

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AGENDA OF JULY 24, 2024

REGULAR MEETING

TO: Brian Veerkamp, Chair, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: Shiva Frentzen, Executive Officer

AGENDA ITEM #2: Personnel P&P Guidelines Change for Vacation, Sick, and
Bereavement

Recommendation

Staff recommends that the Commission consider and approve the changes to the vacation, sick and bereavement accruals and leaves.

Background

Vacation leave - Section 4.2.B. (page 16). A paragraph is added to allow former El Dorado LAFCO employees, when accruing vacation, to receive credit for prior El Dorado LAFCO service if re-hired within one year from separation. This credit for service is not provided for service to any other LAFCO agency.

Sick leave - Section 4.1.I (page 15). A new section is added to comply with California law, which requires any unused amount of sick leave to be reinstated should an employee be re-hired within one year. This would exclude any amounts that were actually paid out to employee upon their separation.

Bereavement leave - Section 4.5.B (pages 21-22). This policy is changed to comply with recent changes in California law. The law now requires 5 days of bereavement leave. While these days don't have to be paid, since El Dorado LAFCO already provides three days of paid bereavement leave, it is just extended to 5 days. As an alternative, El Dorado LAFCO could keep three days of paid leave and provide two days of unpaid leave. The time need not be taken consecutively but must be concluded within 90 days of the death.

Attachments:

Attachment A: Personnel P&P Guidelines with track changes
Attachment B: Personnel P&P Guidelines with changes

- d. Nothing shall prohibit LAFCO from placing a reasonable dollar limit on tuition reimbursement which may be received by an employee in one fiscal year.
- e. To be eligible for reimbursement, the employee must present satisfactory proof of a final grade of "C" or better for the approved course and of the amount of tuition paid by the employee.

PART 4 – TIME OFF (Sections 4.1, 4.2 and 4.5 only)

4.1 SICK LEAVE BENEFITS

A. Overview

The intent of this policy is to provide paid time off for the purpose of illness or other medical requirements.

The Commission will review and may change any of these sick leave benefit provisions on an annual basis at its discretion.

B. Accrual

All employees shall accumulate sick leave at the rate of .04625 per hour on a pay status, calculated on the basis of actual service (3.7 hours earned per full pay period paid). There is no maximum accumulation. The accumulation rate for sick leave is based upon regular hours worked, not overtime hours.

C. Eligibility

Regular Employees: New regular employees are eligible to use sick leave with pay after completion of two (2) full pay periods of continuous service with LAFCO.

Temporary employees: Temporary employees are eligible to earn sick leave after thirty (30) days. Temporary employees can use sick leave after completing ninety (90) days of employment.

D. Verification

Employees are required to notify their supervisor as soon as possible of their absence due to illness or injury. LAFCO may require an employee upon returning after an absence due to illness or injury, to fill out a sick leave request form or record of sick leave use. LAFCO may require a physician's statement or acceptable substitute from an employee who applies for sick leave, or make whatever reasonable investigation into the circumstances that appear warranted before taking action on the sick leave request.

E. Use of Sick Leave

Sick leave may be applied to the following circumstances:

1. An absence necessitated by an employee's personal illness or injury.

2. Medical and dental office appointments.
3. Diagnosis, care, or treatment of an existing health condition of or preventive care for an employee or an employee's family member.
4. Absence from duty because the employee's presence is needed to attend to the serious illness of a member of his or her immediate family. For purposes of this policy, immediate family shall mean father, father-in-law, mother, mother-in-law, step-parent, brother, sister, grandparent, spouse, child, domestic partner or legal guardian. All conditions and restrictions placed on an employee's use of sick leave apply also to sick leave used for care of a family member.
5. An absence to attend legal proceedings, or to obtain medical treatment, counseling, or other victims' services for domestic violence, sexual assault, or stalking.
6. Illnesses while on paid vacation will be charged to sick leave rather than vacation only under the following conditions:
 - a. The illness or injury of the employee or member of the employee's immediate family was of a nature that would preclude the effective use of vacation and would prevent the employee from performing his or her normal duties.
 - b. The employee must notify the Executive Officer within four (4) calendar days of the beginning of the illness or prior to the end of his or her vacation leave, whichever is sooner, to request that his or her illness on vacation be charged to sick leave.
 - c. LAFCO shall be under no obligation to extend the vacation beyond the original scheduled vacation ending date.
 - d. Upon the employee's return to work, the employee must furnish LAFCO with a certificate signed by a licensed physician or registered nurse stating the nature of the medical condition and the period of disablement.
7. Absence from duty because of personal emergencies is not to exceed twenty (20) working hours during the fiscal year. A personal emergency is something unanticipated that requires the employee to personally attend to the situation and must be attended to during normal working hours. Nothing in this policy allows the employee to use sick leave for a "personal emergency" that does not otherwise qualify based on the permissible uses set forth above.
8. An absence due to an air pollution alert, which prevents the employee from traveling to his or her work location.

