



**CENTRAL SIERRA CHILD SUPPORT AGENCY  
Board of Directors Meeting**

**Location:**

Monday, October 28, 2024, 2:00 PM  
Central Sierra Child Support Agency  
639 New York Ranch Rd., Jackson, California

**Teleconference:**

*Frank Axe – 810 Court St, Jackson, Ca 95642*  
*David Goldemberg – 2 S. Green St, Sonora, Ca 95370*  
*Martin Huberty – 753 S. Main St, Angels Camp, CA 95222*  
*Anaiah Kirk – 2 S. Green St, Sonora, Ca 95370*  
*Gary Tofanelli – 891 Mountain Ranch Rd, San Andreas, Ca 95249*  
*Terry Woodrow – 99 Water St, Markleeville, CA 96120*

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**BOARD OF DIRECTORS**

Frank Axe	Anaiah Kirk
Jeff Brown, Vice Chair	Gary Tofanelli
David Goldemberg	Terry Woodrow
Martin Huberty, Chair	

**PLEASE NOTE**

*All proceedings are conducted in English. The Board is committed to making its proceedings accessible to all citizens. Individuals with special needs may call 209-418-6128. All inquiries must be made at least 48 hours prior to the meeting. Public hearing items will commence no sooner than the times listed on the agenda. **NOTE: This meeting will take place at the location listed above AND will be available via teleconference as follows:***

**Join By Phone: (US) +1 669-900-6833, Meeting ID: 872 7255 6862**  
**Passcode: 930666**

**REGULAR MEETING AGENDA**

**PUBLIC MATTERS NOT ON THE AGENDA:** Discussion items only; no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of the Central Sierra Child Support Agency Board of Directors; however, any matter that requires action may be referred to staff for a report and recommendation for possible action at a subsequent Board meeting. Please note - there is a three (3) minute limit per topic.

**CONSENT AGENDA:** Items listed on the consent agenda are considered routine and may be enacted by one (1) motion. Any item(s) may be removed for discussion and made a part of the regular agenda at the request of a Board member(s).

**I. Minutes:** Review and approval of the minutes for the July 22, 2024 and September 9, 2024, Board meetings.

**CLOSED SESSION** may be called for labor negotiations (pursuant to Government Code §54957.6), personnel matters (pursuant to Government Code §54957), real estate negotiations/acquisitions (pursuant to Government Code §54956.8), and/or pending or potential litigation (pursuant to Government Code §54956.9).

**II. Conference with Labor Negotiators (Government Code § 54957.6) – Unrepresented Executive Class.** Agency representatives: General Counsel Shannon Boyd, Executive Director Julie Prado. *Discussion.*

**III. Public Employee Contract (Government Code Section 54957).** *Discussion.*

**IV. Public Employee Appointment; Title: Executive Director (Government Code Section 54957).** *Discussion.*

#### **ADMINISTRATIVE MATTERS**

**V. Unrepresented Executive Class:** Employment terms. *Discussion and possible action.*

**VI. Public Employee Contract (Government Code Section 54957)** Title: Executive Director, Employment Terms. *Discussion and possible action.*

**VII. Conditional Appointment of Executive Director.** Consideration and possible appointment of a new Executive Director effective upon the retirement of the current Executive Director Julie Prado. *Discussion and possible Action.*

**VIII. Personnel Rules & Regulations.** Consideration of amendments. *Discussion and possible Action.*

**IX. Travel Policy 1-200.** Consideration of amendments. *Discussion and possible Action.*

**X. Executive Report:** Review of budget and statistical report for period ending 09/30/24; program and administrative report.

**NEXT REGULARLY SCHEDULED BOARD MEETING:** January 27, 2025, at 2:00 pm – CSCSA, 639 New York Ranch Rd., Jackson, CA

#### **ADJOURNMENT**

# **AGENDA ITEM**

**I**

**BOARD OF DIRECTORS**  
Central Sierra Child Support Agency  
639 New York Ranch Road  
Jackson, CA 95642

**MINUTES**  
**July 22, 2024**  
**2:04 p.m.**

The Board of Directors of the Central Sierra Child Support Agency met via Zoom on the above date pursuant to adjournment, and the following proceedings were had, to wit:

**Directors present: Roll call**

David Goldemberg  
Martin Huberty  
Gary Tofanelli  
Terry Woodrow

**Absent:**

Frank Axe  
Jeff Brown  
Anaiah Kirk

**Staff present:**

Julie Prado, Executive Director  
Kim Britt, Deputy Director  
Lisa Bispham, Staff Services Specialist  
Shannon DeNatale Boyd, General Counsel

**PUBLIC MATTERS NOT ON THE AGENDA:**

**CONSENT AGENDA:**

**I. Minutes:** Review and approval of the minutes for the June 24, 2024, Board meeting.

Motion by Director Woodrow and second by Director Tofanelli to approve the minutes as presented. Motion carries 4-0-0 with Directors Axe, Brown, and Kirk absent for the vote.

**CLOSED SESSION:** The Board recessed into closed session at 2:06 p.m. and ended closed session at 2:38 p.m.

**II. Conference with Labor Negotiators (Government Code § 54957.6) -- General Unit and MCP Unit:** Agency representatives: General Counsel Shannon Boyd, Executive Director Julie Prado. Represented Employees: General Unit and MCP Unit (Operating Engineers Local 3). *Update given.*

**III. Executive Director Evaluation (Government Code Section 54957(b)).** *Direction given.*

**ADMINISTRATIVE MATTERS**

**IV. Final Budget 2024-2025: Public Hearing:** Director Huberty opened the meeting for public hearing, with no public in attendance public hearing was closed. Executive Director Prado provided the proposed final budget for the 2024-2025 fiscal year and reviewed highlights as presented in the memo. Prado indicated that there was a decrease of salaries and benefits from the preliminary budget to the final version as a result of unfunding a Legal Clerk position, delaying one Child Support Supervisor recruitment, and some salary savings from recent retirements. She shared that the proposed budget also includes the anticipated 3% COLA's. Additionally, the Agency had some insurance decreases since the preliminary budget; the proposed final budget reflects those reduced rates. Prado recommends that the Board approve the proposed final budget for 2024-2025.

Motion by Director Goldemberg and second by Director Tofanelli to approve the final 2024-2025 fiscal year budget as presented. Motion carries 4-0-0 with Directors Axe, Brown, and Kirk absent for the vote.

**RESOLUTION NO. 24-007**

Resolution approving the adoption of the FY 2024-2025 FY Final Budget.

**V. Office Assistant Salary Schedule:** Prado shared that she discussed the proposed salary schedule with the Union to be sure we were in agreement. Prado requests that the Board increase the salary schedule for the Office Assistant classification as proposed in the supporting memorandum and suggests the salary change be effective July 23, 2024. Discussion ensued and board agreed that the change be effective today, July 22, 2024.

Motion by Director Tofanelli and second by Director Woodrow to approve the proposed salary schedule and to be effective today, July 22, 2024. Motion carries 4-0-0 with Directors Axe, Brown, and Kirk absent for the vote.

**RESOLUTION NO. 24-008**

Resolution approving revision to the salary schedule for Office Assistant I/II classification.

**VI. Ratification of Collective Bargaining Agreement with General Unit.** The General Unit has reached a Tentative Agreement for a three-year contract which was ratified by members on July 9, 2024. The agreement includes updates to terminology and miscellaneous clarifications of Agency practices along with the correction of various typographical error,

the details of which are included in the Tentative Agreement (TA) presented in the meeting materials. Below is a summary of material changes:

- A. Change the term of the contract such that the contract expires on June 30, allowing negotiations to occur in time to incorporate COLA's into the budget build. For this contract, the term will be October 1, 2024-June 30, 2027.
- B. Salary increases – 3% salary schedule adjustment effective October 1, 2024; 3% salary schedule adjustment effective July 1, 2025; 3% salary schedule adjustment effective July 1, 2026.
- C. Wellness stipend – Increase annual wellness stipend from \$150 to \$250 and eliminating the receipt and claims process; employees will be required to sign a statement indicating that they will or have used the wellness funds for items identified as qualifying for wellness.
- D. In Lieu – Increase of cash in lieu of major medical coverage from \$350 to \$400.
- E. Deferred Compensation Match – Broadening the match program of up to \$55.00 per month to extend to all employees in the unit. Previously this benefit was provided only to employees hired by the Agency prior to October 2018.

Prado recommends that the Board ratify the Tentative Agreement with the General Unit.

Motion by Director Woodrow and second by Director Goldemberg to approve the ratification of the collective bargaining agreement with OE3 for the General Unit. Motion carries 4-0-0 with Directors Axe, Brown, and Kirk absent for the vote.

#### **RESOLUTION NO. 24-009**

Resolution for the ratification of the collective bargaining agreement with OE3 for the General Unit.

**VII. Ratification of Collective Bargaining Agreement with MCP Unit.** The MCP Unit has reached a Tentative Agreement for a three-year contract which was ratified by members on July 17, 2024. The agreement includes updates to terminology and miscellaneous clarifications of Agency practices along with the correction of various typographical error, the details of which are included in the Tentative Agreement (TA) presented in the meeting materials. Below is a summary of material changes:

- A. Change the term of the contract such that the contract expires on June 30, allowing negotiations to occur in time to incorporate COLA's into the budget build. For this contract, the term will be October 1, 2024-June 30, 2027.
- B. Salary increases – 3% salary schedule adjustment effective October 1, 2024; 3% salary schedule adjustment effective July 1, 2025; 3% salary schedule adjustment effective July 1, 2026.
- C. Wellness stipend – Increase annual wellness stipend from \$300 to \$350 and eliminating the receipt and claims process; employees will be required to sign a statement

indicating that they will or have used the wellness funds for items identified as qualifying for wellness.

- D. Deferred Compensation Match – Broadening the match program of up to \$100.00 per month to extend to all employees in the unit. Previously this benefit was provided only to employees hired by the Agency prior to October 2018.
- E. Time off less than one full day – Striking of the language that indicates employees may not be charged from their leave balances any time off less than one day and insert language that says leave balances must be used for time off of work unless the employee has received advanced approval by their supervisor to make up or otherwise exchange the time worked on another day.
- F. Increase of Professional & Management Leave from 24 hours per year to 32 hours per year.

Prado recommends that the Board ratify the Tentative Agreement with the MCP Unit.

Motion by Director Woodrow and second by Director Tofanelli to approve the ratification of the collective bargaining agreement with OE3 for the MCP Unit. Motion carries 4-0-0 with Directors Axe, Brown, and Kirk absent for the vote.

#### **RESOLUTION NO. 24-010**

Resolution for the ratification of the collective bargaining agreement with OE3 for the MCP Unit.

