

FILE NO. 000380

ORDINANCE NO. 64-00

1 [Implementing Court Employee Compensation]

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3/22 2 ^{RETROACTIVE TO OCTOBER 1, 1999,}

3 SETTING THE RATES OF COMPENSATION AND OTHER ECONOMIC BENEFITS FOR
4 CERTAIN MANAGEMENT CLASSIFICATIONS OF PERSONS EMPLOYED BY THE
5 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO.

6 Be it ordained by the People of the City and County of San Francisco:

7 I. This ordinance, which has been approved by a majority of the judges of the
8 Superior and Municipal Courts pursuant to Government Code section 69900, establishes the
9 rates of compensation and benefits effective October 1, 1999, for the following classifications
10 of Superior and Municipal Court Employees: 0210 Clerk-Administrator, 0215 Bail
11 Commissioner, 0220 Chief Deputy, 0221 Executive Assistant, 0222 Training Officer, 0225
12 Calendar Coordinator, 0230 Division Chief, 0240 Court Program Analyst Manager, 0242
13 Court Computer System Director, 0255 Court Commissioner, 0270 Assistant Division Chief,
14 0271 Drug Court Coordinator, 0275 Assistant Fiscal Officer, 0583 Assistant Clerk of Court,
15 0595 Fiscal Systems and Services Coordinator, and 0650 Traffic Hearing Officer.

16 II. For purposes of this ordinance, the term "covered employees" shall mean those
17 classifications enumerated in paragraph I above unless specifically excluded in the applicable
18 section. The term "Court" shall mean the Superior Court of California, County of San
19 Francisco, which includes the courts previously known as the Superior and Municipal Courts
20 for the City and County of San Francisco. The term "City" shall mean the City and County of
21 San Francisco.

22 III. The General Fund of the City and County of San Francisco shall not be used to
23 fund any of the salary increases or benefits referred to in this Ordinance. The City shall not
24 be liable for any costs incurred in providing the wages and other benefits set forth in this
25 ordinance. The City's obligation under this ordinance shall be limited to administering health
and retirement benefits and payroll processing. This paragraph shall not apply to the

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SUPERIOR COURT
BOARD OF SUPERVISORS

1 payment of wages and benefits for those positions covered by this ordinance which are
2 specifically authorized and funded by the City budget.

3 IV. The City's obligations described herein are not intended to create a dual
4 employer relationship.

5 V. Compensation and Additional Economic Benefits for All Covered Employees

6 A. **GENERAL WAGE INCREASE**

7 Effective the pay period on or after October 1, 1999, all covered
8 classifications, except 0215 Bail Commissioner and 0255 Court Commissioner, shall receive
9 a 3.75% wage increase rounded to the nearest salary schedule.

10 B. **PAY FOR PERFORMANCE BONUS**

11 The Court is unprepared at this time to institute a Pay for Performance
12 Program. In lieu of such a system being established, covered employees, except 0215 Bail
13 Commissioner and 0255 Court Commissioner, shall receive a one-time-only bonus equal to
14 1% of total salary earnings (exclusive of specialty pay) for court employment between July 1,
15 1998 and June 30, 1999. In order to be considered for this bonus, covered employees must
16 be employees of the court on October 1, 1999.

17 C. **OVERTIME AND HOLIDAY PAY**

18 All holiday and overtime paychecks should be distributed as part of the
19 regular pay warrants for the period in which the overtime and holiday pay was earned.

20 D. **RECOVERY OF OVERPAYMENTS**

21 The schedule of recovery of any overpayment shall be made by mutual
22 agreement between the Court and the employee, which agreement will be provided to the
23 City in writing. In the absence of a mutual agreement, the Court will instruct the City to
24 deduct no more than 20% of the total amount in any one bi-weekly paycheck.
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1 **E. SENIORITY INCREMENTS**

2 This Section does not apply to 0215 Bail Commissioner and 0255 Court
3 Commissioner.

4 1. Entry at the First Step. Covered employees who enter a
5 classification at the first pay step shall advance to the second step within the classification
6 upon completion of one (1) year of service (2080 hours worked, excluding overtime, but
7 including paid holidays, paid vacation and paid sick leave) within the classification shall
8 continue to advance to each successive step upon completion of one (1) additional year of
9 service within the classification, until the maximum step is achieved.

