



## **City of Covina**

# **Mid-Management, Supervisory and Professional, and Confidential and Technical Compensation Rules**

**Effective July 1, 2024**



**Mid-Management, Supervisory and Professional, and Confidential and Technical  
Employees Compensation Rules  
Effective: July 1, 2024**

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**SECTION 1. PREAMBLE**

This document establishes the salary and benefits, authorized by the City Council of the City of Covina. This document supersedes any prior resolution or action taken with respect to the classifications listed herein. These Rules will remain in effect until such time as they are amended by the City Council or superseded.

**SECTION 2. SCOPE OF COVERAGE**

Pursuant to Government Code Section 3507.5, "Designation of management and confidential employees," a public agency may adopt reasonable Rules and Regulations providing for designation of the management and confidential employees of the public agency and restricting such employees from representing any employee organization, which represents other employees of the public agency, on matters within the scope of representation.

**SECTION 3. COVERED CLASSIFICATIONS**

The City Manager or his/her designee will prepare and make publicly available classification specifications of all fulltime positions covered by these Rules. He/she may authorize the modification of such position classification specifications as deemed necessary or otherwise appropriate to effect staff assignment or organizational changes.

**A. MID-MANAGEMENT**

- Chief Deputy City Clerk
- City Engineer
- Deputy Director of Administrative Services - Finance
- Deputy Director of Administrative Services - Human Resources
- Deputy Director of Community Development & Building Official
- Deputy Director of Public Works- City Engineer
- Deputy Director of Public Works- Operations and Transportation
- Economic Development Manager
- Environmental Services and Transportation Manager
- Finance Manager
- Human Resources Manager
- Information Technology Services Manager
- Library Manager
- Parks and Recreation Manager
- Planning Manager

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Public Works Manager – Engineering & Capital Improvement  
Public Works Manager – Environmental & Utility Services  
Recreation and Library Services Manager  
Senior Housing/CDBG Economic Development Manager  
Senior Human Resources Analyst  
Senior Management Analyst  
Water Utility Superintendent

**B. SUPERVISORY AND PROFESSIONAL**

Accountant  
Accounting Supervisor  
Building Official  
Deputy City Clerk  
Environmental Services Analyst  
Equipment Maintenance Superintendent  
Equipment Maintenance Supervisor  
Executive Assistant to the City Manager  
Executive Assistant to the Police Chief  
GIS Analyst  
Human Resources Analyst  
Librarian II  
Library Services Supervisor  
Literacy Program Coordinator  
Management Analyst  
Parks and Building Superintendent  
Parks and Recreation Supervisor  
Parks Maintenance Supervisor  
Payroll Analyst  
Safety Coordinator  
Senior Accountant  
Senior Payroll Analyst  
Senior Planner  
Streets and Sewer Superintendent  
Street Maintenance Supervisor  
Water Distribution Supervisor  
Water Systems Supervisor

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**C. CONFIDENTIAL AND TECHNICAL**

Administrative Technician  
Librarian I  
Management Analyst Trainee  
Payroll Technician  
Permit Technician  
Records Technician  
Senior Administrative Technician

This document provides the full and complete compensation, benefits, employment rights, retention rights, and severance rights of the classifications identified. Employees in positions listed above are part of the competitive service and are also subject to the Personnel System, the Covina Municipal Code, and the City's Personnel Rules and Regulations. No other statement, written or oral, can modify the terms of these Rules, until such time as they are amended by the City Council in open session or to comply with Federal and State law.

Unless otherwise specified, if an employee changes status (e.g. from fulltime to part-time employment), or separates from the Unaffiliated group, the employee will be subject to his/her new bargaining group's MOU or Compensation Rules, or employment contract.

**SECTION 4. COMPENSATION**

**4.1 TOTAL COMPENSATION**

**A. 2024 EQUITY ADJUSTMENTS**

Based on the results of the total compensation analysis (salary and benefits) conducted by the City, the following classifications were identified during negotiations as being below the sixtieth (60<sup>th</sup>) percentile of market. These classifications shall be given an equity adjustment in the amount specified below to ensure the salary range is at least at the sixtieth (60<sup>th</sup>) percentile. Upon approval of this Agreement by the City Council, the effective date shall be the first day of the pay period that includes July 1, 2024 (paid retroactively).

- Accountant – Five and three-fourth percent (5.75%)
- Administrative Technician – Two and one-half percent (2.5%)
- Executive Assistant to City Manager - Three and three-fourth percent (3.75%)



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- Executive Assistant to the Police Chief - Three and three-fourth percent (3.75%)
- GIS Analyst – Three percent (3.0%)
- Human Resources Analyst – Five percent (5.0%)
- Management Analyst – Five percent (5.0%)
- Parks and Building Superintendent – Two percent (2%)
- Payroll Analyst - Five percent (5.0%)
- Planning Manager – Two percent (2.0%)
- Safety Coordinator – Two percent (2%)
- Senior Administrative Technician – Two and one-half percent (2.5%)
- Senior Accountant – Three percent (3.0%)
- Senior Human Resources Analyst – Two percent (2.0%)
- Senior Management Analyst - Two percent (2.0%)
- Senior Payroll Analyst – Two percent (2%)
- Senior Planner – Five percent (5.0%)
- Water Utility Superintendent – One percent (1.0%)

**B. 2025 COMPENSATION SURVEY**

The City will conduct a compensation survey of salary and benefit costs, and will make corresponding salary range adjustments to maintain competitive market-based compensation levels at the sixtieth percentile (60%), pursuant to the following provisions:

- The City will coordinate a salary survey for each budgeted classification listed below according to a timeline which will allow for the implementation of salary range adjustments on the first day of the pay period that includes July 1, 2025.
  - Accounting Supervisor
  - Deputy City Clerk
  - Environmental Services Analyst
  - Management Analyst Trainee
  - Permit Technician
  - Public Works Manager
  - Records Technician

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- In order to facilitate the timeliness associated with salary range adjustments, the salary survey process will be initiated by January 1, 2025.
- The benefits to be studied shall be the same as those compared in the 2024 compensation study.
- Should the results of the compensation survey reflect that the current top step of the salary range is at least at the 60<sup>th</sup> percentile of market, then no adjustment shall be made for that particular job classification.
- **Reopener:** The City agrees to discuss with the Unaffiliated group increasing the City's total compensation from the sixtieth (60<sup>th</sup>) percentile to sixty-fifth (65<sup>th</sup>) percentile of the market. Such effort will be dependent on the City's ability to afford such increase. There shall be no changes without an agreement.