**VIII. Executive Report:** Review of budget and statistical report for period ending 06/30/24; program and administrative report. *Budget:* Prado reported that the Agency is at 100% of the year and allocation spent is 93.77% through June 30, 2024. *Agency Updates:* Prado reported on our current vacancy and recruitment efforts and shared that we have extended an offer of employment for the Office Assistant position for our Sonora office and she has tentatively accepted and we will now start the background process. We are recruiting for two Child Support Specialists and interviews will start soon and for our Supervisor vacancies, we want to fill one right away and the other as soon as our budget allows. We currently have two temporary employees who are helping us bridge the gap as we train and fill vacancies. They are working out well and come to us with more than 20 years' experience; we are able to keep them for 5 months and 29 days. Prado announced that August is Child Support Awareness Month and she let the board know the dates that we will be attending each Board of Supervisor meetings. Prado let the Board know that on the next agenda she will add the item to discuss the Executive (Unrepresented) Class Employment Terms. *Program Updates:* Prado shared that we continue to work on the initiatives discussed in previous meetings and that we are on track for the things we need to do. Prado shared with the board that the office suffered water damage on July 6, 2024 due to an air conditioner failure that caused the sprinkler system to engage. The 649 side of the building flooded with the roof tiles and insulation collapsing in some areas. The area is currently being assessed for damage by the landlord and their insurance provider and we are waiting to hear next steps. The 639

side of the building where most of the staff sit and where we have public access has no damage or impact. *Staffing:* Prado reported that last time we meet we had two employees out on a leave of absence and since then one has retired, and we now have just the one on a leave of absence due to return to work on November 1, 2024. *Program Performance:* Prado shared we are a little over \$8,000,000 in collections and are really proud of the staff in terms of where we are at with our goals. Kim Britt added that with many of our staff being new to the child support program they are doing really well. Kim shared that she keeps track of how we rank in comparison with other counties within the State and reported that our performance is one of the top 10.

**NEXT BOARD MEETING:** The next board meeting is scheduled for September 9, 2024, at 2:00 pm at 639 New York Ranch Rd., Jackson, California.

**ADJOURNMENT:** The meeting was adjourned at 3:10 p.m.

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Chair, Board of Directors

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JULIE R. PRADO  
Executive Director  
By: Lisa L. Bispham, Staff Services Specialist



**BOARD OF DIRECTORS**  
Central Sierra Child Support Agency  
639 New York Ranch Road  
Jackson, CA 95642

**MINUTES**  
**September 9, 2024**  
**2:00 p.m.**

The Board of Directors of the Central Sierra Child Support Agency met via Zoom on the above date pursuant to adjournment, and the following proceedings were had, to wit:

**Directors present: Roll call**

Jeff Brown  
Martin Huberty  
Gary Tofanelli  
Terry Woodrow

**Absent:**

Frank Axe  
David Goldemberg  
Anaiah Kirk

**Staff present:**

Julie Prado, Executive Director  
Kim Britt, Deputy Director  
Lisa Bispham, Staff Services Specialist  
Shannon DeNatale Boyd, General Counsel

**PUBLIC MATTERS NOT ON THE AGENDA:** None

**CONSENT AGENDA:** None

**CLOSED SESSION:** The Board recessed into closed session at 2:01 p.m. and ended closed session at 3:12 p.m.

- I. Public Employee Performance Evaluation (Government Code Section 54957) Title, Executive Director.** No action taken.
  
- II. Public Employment (Government Code Section 54957) Title, Executive Director.** No action taken.

**ADMINISTRATIVE MATTERS:** None

**NEXT BOARD MEETING:** The next board meeting is scheduled for October 28, 2024, at 2:00 pm at 639 New York Ranch Rd., Jackson, California.

**ADJOURNMENT:** The meeting was adjourned at 3:12 p.m.

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Chair, Board of Directors

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JULIE R. PRADO

Executive Director

By: Lisa L. Bispham, Staff Services Specialist

DRAFT

**AGENDA ITEM**

**II**

**Closed Session**

**AGENDA ITEM**

**III**

**Closed Session**

**AGENDA ITEM**

**IV**

**Closed Session**

# **AGENDA ITEM**

**V**



## MEMORANDUM

**DATE:** October 23, 2024  
**TO:** Board of Directors  
**FROM:** Julie R. Prado, Executive Director  
**SUBJECT:** Executive (Unrepresented) Class Employment Terms

**(ITEM V)**

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In the July 2024 Board Meeting, the Board ratified contracts for the GU and MCP units. The Executive (Unrepresented) Class includes the following three positions: Staff Services Specialist – HR, Staff Services Manager, and the Deputy Director. This item is placed on the agenda to discuss the following issues related to the Executive Class Terms of Employment:

- 1) Term dates – October 1, 2024 – June 30, 2027
- 2) COLA
  - Both the GU and the MCP units received a 3% COLA effective 10/1/2024; a 3% COLA effective 7/1/2025; and a 3% COLA effective 7/1/2026.
- 3) Health Benefits
  - There is no longer a need to distinguish between Tier 1 and Tier 2 rates; all employees are paying 20% and the Agency is paying 80% of PERS Platinum rates towards health benefits elected by the employee.
- 4) Wellness
  - GU received an increase to the annual wellness stipend of \$100; MCP received an increase to the annual wellness stipend of \$50.
- 5) Executive Leave
  - MCP received an additional 8 hours of leave, from 24 hours per year to 32 hours per year. Currently, the HR Staff Services Specialist receives 24 hours per year.

**Recommendation:** That the Board consider modifying the terms outlined herein with all other existing terms and conditions to remain as is.

**AGENDA ITEM**

**VI**





# MEMORANDUM

**DATE:** October 23, 2024  
**TO:** Board of Directors  
**FROM:** Julie R. Prado, Executive Director  
**SUBJECT:** Executive Director Contract

**(ITEM VI)**

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In the July 2024 Board Meeting, the Board ratified contracts for the GU and MCP units. This item is placed on the agenda to discuss the following issues related to the Executive Director contract terms:

- 1) COLA
  - Both the GU and the MCP units received a 3% COLA effective 10/1/2024; a 3% COLA effective 7/1/2025; and a 3% COLA effective 7/1/2026.
- 2) Wellness
  - GU received an increase to the annual wellness stipend of \$100; MCP received an increase to the annual wellness stipend of \$50.

**Recommendation:** That the Board consider modifying the items outlined above with all other existing contract terms remaining as is.

**AGENDA ITEM**

**VII**



## MEMORANDUM

**DATE:** October 23, 2024  
**TO:** Board of Directors  
**FROM:** Julie R. Prado, Executive Director  
**SUBJECT:** Executive Director Appointment

**(ITEM VII)**

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It is ED Prado's intent to retire within the next 12 months. Prado feels strongly that effectively leading CSCSA requires deep familiarity of the Agency, the makeup of the JPA, and significant knowledge about the unique duties of this position as compared to other child support director positions in the State. Appointing a new director with sufficient time for training and onboarding before Prado retires is crucial for ensuring a smooth transition of leadership. An overlap period allows the incoming director to gain valuable insights into the operations and strategic goals while benefiting from Prado's knowledge and experience. This minimizes disruptions, maintains continuity, and helps the new director build relationships with key stakeholders such as the Board and State DCSS. The ultimate goal is to ensure a new director is well-prepared to effectively guide the Agency forward.

The Board is asked to discuss and implement a plan to fill the Executive Director position in advance of Prado's retirement, up to and including a conditional appointment of a new Executive Director effective upon Prado's retirement, so that training and onboarding can occur. The material terms of any appointment would be discussed and voted on by the Board in open session at a future meeting.

**AGENDA ITEM**

**VIII**



# MEMORANDUM

**DATE:** October 24, 2024  
**TO:** Board of Directors  
**FROM:** Julie R. Prado, Executive Director  
**SUBJECT:** Personnel Rules and Regulations – Revisions

(ITEM VIII)

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## **Background**

CSCSA Personnel Rules and Regulations (PRR) are reviewed on an annual basis to ensure Rules are consistent and appropriate. Union negotiations and miscellaneous Agency changes have resulted in needed changes to the PRR. The below matrix is offered to assist in locating the suggested changes. The PRR is also attached with track changes for the Board's review.

## **Proposed Changes:**

### ***Section***

**1402.14** – This section describes how absences for less than a full day for exempt staff are handled. Union negotiations with MCP for the new contract period beginning October 1, 2024 resulted in the deletion of this process. Instead, exempt employees must use leave banks for absences less than a full day unless other arrangements to account for the time are agreed upon in advance with the supervisor.

**Recommendation:** Delete reference to absences less than one full day for exempt staff. This provision is no longer applicable.

**1405.1** – This section outlines the use of per diem for travel. The meal rates are codified in each of the MOU's for GU and MCP. This detail is not codified in any other policy yet not all staff are covered under these MOU's. Additionally, CSCSA per diem rates are low and have not been adjusted since 2016. The rate for meal reimbursement is currently \$54 per day (\$13 breakfast, \$15 lunch, and \$26 dinner) with a \$5 per day incidental rate, the lowest in the State.

**Recommendation:** Add per diem rates to the Rules in this section and increase the per diem rates to \$74.00 per day (\$18 breakfast, \$21 lunch, and \$35 dinner), keeping the \$5 per day incidental rate. CSCSA staff will work with the union to negotiate a side letter to the existing contract to allow all staff to access the increased rates.



# CSCSA

*Enriching the Lives of Children*

## PERSONNEL RULES AND REGULATIONS

Adopted on November 20, 2017  
Resolution 17-025  
Amended January 27, 2020  
Resolution 20-002  
Amended January 25, 2021  
Resolution 21-002  
Amended October 28, 2024  
Resolution 24-xxx

## TABLE OF CONTENTS

### PART 1 PURPOSE, CODE OF ETHICS, COMMITMENT TO AGENCY PUBLIC SERVICE, AND RESPECTFUL WORKPLACE

- 101. Purpose
- 102. Code of Ethics
- 103. Responsibilities of Public Service
- 104. Dedicated Service
- 105. Outside or Secondary Employment
- 106. Conflict of Interest
- 107. Nondiscrimination in Delivery of Services
- 108. Confidential Information
- 109. Use of Public Property
- 110. Political Activity

111. Respectful Workplace

PART 2 AGENCY AND ADMINISTRATION

- 201. Agency Executive Director
- 202. Record of Employees and Positions
- 203. Reports by Executive Director
- 204. Personnel Rules; MOU
- 205. Interpretation of Personnel Rules
- 206. Amendment of Personnel Rules
- 207. Management Rights

PART 3 POSITION CLASSIFICATION

- 301. General
- 302. Classification Plan
- 303. Interpretation of Class Specifications
- 304. Assignment of Positions to Classes
- 305. Reclassification of Positions

PART 4 RECRUITMENT

- 401. General
- 402. Recruitment Announcements
- 403. Types of Recruitments
- 404. Applications
- 405. Disqualification of Applicants

PART 5 SELECTION PROCEDURES

- 501. General
- 502. Promotion Within Flexibly Staffed Positions
- 503. Competitive Selection Procedures
- 504. Assignment of Weights
- 505. Prohibited Questions
- 506. Waiver of Selection Procedures in Open Recruitments
- 507. Conduct of Selection Process
- 508. Scoring
- 509. Review and Appeal Procedures
- 510. Examination Records
- 511. Confidentiality

PART 6 EMPLOYMENT LISTS

- 601. General
- 602. Establishment and Maintenance of Lists

## PART 7 CERTIFICATION

- 701. General
- 702. Request for Personnel
- 703. Content of Personnel Requisition
- 704. Number to be Certified
- 705. Certification Waivers
- 706. Dispositions

## PART 8 APPOINTMENTS

- 801. General
- 802. Appointment After Certification
- 803. Extra Help Appointments
- 804. Under Fill or Over Fill of Regular Full/Part Time Positions
- 805. Conditions of Appointment