10 2. Entry at Other Than the First Step. Covered employees who enter
11 a classification at a rate of pay other than the first step shall advance one step upon
12 completion of one (1) year of service (2080 hours worked, excluding overtime, but including
13 paid holidays, paid vacation and paid sick leave) within the classification and continue to
14 advance to each successive step upon completion of one (1) additional year of service within
15 the classification, until the maximum step is achieved.

16 3. Date Increment Due. Rate increments shall accrue from the next
17 day following completion of required service as specified above.

18 **F. SUPERVISORY DIFFERENTIAL ADJUSTMENT**

19 This Section does not apply to 0215 Bail Commissioner and 0255 Court
20 Commissioner.

21 The Chief Executive Officer or designee may adjust the salary of a supervisory
22 employee whose schedule of salary is set herein subject to the following conditions:

23 1. The supervisor, as part of the regular responsibilities of his/her
24 class, supervises, directs, is accountable and responsible for and in charge of the work of a
25 subordinate or subordinates.

1 2. The supervisor must actually supervise the technical content of
2 subordinate work and possess education and/or experience appropriate to the technical
3 assignment.

4 3. The assignment is a regular one approved by the Chief Executive
5 Officer or designee.

6 4. The salary range of the supervisor is less than 5% over the
7 compensation range, exclusive of extra pay, of the employee supervised.

8 5. The adjustment of the salary of the supervisor shall not exceed 5%
9 over the compensation exclusive of extra pay, of the employee supervised.

10 6. If the application of this section adjusts the salary of an employee
11 in excess of his/her immediate supervisor, the pay of such immediate supervisor shall be
12 adjusted to an amount of \$1.00 bi-weekly in excess of the base rate of his/her highest paid
13 subordinate, provided that the other applicable conditions of this section are also met.

14 7. In no event will the Chief Executive Officer or designee approve a
15 supervisory salary adjustment in excess of 10% over the supervisor's current basic
16 compensation. If, in the following fiscal year, a salary inequity continues to exist, the Chief
17 Executive Officer may again review the circumstances and may grant an additional salary
18 adjustment not to exceed 10%.

19 **G. ADDITIONAL COMPENSATION FOR BILINGUAL OR SIGN**
20 **LANGUAGE**

21 This Section does not apply to 0215 Bail Commissioner and 0255 Court
22 Commissioner.

23 Employees who are assigned in the discretion of the Court to a
24 designated bilingual or sign language position shall be granted additional compensation of
25 fifty dollars (\$50) bi-weekly.

1 H. **HEALTH AND DENTAL CARE BENEFITS**

2 1. Maintenance of Benefits: The current level of health and dental
3 benefits shall be maintained for the duration of FY 1999-00.

4 2. Dental Benefits: The Court shall continue to contribute a monthly
5 amount per covered employee sufficient to continue the family dental coverage provided in
6 FY 1998-99.

7 3. Management Compensation Package:

8 a. For the period between October 1, 1999 through
9 September 30, 2001, the Court will contribute for each covered employee, toward the
10 Management Compensation Package, the greater amount of \$245 per month or 75% of the
11 rate charged to an employee who selected Kaiser coverage at the employee plus two or more
12 dependents level.

13 b. The elements of this package shall include but are not
14 limited to: dependent health care, DCAP, disability insurance, term life insurance and other
15 life insurance, accident insurance, and other authorized mutually agreed benefits. Specific
16 plan design shall be subject to administrative feasibility, as determined by the City, and shall
17 be determined in consultation with the Association. The benefits plan shall conform to
18 provisions of IRS Code Section 125.

19 I. **LIFE INSURANCE**

20 The Court shall continue to arrange for the purchase of a \$50,000 group
21 term life insurance policy for each covered employee and the Court will contribute to all costs
22 of such a policy. This section shall not diminish any existing rights of covered employees to
23 purchase supplemental coverage through the Management Compensation Package.

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1 **J. RETIREMENT CONTRIBUTION**

2 For the period of October 1, 1999, through September 30, 2001, the
3 Court shall contribute to the appropriate pension plan a total of:

4 8% of pension covered gross salary for old plan SFERS full rate
5 members;

6 7.5% of pension covered gross salary for new plan SFERS full
7 rate members;

8 The aforesaid contributions shall not be considered as a part of an employee's compensation
9 for the purpose of computing earnings or retirement benefits, nor shall such contributions be
10 taken into account in determining the level of any other benefit which is a function of or
11 percentage of salary. The Court reserves the right to take said contributions into account for
12 the purpose of salary comparisons with other employees.