**C. 2026 COMPENSATION SURVEY**

The City will conduct a compensation survey of salary and benefit costs, and will make corresponding salary range adjustments to maintain competitive market-based compensation levels at the sixtieth percentile (60%), pursuant to the following provisions:

- The City will coordinate a salary survey for each classification represented by this Agreement according to a timeline which will allow for the implementation of salary range adjustments on the first day of the pay period that includes July 1, 2026.
- In order to facilitate the timeliness associated with salary range adjustments, the salary survey process will be initiated by January 1, 2026.
- The benefits to be studied shall be the same as those compared in the 2024 compensation study.
- Should the results of the compensation survey reflect that the current top step of the salary range is at least at the 60<sup>th</sup> percentile of market, then no adjustment shall be made for that particular job classification.
- **Reopener:** The City agrees to discuss with the Unaffiliated group increasing the City's total compensation from the sixtieth (60<sup>th</sup>) percentile to sixty-fifth (65<sup>th</sup>) percentile of the market. Such effort will be dependent on the City's ability to afford such increase. There shall be no changes without an agreement.

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**D. SURVEY CITIES**

Arcadia	Glendora
Azusa	La Verne
Baldwin Park	Monrovia
Chino	Pomona
Claremont	West Covina

Should any of the comparable cities be out of contract without a side letter or tentative agreement to update salaries at the start of the City's compensation survey, then those cities shall be excluded from the survey. Other comparable cities may be included, if agreed upon by both the City and Unaffiliated group.

**E. Y-RATING**

The City may, at its discretion and based on the results of a related compensation analysis, Y-Rate employees in the affected job classification. The affected employee(s) and group representatives shall be notified.

**Y-Rate:** When a reclassification results in a lower maximum rate of pay for the incumbent, the incumbent shall be "Y-Rated" at the salary level he/she has earned up to that time. This protects the employee from an actual decrease in salary, although he/she may not receive an increase until such time as the maximum salary rate for the new class exceeds his/hers previously attained rate. The job classification shall be subject to applicable cost of living adjustments (COLAs).

**4.2 BASE SALARY ADJUSTMENTS**

- Effective the first day of the pay period that includes July 1, 2024 (paid retroactively), the salary ranges for classifications covered by these Rules will be increased by three percent (3%). See Attachment A (Mid-Management, Supervisory and Professional, and Confidential and Technical Employees Salary Schedule Effective June 29, 2024).
- Effective the first day of the pay period that includes July 1, 2025, the salary ranges for classifications covered by these Rules will be increased by three percent (3%). See Attachment B (Mid-Management, Supervisory and Professional, and Confidential and Technical Employees Salary Schedule Effective June 28, 2025).
- Effective the first day of the pay period that includes July 1, 2026, the salary ranges for classifications covered by these Rules will increase by three percent (3%). See

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Attachment C (Mid-Management, Supervisory and Professional, and Confidential and Technical Employees Salary Schedule Effective June 27, 2026).

- Effective the first day of the pay period that includes July 1, 2027, the salary ranges for classifications covered by these Rules will increase by three percent (3%). See Attachment C (Mid-Management, Supervisory and Professional, and Confidential and Technical Employees Salary Schedule Effective June 26, 2027).

If at any time during the term of these Rules, other City employees receive a higher increase, Unaffiliated employees shall automatically be increased to match the higher amount.

**4.3 SALARY RANGE PLACEMENT**

**A. NEW HIRE**

A newly hired person into a classification covered by these Rules shall be hired at Step 1, unless otherwise authorized by the City Manager.

**B. PROMOTION**

A current fulltime regular employee promoting from a Closed Promotional Eligibility List or an Open and Competitive Eligibility List into a classification covered by these Rules shall receive placement at Step 1 of the salary range in the higher classification, unless such placement does not result in a base pay increase of at least five percent (5%). The step increase shall not exceed Step 5. The City Manager shall have discretion to appoint at a higher step.

**C. RECLASSIFICATION**

A current fulltime regular or probationary employee being reclassified into a classification covered by these Rules shall receive placement at Step 1 of the new classification's salary range, or at the pay step that is closest to a base pay increase of five percent (5%). The pay step placement shall not exceed Step 5. The City Manager shall have discretion to appoint at a higher step.

**D. DEMOTION**

If a person already subject to these Rules is demoted to a different classification of a lesser paid base monthly salary range, that employee may be placed in any pay step of the newly assigned position classification as may be approved by the City Manager.

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**4.4 SALARY ADVANCEMENT**

Unless otherwise authorized by the City Manager in writing, all employees covered by these Rules may advance through the base monthly pay steps, 1 (One) through 7 (Seven), subject to the following:

- Step 1      Upon initial employment
- Step 2      Upon twelve (12) months of successful completion of employment at Step 1 and receipt of an overall “Meets Expectations” rating or above on the performance evaluation for that respective twelve (12) month period.
- Step 3      Upon twelve (12) months of successful completion of employment at Step 2 and receipt of an overall “Meets Expectations” rating or above on the performance evaluation for that respective twelve (12) month period.
- Step 4      Upon twelve (12) months of successful completion of employment at Step 3 and receipt of an overall “Meets Expectations” rating or above on the performance evaluation for that respective twelve (12) month period.
- Step 5      Upon twelve (12) months of successful completion of employment at Step 4 and receipt of an overall “Meets Expectations” rating or above on the performance evaluation for that respective twelve (12) month period.
- Step 6      Upon twelve (12) months of successful completion of employment at Step 5 and receipt of an overall “Meets Expectations” rating or above on the performance evaluation for that respective twelve (12) month period.
- Step 7      Upon twelve (12) months of successful completion of employment at Step 6 and receipt of an overall “Meets Expectations” rating or above on the performance evaluation for that respective twelve (12) month period.

Should an employee receive anything below “Meets Expectations,” the employee will be re-evaluated for ninety (90) days and may be eligible for a step increase upon successful

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completion of the 90-day period with a “Meets Expectations” or above on the respective performance evaluation for that period. The employee’s annual review period will continue to be his/her anniversary date for his/her current position.

**A. ACCELERATED SALARY ADVANCEMENT**

The City Manager may authorize accelerated movement through the pay steps for exceptional performance.

**SECTION 5. ADDITIONAL COMPENSATION**

**5.1 ACTING PAY**

When a fulltime budgeted position becomes vacant as a result of either a permanent separation or the extended absence of an employee, an employee may be assigned to work in a higher position on an acting basis upon approval by the City Manager.

After an employee has served in the acting position for more than forty (40) consecutive work hours, the employee shall be paid at five percent (5%) above his/her regular pay for the remaining duration of the acting assignment. The Department Head may waive the waiting period.

The parties agree that this is special compensation and shall be reported as such to CalPERS, to the extent legally permissible, pursuant to Title 2 CCR, Section 571(a)(3).

**5.2 BILINGUAL PAY**

- Effective the first day of the pay period that includes July 1, 2024 (paid retroactively), employees shall receive one hundred seventy-five dollars (\$175.00) a month (paid biweekly) for possessing the ability to speak and understand a second language.
- Effective the first day of the pay period that includes July 1, 2025, employees shall receive two hundred dollars (\$200.00) a month (paid biweekly) for possessing the ability to speak and understand a second language.
- Effective the first day of the pay period that includes July 1, 2026, employees shall receive two hundred twenty-five dollars (\$225.00) a month (paid biweekly) for possessing the ability to speak and understand a second language.
- Effective the first day of the pay period that includes July 1, 2027, employees shall receive two hundred and fifty dollars (\$250.00) a month (paid biweekly) for possessing the ability to speak and understand a second language.