## PART 9 PROBATIONARY PERIOD

- 901. General
- 902. Duration
- 903. Requirements
- 904. Time Included
- 905. Promotions
- 906. Orientation
- 907. Performance Evaluations
- 908. Discipline During Probation
- 909. Dismissal of Probationary Employee
- 910. Probationary Promotions and Demotions
- 911. Conclusion of Probationary Period

## PART 10 PROMOTION, REASSIGNMENT, AND VOLUNTARY DEMOTION

- 1000. General
- 1001. Promotion
- 1002. Assignment and Reassignment
- 1003. Demotion

## PART 11 RESIGNATION, NON-DISCIPLINARY SEPARATION, AND LAYOFF

- 1101. General
- 1102. Resignation
- 1103. Non-Disciplinary Separation
- 1104. Layoff
- 1105. Seniority for Layoffs
- 1106. Notice
- 1107. Demotion in Lieu
- 1108. Medical Insurance upon Separation

## PART 12 DISCIPLINARY ACTIONS



- 1201. General
- 1202. Conduct
- 1203. Discipline
- 1204. Progressive Discipline
- 1205. Disciplinary Actions
- 1206. Dismissal of Probationary Employee
- 1207. Pre-Discipline Requirements
- 1208. Service of Order
- 1209. Employee Appeals From Notice of Decision

#### PART 13 CLASSIFICATION AND WAGES

- 1301. Authorized Personnel
- 1302. Standard Salary Ranges
- 1303. Compensation Plan
- 1304. Salary Step Plan
- 1305. Salary on Promotion
- 1306. Salary on Demotion
- 1307. Change in Salary Range
- 1308. Additional Compensation
- 1309. Payroll Records
- 1310. Pay Date
- 1311. Retention Incentive Pay (Longevity)
- 1312. Suspension
- 1313. Pre-Tax Deductions

#### PART 14 TERMS OF EMPLOYMENT

- 1401. Home Office Assignments
- 1402. Hours of Work
- 1403. Attendance
- 1404. Unauthorized Absences
- 1405. Travel
- 1406. Travel for Work-Related Events
- 1407. Holidays
- 1408. Vacation Leave
- 1409. Sick Leave
- 1410. Leave for On-the-Job Injury
- 1411. Family Medical Leave Act
- 1412. Pregnancy Disability Leave
- 1413. Parental Leave
- 1414. Bereavement Leave
- 1415. Jury Duty Leave
- 1416. Leave for Promotional Examinations
- 1417. Leave for Military Service
- 1418. Other Types of Leave
- 1419. Administrative Leave
- 1420. Provisions Affecting Leaves
- 1421. Leave Balance Conversion Option
- 1422. Donated Sick Leave Bank

- 1423. Performance Evaluations
- 1424. Training and Staff Development
- 1425. Safety Conditions
- 1426. Personal Property
- 1427. Employee Assistance Program
- 1428. Service Awards

## PART 15 EMPLOYEE RECORDS AND RIGHT TO PRIVACY

- 1501. General
- 1502. Personnel Records
- 1503. Disclosure of Employee Record Information
- 1504. Notification of Change in Personal Information
- 1505. Personnel Files
- 1506. Medical Information
- 1507. References

PART 1

PURPOSE, CODE OF ETHICS, COMMITMENT TO AGENCY PUBLIC SERVICE,  
AND RESPECTFUL WORKPLACE

101. PURPOSE. In accordance with Title 2 of the California Code of Regulations these Rules are adopted by the Joint Powers Authority (hereinafter “JPA”) Board in order to implement the following principles:
- (a) The Central Sierra Child Support Agency (hereinafter “Agency”) shall recruit, select, and retain the best qualified employees available.
  - (b) The Agency shall provide equal opportunity for all persons at all levels of Agency employment in accordance with provisions of the JPA Board policies and pursuant to state and federal law.
  - (c) The Agency shall appoint, evaluate, transfer, promote, compensate, discipline, and dismiss employees on the basis of job-related qualifications, performance, and equal employment opportunity.
  - (d) No person shall be favored or discriminated against with respect to either employment with or appointment to the Agency on the basis of any non-job related factor protected by state or federal law including but not limited to age; genetic information; marital status; medical condition; mental or physical disability; national origin and ancestry including holding a driver license granted under Vehicle Code section 12081.9; pregnancy and perceived pregnancy; race and color; gender related issues including pregnancy, childbirth, breastfeeding and related medical conditions; gender identity or gender expression including transgender status; sexual orientation; religion or religious creed; and military and veteran status. This ban on discrimination includes discrimination based on actual membership in the above categories, and also perceived memberships or associations with members of the above categories.
  - (e) These standards are intended to strengthen public service and to maintain and promote faith and confidence of the people in their government.
102. CODE OF ETHICS. It is the duty and responsibility of those in public service to conduct their affairs in an ethical manner. As such, those employed by the Agency shall:
- (a) In the performance of their duties, be sensitive to circumstances that could be misconstrued as a special favor, something to be gained personally, acceptance of a favor or as an influence in the outcome of them performing their duties.
  - (b) Be cognizant that private promises of any kind may conflict with one’s public duty and responsibilities.
  - (c) Always act responsibly with confidential information received in the performance of their duties.
  - (d) Treat all individuals encountered in the performance of their duties in a respectful, courteous and professional manner.

- (e) Promote only decisions that benefit the public interest.
- (f) Conduct and perform job duties diligently and promptly.
- (g) Faithfully comply with all laws and regulations applicable to the Agency and impartially apply them to everyone.
- (h) Promote the public interest through a responsive application of public duties.
- (i) Demonstrate the highest standards of personal integrity, truthfulness and honesty in all public activities.
- (j) Uphold these principles being ever conscious that public service is a public trust.

103. RESPONSIBILITIES OF PUBLIC SERVICE. Agency employees serve for the benefit of the public. They shall uphold and adhere to the Constitution of the United States, the Constitution of the State of California, and the JPA Board Policies and Procedures as well as Agency rules, regulations and policies, and shall carry out impartially all laws. In their official acts, they shall discharge faithfully their duties, recognizing that the public interest is paramount. All Agency employees must demonstrate the highest standards of morality and ethics consistent with the requirements of their positions and consistent with the law.

104. DEDICATED SERVICE. Agency employees shall adhere to work rules and performance standards established for their positions. The Agency requires all employees to be courteous and considerate, to be accurate and truthful in statements, and to exercise sound judgment in the performance of their work. During the hours covered by active Agency employment, no employee shall work for any other employer or agency, nor shall they conduct or pursue any unauthorized activity for remuneration. Employees shall neither exceed their authority nor breach the law, nor shall they ask others to do so. They shall work in full cooperation with other employees unless prohibited from so doing by law or by officially recognized confidentiality of the work.

105. OUTSIDE OR SECONDARY EMPLOYMENT. The rule set forth above shall not serve to prohibit independent acts or other forms of paid or non-paid enterprise during those hours not covered by active Agency employment, provided such acts do not constitute a conflict of interest or impair the employee in the performance of official duties and functions. Agency employees must inform the Executive Director or his/her designee of any outside employment, business activity or enterprise in which the employee is engaged. If the Executive Director determines that such employment, business activity or enterprise is inconsistent, incompatible, in conflict with or inimical to the proper discharge of the employee's official duties, the employee shall be ordered to refrain from that employment, activity or enterprise. The decision of the Executive Director shall be final.

105.1 Once outside or secondary employment is approved by the Executive Director, an employee placed on leave from the Agency (including but not limited to FMLA, ADA, and CFRA) must reapply for outside or secondary employment for the period of the leave.

106. CONFLICT OF INTEREST. Agency employees shall adhere to the Conflict of Interest Code for the Agency as outlined in the JPA Board Policies and Procedures. (Resolution 15-014)

Agency employees are also subject to applicable provisions of the California Government Code, including but not limited to Sections 1090 (prohibiting the making of contracts in which an officer or employee has a financial interest), 1126 (prohibiting outside employment that is incompatible with the official duties of an officer or employee), 87100

(prohibiting an employee from using his or her official position to influence a governmental decision in which the employee has a financial interest), or any other conflict of interest code, policy or rule applicable to Agency employment.

107. NONDISCRIMINATION IN DELIVERY OF SERVICES. In the course of his/her employment, no employee shall grant any special consideration, treatment, or advantage to any person beyond what is available to every other person in similar circumstances.
108. CONFIDENTIAL INFORMATION. Each Agency employee shall be advised of confidentiality rules and policies in writing. No employee shall disclose confidential information except as authorized or required by law or otherwise use such information for personal gain or benefit. All personnel records shall be confidential except when disclosure is required by law. See Rule 1505 regarding an employee's right to inspect his/her personnel file. See JPA Board Resolution 07-021, Resolution 07-023, and Resolution 10-003 for confidentiality policies.
109. USE OF PUBLIC PROPERTY. Agency employees are prohibited from using Agency or State-owned equipment, materials, or property for profit or for political purposes.
110. POLITICAL ACTIVITY. In the performance of their official duties, all employees shall support Agency and governmental policies and objectives established by the JPA Board of Directors or by the Executive Director, as well as Agency programs developed to attain these policies and objectives. Outside of their official duties, employees may express otherwise lawful opinions on all political subjects while off duty, without recourse against them unless the employee is in a sensitive or policy-making position in the Agency where speech and political activities may have an adverse effect on working relationships or the efficient operation of the Agency. Under these unique circumstances the law authorizes limiting First Amendment rights as a requirement for the job, and employees may be subject to adverse consequences for engaging in such activities.
  - 110.1 The provisions of California Government Code sections 3201-3209 and 3302 and any future amendments thereto are hereby incorporated into this Part I. Under the provisions of these codes, the Agency specifically prohibits employees from engaging in political activity during working hours or such hours as they are on duty for the Agency. Such prohibited activity shall include, but is not limited to, soliciting money, influence, service, or any other valuable thing to aid, promote, or defeat any political committee or the nomination or election of any person to public office, or to aid, promote, or defeat any ballot measure, while on the job during working hours. No person shall attempt to coerce, command, or require a person holding, or applying for, any position, office, or employment with the Agency to influence or give money, service, or other valuable thing to aid, promote, or defeat any political committee, or to aid, promote, or defeat the nomination or election of any person to public office, or to aid, promote, or defeat any ballot measure.
111. RESPECTFUL WORKPLACE. The Agency promotes and values a respectful work environment and expects that the business of the Agency will be carried out in the most efficient and courteous manner. Repeated and/or egregious disrespectful treatment of fellow employees which is both subjectively and objectively unwelcome and sufficiently

severe or pervasive to alter the conditions of any employee's working environment so as to create or perpetuate an abusive working environment shall be reported to the Executive Director for investigation and resolution, and may be grounds for disciplinary action.