13 **K. STATE DISABILITY INSURANCE (SDI)**

14 Upon a vote by 50% plus one or more of the members of a covered
15 classification that the members desire to be enrolled in the State disability Insurance Program
16 at the employee's cost, the Chief Executive Officer shall take any and all necessary action to
17 enroll such employees therein. The cost of SDI will be paid by the employee through payroll
18 deduction at a rate established by the State of California Employment Development
19 Department.

20 **L. WORK SCHEDULES**

21 This Section does not apply to 0215 Bail Commissioner and 0255 Court
22 Commissioner.

23 1. A normal work schedule is a tour of duty of forty (40) hours per
24 week, usually worked in eight (8) hour increments within a nine (9) hour period, during five
25 consecutive days. An alternative work schedule may be established by mutual agreement.

1 A part-time work schedule is a tour of duty less than forty (40) hours per week.

2 2. Salaries for part-time services shall be calculated upon the
3 compensation for normal schedules proportionate to the hours actually worked.

4 **M. HOLIDAYS**

5 This Section does not apply to 0215 Bail Commissioner and 0255 Court
6 Commissioner.

7 1. Floating Holidays

8 In addition to those days designated by state statute as Court
9 holidays, covered employees shall receive four (4) floating holidays per fiscal year effective
10 each July 1st, to be taken on days selected by the employee subject to the approval and sole
11 discretion of the Court, prior to the end of the applicable fiscal year. These days do not
12 accumulate, they cannot be carried forward into a subsequent fiscal year, and they are not
13 compensable upon separation. Floating holidays may only be taken in eight-hour increments.
14 Employees must complete six (6) months continuous service before receiving the floating
15 holidays, except when a particular day has been determined to be a floating holiday for all of
16 the employees of the Court, provided that all part-time employees who are not regularly
17 scheduled, but are employed on an as needed irregular intermittent or other irregular basis
18 are ineligible for the additional days.

19 2. Longevity Recognition

20 Employees, who have completed five years of Court service at the
21 maximum salary rate for their classification shall be credited with one additional floating
22 holiday to be used per the same restrictions as the other floating holidays provided earlier in
23 this section. This additional holiday will be credited effective on the implementation date of
24 this ordinance for those employees who meet the service requirement on that date.

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3. Part-time Employees Eligible for Holidays

Part-time employees who regularly work a minimum of twenty (20) hours in a bi-weekly pay period shall be entitled to holiday pay on a proportionate basis to the full-time work week of forty (40) hours.

Therefore, part-time employees, as defined in the immediately preceding paragraph, shall receive a holiday based upon the ratio of 1/10 of the total hours regularly worked in a bi-weekly pay period. Holiday time off shall be determined by calculating 1/10 of the hours worked by the part-time employee in the bi-weekly pay period immediately preceding the pay period in which the holiday falls. The computation of holiday time off shall be rounded to the nearest hour.

The proportionate amount of holiday time shall be taken in the same fiscal year in which the holiday falls. Holiday time off shall be taken at a time mutually agreeable to the employer and the appropriate employer representative.

3. Holiday compensation for Time Worked

Employees who are covered by this ordinance who are required by the Court to work on a State holiday, excepting Fridays observed as holidays in lieu of holidays falling on a Saturday, shall be granted time off equivalent to the time worked at the rate of one and one-half times the time worked on the holiday. Time off in lieu shall be scheduled at the discretion of the Court.

4. Holiday pay for Employees Laid Off

An employee covered by this section who is laid off at the close of business the day before a holiday who has worked not less than five previous consecutive work days shall be paid for the holiday.

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1 N. EXECUTIVE/ADMINISTRATIVE LEAVE

2 1. Executive Leave

3 Covered employees in the classifications of 0210 Clerk-
4 Administrator, 0220 Chief Deputy, 0221 Executive Assistant, 0222 Training Officer, 0225
5 Calendar Coordinator, 0230 Division Chief, 0242 Court Computer System Director are
6 generally required to work in excess of eighty (80) hours per pay period because of the nature
7 of their positions. In light of this work requirement, each full-time employee in a classification
8 covered by this section shall be eligible to receive five (5) days of executive leave on an
9 annual basis at the discretion of the Chief Executive Officer or designee. Executive Leave for
10 these employees cannot be cashed out, but up to five (5) days of unused leave may be
11 carried over into subsequent years. Procedures for administering the provisions of this
12 section will be developed by the Chief Executive Officer or designee. These classifications
13 shall not be eligible to receive compensatory time off or overtime.