In any use of sick leave, an employee's account (whether exempt or non-exempt) shall be charged to the nearest quarter hour for a non-exempt employee, while exempt employees will be charged only for full-day absences.

An employee may be required to furnish a certificate issued by a licensed health care provider or other satisfactory evidence of illness, injury, medical condition or medical or dental office calls when LAFCO has notified the employee in advance of such a requirement or when the employee has been under the care of a physician.

F. Payment for Unused Sick Leave

1. In order to receive payment for unused sick leave at the time of retirement, layoff, or voluntary termination, a LAFCO employee must have five or more years of LAFCO service.
 - a. Employees with Over 5 years of service:
Shall receive 20% of their unused sick leave paid.
 - b. Employees with Over 10 years of service:
Shall receive 40% of their unused sick leave paid.
 - c. Employees with Over 15 years of service:
Shall receive 70% of their unused sick leave paid.
 - d. Employees with Over 20 years of service:
Shall receive 100% of their unused sick leave paid.
 - e. In the event an employee dies while in active service with LAFCO their sick leave payoff will be made in accord with the above schedule and the limitation of this Section and will paid in the same manner as the final check.
2. Maximum number of hours paid shall not exceed 500. Employee's last hourly rate of pay shall be used in computing payment.

G. Retirees Conversion of Sick Leave to Health Insurance Premium

An employee who is retiring under the PERS system may, at his/her option, in lieu of Section F ("Payment for Unused Sick Leave" as listed above) can receive the equivalent value of that benefit in paid health plan premiums. Employees shall be responsible for whatever taxes as are appropriate for this benefit and LAFCO shall report the full amount as earnings for tax purposes at the time of retirement

H. Use of Sick Leave During Training Sessions and Other Off-Site Events

Training sessions, conferences, and other required LAFCO events that an employee attends for more than 6 hours in a given work day shall be treated as a full 8-hour day. However, if an employee is unable to attend all or a portion of the training or event due to illness or other incapacity, the employee must report to the Executive Officer the number of hours the employee missed due to illness so that the appropriate amount of time is deducted from the employee's sick leave.

I. Reinstatement of Sick Leave

If an employee separates from LAFCO employment and is re-hired within one year from the separation date, then any sick leave that was not paid out or converted to service credit in accordance with the terms of this policy will be reinstated and available for the re-hired employee's immediate use.

4.2 VACATION

A. Overview

This policy applies to all regular full-time and part-time employees of LAFCO. The intent of this policy is to provide paid time off for employees as a means to rest and rejuvenate. LAFCO encourages employees to utilize this benefit every year. LAFCO believes personal time off is an important means to enable continuation of strong performance and positive contribution to LAFCO, as well as encourage a balanced and enriching life for employees.

The Commission will review and may change any of these vacation benefit provisions on an annual basis at its discretion.

B. Policy

Regular full-time employees will accrue vacation according to continuous years of service in accordance with the following schedule:

Years of Employment	Vacation Days Per Year	Maximum Accumulation
Under 4 years	.03875 per hour on pay status (3.1 hours earned per full pay period)	240 hours
Between 4 and 11 years	.05875 per hour on pay status (4.7 hours earned per full pay period)	320 hours
Over 11 years	.0775 per hour on pay stats (6.2 hours earned per full pay period)	320 hours

Regular part-time employees with continuous service working 20 hours or more per week will accrue vacation in accordance with the above chart, on a pro-rated basis determined by normal hours worked. Active service for all regular employees commences with their first day of work and continues thereafter unless broken by an absence without pay or an unpaid leave of absence. Temporary employees do not accrue paid vacation.