PART 2

AGENCY AND ADMINISTRATION

201. AGENCY EXECUTIVE DIRECTOR. The Executive Director or his/her designee shall:
- (a) In partnership with CalHR, the Agency shall carry out all procedures in the administration of the Agency personnel system, including without limitation conducting recruitment and examinations, preparing employment lists, and certifying the names of candidates for employment.
  - (b) Act as the appointing authority for human resources activities.
  - (c) Administer, maintain and adjust the classification plan and recommend rates of pay for each classification of position.
  - (d) Maintain a central roster of employees and positions.
  - (e) Maintain an official record of all actions taken by the Agency, and notify the JPA Board when appropriate.
  - (f) Maintain the official personnel file for each employee in the Agency.
202. RECORD OF EMPLOYEES AND POSITIONS. The Agency shall maintain a central record of employees and positions. The record shall include the history of employment of each employee including dates of service, positions held, salaries received, and such other information as the Executive Director shall deem appropriate.
203. REPORTS BY EXECUTIVE DIRECTOR. The Executive Director shall report the following matters to the JPA Board:
- (a) Staffing levels
  - (b) Other matters deemed necessary by the Executive Director for the effective administration of the Agency's personnel system.
  - (c) Nothing in this Rule shall affect the ability of Executive Director to operate the Agency in accordance with the duties and responsibilities delineated in the Executive Director contract and with California law.
204. PERSONNEL RULES; MOU.
- (a) These Rules are enacted by the JPA Board pursuant to Title 2 of the California Code of Regulations, which reads in part as follows:

§ 17010. Every Local Agency administering a state or federally funded aid program must operate a documented merit-based Personnel System. Personnel System means the laws, rules, practices and policies a Local Agency follows, and the operation of its merit-based employee management system for applicants, Program employees and other Local Agency employees.

- (b) If a provision of these Rules conflicts with any provision of a labor union memorandum of understanding (hereinafter "MOU"), to the extent of such conflict the provision of the MOU shall be deemed controlling with regard to the employees covered by that MOU.
205. INTERPRETATION OF PERSONNEL RULES. The JPA Board on its own initiative, or at the request of the Executive Director, may interpret any provision of these Rules and resolve conflicts concerning the interpretation or implementation of these Rules. Nothing in this Rule 205 shall give any individual employee or employee organization the right to appeal a matter to the JPA Board under this Rule 205.
206. AMENDMENT OF PERSONNEL RULES. It is the intent of the JPA Board that these Rules shall be a "living" document that will effectively guide interactions between the Agency and its employees. To achieve this goal, the JPA Board intends that these Rules shall be revised or amended by the JPA Board as necessary.
207. MANAGEMENT RIGHTS. The Agency retains to itself solely, exclusively, and without limitation, all rights, privileges, powers, and authority conferred upon the Agency by law. Such rights, privileges, powers, and authority shall include, but shall in no way be limited to, the following.
- A. The right to manage the Agency generally and to determine all issues of policy.
  - B. The right to determine the extent, necessity, and organization of all Agency service, operation, and function.
  - C. The right to expand, reduce, or discontinue any Agency service, operation, or function.
  - D. The right to determine and/or change the nature, manner, and means of all Agency services, operations, and functions, including, but in no way limited to, the financing, facilities, locations, equipment, and technology of such services, operations, and functions.
  - E. The right to determine and/or change the financing, facilities, locations, equipment, methods, means, technology, organizational structures, and numbers and composition of the Agency's workforce.
  - F. The right to determine, change, allocate, assign, issue, schedule, and withdraw all equipment by which Agency services, operations, and functions are to be conducted.
  - G. The right to allocate, assign, establish, and schedule all work by which Agency services, operations, and functions are to be conducted.
  - H. The right to utilize volunteers.
  - I. The right of participation in mutual aid agreements and/or pacts.
  - J. The right to contract or subcontract any services, operations, or functions.
  - K. The right to lay off employees for non-disciplinary reasons.
  - L. The right to discipline employees for just and sufficient cause.



- M. The right to recruit, examine, hire, classify, reclassify, promote, train, transfer, assign appraise, and retain employees.
- N. The right to determine and/or change class specifications and to classify or reclassify employees in accordance with class specifications. This includes the right to hire any new employee at any step in any applicable classification.
- O. The right to determine, and/or change, productivity, performance, programs, and standards, including but in no way limited to, the quality and quantity of work to be performed by employees.
- P. The right to maintain order and efficiency at all Agency facilities and operations.
- Q. The right to determine, change, promulgate, and enforce rules and regulations to promote the safety and health of employees and/or the public.
- R. The right to determine, and/or change, policies, practices, procedures, and standards for the hiring, promotion, and/or training of employees.
- S. The right to restrict the activities of employee organizations on Agency property and/or Agency time.
- T. The right to take all lawful steps to carry out or protect any Agency service, operation, function, equipment, facility, or employee or member of the public during any work stoppage, strike, work slowdown, or other job action against the Agency by its employees, or during any bona fide emergency.
- U. The right to adopt, eliminate, or revise all Agency policies, practices, procedures, resolutions, or ordinances.
- V. The term "Executive Director" includes any Agency employee designated by the JPA Board to act in the place of the Executive Director.

## PART 3

### POSITION CLASSIFICATION

301. GENERAL. A classification plan is a systematic process for grouping jobs into common classifications, or classes, based upon similarities in duties, responsibilities, and requirements. All positions having substantially the same duties and responsibilities, requiring substantially the same qualifications, to which the same descriptive title can fairly be applied, and which can properly be subject to the same salary schedule are included in a single class. The Agency, in partnership with CalHR when applicable, is responsible for classifying each position in Agency service and developing class specifications for each class. Upon the recommendation of the Executive Director, the JPA Board approves all new classes and class specifications, abolishes classes, and determines the representation unit or units to which each class is assigned. The JPA Board hereby delegates to the Executive Director the authority to make revisions to existing class specifications that do not materially change the totality of the essential functions or nature of the class.
302. CLASSIFICATION PLAN. The Agency shall prepare and maintain a classification plan based on the needs of the Agency. The plan will assign all positions in the classified service to a class and develop specifications for each class, which shall include:
- (a) The class title.
  - (b) A brief definition or description of the scope and nature of the class.
  - (c) A detailed statement of essential functions or tasks assigned to positions that are allocated to the class, which functions or tasks are for illustrative purposes only and are not to be regarded as inclusive or exclusive lists of functions or tasks to be performed by positions allocated to the class.
  - (d) A statement of the education, experience, knowledge, skills, abilities and physical characteristics that are required and/or deemed desirable in the class.
  - (e) A statement, where necessary, of the particular factors or features which distinguish one class from other related classes.
303. INTERPRETATION OF CLASS SPECIFICATIONS. The following principles shall be applied in interpreting specifications for the various classes of positions:
- (a) In determining the class to which any position should be allocated, the specification for each class shall be considered as a whole. Consideration shall be given to the general duties, the specific tasks, the responsibilities, the minimum qualifications and the relationships to other classes as affording together a picture of the kinds of positions that the class is intended to include.
  - (b) The description of essential functions or tasks shall be construed as a general description of a kind of work usually performed by the incumbent of a position

which is properly allocated to the class, and not as prescribing what the duties of any position shall be, nor as limiting the expressed or implied power of the Agency to prescribe or alter the duties of any position.

304. ASSIGNMENT OF POSITIONS TO CLASSES. Each position shall be assigned to the class into which the duties and responsibilities of the position most nearly fit, as determined by the Executive Director.

305. RECLASSIFICATION OF POSITIONS. The Agency, independently or with the assistance of CalHR, may perform a classification review for any of the following reasons:

- (a) In order to determine if the duties of a particular position have changed substantially
- (b) If the Agency reorganization has affected staffing levels, duties, or positions held by employees; or
- (c) If the duties of a specific position may apply to a different classification.

305.1 CalHR may also initiate a classification review of one class or classes as part of a larger review of all positions in multiple agencies under a specific classification study of all incumbents in a classification.

305.2 An employee or employee group may request a reclassification, in writing, to the Executive Director. The Agency must respond to the request within 30 days of the written request.

305.3 STATUS OF EMPLOYEES IN RECLASSIFIED POSITIONS. An employee occupying a position that is reclassified to a class with the same range as the previous position shall be placed at the same step and salary. An employee reclassified to a class with a higher range shall be placed at the step that is the same as or as close to but not lower than their previous salary. An employee reclassified to a class with a lower range shall be placed at the step which is the same as or closest to but no lower than their previous salary or, if the highest step in the new range is lower than the previous salary the employee shall be "Y-rated". The Y-rate will freeze the salary of the employee at the present level until the salary for the lower class is greater than the Y-rate.

305.4 RIGHT TO APPEAL: An employee who is reclassified has the right to appeal said reclassification, in writing, to be submitted to the Executive Director within 30 days of the date of hand-delivery, electronic delivery, or mailing of a notice of reclassification. The decision of the Executive Director shall be final.

## PART 4

### RECRUITMENT

#### 401. GENERAL.

- (a) The purpose of this Part is to ensure that vacancies in Agency employment are filled with the most qualified persons available.
- (b) All positions in the classified service shall be filled by persons who have participated in the recruitment process, except as otherwise provided by these Rules or waived by the Executive Director. Positions in the unclassified service may be filled using the recruitment process used for classified positions; these positions are Executive Director, Deputy Director, and Child Support Attorney.
- (c) The Agency shall coordinate with CalHR to conduct recruitments to fill vacancies or to provide eligible lists for classes of positions where vacancies are likely to occur. Recruitments may be conducted as either a closed Agency promotional recruitment or an open recruitment.

402. RECRUITMENT ANNOUNCEMENTS. The Agency and/or CalHR shall make public announcements of all recruitments and will administer a recruitment process that will attract qualified persons to Agency employment. The recruitment process selected will be commensurate with factors such as the availability of qualified candidates, number of projected positions to be filled, type of examination to be administered, and similar considerations. All recruitment announcements will be posted in appropriate locations for a minimum of five (5) calendar days. For non-civil service recruitments, the Executive Director will determine the appropriate advertisement methods. The Executive Director will determine the length of time that the Agency and/or CalHR will accept applications. Announcements shall include:

- (a) The class title, or class title and working title;
- (b) A description of the distinguishing characteristics of the class;
- (c) Minimum standards of education and experience required, and any additional desirable qualifications;
- (d) Compensation;
- (e) The method of filing applications and final filing date; and
- (f) A general description of the conditions of competition

403. TYPES OF RECRUITMENTS. The Agency may use promotional or open recruitments

to establish eligible lists for classes in the Agency service. The Executive Director has the authority to decide which type of recruitment is most appropriate based upon the policies set forth in these Rules and the existing situation at any given time.

Considerations for selection of a particular type of recruitment include without limitation the following: (i) upward mobility and career advancement of Agency employees; (ii) availability of an adequate number of qualified applicants within the Agency work force; and (iii) layoff considerations.

403.1 Promotional-Only Recruitments. Except as set forth in an MOU governing the position, candidates for promotional-only recruitments must be regular employees in the classified service or employees who have achieved permanent status. Candidates must also possess the minimum qualification requirements stated on the recruitment announcement.

403.2 Open Recruitments. Open recruitments shall be open to any candidate who meets the minimum qualification requirements.

404. APPLICATIONS. Every person seeking employment in the Agency shall submit an application in accordance with the following:

404.1 Filing Applications. All applications shall be made upon forms furnished by CalHR and/or the Agency filled out as directed and filed on or before the closing date or as specified in the recruitment announcement. Resumes will not be considered as substitutes for the application. It is the responsibility of the applicants to show that they meet the minimum requirements for the position. All applicants shall certify the truth and correctness of all information contained in the application. After filing, information on the application may be amended only with the permission of the Executive Director. All applications, whether accepted or rejected, are confidential records of the Agency and will not be returned to the applicant, with the exception that to the extent a personnel file is created, the subject individual will have a right to inspect his/her personnel file under Rule 1505.