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The City, in conjunction with a community college or other source(s), will administer an appropriate examination and certify such employees' language abilities.

To apply for bilingual pay, the employee must complete and submit the Request for Bilingual Pay form to his/her supervisor for approval, which must be sent to Human Resources. The effective date for eligible pay is the date Human Resources receives the passing results.

The City reserves the right, as the needs of the City dictate, to certify employees as it sees fit and also reserves the right to determine from what departments and classifications these employees are selected. Employees must complete their initial probationary period prior to being eligible for bilingual pay. This restriction does not apply to employees who have been promoted or reclassified and have completed their initial/new hire probation.

The parties agree that this is special compensation and shall be reported as such to CalPERS, to the extent legally permissible, pursuant to Title 2 CCR, Section 571(a)(4).

**5.3 EDUCATION INCENTIVE PAY**

- Effective the first day of the pay period that includes July 1, 2024 (paid retroactively), employees who are not required to have an advanced degree as a condition of employment and who have earned a job-related graduate degree (MA, MS, MPA) from an accredited college or university as determined by Human Resources (online degrees may not qualify) may receive an additional three percent (3%) per month of base salary with the approval of the City Manager.
- Effective the first day of the pay period that includes July 1, 2024 (paid retroactively), employees who are not required to have a degree as a condition of employment and who have earned a job-related undergraduate degree (AA, AS, BA, BS) from an accredited college or university as determined by Human Resources (online degrees may not qualify) may receive an additional two percent (2%) per month of base salary with the approval of the City Manager.
- Employees who possess a certification related to their job duties and which is not required as a condition of employment may receive two percent (2%) per month of base salary with the approval of the City Manager.

An employee shall be entitled to only one (1) increment of education incentive pay regardless of the number of qualifying degrees or certifications he or she possesses.

The effective date for the eligible education incentive pay shall be the pay period following receipt of eligibility by Human Resources. To apply for Education Incentive Pay, an

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employee must submit a an Education Incentive Pay Request form a copy of his/her qualifying degree or certification or official transcripts verifying the degree was earned to Human Resources for approval. Employees may request Education Incentive Pay upon hire and/or receiving the qualifying degree or certification.

The parties agree that this is special compensation and shall be reported as such to CalPERS, to the extent legally permissible, pursuant to Title 2 CCR, Section 571(a)(2).

**5.4 LONGEVITY PAY**

Effective July 1, 2024, employees are eligible for longevity pay as a one-time lump sum payout per the schedule below effective the next available paycheck following the employee’s hire date anniversary into a fulltime continuous and regular position.

Years of Continuous Service	Amount
10 years of service	\$1,500
15 years of service	\$2,000
20 years of service	\$2,500
25 years of service	\$3,000
30 years of service	\$3,500
35 years of service	\$4,000
40 years of service	\$4,500

The parties agree that this is special compensation and shall be reported as such to CalPERS, to the extent legally permissible, pursuant to Tile 2 CCR, Section 571 (a)(1).

**SECTION 6. HOURS OF WORK**

Mid-Management, Supervisory and Professional, and Confidential and Technical employees covered by these Rules are expected to work or to be on an approved leave of absence for a combined total of no less than two thousand-eighty (2,080) hours per year.

It is understood that the average fulltime workweek must be forty (40) hours with a significant majority of the time worked being done Monday through Friday. The City Manager or his/her designee has the option to set schedules and approve all leaves of absence.



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Non-Exempt employees work a seven (7) day (168 recurring hours) FLSA work period. Hours of work and work schedules must be approved by the City Manager.

**6.1 WORK SCHEDULES**

Work schedules are defined as an employee's regularly assigned hours of the day and days per week and may include:

1. The 9/80 schedule (four (4), nine (9)-hour days per workweek and one (1) alternating eight (8)-hour day/regular day off). Employees have a FLSA workweek designated as beginning four (4) hours into their alternating regular day off (eight-hour day).
2. The 5/40 schedule (five (5), eight (8)-hour days per workweek). Employees working the 5/40 have a FLSA workweek designated as beginning at 12:00 a.m. on Saturday through 11:59 p.m. on Friday.
3. The 4/10 schedule (four (4), ten (10)-hour days per workweek). Employees working the 4/10 have a FLSA workweek designated as beginning at 12:00 a.m. on Saturday through 11:59 p.m. on Friday.

**6.2 MEAL & REST PERIODS**

Unpaid meal periods of up to one (1) hour are provided to employees. The procedure for taking a meal period shall be determined by the employee's supervisor.

Every employee shall be provided two (2) paid fifteen (15)-minute rest periods. One (1) rest period should be taken during the first half of the shift and the second rest period should be taken during the second half of the shift. Employees may leave the jobsite for a rest period provided that the total time away from the job does not exceed fifteen (15) minutes.

The time at which such rest periods are taken shall be determined by the employee's supervisor. Rest periods may not be accumulated or combined with a meal period. No additional compensation or time off will be provided if a rest period is missed.

**SECTION 7. OUTSIDE EMPLOYMENT**

Outside employment shall be permitted only with the express prior written approval of the employee's Department Head and Human Resources by submitting the Outside Employment Authorization form. An employee with existing outside employment that has not already been submitted for approval must notify the City immediately. The Outside Employment Authorization

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form must be resubmitted annually or whenever a change occurs with previously approved outside employment.

City employment takes precedence over outside employment. An outside employment request may be denied by the City if the employment violates one of the following criteria that such employment:

1. Is in conflict with the interest of City employment;
2. Detracts from the efficiency of the employee in his/her City work;
3. Is a discredit to City employment; or
4. Takes preference over the requirements of the City.

No outside employment activities shall occur during regular City hours of operation applicable to the affected employee unless the employee is on his/her scheduled day(s) off or other approved time off. An employee may request to use his/her leave accruals. Employees shall not conduct outside employment while on City time or by using City facilities, equipment, supplies or resources.

A denial of outside employment is not subject to the grievance process or any appeal procedure.

**SECTION 8. FLSA NON-EXEMPT EMPLOYEES**

**8.1 OVERTIME**

The Confidential and Technical position classifications covered by this document are designated as non-exempt pursuant to the Fair Labor Standards Act. Non-exempt employees will be paid overtime at the rate of one-and-one-half times (1.5x) their regular rate of pay for every hour they are directed to work over forty (40) hours in a workweek, unless the employee requests and is allowed to accrue compensatory time off in-lieu of overtime payment. Leave time such as vacation, sick, floating holidays, City holidays and compensatory time will count as hours worked for purposes of calculating overtime.

**8.2 COMPENSATORY TIME OFF**

Compensatory time will be accrued at one-and-one-half (1.5) hours for every hour worked over the 40-hour workweek (not including leave time). Employees may be allowed to accrue compensatory time off up to sixty (60) hours. When the maximum accrual is reached, overtime will be paid for additional overtime hours worked.

