \$50,000 to \$100,000.

IX. Uniform Allowance

Effective the next full pay period upon ratification and adoption by the City Council, the Uniform and Safety Equipment Allowance for sworn unrepresented management employees shall be paid within 24 equal installments; and said allowance shall also be increased to \$1,200 for sworn unrepresented management employees within the Police Department.

X. Statement of Continuing Benefits and Working Conditions:

All other terms and conditions previously negotiated and subsequently approved and implemented by appropriate authority shall, unless herein expressly modified or eliminated, remain in full force and effect until such time as they are subsequently modified or eliminated through the meet and confer process and mutually agreed upon by the City and unrepresented management employees.

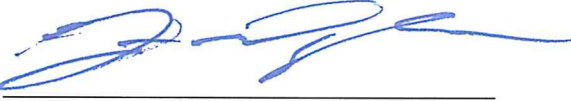
BE IT FURTHER RESOLVED that the Mayor of the City of Porterville is hereby authorized to execute those documents as are necessary to implement the provisions hereof.

PASSED, APPROVED AND ADOPTED this 20th day of September, 2022.


Martha A. Flores, Mayor

ATTEST:

John D. Lollis, City Clerk

By: 
Fernando Gabriel-Moraga, Deputy City Clerk


STATE OF CALIFORNIA)
CITY OF PORTERVILLE) SS
COUNTY OF TULARE)

I, JOHN D. LOLLIS, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of the resolution passed and adopted by the Council of the City of Porterville at a meeting of the Porterville City Council duly called and held on the 20th day of September, 2022.

Said resolution was duly passed, approved, and adopted by the following vote:

Council:	FLORES	CARRILLO	STOWE	TATE	WEYHRAUCH
AYES:	X	X	X	X	X
NOES:					
ABSTAIN:					
ABSENT:					

JOHN D. LOLLIS, City Clerk

By: 
Fernando Gabriel-Moraga, Deputy City Clerk