404.2 General Qualifications. Applicants must:

- (a) Provide proof of legal authorization to work in the United States pursuant to the Immigration Reform and Control Act of 1986;
- (b) Possess all the minimum qualifications established for the class; and
- (c) Be capable of performing the essential functions and meet the physical demands of the position, with or without reasonable accommodation.

404.3 Modification, Suspension or Cancellation of Recruitment. The Executive Director may modify the recruitment process as listed on the recruitment announcement by notifying known applicants of the modification. If there are ten (10) or fewer

competitors at any stage of the recruitment process, subsequent stages may be modified or may be suspended at any time and certification of the remaining competitors made, provided that the Agency must interview all those certified. The Executive Director may cancel a recruitment at any time for business reasons.

405. DISQUALIFICATION OF APPLICANTS. The Agency may disqualify an applicant, or remove an applicant's name from an eligible list, or refuse to certify an eligible applicant for failure to meet the conditions set forth herein. The Agency may also disqualify an applicant, remove an applicant's name from an eligible list, or refuse to certify an eligible applicant for any reason expressed in Part 12, Disciplinary Actions, Rule 1203 Discipline, or if the person:

- (a) Is lacking the requirements established for the class;
- (b) Is not capable of performing the essential functions or meeting the physical demands of the class, even when given a reasonable accommodation.
- (c) Has been convicted of any crimes or offense, including any felony that has been determined by the Executive Director to indicate unfitness for performing the duties and responsibilities of the class or position;
- (d) Has made a false statement of material fact in the application, or has practiced or attempted to practice any deception, fraud or misconduct in the application, examination, or selection process;
- (e) Has used or attempted to use political pressure or bribery to secure an advantage in the recruitment or appointment process;
- (f) Has directly or indirectly obtained information regarding the recruitment process to which the applicant was not entitled, or has otherwise defrauded, or attempted to defraud, the recruitment process;
- (g) Has failed to comply with the time limits for any portion of the recruitment process;
- (h) Has taken part in the compilation, administration or scoring of any portion of the recruitment process;
- (i) Has a history of dismissal from public or private employment, or resignation in lieu of termination, which the Executive Director determines is of such a nature as to have a clearly adverse effect on the candidate's ability to perform the essential functions of the class;

- (j) Is determined, through legal, and/or, appropriate means, to be an illegal user of a controlled substance or prescription medication;
- (k) Has otherwise violated provisions of these Rules; or
- (l) For any material cause that, in the opinion of the Executive Director, would render the applicant unsuitable for the position, including a prior resignation from the Agency, termination from the Agency, or a significant disciplinary action, or failure to pass a reference check, criminal background check, background investigation, or other job-related examination within the last twelve-month period.

405.1 Verification of Application. The Agency may conduct or cause to be conducted such investigation of the applicant's training and experience as may be necessary to verify and clarify statements contained in the application.

405.2 Notification of Disqualification or Rejection of Application. The Agency shall notify the applicant whenever an application is rejected by email, if available, and US Mail. The Agency shall use this delivery system in the event that under Rule 405, an applicant is disqualified, removed from an eligible list, or the Agency refuses to certify an eligible applicant.

405.3 Appeal of Disqualification. In the event that under Rule 405, an applicant is disqualified, removed from an eligible list, or the Agency refuses to certify an eligible applicant, such applicant may appeal the disqualification by filing a written appeal to the Executive Director within five (5) business days from the date of electronic notification of disqualification. The appeal must contain specific allegations of fact, citing the exact basis for the appeal and the relief requested. The burden of proof shall be on the disqualified applicant. The decision of the Executive Director on the appeal shall be final, except as otherwise required by law.

## PART 5

### SELECTION PROCEDURES

501. GENERAL. It is the policy of the Agency to seek the best-qualified persons available for each job in Agency service, and to encourage all persons to compete for the best jobs for which they are qualified.

The Agency desires to encourage career service among its employees and to provide incentives that will enhance promotional opportunities for employees without unduly restricting competition.

502. PROMOTION WITHIN FLEXIBLY STAFFED POSITIONS. Except as may be set forth in an MOU governing a position, upon approval by the Executive Director, an employee who has successfully completed the applicable probationary period for a flexibly-staffed position may be appointed to the next higher class into which his/her position is classified without examination. Before approving such requests, the Agency shall acquire evidence that the employee possesses the minimum qualifications for the higher class. An employment list is not necessary in order to make such an appointment.

502.1 A flexibly-staffed position is one that is within a classification series such as Child Support Specialist Level I/II or Account Clerk Level I/II.

503. COMPETITIVE SELECTION PROCEDURES. The Agency and/or CalHR shall designate selection procedures for each position to be filled. The selection procedures may include one or any combination of the following: application evaluation boards, written tests, oral tests, performance tests, assessment centers, training and experience evaluations, or any other selection procedures. Selection procedures shall be job related and constructed to sample the knowledge, skills, abilities and/or attributes deemed essential for successful job performance.

504. ASSIGNMENT OF WEIGHTS. The Agency and/or CalHR may assign weights to each part of the examination. If weights are assigned, applicants will be notified of those weights prior to commencement of the selection process.

505. PROHIBITED QUESTIONS. There will be no non-job-related inquiries of any applicant, either orally or through use of an application form, that attempt to identify (directly or indirectly) protected characteristics such as race, religious creed, color, national origin, ancestry, holding a driver license granted under Vehicle Code section 12081.9, physical disability, mental disability, medical condition, genetic information, marital status, gender, gender identity, gender expression, transgender status, age, sexual orientation, military and veteran status, or any other questions that are unlawfully discriminatory. In addition, there will be no inquiries regarding political views, labor affiliations, religious beliefs, arrest records that did not result in conviction or information concerning a referral to or participation in a pretrial or post-trial diversion program, pregnancy and child-bearing, birth control, or familial responsibilities. Nothing in this Rule shall prohibit the use of optional questionnaires to track and fulfill the Equal Employment Opportunity guidelines and/or



requirements.

506. WAIVER OF SELECTION PROCEDURES IN OPEN RECRUITMENTS. When, after posting an open recruitment, the number of accepted candidates is less than ten (10), the Executive Director and/or CalHR may waive competitive testing and certify the applicants without score or rank. The certification shall indicate that the candidates are not in rank order. The Executive Director may follow the same procedure for waiver of examination under these conditions at any step in the examination process.
507. CONDUCT OF SELECTION PROCESS. The Agency has the right to approve the locations and the conditions under which selection procedures are to be conducted. All methods and procedures for administering selection procedures shall comply with reasonable standards of fairness, confidentiality, standardization and reliability.
508. SCORING. Final scores resulting from the selection process will be determined as follows:
- 508.1 Test Scores. The Agency and/or CalHR shall establish a passing score giving consideration to test difficulty, quality of competition, needs of the service, identification of a score predictive of minimum acceptable job performance, number of candidates, and other relevant factors.
- 508.2 Oral Interview Panels. Where an oral interview is part of the selection process, a candidate who receives a passing score from a majority of the oral panel members shall be deemed to have passed this part of the selection process, regardless of the numerical average of the scores. The candidate's score, if the candidate passes, shall be equal to the numerical average of all raters' final scores or if the combined score is less than a passing score, the score shall equal the passing score. If the candidate receives a failing score from a majority of the oral panel members, the candidate shall be considered to have failed this portion of the selection process. All figures used will be rounded to the nearest whole number.
- 508.3 Passing Scores. The Agency and/or CalHR may establish a passing score for the entire recruitment process as well as for any portion of the process. The selection procedures to be used shall be set forth in the announcement. Failure by a candidate to attain a passing score or to be selected in any portion of the selection process shall eliminate the candidate from further competition.
509. REVIEW AND APPEAL PROCEDURES. Candidates may review or appeal their scores as provided in these Rules.
- 509.1. Review of Written Test Paper; Appeal of Written Test Results. All appeals regarding written exams shall be submitted to the Agency Human Resources or filed directly with California Department of Human Resources. Appeals are limited to comparison of the answer sheets with a scoring key and must be filed within 14 calendar days after test results were sent to applicant.
- 509.2 Review of Other Selection Procedures. Records of application evaluation panels, oral interview panels, or assessment centers, particularly statements of the individual raters regarding the qualifications of the candidates upon which the ratings are based, are confidential and may not be reviewed by candidates.

510. EXAMINATION RECORDS. Examination papers, eligible lists, applications and other records pertaining to examinations shall be open for inspection only under the conditions set forth in these Rules.
511. CONFIDENTIALITY. Names of persons applying for Agency positions, the ranking or placement on eligible lists, or the evaluation of their participation in any selection process, shall not be made public except as required by applicable law.

## PART 6

### EMPLOYMENT LISTS

601. GENERAL. An eligible list is an arrangement of applicants for Agency employment or promotion who are qualified as a result of the recruitment process or are eligible to be restored to Agency employment in accordance with these Rules.
602. ESTABLISHMENT AND MAINTENANCE OF EMPLOYMENT LISTS. The Agency shall establish and maintain employment lists of eligible applicants. Employment lists are established using the examination score as provided by CalHR. Eligible candidates are placed on the employment list in the order in which they scored. In recruitments where examinations are not administered by CalHR all applicants will be placed on the employment list with equal status. Eligible lists are good for a period of three months to one year. The Executive Director shall have the authority to abolish lists and initiate a new recruitment after the initial three-month period.
- 602.1 Restoration Lists: Lists composed of employees with post-probationary status who, within the preceding twelve-month period, have been laid off, displaced, demoted by displacement or have voluntarily demoted in lieu of layoff or displacement will be listed in order of seniority as defined herein. Such employees shall have the right to be restored to the classification in the Agency they previously occupied for a period of one (1) year following the date of the layoff, displacement, demotion by displacement, or voluntary demotion in lieu of layoff, unless otherwise specified in the MOU covering the position.

## PART 7

### CERTIFICATION

701. GENERAL. Certification is the process whereby available applicants are selected for contact by the Agency.
702. REQUEST FOR PERSONNEL. Whenever a vacancy is to be filled, the Agency shall use the existing Employment List on file for the classification of the vacancy. If no list exists for the classification, the Agency shall submit a personnel requisition to CalHR to initiate the recruitment process. The names of persons eligible for appointment to positions in a class to which a vacant position is allocated shall be referred by CalHR and placed on an Employment List by the Agency in accordance with Part 6 herein.
703. CONTENT OF PERSONNEL REQUISITION. The Agency shall make personnel requests for classified positions on forms prescribed by CalHR and provide such information as may be required. Any request for special skills or qualifications should be noted on this form.
704. NUMBER TO BE CERTIFIED. The Agency may certify no more than the top ten (10) candidates per vacant position for the Agency interview process. The Agency may interview any or all of the certified candidates. Restoration lists must be considered before interviews are conducted.
705. CERTIFICATION WAIVERS. Certification or appointment may be waived by an eligible candidate as follows:
- 705.1 Temporary Withdrawal from List. Upon written request, an eligible candidate may withdraw from a Restoration or Regular Employment List for a specified period of time, provided, however, that upon again becoming an active eligible candidate the person may not claim eligibility for any appointment to which certification has been made during the period the candidate was inactive.
- 705.2 Waiver in Particular Certifications. An eligible candidate may waive rights to certification to any particular positions, or after certification may waive possible or offered appointment, by written statement to the Agency giving the reason for the waiver. After three such waivers of certification or appointment to regular positions in any class, the candidate may be removed from the list.
- 705.3 Failure to Respond to Certification. Failure of an eligible candidate to respond to a written notice by the Agency within five (5) calendar days is an automatic waiver of certification. The Agency may then certify an additional name to the certification list from the Employment List. A candidate who fails to keep the Agency informed of their contact information may be removed from the Employment List and may be restored to the list upon providing a satisfactory reason for their failure to respond.