In order to request vacation time, employees should submit a written request on a form provided by LAFCO to the Executive Officer. Every effort will be made to accommodate all employees' requests for specific vacation leave time. However, the Executive Officer will also consider the needs of LAFCO when evaluating vacation requests.

Upon separation from LAFCO employment, an employee is eligible to be paid for accrued, unused vacation days up to the maximum specified above at 100% of the employee's hourly salary. In cases where an employee terminates employment with LAFCO, and has been permitted to take vacation time prior to actual accrual, the final paycheck will reflect a deduction relative to the amount of un-accrued time off taken.

A former El Dorado LAFCO employee re-hired by El Dorado LAFCO within one year from separation will be credited for past El Dorado LAFCO service when determining the applicable vacation accrual rate. For example, an El Dorado LAFCO employee who separated after being employed for 6 years and was re-hired after 10 months will accrue vacation at the rate of 4.7 hours per full pay period.

A holiday that falls during an employee's vacation leave will be treated and paid as a holiday and not as a day of vacation leave.

4.3 HOLIDAY

A. Overview

The intent of this policy is to provide paid time off for eligible employees for holidays throughout the year.

B. Policy

Holiday time off with pay will be granted to all regular full-time employees and regular part-time employees (prorated) for the following holidays:

1. January 1 - New Year's Day
2. January (Third Monday) - Martin Luther King Jr.'s Birthday
3. February (Third Monday) - Washington's Birthday
4. May (Last Monday) - Memorial Day
5. July 4 - Independence Day
6. September (First Monday) - Labor Day
7. November - Veteran's Day
8. November - Thanksgiving Day
9. November - Friday after Thanksgiving
10. December 24 - Christmas Eve
11. December 25 - Christmas Day

If a holiday falls on a Sunday, the following Monday shall be observed as the holiday in lieu thereof. If a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday in lieu thereof. In years in which December 24th falls on a Sunday, LAFCO shall also observe December 26th as a holiday (Tuesday). In years in which December 25th falls on a Saturday, LAFCO shall also observe December 23 as a holiday (Thursday).

Holiday dates will vary year to year and a schedule will be published each year.

C. Floating Holidays (In Lieu of Lincoln's Birthday and Columbus Day)

1. In the event that the employee fails to return from leave, LAFCO may recover premiums it paid to maintain group health insurance coverage. (For details, see LAFCO's Family and Medical Leave Policy.)
2. If the employee is not eligible for continued paid coverage or if coverage ceases after the exhaustion of Pregnancy Disability Leave/FMLA or other leaves, the employee may continue group health insurance coverage pursuant to federal and state COBRA guidelines.

O. California Family and Medical Leave ("CFRA")

The right to take a Pregnancy Disability Leave is separate and distinct from the right to take Family and Medical Leave under the CFRA. Thus, at the end of the employee's period(s) of pregnancy disability, or at the end of four months pregnancy disability leave, whichever occurs first, an eligible employee may request to take up to 12 workweeks of CFRA leave in accordance with LAFCO's family and medical leave policy.

1. There is no requirement that either the employee or her child have a serious health condition or that the employee no longer be disabled by her pregnancy before taking CFRA leave for the birth of a child.
2. Where the employee has used all four months of her pregnancy disability leave prior to the birth of her child, and her health care provider determines that a continuation of the leave is medically necessary, LAFCO may, but is not required to, allow the use of CFRA leave prior to the birth of a child. The employee may also request reasonable accommodations under the Americans With Disabilities Act and/or the Fair Employment and Housing Act, if applicable.
3. The maximum possible combined leave for pregnancy disability/FMLA and CFRA leave due to the birth of a child is four months and 12 workweeks.
4. CFRA leave taken due to the birth of the employee's child must be concluded within one year of the child's birth. The basic minimum duration of such leave shall be two weeks, except that LAFCO will grant a CFRA leave of less than two weeks' duration on any two occasions within one year of the child's birth.