The time during which an employee may take Compensatory Time Off (CTO) shall be subject to approval by the Department Head or designee with due regard for the wishes of

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the employee and operational needs. However, an employee wishing to use his/her accrued CTO shall provide the City with reasonable notice of such request. Reasonable notice is defined as two (2) calendar weeks (14 days). If reasonable notice is provided, the employee's request will not be denied unless it would be unduly disruptive to the department to grant the request. A request to use CTO without reasonable notice may still be granted within the discretion of the supervisor or manager responsible for considering the request.

Upon separation from employment with the City, all earned and unused Compensatory Time shall be paid to the employee at the employee's current base hourly rate of pay.

**SECTION 9. HOLIDAYS**

**9.1 FIXED HOLIDAYS**

The following schedule of holidays shall be observed and the employees shall receive the following days off with pay:

- |                           |                               |
|---------------------------|-------------------------------|
| 1. New Year's Day         | 7. Indigenous Peoples' Day    |
| 2. Martin Luther King Day | 8. Labor Day                  |
| 3. Presidents' Day        | 9. Veterans' Day              |
| 4. Memorial Day           | 10. Thanksgiving              |
| 5. Juneteenth             | 11. Friday after Thanksgiving |
| 6. Independence Day       | 12. Christmas Day             |

Employees must be paid for the regularly scheduled workdays both immediately prior to and immediately following a holiday in order to receive pay for that holiday.

If at any time, during the term of these Rules, other Bargaining Units receive additional holidays, Unaffiliated employees shall automatically receive the same holidays.

**9.2 FIXED HOLIDAYS FALLING ON A WEEKEND OR DAY OFF**

- When a holiday falls on a Saturday, following a Friday that is a scheduled workday, the holiday will be observed on that Friday.
- When a holiday falls on a Sunday, the holiday will be observed on the following Monday.

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- If a fixed holiday is observed on an employee's regularly scheduled day off (other than the Friday off as described above) (e.g. due to his/her alternative work schedule) then the employee will receive floating holiday hours equal to the hours that they were regularly scheduled to work.
- If a non-exempt employee is required to work on a fixed holiday he/she shall receive floating holiday hours equal to the hours that he/she actually works, in addition to holiday pay for his/her regularly scheduled hours (e.g. if an employee on 4/10 is required to work five (5) hours on a fixed holiday, he/she will receive (10) hours of holiday pay and (5) hours of floating holiday time).
- If an exempt employee is required to work on a fixed holiday, he/she may be allowed to adjust their work hours and/or take time off ("flex time") equal to the hours that he/she actually worked (e.g. if an employee on a 4/10 schedule is required to work five (5) hours on a fixed holiday, he/she will be allowed to flex time for five (5) hours) with the approval of the Department Head. Employees must flex their time within the current or the following one (1) pay period. This provision is provided in partial recognition of prolonged, uncommon, or exceptional hours of work beyond the standard work expectations for exempt staff, exempt employees may be allowed to take time off without reduction of pay or leave accruals.

**9.3 FLOATING HOLIDAYS**

In addition to fixed holidays, employees shall be provided floating holiday leave time. Floating holiday leave banks are capped at fifty (50) hours.

Effective January 1, 2025, employees shall receive forty (40) floating holiday hours annually with the first pay period that includes January 1<sup>st</sup>. Floating holiday hours are available to be used effective January 1<sup>st</sup>. An employee may receive a pro-rated annual allotment if the annual allotment of 40 hours would result in the employee's bank exceeding fifty (50) hours. Floating holiday leave time may be used in incremental (hourly) amounts.

In special cases where it has not been possible due to workload or other factors for an employee to use his/her floating holiday leave in excess of the maximum accrual, in lieu of time off, the employee may submit a written request (in advance of the floating holiday leave actually accruing) to exceed his/her floating holiday leave bank.

Use of floating holiday leave time is subject to approval by the Department Head or his/her designee.

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Upon separation of employment, all earned but unused floating holiday hours will be paid to the employee at his/her then current base hourly rate of pay.

New employees shall be pro-rated three-and-one-third (3.33) hours per month, effective the first of the month after the employee's hire date. For example, an employee who starts on February 15 will be provided 33.3 floating holiday hours on March 1.

**9.4 HOLIDAY CLOSURE**

The City reserves the right to close non-essential, non-safety facilities between Christmas Eve and New Year's Day. This will result in employees being placed in an authorized unpaid leave status. Employees may use accrued vacation, floating holidays, compensatory time, administrative leave, or remain in an unpaid leave during this period. Only fulltime employees hired within the calendar year who have not accrued enough total leave time to cover the holiday closure shall be permitted to use accrued sick leave.

The City shall have the discretion to advance vacation or floating holiday time, which will be earned by the employee in the future, to those employees who request it and who do not have any current vacation, floating holiday, or compensatory time and do not wish to be in an unpaid leave status during the closure.

If at any time during the term of these Rules, other Bargaining Units receive additional holidays, Unaffiliated employees shall automatically receive the same holidays.

**SECTION 10. ADMINISTRATIVE LEAVE**

Administrative leave is hereby provided to exempt employees in lieu of overtime or compensatory time off (CTO) for hours worked. All exempt employees shall receive sixty (60) hours of paid administrative leave annually with the first pay period that includes January 1<sup>st</sup>. Administrative leave hours are available to be used effective January 1<sup>st</sup>. Administrative leave hours must be used by December 31 of each year. Earned but unused administrative leave hours will be forfeited after December 31 of each year.

Employees in the classification of Management Analyst Trainee as of July 1, 2024 shall be eligible for Administrative Leave. Employees newly hired into the classification of Management Analyst Trainee after July 1, 2024 shall not be eligible for Administrative Leave.

New employees shall be pro-rated five (5) hours per month, effective the first of the month after the employee's hire date. For example, an employee who starts on February 15 will be provided fifty (50) administrative leave hours on March 1.

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Upon separation from employment with the City, all earned and unused administrative leave hours shall be paid to the employee at the employee’s then current base hourly rate of pay.

The scheduling and use of administrative leave is subject to approval of the Department Head.

In partial recognition of prolonged, uncommon, or exceptional hours of work beyond the standard work expectations for exempt staff, the Department Head may, at his/her discretion, adjust employees work hours and allow exempt employees to take time off without using administrative leave.

**SECTION 11. VACATION LEAVE**

**11.1 VACATION ACCRUAL**

Upon completion of the specified consecutive fulltime years of service employees shall accrue vacation as follows:

Months of Service	Annual Total
0 months to 59 months	108 hours
60 months to 119 months	164 hours
120 months to 179 months	192 hours
180 months to 239 months	208 hours
240 months and beyond	224 hours

**11.2 MAXIMUM ACCRUAL**

The maximum vacation accrual shall be allowed up to an amount equal to twice (2x) the employees’ annual total accrual. Upon reaching the maximum accrual, employees cease to earn additional vacation leave until the leave bank falls below the maximum accrual.

**11.3 PAYOUT OF ACCRUED VACATION PRIOR TO SEPARATION**

An employee may sell back to the City his/her accrued vacation hours paid at their base hourly rate of pay, at a maximum of eighty (80) hours per calendar year. A vacation leave balance of at least 100 hours must be kept after participation in this program.