706. DISPOSITION. The Agency shall record and maintain dispositions for each recruitment process including records related to which eligible candidates were contacted, which waived certification, which were interviewed, and which were appointed.

706.1 The Agency must contact each candidate that was interviewed and not selected to inform them they were not selected.

## PART 8

### APPOINTMENTS

801. GENERAL. An appointment is the offer and acceptance of a job made in accordance with these Rules and the laws governing these Rules. The offer must be made by the Executive Director or authorized representative of the Agency and only to a person eligible under these Rules for the type of appointment offered.
802. APPOINTMENT AFTER CERTIFICATION. Upon receipt of the certification of eligibility, the Agency shall contact the persons certified and offer to interview them as provided in these Rules. The Agency may examine applications, examination records and any other pre-employment tests, investigations or examination results of the eligible certified candidate, and conduct additional job-related investigations or tests of fitness. After confirmation by Merit Systems that all pre-employment tests and inquiries have been conducted, the Agency signs each appointment using forms designated by CalHR.
- 802.1 The day employment and salary commence under such appointment shall be the date specified on forms prescribed by the Agency.
- 802.2 The Agency shall not approve the appointment of any regular employee who does not possess the minimum qualifications established for the position.
803. EXTRA HELP APPOINTMENTS. An extra help appointment consists of one of the following at-will appointments, as defined below: emergency appointment, temporary appointment, recurrent appointment, or limited term appointment.
- 803.1 Emergency appointment. An emergency appointment is an appointment made to meet immediate requirements caused by an emergency condition where there is a threatened interruption of essential Agency services and immediate action is necessary. Emergency appointments are made by the Executive Director for the duration of the emergency but may not exceed thirty days without approval by the JPA Board.
- 803.2 Temporary appointment. A temporary appointment is an appointment made to accomplish a specific project that is limited in duration, is not of a recurring nature, and will not exceed one day less than six months. Temporary appointments are made by the Executive Director.
- 803.3 Limited term appointment. A limited term appointment is an appointment made to accomplish a specific project that is limited in duration, is not of a recurring nature, and will continue for a period of six months or more. Limited term appointments are made by the Executive Director. Limited term appointments, unless terminated earlier, terminate automatically at the end of the specific project for which appointment is made. Limited term appointments are made from eligible lists, unless waived by the Executive Director. Employees serving under a limited term appointment receive benefits (health, retirement and paid leave benefits) but not

permanency or civil service rights, including seniority or layoff rights.

804. UNDER FILL OR OVER FILL OF REGULAR FULL/PART TIME POSITIONS.

- (a) Under fill: The Executive Director is authorized to fill vacant positions using the specific classifications allocated in the Agency. An Executive Director may under fill an authorized position with a related classification that has a lower salary range and that contains a substantial portion of the duties listed in the class specifications for the authorized position. The classification used for the under fill appointment must be approved by the Executive Director. A position may be under filled for any of the following reasons; the Agency's internal promotional program would be enhanced, there are no qualified candidates to fill the vacant position at the higher level, or a critical departmental reason exists. An appointment to under fill a position may last until the next budget cycle, but in no event longer than one (1) year.
- (b) Overfill: In order to maximize flexibility of the Agency to meet unusual and/or unique staffing needs requiring longer term temporary "overfills", the Executive Director may authorize a position to be temporarily overfilled with an authorized position in a related classification that has a higher salary range. The Executive Director must submit the request to the JPA Board for approval. The request must describe the unique need, the amount of additional salary benefit cost above the amount allocated, and that the amount is available in the Agency's budget. When an overfill is approved, it must be filled with a regular or temporary employee that has been selected through a competitive recruitment process. An appointment to an overfilled position may last until the next budget cycle, but in no event longer than one (1) year.

805. CONDITIONS OF APPOINTMENT. Candidates who have been offered regular or extra help appointments must meet the conditions of appointment specified by the Agency for a particular position. Failure to successfully complete pre-employment processes or examinations may be cause for the Executive Director to cancel the eligible's name from a certification or remove the name from an eligible list. Conditions of employment may include:

- 805.1 Criminal Background Check. Prior to initial appointment or reinstatement, a candidate may undergo a criminal background check as determined by the Executive Director.
- 805.2 Pre-employment Physical Examination. Prior to initial appointment, reinstatement, or appointment to a classification with different physical demands, a candidate shall undergo medical screening and/or a physical examination as determined by the Executive Director.
- 805.3 Other Job-Related Examinations. For job-related reasons determined by the Executive Director, candidates may be required to submit to other examinations or tests prescribed by CalHR or the Agency and shall be in accordance with applicable law.
- 805.4 Other Background Investigation. The Agency shall conduct such work-related reference checks and verification of education, certifications, or prior work

experience as may be prescribed by the Executive Director and will be in accordance with applicable law.



## PART 9

### PROBATIONARY PERIOD

901. GENERAL. The probationary period is the final phase of the examination process. It is utilized by the Agency to determine the employee's fitness for post-probationary status, for the effective adjustment of employees to new jobs, and for the separation of any probationary employee whose performance does not meet the required standards of performance.
902. DURATION. Each new employee shall be required to serve a probationary period of twelve (12) months from the date of his/her appointment. Upon successful completion of his/her probationary period, such employee shall be granted permanent status using the procedures set forth herein.
903. REQUIREMENTS.
- 903.1 Probationary periods are required in the following instances:
- (a) Upon initial appointment to a position in a class in the classified service.
  - (b) Upon promotion to a position in a class in the classified service, except for promotion of an employee who has completed probation in the lower class to the next higher class in a flexibly staffed position.
  - (c) Upon voluntary demotion or transfer to a position in a different class series in which the employee has not previously achieved post- probationary status, unless the Executive Director and employee agree, in writing and signed by both parties, to waive or reduce the probationary period.
  - (d) Upon displacement to a classification in a different class series where the employee has not completed probation at the lower level.
  - (e) Upon displacement resulting from layoff or release from probation after promotion where total time in the higher and lower level classes is less than the required probationary period at the lower level.
  - (f) Upon reclassification to a class at the same or higher salary range, unless waived by the Executive Director in writing and signed by both parties.
  - (g) In any other circumstance not specifically excluded herein.
- 903.2 Probationary periods are not required in the following instances:
- (a) Upon involuntary demotion.
  - (b) Upon promotion of an employee who has completed probation in the

lower class to the next higher class in a flexibly staffed position.

- (c) Upon displacement resulting from layoff or release from probation after promotion where time in higher and lower level classes satisfies the required probationary period at the lower level.
- (d) Upon voluntary demotion to a position in a class in the same class series when the employee has completed the required probationary period in a higher level class.
- (e) Upon reassignment to a position in the same class.
- (f) Upon restoration resulting from a layoff to the employee's former position or a lower position in the class series where the employee had completed a probationary period.
- (g) Upon reclassification to a classification in which the incumbent is Y-rated as defined by Rule 305.3.

904. TIME INCLUDED. The probationary period shall commence on the date of appointment. Unless otherwise specified in the applicable MOU, it shall not include time served in extra help appointments or time spent in acting status. Acting status is defined as a temporary assignment to a classification other than the classification permanently held by the employee.

904.1 Extensions: In some cases, it may be necessary to extend the probationary period. When a probationary period is extended, for reasons other than protected leaves as set forth herein, it must be mutually agreed upon, put in writing, and signed by the Executive Director, or their designee, and the employee. For protected leaves which the Agency is required to approve, such as FMLA and pregnancy leave, probation shall be extended automatically, with or without agreement by the employee, by the number of days of the leave unless prohibited by law. When a probationary period is extended, the respective employee's anniversary date shall also change in accordance with the extension.

905. PROMOTIONS. Promoted employees shall serve the same twelve (12) month probationary period.

906. ORIENTATION. The Agency shall provide orientation to new employees as soon as practical after they begin employment.

907. PERFORMANCE EVALUATIONS. During the probationary period, each employee shall receive a minimum of two (2) formal performance evaluations, the first to be completed at least three months into the probationary period and the second not later than three months before the probationary period ends, as a means of evaluating such job characteristics as adjustment to employment conditions, integration in the workforce, job learning progress, attendance, and any other feature of the individual's job that is significant to the employee's retention, decision-making, and the prospects of job success. During this probationary period of employment, each employee should receive close supervision, instruction, and review of work, training, and any other guidance that is supportive of the employee's opportunity for success on the job. The Agency shall be responsible for

ensuring that an evaluation and report of appointment, or report of termination, or other appropriate document, is completed. Notwithstanding the foregoing, failure to comply with this section shall not preclude the Agency from dismissing an employee during the probationary period.

908. DISCIPLINE DURING PROBATION. A period of disciplinary suspension during the probationary period shall extend the probationary period by the number of days of the suspension.
909. DISMISSAL OF PROBATIONARY EMPLOYEE. Except as may otherwise be provided by law or rule, a probationary employee may be dismissed at any time during the probationary period without right of appeal or hearing. A probationary employee who is dismissed or demoted shall be given written notice of said action.
910. PROBATIONARY PROMOTIONS AND DEMOTIONS. A promoted or demoted probationary employee may be returned to his/her previous position for any lawful reason at any time during the probationary period, at which time the probationary period shall restart. A "lawful reason" includes the employee's failure to perform satisfactorily his or her duties during the probationary period. A promoted or demoted probationary employee may not be terminated from employment with the Agency for failing to satisfactorily complete his/her probationary period in the promoted position but may be terminated for just and sufficient cause as set forth herein. A promoted or demoted probationary employee who is returned to his/her previous position shall be given written notice of said action.
- 910.1 A promoted or demoted probationary employee who is returned to his/her previous position shall have no right to appeal or to grieve the return with the following exceptions:
- (a) A promoted or demoted probationary employee who has cause to believe that his/her return was based on unlawful discrimination shall have the same appeal rights accorded to permanent employees.
  - (b) The only exception to the provisions outlined in this section is if a position previously occupied by the promoted or demoted employee has been eliminated from the budget, in which case the promoted or demoted employee will either be subject to a probationary release from employment, at which time the subject employee may exercise his/her bumping rights, or subject to layoff provisions.
911. CONCLUSION OF PROBATIONARY PERIOD. A probationary employee whose status is changed from probationary to permanent after the conclusion of the probationary period shall be entitled to the appropriate step advancement on the first day of the pay period following the completion of probation .