4.5 OTHER TIME OFF

A. Overview

This policy applies to all regular full-time and regular part-time employees of LAFCO. The intent of this policy is to outline other types of paid and unpaid time-off available to eligible employees.

B. Bereavement Leave

In the event of a death in the immediate family, up to five (5) ~~3-consecutive~~ days of paid bereavement leave will be provided to all regular full-time and

regular part-time employees of LAFCO.

Immediate family is defined as the employee's spouse, domestic partner, parent, child, sibling; the employee's spouse's or domestic partner's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren; the employee's domestic partner. Special consideration will also be given to any other person whose association with the employee is similar to any of the above relationships.

~~Bereavement leave need not be taken consecutively, but must be taken within three months of the date of death. Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements.~~ Employees may also, with the approval of the Executive Officer, use any available paid vacation for additional time off as necessary. If more time off is requested, it will be granted only at the discretion of the Executive Officer.

Bereavement pay is calculated based on the base pay rate at the time of absence ~~and prorated for part-time employees.~~

Vacation Leave and Sick Leave time shall not be accrued during the time an employee is on Bereavement Leave.

C. Jury Duty and Other Court-Related Leaves

LAFCO encourages employees to fulfill their civic responsibilities by serving jury duty or appearing in court as a witness when required. LAFCO provides up to 30 days of paid time off for jury duty service. For service longer than 30 days, employees will receive unpaid leave if business permits. If desired, employees may use any accrued vacation.

Employees must show the jury duty summons to the Executive Officer as soon as possible so that arrangements may be made to accommodate their absence. Employees are expected to report for work whenever the court schedule permits, including any remaining parts of a normally scheduled workday.

LAFCO will continue to provide health insurance benefits for the full term of the jury duty absence. Vacation, sick leave, and holiday benefits will continue to accrue during jury duty leave.

If an employee or the employee's immediate family member is the victim of a crime, the employee may also take unpaid time off to attend judicial proceedings related to that crime, or appear in court as a witness to comply with a subpoena or other court order. The employee must provide advance notice, if possible, along with a copy of the subpoena, court order, and notice of each scheduled proceeding given to victims. When advance notice is not feasible, within a reasonable time after the absence, the employee must provide evidence documenting the judicial proceeding from (1) the court or government agency setting the hearing; (2) the district attorney or prosecuting attorney's office; or (3) the victim/witness office that is advocating on behalf of the victim.

An employee may use accrued vacation time to provide pay during this period of leave.

D. Domestic Violence Victim Leave

Employees who are victims of domestic violence may take unpaid time-off to appear in court to attempt to obtain relief for themselves or their child. In addition, they may take unpaid time-off to seek medical attention, obtain services from a domestic violence program, obtain psychological counseling, or participate in safety planning. If desired, employees may use any accrued vacation or sick leave or floating holiday for these purposes. Reasonable notice must be given to the Executive Officer before appearing in court.

E. Time Off to Vote

Generally, employees are able to find time to vote either before or after their regular work schedule. If, however, full-time employees are unable to vote in an election during their non-working hours, LAFCO will grant up to 2 hours of paid leave to vote.

Employees requiring time off to vote should make their requests at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule. Employees must submit a voter's receipt on the first working day following the election to qualify for paid time off.

F. Military Leave

Military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and Military and Veterans Code section 394.5. Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Employees, who have been employed at least one year, are eligible for up to 30 days of paid leave for active duty training.

Employees on military leave will receive rights and benefits comparable to those they would receive under LAFCO's policies for other types of leave. Continuation of health insurance benefits is available based on the length of the leave and subject to the terms, conditions and limitations of the applicable plan for which the employee is otherwise eligible. Employees on leave for no more than 30 days will receive continued health insurance benefits. Vacation, sick leave and holiday benefits will continue to accrue during any paid portion of a military leave of absence.

G. Workers' Compensation Leave

If an employee sustains a work-related injury, he or she will be eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational injuries.

Employees on Workers' Compensation Leave should keep their supervisors

informed as to their work status and will need to provide a doctor's release before returning to work.