Effective December 2024 and each year thereafter, on or before the pay period which includes December 15 of each calendar year, an employee may make an irrevocable election to cash out accrued vacation leave which will be earned in the following calendar year. The employee can elect to receive the cash out in the pay period which includes May

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15 and/or the pay period which includes October 15 for those vacation leave benefits that have been earned during that portion of the year. In no event shall the employee's vacation leave balance be reduced below 100 hours.

An employee who has an "unforeseen emergency" (defined as an unanticipated emergency that is caused by an event beyond the control of the employee and that would result in severe financial hardship to the employee if early withdrawal were not permitted) shall be entitled to make a request to the Director of Administrative Services for a payoff of accrued vacation leave.

This exception could apply to circumstances in which the employee did not originally elect the vacation cash out prior to the December 15 deadline, or circumstances in which the employee is seeking more than the original cash out election due to severe financial hardship.

**11.4 PAYOUT OF ACCRUED VACATION UPON SEPARATION**

Upon separation from employment with the City, all earned and unused vacation hours will be paid to the employee at the employee's then current base hourly rate of pay.

**SECTION 12. SICK LEAVE**

**12.1 ACCRUAL**

Employees shall receive ten (10) hours per month (120 hours per year) earned on a biweekly basis.

**12.2 USE OF SICK LEAVE**

Sick leave shall be deducted from an employee's accrued leave balance on an hour-for-hour basis for the following purposes:

1. An employee who is unable to report to work for his/her scheduled shift shall either call or have someone call his/her supervisor to notify the City of the absence at least sixty (60) minutes preceding the time he/she is scheduled to report to work. If the supervisor does not answer at the time of the call, the employee's contact phone number shall be left as part of the message regarding the absence. Sick leave use must be noted on the City's official leave form and submitted with payroll.
2. Sick leave may be granted for personal illness or injury; absences for medical, dental, and/or vision care appointments; or to attend to an immediate family

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member (parent, child, spouse, registered domestic partner, sibling, grandparent, or grandchild as defined under California Labor Code Section 233 and 245.5) who is ill/injured or needs care as permitted by that law.

3. An employee may be granted (on each separate occasion) up to five (5) days of bereavement leave with pay (i.e. use of accrued sick leave) in the event of death to a member of the employee's immediate family. For purposes of this section an employee's immediate family shall include: an employee's spouse, domestic partner, children, grandchildren, sons-in-law, daughters-in-law, parents, grandparents, parents-in-law, brothers, sisters, brothers-in-law, and sisters-in-law. "Children" shall also include a biological, foster, or adopted child, a stepchild, a legal ward, a child of a domestic partner, or a child of a person standing in loco parentis. "Parent" shall include a biological, foster, or adoptive parent, a stepparent, or a legal guardian. The days of leave need not be taken consecutively, but must be taken within three (3) months of the date of death of the family member.
4. Employees must provide a physician's certification for any sick leave absence that occurs after the employee has used twenty-four (24) consecutive hours, or three (3) consecutive workdays, whichever is greater. However, the Department Head, at his/her discretion, may require a physician's certification at any time.

**12.3 PAYOUT OF ACCRUED SICK LEAVE UPON RETIREMENT**

Employees hired as of February 29, 1988, upon retirement from the City of Covina are eligible to receive a payout equal to fifty-five percent (55%) of their accrued sick leave at their current base hourly rate of pay up to One thousand six hundred (1,600) hours. Sick leave hours which are not paid out shall be reported to CalPERS as service credit.

This section shall also apply to those employees originally hired prior to March 1, 1988 and promoted from bargaining units with no sick leave accrual limits.

Employees hired or promoted on or after March 1, 1988, upon retirement are eligible to receive a payout equal to fifty-five percent (55%) of their accrued sick leave at their current base hourly rate of pay up to nine hundred sixty (960) hours. All remaining sick leave hours which are not paid out shall be reported to CalPERS as service credit.

Employees hired on or after October 17, 2017 cannot cash out sick leave. All earned and unused sick leave hours at time of retirement from the City shall be reported to CalPERS as service credit.



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**SECTION 13. LEAVE OF ABSENCE WITHOUT PAY**

Employees covered by these Rules may submit a written request to their Department Head for a leave of absence without pay. If the Department Head determines there is adequate justification to grant such a leave of absence and that the work of the department will not be significantly impacted by a temporary absence of the employee, the leave without pay may be authorized. The Department Head's decision is final and not subject to grievance or appeal. The Department Head may also terminate or cancel early any authorized leave by giving the employee notice of ten (10) calendar days. Notice will be given via certified mail sent to the employee's last known address and the 10-days' notice begins from the postmarked date.

During the period of authorized leave of absence without pay, the employee will not be entitled to any City paid benefits, nor will he/she accrue leave.

**SECTION 14. JURY DUTY AND COURT APPEARANCE**

**14.1 JURY DUTY**

Employees shall be granted fifteen (15) workdays of jury duty leave with pay, annually. For jury service that exceeds fifteen (15) days, an employee may request approval to use vacation, floating holiday, compensatory time or administrative leave (when applicable) to cover the additional time off work for jury service.

- A. An employee who is called for jury duty during the employee's regularly scheduled work hours shall be compensated as though he/she was working for the hours spent on jury duty.
- B. If an employee finds out that he/she is required to be absent from work to report for jury duty the next day, the employee shall notify his/her supervisor of the absence as soon as possible, including, a phone or text message the night before.
- C. An employee on jury duty must either return to work after the jury service is done if there are still four (4) hours left on his/her shift or must call in to his/her supervisor to request to use his/her leave bank to cover the rest of his/her shift.
- D. An employee who is called to jury duty on a non-working day will not receive compensation or be authorized to change their schedule as a result of being called to jury duty.

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- E. An employee who is scheduled for a swing or graveyard shift on a day he/she is called to jury duty will be authorized to change his/her work hours in order to report to jury duty under the same provisions as A-C above.
- F. An employee who is called to jury duty will not be subject to working his/her full graveyard or swing shift if there is not a minimum of ten (10) hours before or after assigned jury duty. If there is less than ten (10) hours between the end of a shift and the start of jury duty, an employee will be permitted to leave his/her shift early to allow for a minimum break of ten (10) hours. An employee will be able to delay his/her usual start time to ensure a ten (10) hour break in between the end of jury duty and the start of their shift. In this event, the employee's usual end time will remain the same. For any additional time taken off before or after jury duty, an employee will be required to utilize paid accrued leave time subject to supervisor approval.

**14.2 NON-JOB-RELATED COURT APPEARANCES**

For non-job-related matters, leave without pay shall be granted for an appearance before a court, legislative committee, judicial or quasi-judicial body as a witness in response to a subpoena or other order by proper authority compelling his/her attendance under penalty described by law. The employee may also request to use his/her earned vacation, administrative leave, or floating holiday time to cover the required time off.