14 2. Administrative Leave

15 Covered employees in the remaining classifications not identified
16 in the preceding paragraph, with the exception of the 0215 Bail Commissioner and 0255
17 Court Commissioner, may earn up to eighty (80) hours of paid administrative leave (AL) per
18 fiscal year for hours worked in excess of forty (40) hours per week. For purposes of this
19 provision, legal holidays provided for in the government code and jury duty shall be
20 considered time worked. Administrative leave shall be earned on a straight time basis. In no
21 case will covered employees be allowed to earn more than eighty (80) hours of administrative
22 leave in a fiscal year even if their duties require them to work in excess of their normal work
23 schedule. Employees shall not maintain balances of more than one hundred twenty (120)
24 hours of AL at any point in time. Procedures for administering the provisions of this section
25 will be developed by the Chief Executive Officer or designee.

1 3. Parent/Teacher Conferences

2 Covered employees, with the exception of the 0215 Bail
3 Commissioner and 0255 Court Commissioner, may take up to 2 hours per semester for
4 parent teacher conferences subject to prior notification of their supervisor. The employee
5 shall make every effort to schedule the conferences at times which minimize any disruption to
6 court operations and management.

7 O. **REIMBURSEMENT OF MILEAGE AND RELATED EXPENSES**

8 Covered employees required to use their own vehicle for Court business
9 shall be reimbursed for mileage as fixed by the City's Controller in accordance with IRS rules,
10 and will be reimbursed for all necessary parking and toll expenses.

11 P. **MEALS**

12 Covered employees shall, subject to the procedures established by the
13 City's Controller, be reimbursed for the reasonable and actual costs of meals upon
14 presentation of receipts in the following circumstances:

- 15 1. When an employee is required by the court to attend a meeting at
16 which a meal is served and such meal is billed to the employee;
17 2. When an employee is traveling overnight out of the City on Court
18 business.

19 Q. **FINGERPRINTING**

20 The Court shall bear the full cost of fingerprinting whenever such is
21 required of an employee.

22 **VI. RETROACTIVE APPLICATION**

23 Although the City and County of San Francisco and the Court have
24 incurred no legal obligation under the Charter, the Board of Supervisors does hereby ratify
25

1 any actions otherwise consistent with, and authorized by this ordinance that were taken
2 before its effective date.

3 **VII. CERTIFICATION**

4 The following hereby certify that a majority of the body over which they
5 each preside has approved the terms of the above ordinance.

7  02/25/00

8 ALFRED G. CHIANTELLI
9 Presiding Judge
10 Superior Court of California
County of San Francisco

N/A

TOM AMMIANO, President
Board of Supervisors
City & County of San Francisco

11
12 APPROVED AS TO FORM:
13 LOUISE H. RENNE
City Attorney

14 

15 MOLLY S. STUMP
16 Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 000380

Date Passed:

Ordinance setting retroactive to October 1, 1999, the rates of compensation and other economic benefits for certain management classifications of persons employed by the Superior Court of California, County of San Francisco.

March 27, 2000 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Ammiano, Becerril, Brown, Katz, Kaufman, Leno, Newsom, Teng,
Yaki, Yee

Absent: 1 - Bierman

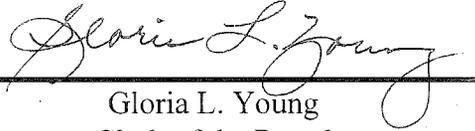
April 3, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 8 - Ammiano, Becerril, Katz, Kaufman, Leno, Newsom, Teng, Yee

Absent: 3 - Bierman, Brown, Yaki

File No. 000380

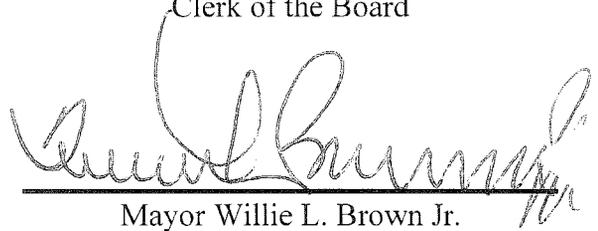
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 3, 2000 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

APR 14 2000

Date Approved



Mayor Willie L. Brown Jr.