H. Volunteer Emergency Leave and Training

If employees volunteer as a firefighter, reserve peace officer, or emergency rescue personnel, they may be entitled to unpaid leave to perform emergency duty. In addition, they may take unpaid leave of up to 14 days per calendar year for the purpose of engaging in fire or law enforcement training. If an employee qualifies for these types of leave, he or she may use accrued vacation during the leave. Time spent on this leave counts for purposes of determining "length of service". However, vacation will not be accrued and holiday pay will not be received during any unpaid portion of this leave.

I. Time Off for Parents to Attend School Activity

Employees who are parents of one or more children in kindergarten, or in grades 1 through 12, may take time off of up to forty (40) hours per school year to attend authorized school activities which involve one or more of the employee's school age children. To be eligible for parental time off, the employee must obtain from the school, written verification that he or she attended or participated in the school activity. Parental time off may not exceed eight hours in any calendar month.

Employees may use any accrued vacation while they attend their child's school activities. If not, employees' parental time off will be unpaid. For scheduling purposes, employees must notify the Executive Officer at least one (1) week before the date of the school activity, so that their work duties may be covered.

J. Alcohol and Drug Rehab Leave

LAFCO will reasonably accommodate employees who wish to voluntarily enter and participate in an alcohol or drug rehabilitation program provided that the accommodation does not impose an undue hardship on LAFCO. LAFCO does not provide paid time off for participation in an alcohol or drug rehabilitation program though employees can use accrued vacation during any approved leave of absence.

This policy in no way restricts LAFCO's right to impose discipline, including actions up to and including termination of employment, for violation of LAFCO's drug and alcohol policy or any other employment/conduct policy.

4.6 FAMILY AND MEDICAL LEAVE

A. Overview

The intent of this policy is to outline and explain some of the rules and requirements applying to the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA).

Note: Employers with at least fifty (50) employees are required to comply with FMLA/CFRA. Because LAFCO employs fewer than 50 employees, LAFCO employees are not entitled to take leave under the federal or state family leave

- d. Nothing shall prohibit LAFCO from placing a reasonable dollar limit on tuition reimbursement which may be received by an employee in one fiscal year.
- e. To be eligible for reimbursement, the employee must present satisfactory proof of a final grade of "C" or better for the approved course and of the amount of tuition paid by the employee.

PART 4 – TIME OFF (Sections 4.1, 4.2 and 4.5 only)

4.1 SICK LEAVE BENEFITS

A. Overview

The intent of this policy is to provide paid time off for the purpose of illness or other medical requirements.

The Commission will review and may change any of these sick leave benefit provisions on an annual basis at its discretion.

B. Accrual

All employees shall accumulate sick leave at the rate of .04625 per hour on a pay status, calculated on the basis of actual service (3.7 hours earned per full pay period paid). There is no maximum accumulation. The accumulation rate for sick leave is based upon regular hours worked, not overtime hours.

C. Eligibility

Regular Employees: New regular employees are eligible to use sick leave with pay after completion of two (2) full pay periods of continuous service with LAFCO.

Temporary employees: Temporary employees are eligible to earn sick leave after thirty (30) days. Temporary employees can use sick leave after completing ninety (90) days of employment.

D. Verification

Employees are required to notify their supervisor as soon as possible of their absence due to illness or injury. LAFCO may require an employee upon returning after an absence due to illness or injury, to fill out a sick leave request form or record of sick leave use. LAFCO may require a physician's statement or acceptable substitute from an employee who applies for sick leave, or make whatever reasonable investigation into the circumstances that appear warranted before taking action on the sick leave request.

E. Use of Sick Leave

Sick leave may be applied to the following circumstances:

1. An absence necessitated by an employee's personal illness or injury.

2. Medical and dental office appointments.
3. Diagnosis, care, or treatment of an existing health condition of or preventive care for an employee or an employee's family member.
4. Absence from duty because the employee's presence is needed to attend to the serious illness of a member of his or her immediate family. For purposes of this policy, immediate family shall mean father, father-in-law, mother, mother-in-law, step-parent, brother, sister, grandparent, spouse, child, domestic partner or legal guardian. All conditions and restrictions placed on an employee's use of sick leave apply also to sick leave used for care of a family member.
5. An absence to attend legal proceedings, or to obtain medical treatment, counseling, or other victims' services for domestic violence, sexual assault, or stalking.
6. Illnesses while on paid vacation will be charged to sick leave rather than vacation only under the following conditions:
 - a. The illness or injury of the employee or member of the employee's immediate family was of a nature that would preclude the effective use of vacation and would prevent the employee from performing his or her normal duties.
 - b. The employee must notify the Executive Officer within four (4) calendar days of the beginning of the illness or prior to the end of his or her vacation leave, whichever is sooner, to request that his or her illness on vacation be charged to sick leave.
 - c. LAFCO shall be under no obligation to extend the vacation beyond the original scheduled vacation ending date.
 - d. Upon the employee's return to work, the employee must furnish LAFCO with a certificate signed by a licensed physician or registered nurse stating the nature of the medical condition and the period of disablement.
7. Absence from duty because of personal emergencies is not to exceed twenty (20) working hours during the fiscal year. A personal emergency is something unanticipated that requires the employee to personally attend to the situation and must be attended to during normal working hours. Nothing in this policy allows the employee to use sick leave for a "personal emergency" that does not otherwise qualify based on the permissible uses set forth above.
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G. Retirees Conversion of Sick Leave to Health Insurance Premium

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4.2 VACATION

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4.3 HOLIDAY

A. Overview

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If a holiday falls on a Sunday, the following Monday shall be observed as the holiday in lieu thereof. If a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday in lieu thereof. In years in which December 24th falls on a Sunday, LAFCO shall also observe December 26th as a holiday (Tuesday). In years in which December 25th falls on a Saturday, LAFCO shall also observe December 23 as a holiday (Thursday).

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C. Floating Holidays (In Lieu of Lincoln's Birthday and Columbus Day)

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2. Where the employee has used all four months of her pregnancy disability leave prior to the birth of her child, and her health care provider determines that a continuation of the leave is medically necessary, LAFCO may, but is not required to, allow the use of CFRA leave prior to the birth of a child. The employee may also request reasonable accommodations under the Americans With Disabilities Act and/or the Fair Employment and Housing Act, if applicable.
3. The maximum possible combined leave for pregnancy disability/FMLA and CFRA leave due to the birth of a child is four months and 12 workweeks.
4. CFRA leave taken due to the birth of the employee's child must be concluded within one year of the child's birth. The basic minimum duration of such leave shall be two weeks, except that LAFCO will grant a CFRA leave of less than two weeks' duration on any two occasions within one year of the child's birth.

4.5 OTHER TIME OFF

A. Overview

This policy applies to all regular full-time and regular part-time employees of LAFCO. The intent of this policy is to outline other types of paid and unpaid time-off available to eligible employees.

B. Bereavement Leave

In the event of a death in the immediate family, up to five (5) days of paid bereavement leave will be provided to all regular full-time and regular part-

time employees of LAFCO.

Immediate family is defined as the employee's spouse, domestic partner, parent, child, sibling; the employee's spouse's or domestic partner's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren; the employee's domestic partner. Special consideration will also be given to any other person whose association with the employee is similar to any of the above relationships.

Bereavement leave need not be taken consecutively, but must be taken within three months of the date of death. Employees may also, with the approval of the Executive Officer, use any available paid vacation for additional time off as necessary. If more time off is requested, it will be granted only at the discretion of the Executive Officer.

Bereavement pay is calculated based on the base pay rate at the time of absence.

Vacation Leave and Sick Leave time shall not be accrued during the time an employee is on Bereavement Leave.

C. Jury Duty and Other Court-Related Leaves

LAFCO encourages employees to fulfill their civic responsibilities by serving jury duty or appearing in court as a witness when required. LAFCO provides up to 30 days of paid time off for jury duty service. For service longer than 30 days, employees will receive unpaid leave if business permits. If desired, employees may use any accrued vacation.

Employees must show the jury duty summons to the Executive Officer as soon as possible so that arrangements may be made to accommodate their absence. Employees are expected to report for work whenever the court schedule permits, including any remaining parts of a normally scheduled workday.

LAFCO will continue to provide health insurance benefits for the full term of the jury duty absence. Vacation, sick leave, and holiday benefits will continue to accrue during jury duty leave.