**14.3 JOB-RELATED COURT APPEARANCE**

For job-related matters, upon review and approval of the Department Head, the time required to appear shall not be subject to leave usage, and the employee will be considered on-duty.

**SECTION 15. WORKERS' COMPENSATION**

The City shall provide a Workers' Compensation program in accordance with State Law and these provisions.

The City has the right to require the employee to go to a City-selected physician or physicians initially or to verify the injury/illness and if it restricts the employee from performing his/her regular job assignment. The employee receiving this benefit shall not be employed elsewhere for paid compensation. Should an employee have an outside employment approved through the City, the approval is rescinded during the time the employee is off work due to a work-related injury/illness.

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If an employee sustains a work-related injury or illness and files a claim for workers' compensation benefits which is accepted, the employee shall be eligible to receive full base salary continuation for an initial period up to forty-five (45) calendar days or until the employee returns to work, whichever is earlier. In addition, the City will maintain its contribution to benefits as provided for herein (retirement, health, dental, life and LTD insurance). This provision shall apply only up through the first forty-five (45) calendar days of absence from work for each separate injury or illness, including aggravations thereof.

During this initial forty-five-day (45) period, vacation, sick, and other leaves shall not be deducted from the absent employee's accruals. Vacation and sick leave shall also continue to accrue during this time. In order for the employee to receive the above pay and benefit continuation, he/she must remit all Workers' Compensation temporary disability checks to the City of Covina.

For workers' compensation leaves exceeding forty-five (45) days, employees may receive temporary disability payments through the workers' compensation program. Once temporary disability payments are exhausted, the employee may be eligible for long term disability benefits.

Employees on workers' compensation leave (either receiving salary continuation or temporary disability benefits) will have the leave designated as FMLA/CFRA leave, if eligible. Benefits will continue for up to twelve (12) weeks of FMLA/CFRA leave in the same manner as provided during active employment.

Employees who become ineligible for City provided benefits may maintain those benefits at their own cost in accordance with Federal Law (COBRA continuation coverage). The employee is responsible for coordinating COBRA coverage with the Human Resources Department.

**SECTION 16. HEALTH AND OPTIONAL BENEFITS PROGRAM**

**16.1 MEDICAL CONTRIBUTIONS**

The City of Covina participates in the CalPERS medical program (per the Public Employees' Medical and Hospital Care Act – "PEMHCA"). For employees enrolled in a CalPERS medical plan, the City contributes the required statutory minimum (per Government Code Section 22892) toward the medical premium. Amounts are determined by CalPERS and adjusted annually. Every fulltime active employee must be covered by a health care (medical) plan approved by the City. Impacts from the Affordable Care Act may require the City to modify benefit provisions for this unit.

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**16.2 FLEXIBLE BENEFIT CONTRIBUTIONS**

Pursuant to the Section 125 flexible benefit plan adopted by the City, employees will receive a monthly allowance (in addition to the CalPERS statutory minimum) to pay for eligible qualified benefits as identified in the Plan Document (for example premiums for medical, dental, vision, and supplemental life insurance).

- Effective the first paycheck date starting on or after July 1, 2024 (paid retroactively), employees receive a monthly allowance of \$1,500.
- Effective the first paycheck date starting on or after July 1, 2025, employees receive a monthly allowance of \$1,575.
- Effective the first paycheck date starting on or after July 1, 2026, employees receive a monthly allowance of \$1,650.
- Effective the first paycheck date on or after July 1, 2027, employees receive a monthly allowance of \$1,725.

Employees may receive unused portions of the allowance as cash. The maximum amount of cash an employee may receive is limited to the following:

- \$750 per month for employees hired into a fulltime permanent position before January 1, 2012;
- \$400 per month for employees hired into a fulltime permanent position between January 1, 2012 and June 30, 2013;
- \$300 per month for employees hired into a fulltime permanent position on or after July 1, 2013; and
- \$150 per month for employees hired into a fulltime permanent position on or after May 7, 2019.

Amounts shall be prorated for new and separated employees, based on hire/separation date and for employees who are in a Leave Without Pay status for all or part of a pay period (except for those on protected leave).

If at any time during the term of these Rules, other City employees receive a higher monthly allowance, Unaffiliated employees shall automatically be increased to match the higher amount(s). Cash payments are treated as taxable income.

Employees who opt out of the CalPERS medical plan and receive cash must provide the following:

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- Proof that the employee and all individuals for whom the employee intends to claim a personal exemption deduction (referred to as, “tax family,” which is defined as individuals the employee expects to claim for personal tax exemption deductions), have or will have minimum essential coverage through another source (other than coverage in the individual market, whether or not obtained through Covered California) for the plan year to which the opt out arrangement applies (“opt out period”); and
- The employee must provide proof that the employee and his/her tax family have or will have such minimum essential coverage for the opt out period. An employee must provide the attestation every plan year at open enrollment or within thirty (30) days after the start of the plan year.

Cash-in-lieu payments will not be made if the employer knows or has reason to know that the employee or tax family member does not have minimum essential coverage, or if the conditions in the previous paragraphs are not satisfied.

**16.3 DENTAL & VISION PLANS**

Enrollment in the dental and vision plan(s) is voluntary.

**16.4 BENEFIT ANALYSIS RE-OPENER**

The City may meet and confer with the Unaffiliated group during the term of this Agreement to review and discuss its analysis of the overall benefits package in an effort to increase benefits for members and savings for the City. There shall be no changes without an agreement.

**16.5 LIFE INSURANCE**

The City shall provide a \$100,000 Term Life Insurance policy for all employees covered by these Rules.

**16.6 LONG TERM DISABILITY (LTD) INSURANCE**

Employees covered by these Rules are provided with a long-term disability plan consisting of two-thirds (2/3) compensation of base pay up to \$9,000 per month. The elimination period is thirty (30) days or the use of all accrued sick leave, whichever is greater. The City pays the premium for the LTD plan.

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SECTION 17. RETIREMENT**

**17.1 CALPERS RETIREMENT BENEFITS**

1. Classic Members

Retirement benefits for miscellaneous employees are provided as specified under the City's contract with the California Public Employees' Retirement System (CalPERS) and include the following benefits:

- a. 2.5% at 55 benefit formula
- b. One-half pay continuance (GC Sections 21624, 21626, 21628)
- c. 1959 Survivors Benefit, Level VI
- d. One-year final compensation (single highest year) per GC Section 20042
- e. Purchase of military service as credit for retirement purposes, in accordance with GC Section 21024.
- f. Unused unpaid Sick Leave Credit is applicable per GC Section 20965.
- g. \$600 Retired Employee Death Benefit per GC Section 21622.
- h. 2% Annual Cost-of-Living Allowance Increase (GC 21329).

All "Classic" miscellaneous employees contribute eight percent (8%) member contribution toward retirement. The deduction will be made on a pre-tax basis.

2. Public Employee Pension Reform Act (PEPRA) Members

Pursuant to the Public Employee Pension Reform Act (PEPRA),

- a. Two Percent (2%) at 62 benefit formula.
- b. Final compensation is equal to the new member's highest average PERS compensation for thirty-six (36) consecutive months of employment.