## PART 10

### PROMOTION, REASSIGNMENT, AND VOLUNTARY DEMOTION

1000. GENERAL. This section provides definitions of different types of employment transactions; however, it does not address salary implications which are found in Part 13 of these Rules.
1001. PROMOTION. Promotion is the move of a regular employee to another position in a class allocated to a salary range for which the top step is at least five percent (5%) higher than the top step of the class the employee formerly occupied. All promotions for classified positions will be implemented by CalHR or Agency rules and regulations, as appropriate. If an employee qualifies, and has received longevity pay, and is promoted to a higher range, the five percent (5%) increase will be calculated on Step E of the range that the qualifying employee left. If the qualifying employee is placed at either Step A, B, C, D, or E of the higher range, the qualifying employee will also receive the appropriate longevity pay in addition to the wage received at the new range and step. Promotion shall be by competitive process as determined by the Executive Director. The Executive Director shall determine whether an examination is to be conducted on a promotional-only or open basis. To qualify for a promotional examination, a person must be a regular employee in the classified service holding probationary or post-probationary status and must possess the minimum qualifications for the class on or before the final filing date for the examination. Names of persons who separate, except by layoff, shall be removed from promotional employment lists.
1002. ASSIGNMENT AND REASSIGNMENT. The Executive Director may assign an employee from one position to another position in the same class within the Agency.
1003. DEMOTION. Demotion is the move of a regular employee to another position in a class having a lower salary range than the class previously occupied by the employee. An employee may voluntarily demote with the approval of the Executive Director to a position in another class for which the employee possesses the minimum qualifications. An employee who is demoted shall be placed at the highest step within the range for the new class that provides at least a five percent (5%) reduction unless the employee is subject to the Y-rate provisions as defined by Rule 305.3. The employee shall receive a new step anniversary date based on the effective date of the demotion. An employee who has not passed an initial probationary period shall be placed at the entry step of the new class and receive a new step anniversary date.

PART 11

RESIGNATION, NON-DISCIPLINARY SEPARATION  
AND LAYOFF

1101. GENERAL. The separation of any permanent employee with post-probationary status shall comply with these Rules.
1102. RESIGNATION. An employee's voluntary termination of employment is a resignation. An employee who wishes to leave the Agency in good standing shall file a written notice of resignation with the Executive Director, giving at least two weeks' notice of intention to leave the service, unless the Executive Director consents, in writing, to shorter notice. The Executive Director shall promptly accept all written resignations in writing. Oral resignations shall be immediately confirmed by the Executive Director in writing to the employee indicating the effective date.
- 1102.1 Notice. Employees shall give notice of intent to resign at least two (2) weeks in advance of the last day of work (unless the Executive Director requests a longer period of notice, or consents to the employee's terminating on shorter notice as set forth above).
- 1102.2 Effective and Operative Dates of Resignations. An expressed resignation is effective when delivered or spoken to the employee's supervisor, manager or Executive Director, operative either on that date or another date specified by the employee.
- 1102.3 Job Abandonment. A constructive resignation occurs and is effective when an employee has been absent from duty for five (5) or more consecutive working days without authorized leave. The Agency may consider that a constructive resignation has occurred due to the absence from work, or that the absence provides a reasonable basis for believing that the employee has abandoned the job. See Rule 1404.1 regarding reinstatement.
- 1102.4 Revocation. A resignation can only be rescinded if approved in writing by the Executive Director.
- 1102.5 Resignation in Lieu of Disciplinary Action. An employee who resigns while charges or disciplinary action is pending, or who resigns while on suspension or to avoid dismissal, is not considered to have resigned in good standing.
1103. NON-DISCIPLINARY SEPARATION. The provisions of this Rule apply to employees with permanent or probationary appointments.
- (a) The Executive Director may require an employee to submit to a medical examination by a physician or physicians designated by the Agency to evaluate the capacity of the employee to perform the work of the position. Fees for the examination shall be paid by the Agency. When the Executive Director, after considering the conclusions of the medical examination provided for by this

section, or medical reports from the employee's physician, and other pertinent information, concludes that the employee is unable to perform the work of the present position, but is able to perform the work of another vacant position, the Executive Director may demote or transfer the employee to such a position. Prior to taking such action, the Executive Director and employee must determine whether the employee has a medical condition amounting to a disability as defined by law. If such disability exists, the Executive Director and employee must engage in a good faith interactive process to determine whether a reasonable accommodation exists that would allow the employee to perform the essential functions of his/her job. An accommodation is not reasonable if it imposes an undue hardship on the Agency.

- (b) When the Executive Director concludes that the employee is unable to perform the work of the present position, or any other available position in the agency, the Executive Director may terminate the employee. The Executive Director shall make reasonable job restructuring and other accommodations before demoting or terminating an employee under this section. If the employee is determined to have a medical condition amounting to a disability as defined by law, the Executive Director and employee must first engage in the good faith interactive process to determine whether a reasonable accommodation exists that would allow the employee to perform the essential functions of his/her job. An accommodation is not reasonable if it imposes an undue hardship on the Agency. If no such reasonable accommodation exists, the employee may be terminated under this section.
- (c) The Executive Director may demote, transfer, or terminate an employee, without requiring the employee to submit to a medical examination, when the Executive Director relies upon a written statement submitted by the employee as to the employee's condition, or upon medical reports submitted to the Executive Director by the employee. If the employee is determined to have a medical condition amounting to a disability as defined by law, the Executive Director and employee must first engage in the good faith interactive process to determine whether a reasonable accommodation exists that would allow the employee to perform the essential functions of his/her job. An accommodation is not reasonable if it imposes an undue hardship on the Agency. If no such reasonable accommodation exists, the employee may be terminated under this section.
- (d) A written notice of intent to separate shall be provided to the employee no less than 15 days prior to the action and must include the following:
  - (i) The proposed effective date of separation;
  - (ii) The particular facts and specific grounds for the proposed separation in sufficient detail to permit the employee to understand and to respond to them;
  - (iii) Copies of any materials upon which the proposed separation is based; and

- (iv) The right to file an employment rights appeal no later than 30 calendar days following the notification of action
- (v) If it is determined by the Executive Director or the California Department of Human Resources upon request of the employee, that the employee who was terminated, demoted, or transferred in accordance with this section is no longer incapacitated for duty, the employee shall be reinstated to a vacant position in the class from which he or she was originally removed, in a comparable class, or in a lower related class. If there is no vacant position in the class from which the employee was originally removed, the name of the employee shall be placed upon the reemployment list for that class and upon such other reemployment list that are determined to be appropriate by the California Department of Human Resources.

1104. LAYOFF. An employee shall be subject to layoff whenever:

- A. The employee's position is abolished.
- B. Necessary because of curtailment or lack of work or funds.
- C. Advisable in the interest of economy to reduce staff.
- D. Necessary due to a modification of service requirements.
- E. Another employee with greater seniority returns from a leave of absence.
- F. Another employee with greater seniority displaces the employee under the provisions of these Rules.

1105. SENIORITY FOR LAYOFFS. Seniority shall be determined as follows:

- 1105.1 Persons with permanent or probationary status shall receive credit for employment that has not been broken by a permanent separation of 6 months. When there has been a separation of 6 months or more, credit shall be given only for employment following such break in service. Persons hired from a reemployment list regain all previously earned seniority on the date of reemployment.
- 1105.2 Employees with an approved leave of absence including but not necessarily limited to military leave, maternity leave, and disability leave shall retain seniority accumulated before the leave of absence. The time of the approved leave of absence is not included in the seniority score computation.
- 1105.3 When two or more employees have the same total seniority score, the tie shall be broken in the following sequence:
  - (a) Employee with the greatest seniority in the class in which the layoff is being

- made and in higher level classes.
- (b) Employee with the greatest seniority in the Agency.
- (c) Employee with the greatest seniority in the Agency member counties.
- (d) Employees in the same class shall be separated during a reduction in force in the following appointment sequence:
  - i. Emergency
  - ii. Temporary
  - iii. Limited Term
  - iv. Permanent

1105.4 Employees who have been selectively certified by examination for special qualifications, or who have been employed from an examination given only for the position requiring special qualifications, shall be considered to be in separate classifications for the purpose of reduction in force.

1106. NOTICE. The Agency shall send written notices to each employee affected by a reduction in force at least 21 calendar days prior to the effective date of the action. The notice shall include:

- A. Reason for layoff
- B. Classes to which the employee has rights to in lieu of layoff
- C. Effective date of the action
- D. Seniority score for the employee
- E. Location of the seniority list where the employee may examine such list
- F. Formula by which the seniority was calculated
- G. Appeal rights of the employee
- H. Conditions for retention on reemployment lists
- I. Rules regarding waiver of reinstatement and voluntary withdrawal from the reemployment list
- J. Any other information determined by the Executive Director to be relevant.

1107. DEMOTION IN LIEU. In lieu of being laid off, employees may elect demotion to:

- A. Any class with substantially the same or lower maximum salary in which they have had permanent or probationary status; or
- B. A class in the same line of work as the class of layoff but of lesser responsibility if such classes are designated by the Executive Director
- C. To be considered for demotion in lieu of layoff, employees must notify the Executive Director in writing of their election no later than seven (7) calendar days after receiving the notice of layoff.

1108. MEDICAL INSURANCE UPON SEPARATION. Upon separation from Agency service, for retirement or other separation, CalPERS medical insurance shall continue through the end of the month that the employee terminates. Employees are eligible for CalPERS medical insurance for one additional month, through the end of the month *following* the month that the employee terminates. Should the employee opt to continue coverage for that month, the month following the month that the employee terminates employment, the Agency shall contribute the *minimum required employer contribution* of the medical premium as defined by CalPERS and the employee shall contribute the remaining premium balance which shall be deducted from the employee's final pay. The minimum employer



contribution changes on a year to year basis, as determined by CalPERS; for the year 2020 the contribution amount is \$139.00.

## PART 12

### DISCIPLINARY ACTIONS

1201. GENERAL. Disciplinary action means dismissal, demotion, reduction in compensation, suspension, or any other disciplinary action that affects the employee's present status for a reasonable cause as defined under Rule 1203. The Executive Director, or his/her designee, may take disciplinary action against an employee. Dismissal during probation is not a disciplinary action.
1202. CONDUCT. All Agency employees are expected to render the best possible service that will reflect credit upon the Agency. The highest standard of conduct is essential to the proper operation of service. The Agency has the right and authority to establish work standards for all employees. Any employee may be dismissed, suspended or reduced in rank or compensation for cause.
1203. DISCIPLINE. The Executive Director may suspend without pay, reduce in pay, demote or dismiss any employee who has attained post-probationary status for reasonable cause, including but not limited to:
- A. Absence without authorized leave;
  - B. Conviction of any felony or criminal act involving moral turpitude, or accepting a plea of nolo contendere to any felony or criminal act involving moral turpitude;
  - C. On-duty or off-duty conduct, including without limitation, behavior or crimes that do not fall within subsection (b) above, that tends to bring the Agency service into disrepute, or is a direct hindrance to the effective performance of Agency functions;
  - D. Disorderly conduct;
  - E. Incompetence or inefficiency;
  - F. Insubordination or willful disobedience;
  - G. Being at work under the influence of intoxicating beverages, non-prescribed narcotics or drugs; carrying onto Agency premises any such substance, except as otherwise permitted under Agency policy; or consuming or using any such substance or misusing any prescribed drugs during work hours and/or on Agency premises;
  - H. Being under the influence of intoxicating beverages, non-prescribed narcotics or drugs in any public place while wearing or displaying clothing, badges, or insignia identifying the employee as an Agency employee;
  - I. Neglect of duty;
  - J. Violation of any lawful or reasonable regulation or order given by a member of the

Agency management team;

- K. Violation of any of the provisions of laws applicable to child support agencies, or these Rules or Agency policies;
- L. Material and intentional misrepresentation or concealment of any fact in connection with obtaining employment;
- M. Failure to obtain or maintain a current license or certification required as a condition of employment;
- N. Misappropriation of Agency funds;
- O. Unreasonable failure or refusal to undergo any physical, medical and/or psychiatric exam and/or treatment authorized by these Rules;
- P. Dishonesty or theft;
- Q. Improper political activity as set forth in Rule 110.1;
- R. Acceptance of any bribe, gratuity, kickback, or other item of value when the item is given in the hope or expectation of receiving preferential treatment;
- S. Excessive or unexcused absenteeism and/or tardiness;
- T. Repeated and/or egregious discourteous or disrespectful treatment of fellow employees;
- U. Discourteous treatment of the public;
- V. Disregard of an Agency policy or statutes regarding the confidentiality of records;
- W. Negligence or willful damage to public property, or waste, theft or unauthorized use of public supplies or equipment;
- X. Misuse of sick leave;
- Y. Unlawful harassment or unlawful discrimination or retaliation against another employee, an applicant for employment, or anyone using Agency services; and
- Z. Sexual harassment in, or affecting, the work environment;
- AA. Inability or incapacity to perform assigned job duties to the extent allowed by law;
- BB. Any other conduct of equal gravity with the above.