If an employee or the employee's immediate family member is the victim of a crime, the employee may also take unpaid time off to attend judicial proceedings related to that crime, or appear in court as a witness to comply with a subpoena or other court order. The employee must provide advance notice, if possible, along with a copy of the subpoena, court order, and notice of each scheduled proceeding given to victims. When advance notice is not feasible, within a reasonable time after the absence, the employee must provide evidence documenting the judicial proceeding from (1) the court or government agency setting the hearing; (2) the district attorney or prosecuting attorney's office; or (3) the victim/witness office that is advocating on behalf of the victim.

An employee may use accrued vacation time to provide pay during this period of leave.

D. Domestic Violence Victim Leave

Employees who are victims of domestic violence may take unpaid time-off to appear in court to attempt to obtain relief for themselves or their child. In addition, they may take unpaid time-off to seek medical attention, obtain services from a domestic violence program, obtain psychological counseling, or participate in safety planning. If desired, employees may use any accrued vacation or sick leave or floating holiday for these purposes. Reasonable notice must be given to the Executive Officer before appearing in court.

E. Time Off to Vote

Generally, employees are able to find time to vote either before or after their regular work schedule. If, however, full-time employees are unable to vote in an election during their non-working hours, LAFCO will grant up to 2 hours of paid leave to vote.

Employees requiring time off to vote should make their requests at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule. Employees must submit a voter's receipt on the first working day following the election to qualify for paid time off.

F. Military Leave

Military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and Military and Veterans Code section 394.5. Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Employees, who have been employed at least one year, are eligible for up to 30 days of paid leave for active duty training.

Employees on military leave will receive rights and benefits comparable to those they would receive under LAFCO's policies for other types of leave. Continuation of health insurance benefits is available based on the length of the leave and subject to the terms, conditions and limitations of the applicable plan for which the employee is otherwise eligible. Employees on leave for no more than 30 days will receive continued health insurance benefits. Vacation, sick leave and holiday benefits will continue to accrue during any paid portion of a military leave of absence.

G. Workers' Compensation Leave

If an employee sustains a work-related injury, he or she will be eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational injuries.

Employees on Workers' Compensation Leave should keep their supervisors informed as to their work status and will need to provide a doctor's release

before returning to work.

H. Volunteer Emergency Leave and Training

If employees volunteer as a firefighter, reserve peace officer, or emergency rescue personnel, they may be entitled to unpaid leave to perform emergency duty. In addition, they may take unpaid leave of up to 14 days per calendar year for the purpose of engaging in fire or law enforcement training. If an employee qualifies for these types of leave, he or she may use accrued vacation during the leave. Time spent on this leave counts for purposes of determining "length of service". However, vacation will not be accrued and holiday pay will not be received during any unpaid portion of this leave.

I. Time Off for Parents to Attend School Activity

Employees who are parents of one or more children in kindergarten, or in grades 1 through 12, may take time off of up to forty (40) hours per school year to attend authorized school activities which involve one or more of the employee's school age children. To be eligible for parental time off, the employee must obtain from the school, written verification that he or she attended or participated in the school activity. Parental time off may not exceed eight hours in any calendar month.

Employees may use any accrued vacation while they attend their child's school activities. If not, employees' parental time off will be unpaid. For scheduling purposes, employees must notify the Executive Officer at least one (1) week before the date of the school activity, so that their work duties may be covered.

J. Alcohol and Drug Rehab Leave

LAFCO will reasonably accommodate employees who wish to voluntarily enter and participate in an alcohol or drug rehabilitation program provided that the accommodation does not impose an undue hardship on LAFCO. LAFCO does not provide paid time off for participation in an alcohol or drug rehabilitation program though employees can use accrued vacation during any approved leave of absence.

This policy in no way restricts LAFCO's right to impose discipline, including actions up to and including termination of employment, for violation of LAFCO's drug and alcohol policy or any other employment/conduct policy.

4.6 FAMILY AND MEDICAL LEAVE

A. Overview

The intent of this policy is to outline and explain some of the rules and requirements applying to the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA).

Note: Employers with at least fifty (50) employees are required to comply with FMLA/CFRA. Because LAFCO employs fewer than 50 employees, LAFCO employees are not entitled to take leave under the federal or state family leave laws, other than for Pregnancy Disability Leave. However, LAFCO has