PEPRA members are required to pay a portion of the cost for the two percent (2%) at 62 retirement formula. This mandatory member contribution is not a fixed amount, rather it is determined in accordance with the formula established by PEPRA. The mandatory contribution will be equal to at least fifty percent (50%) of the total normal cost rate attributable to the two percent (2%) at 62 benefit plan, as determined by CalPERS. The mandatory contribution for PEPRA members is subject to adjustment.

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**17.2 RETIREE MEDICAL**

For all members who are eligible “annuitants” pursuant to Government Code section 22760 and choose to enroll in a CalPERS medical plan as an annuitant, the City will contribute the PEMHCA minimum to CalPERS on the retiree’s behalf.

For all eligible retirees hired before July 1, 2013, the City shall contribute \$472.00 per month to the eligible retiree toward optional benefits until the beginning of the month the retiree reaches Medicare eligibility age (65 years old). Upon reaching Medicare eligibility age, an eligible retiree shall receive \$34.00 per month toward optional benefits. Any monies received in cash will be considered as taxable income.

For employees hired on or after July 1, 2013, as long as the City contracts with CalPERS for medical insurance, the City shall contribute the PEMHCA minimum on behalf of these employees as their retiree medical benefit if they are enrolled in a medical plan through CalPERS.

Eligible retiree means any person who meets the retirement eligibility standards of the Public Employees’ Retirement System (PERS) and is one of the following:

1. Employee was a fulltime employee with the City on December 31, 1996;
2. Employee has ten (10) years of continuous service as a fulltime employee with the City; or
3. Employee retired due to a job-related injury suffered while employed with the City.

**SECTION 18. OTHER EMPLOYEE BENEFITS**

**18.1 AUTO MILEAGE REIMBURSEMENT**

When an employee is authorized by his/her supervisor to use his/her private vehicle to perform official City business, the employee will be compensated at the current IRS rate for mileage reimbursement.

Employees who use their personal vehicles on authorized City business are required to maintain a valid California Driver’s License and adequate auto insurance at all times.

**18.2 SAFETY BOOTS**

For safety purposes, the City shall require employees in certain classifications to wear safety boots appropriate to their specific working conditions. Each fiscal year, employees

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in the classifications listed below will be allotted three-hundred dollars (\$300) towards the purchase of boots and boot-related accessories. The respective departments shall purchase these items on behalf of the eligible employee through City-selected vendors. Amounts in excess of \$300 shall be paid by the employee. Department Heads have discretion over classifications appropriate for boot allowance.

**Classifications**

Building Official  
Equipment Maintenance Superintendent  
Equipment Maintenance Supervisor  
Parks & Building Superintendent  
Park Maintenance Supervisor  
Streets & Sewer Superintendent  
Water Distribution Supervisor  
Water Systems Supervisor  
Water Utility Superintendent

**18.3 TUITION REIMBURSEMENT**

Effective July 1, 2024, all regularly appointed full time members of the Mid-Management, Supervisory and Professional and Confidential/Technical Employees who have passed their initial probation shall be eligible for the tuition reimbursement program.

To be eligible for reimbursement consideration, the courses of study or specialized training must be taken at an accredited college or university, shall be directly related to the employee's current occupation or related to preparation for future promotions within the City of Covina, and are subject to the limitations and provisions as described below:

- All course work must be personally attended by the employee at an accredited community college, college or university. With the approval of the Department Head and City Manager, online courses of instruction offered by a community college or state college or university may be substituted in lieu of personal attendance in a classroom.
- Each eligible employee shall obtain approval from their Department Head and the City Manager for the courses of study a minimum of four (4) weeks prior to enrollment. Approval must be obtained for place of education, course of study and time of completion. Reapproval must be obtained for each change in course or place of education. The City, for the purposes of reimbursement to employees, will view the academic year as September through August and will reimburse the actual cost



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of tuition, not to exceed the current tuition rate of the undergraduate California State University system.

- Coursework as described herein must be completed at a college or university accredited by the Western Association of Schools and Colleges (“WASC”) or one of the equivalent Regional Accrediting Organizations.
- The employee shall be reimbursed by the City, upon successful completion of approved courses and upon submittal of verified receipts of pre-payment by the employee of all costs related to the program. The tuition reimbursement form and required backup documentation must be submitted to Human Resources within sixty (60) calendar days of the completion of the approved courses and of receiving final grades. In order to receive reimbursement from the City for the course of study, the employee must complete the course with a minimum “B” grade or passing credit for classes without letter grades, for each class taken.
- If the employee voluntarily terminates employment with the City within one year after completion of the course of study, the employee shall be required to repay to the City all tuition reimbursement provided to them by the City for the educational program during the one year prior to termination, except that they will receive credit on the basis of one-twelfth (1/12) of the tuition reimbursement cost for each month that the employee worked after completion of the course.

**18.4 TELEWORKING POLICY**

The City may consider to update and establish the City’s Teleworking Policy.

**SECTION 19. DISCIPLINARY APPEAL PROCEDURE**

The following disciplinary appeal procedures apply to employees covered under these Rules. The following appeal procedures apply only to suspension without pay, demotion, reduction in pay or dismissal.

**Request for Appeal Hearing:** An employee may submit a written request for appeal to the Human Resources Manager within fourteen (14) calendar days from:

1. Receipt of the final notice of discipline; or
2. The date of attempted delivery by the post office or delivery service of the notice to the last known address of the employee.

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Failure to file a timely written request for an appeal waives the right to an appeal hearing and any appeal of the discipline.

**Appeal Hearing Officer:** The appeal hearing officer shall be an individual selected by the City through the State Mediation and Conciliation Service (SMCS).

**Date and Time of the Appeal Hearing:** Once the appeal hearing officer has been designated, the Human Resources Manager will set a date for an appeal hearing. The employee shall be notified in writing at least twenty-one (21) calendar days prior to the hearing of the scheduled date.

**Prehearing Notice of Witnesses and Evidence:** No later than ten (10) calendar days before the hearing date, each party will provide the other and the appeal hearing officer a list of all witnesses to be called (except rebuttal witnesses), and a copy of all evidence (except rebuttal evidence) to be submitted at the hearing unless either party agrees to an extension. The City will use numbers to identify its evidence; the employee will use alphabet letters. Neither party will be permitted to call any witness or evidence that has not been listed, unless that party can show that he/she/it could not have reasonably anticipated the need for the witness or exhibit.

**Subpoenas:** Upon the request of either party, and upon his/her own motion, the hearing officer will issue subpoenas to compel attendance at the appeal hearing. Each party is responsible for serving his/her/its own subpoenas. City employees who are subpoenaed to testify during working hours will be released with pay to appear at the hearing. City employees who are subpoenaed to testify during non-working hours will be compensated for the time they actually spend testifying.

**Continuances:** The appeal hearing officer may continue a scheduled hearing only upon good cause shown.

**Record of the Appeal Hearing:** The hearing shall be recorded, either electronically or by a court reporter, at the option of the City.

**Employee Appearance:** The employee must appear personally before the hearing officer at the time and place set for the hearing. The employee may be represented by any person he/she may select.

**Cost of Hearing:** The cost incurred as a result of the Hearing shall be split by the parties (employee and City).

**Conduct of the Hearing:**

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1. **Sworn Testimony:** The hearing officer or court reporter shall request each witness to raise his/her hand and respond to the following: “Do you swear that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth?”
2. **Evidence:** Hearings need not be conducted according to technical rules relating to evidence and witnesses, but hearings shall be conducted in a manner that the hearing officer decides is the most conducive to determining the truth. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence, but over timely objection shall not be sufficient in itself to support a finding, unless such evidence would be admissible over objection in civil actions. The rules dealing with privileges shall be effective to the same extent that they are recognized in civil actions. Irrelevant or unduly repetitious evidence may be excluded. The appeal hearing officer shall determine the relevance, weight and credibility of testimony and evidence.
3. **Exclusion of Witnesses:** During the examination of a witness, all other witnesses, except the parties, shall be excluded from the hearing.
4. **Burden of Proof:** The City has the burden of proof of the charges by the preponderance of the evidence.
5. **Authority of Hearing Officer:** The appeal hearing officer shall not have the power to alter, amend, change, add to, or subtract from any of the terms of these provisions.

**Presentation of the Case:**

The parties will address their remarks, evidence, and objections to the appeal hearing officer. The appeal hearing officer may terminate argument at any time and issue a ruling regarding an objection or any other matter. The appeal hearing officer may limit redundant or irrelevant testimony, or directly question the witness. The hearing will proceed in the following order unless the appeal hearing officer directs otherwise:

1. The City is permitted to make an opening statement;
2. The employee is permitted to make an opening statement;
3. The City will produce its evidence;
4. The employee will produce his/her evidence;
5. The City, followed by the employee, may present rebuttal evidence;
6. The City is permitted to make a closing statement;

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7. The employee is permitted to make a closing statement.

**Written Briefs:** Either party may request to submit a written brief and/or a draft decision. The appeal hearing officer will determine whether to allow written briefs or draft decisions, the deadline for submitting briefs, and the page limit for briefs.

**Appeal Hearing Officer’s Recommended Decision:**

Within sixty (60) calendar days of the conclusion of the hearing, the appeal hearing officer shall make written findings and a recommended decision as to the discipline.

1. The City Manager shall review the findings and recommendations of the appeal hearing officer and may then affirm, revoke, or modify the findings, recommendations, or disciplinary action taken. The decision of the City Manager is the final administrative action. There is no process for reconsideration.

**Proof of Service of the Written Findings and Decision:** The City will mail a copy of the final written findings and decision, along with a proof of service of mailing that confirms that each of the parties and each of the parties’ representatives were mailed the final written findings and decision. It shall be the responsibility of the employee to inform the City of his/her current mailing address. A copy of the decision shall also be provided to the Human Resources Manager.

Pursuant to Code of Civil Procedure sections 1094.5 and 1094.6, the parties have ninety (90) calendar days from the date of the proof of service of mailing of the written findings and decision, to appeal the City’s decision on the appeal to the Superior Court in and for the County Los Angeles.

**SECTION 20. LAYOFF PROCEDURES**

**20.1 LAYOFF OF PERSONNEL**

1. Layoff Procedure – Layoff within a classification of a regular permanent status employee shall be accomplished on a last appointed, first laid-off order basis. Temporary, provisional, part-time and limited term employees have no layoff protection. Employees on promotional probation are provided with layoff procedural rights as per these Rules only if they have attained permanent regular status.
2. Seniority – Seniority for the purpose of layoff and the establishment of reemployment lists shall be defined as total cumulative time served in regular permanent status within the classification and are in active status upon the effective date of the layoff. Seniority

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shall be lost in the event of resignation, discharge, retirement, or layoff for a period of more than two (2) years.

3. Employee Layoff During Incomplete Promotional Probationary Period – A regular permanent employee in the affected classification shall be returned to the position he/she held prior to promotion in a regular permanent status. If two (2) or more probationary employees are impacted, the employee promoted last shall be returned to the position previously held.
4. Employee Layoff After Completing the Probationary Period in the Affected Classification – All such employees shall be listed in the order of their seniority. The most junior employee shall be given the opportunity to transfer to a comparable vacant and budgeted position for which the employee is qualified. If such a vacancy does not exist, such employee shall be given the opportunity to exercise his/her seniority to be placed in the most junior position in any lower classification for which he/she is qualified and has seniority, or to accept the layoff. Employees at the lower level who have less seniority will then be transferred or demoted in the same manner until the lowest levels of classification and the most junior employees with the least amount of seniority are reached. At such time, such employees shall be laid off.
5. Reinstatement to Former Classification – All regular permanent status employees demoted or transferred in lieu of layoff shall be reinstated to their former classification once budgeted vacancies occur, or if the positions are restored with priority for reinstatement given to demoted employees.
6. Reemployment List – All laid-off regular permanent status employees shall be placed in order of seniority on a reemployment list for two (2) years, and shall retain existing seniority rights for such period.
  - a. When a vacancy occurs for which a reemployment list exists, the City Manager shall certify from the top of the list the number of names equal to the number of vacancies to be filled, and the Department Head shall appoint such persons to fill the vacancies.
  - b. Anyone on a reemployment list may be reemployed in a position with a lower maximum rate of pay, provided the person possesses the skills and qualifications for the position as identified by the position classification specifications.
  - c. Notice of vacancy to an employee on a reemployment list shall be by the most expeditious means in order to fill the vacancy as soon as possible. As

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a last resort, notice shall be given by Certified Mail to the employee's last known address, and if the employee does not respond within three (3) calendar days from the date of receipt, or if the notice is undeliverable due to address unknown, the employee's name shall be passed over and the next employee on the list shall be notified of the vacancy. After an employee has been passed over in such a manner, the employee's name shall be removed from the reemployment list.

An eligible employee shall have ten (10) working days from receipt of notice to report to work. An employee who declines the available vacant position shall be removed from the reemployment list.

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**SECTION 21. SIGNATURES AND EXECUTION**

The parties have caused these employee Compensation Rules to be executed this 16<sup>th</sup> day of July, 2024.

**Mid-Management, Supervisory and  
Professional and Technical Employees**

**CITY OF COVINA**

Michael Melinte                      7/30/2024  
Michael Melinte                      Date  
Water Utility Superintendent

John King                              10/15/2024  
John King                              Date  
Mayor

Raymond Navera                      7/31/2024  
Raymond Navera                      Date  
Senior Management Analyst

Chris Marcarello                      8/1/2024  
Christopher Marcarello              Date  
City Manager

Krystal Smith                        7/31/2024  
Krystal Smith                        Date  
Recreation & Library  
Manager

Anita Agramonte                      7/31/2024  
Anita Agramonte                      Date  
Director of Administrative  
Services

Attest:

Fabian Velez                            10/16/2024  
Fabian Velez                            Date  
Chief Deputy City Clerk