1204. PROGRESSIVE DISCIPLINE. The Agency shall use progressive discipline including minor discipline when the Agency believes that progressive discipline shall serve the dual purposes of providing both corrective warning and penalty to an employee whom the Agency

intends to retain as an employee after the discipline. The Agency may initiate discipline at any level, depending on the employee's conduct. Progressive discipline shall not be required when the Agency believes dismissal to be the appropriate discipline because of the employee's conduct.

1205. DISCIPLINARY ACTIONS. Pre-disciplinary actions include an oral warning and a Memorandum of Correction which remain in the Supervisor's evaluation file and shall automatically be expunged after one year. Disciplinary action, beginning with a Letter of Reprimand, will be placed in the employee's personnel file. Letters of Reprimand are not subject to the appeal process. However, within 30 days of receipt of a reprimand, an employee may write a written rebuttal to the reprimand which shall be affixed to the reprimand and placed in the personnel file. An employee may request to the Executive Director that a Letter of Reprimand be expunged from his/her personnel file after two (2) years. The Executive Director will take due consideration of the request however after three (3) years upon request by the employee the Letter of Reprimand shall be expunged from their file.
1206. DISMISSAL OF PROBATIONARY EMPLOYEE. A probationary employee may be dismissed at any time during the probationary period without right of appeal or hearing, except as may otherwise be provided by law or rule.
1207. PRE-DISCIPLINE (SKELLY) REQUIREMENTS. Except as otherwise expressly provided in these Rules, before taking action to suspend without pay, reduce in pay, demote or dismiss an employee, the Executive Director or their designee shall serve on the employee a Notice of Intent to Discipline (NOI). Service of the notice on the affected employee shall be made either in person or by certified mail addressed to the employee's last known mailing address. Service by certified mail shall be deemed complete three (3) calendar days after deposit with the U.S. Postal Service. If the affected employee cannot be served in person or by certified mail addressed to the employee's last known mailing address, or if for any reason the affected employee refuses or fails to take receipt of the notice, service shall be deemed complete three (3) calendar days after the attempted service. The NOI shall contain the following:
  - A. The name and title of the initiator;
  - B. A statement of the action proposed to be taken;
  - C. A statement of the reason for the proposed action, including the acts or omissions alleged and grounds upon which the action is based and any rule or regulation claimed to be violated;
  - D. A copy of any written materials upon which the proposed action is based;
  - E. The date upon which the proposed action is to become effective;
  - F. A statement of the employee's right, prior to the effective date of the proposed action, to submit a response as set forth in Rule 1207.1 and, upon request, meet with the Skelly Officer;
  - G. A statement of the employee's right to be accompanied by a representative of the employee's choice during the meeting;

- H. A statement of the employee's rights to a hearing and appeal process; and
  - I. A statement that the employee has five (5) working days to respond to the Skelly Officer, either orally or in writing. The Skelly Officer shall be appointed by the Executive Director, and will be the Executive Director in appropriate cases.
- 1207.1 Employee Response. The employee upon whom a NOI has been served shall have at least five (5) working days to respond to the Skelly officer before the proposed action may be taken. If the employee wants to meet with the Skelly Officer, the employee must request a meeting with the Skelly Officer as a part of his/her written response. Upon application and for good cause, the Skelly Officer may extend in writing the period to respond. The Skelly Officer shall consider the response, if any, of the employee in determining the propriety and nature of disciplinary action.
- 1207.2 Failure to Respond. If the employee's response is not communicated to the Skelly officer within five (5) working days, the right to respond will be deemed waived.
- 1207.3 Meeting with Skelly Officer. If, in the Employee's Response, the employee has requested a meeting with the Skelly Officer, the Skelly Officer shall set a meeting date prior to the effective date of the proposed action, at which time the employee will be afforded a reasonable opportunity to respond orally or in writing to the proposed action. The Skelly Officer shall consider the information gathered at the meeting, if any meeting occurs, in determining the propriety and nature of disciplinary action.
1208. SERVICE OF ORDER. Following any meeting held in accordance with these rules or presentation of the employee's written response to the Skelly officer, or any waiver of such response by the employee, the Executive Director may uphold, modify or revoke the proposed action. The Executive Director shall give written notice of the decision (NOD) to the employee. For post-probationary employees, the NOD shall contain a statement of the employee's hearing and appeal rights under Rule 1209. The NOD shall be effective either upon personal service or deposit with the U.S. Postal Service.
1209. EMPLOYEE APPEALS FROM NOTICE OF DECISION. A post-probationary employee may, within ten (10) working days after service or mailing of the NOD, appeal in writing to the Executive Director or directly to the California Department of Human Resources. Implementation of the action described in the NOD will not be stayed pending the outcome of this appeal. Employees who do not wish to appeal but who wish to make a statement regarding the NOD may have a written response or statement entered into their personnel file if submitted within ten (10) working days after service or mailing of the NOD.

Part 13

CLASSIFICATION AND WAGES

1301. AUTHORIZED PERSONNEL. The JPA Board, through the annual budget process, shall specify the number and classification of all regular employees authorized for the Agency. Such resolution shall be known and may be referred to for all purposes as the Authorized Personnel Allocation. All additions, deletions or modifications to an Authorized Personnel Allocation shall be approved by the JPA Board. No person shall receive any compensation from Agency funds for his/her services unless his or her employment is authorized by the Authorized Personnel Allocation or an extra help appointment, described in Rule 803, made in accordance with Agency rules.
1302. STANDARD SALARY RANGES. A standard salary range schedule consisting of ranges of hourly and monthly salary rates in dollars for employment in paid positions shall be established by the JPA Board. The schedule of monthly salary rates established by the JPA Board is for the purpose of convenience in quotation of monthly salaries. Computations for purposes of paying employees shall be on the basis of hourly rates.
1303. COMPENSATION PLAN. Except as otherwise provided by law or rules, employees shall receive the hourly rate compensation provided in the basic salary schedule that has been adopted by the JPA Board by resolution and MOU for their respective classifications of positions.
- 1303.1 Initial Step Placement. The entrance salary for a new employee entering Agency service shall be the first step of the salary range for the class to which the employee is appointed. In exceptional cases after reasonable effort has been made to obtain employees for a particular class, employment of individuals who possess special qualifications higher than the minimum qualification prescribed for the particular class may be authorized at a higher step upon approval by the Executive Director.
- 1303.2 Advanced Step Hiring. New employees may be hired at up to the final step of the salary range of the employee's classification, if the candidate possesses exceptional skills or qualifications that would be highly beneficial to the Agency, or due to the difficult nature of the recruitment, few qualified candidates were available and it is necessary to hire at an advanced step in order to obtain a person to fill the vacancy.
- 1303.3 Salary Compensation-Extra Help. The Executive Director may authorize the temporary employment of a person as extra help, described in Rule 803, upon a determination that sufficient funds are budgeted within the Agency. Extra help employees shall receive the first step hourly rate listed in the Salary Schedule and Compensation Plan for the classification to which they are assigned unless the individual meets the requirements for advanced step hiring set forth herein.
1304. SALARY STEP PLAN. Eligibility for salary step movement for regular employees and

limited term extra help employees, defined in Rule 803.3, shall be based upon demonstrated satisfactory service as determined by the Executive Director, and time in classification. Extra help employees other than limited term are not eligible for salary step movement.

- 1304.1 Step advancements for a regular employee shall be procedurally automatic, unless such step advancement is withheld from such employee in accordance with the other provisions outlined in these Rules and/or the MOU.
- 1304.2 A regular employee who is hired or promoted shall be eligible for step advancement on the first day of the pay period following the date the employee completes his/her first twelve (12) months of employment as a regular employee in his/her regularly assigned class. Annually thereafter, step increases shall occur on the first day of the pay period following the anniversary date until the employee reaches the final step.
1305. SALARY ON PROMOTION. An employee who is promoted shall receive the nearest step within the new salary range that is not less than five percent more than his/her former step; provided, however, that in no case shall the increased salary be more than the top step in the new range. The effective date of a promotion shall be the first day of the first full pay period following the appointment. Increases in salary shall be made effective on the effective date of the promotion. For purposes of further annual increases within the salary range, the employee's anniversary date shall be changed to the effective date of the promotion.
1306. SALARY ON DEMOTION. The salary of an employee who has been demoted shall be determined as follows:
- 1306.1 Demotion to Another Position or Class-Voluntary. Except as otherwise provided in these rules, an employee who voluntarily demotes to a position of a class having a lower salary range than the class previously occupied by the employee shall have his/her salary reduced to the step in the range next lower than the salary he/she received before the demotion. A new probationary period shall commence on the effective date of this action if the employee has not previously served in the lower class and if that lower class is not part of his/her current class series.
- 1306.2 Demotion as a Disciplinary Action. An employee may be involuntarily demoted to a lower class or to a lower compensation level within a salary range as a disciplinary action only, in accordance with Part 12, Disciplinary Actions, at the step closest to, but not less than, 5% reduction.
1307. CHANGE IN SALARY RANGE. Whenever the salary range for a class is revised, each incumbent in a position to which the revised schedule applies shall remain at the step held in the previous range, unless otherwise specifically provided by the JPA Board.
1308. ADDITIONAL COMPENSATION. Notwithstanding anything in these Rules to the contrary, when in the judgment of the JPA Board it becomes necessary or desirable to utilize the service of Agency employees in capacities other than those for which they are regularly employed, the JPA Board may so authorize and fix an additional rate of compensation for

such employees, who shall be paid such additional compensation as may be specified by the JPA Board.

1309. PAYROLL RECORDS. The Agency shall be the office of record with respect to maintenance of payroll records to implement the payroll provisions of all Rules and resolutions. Each employee is responsible for reviewing each pay stub for accuracy, and promptly notifying their supervisor or the Executive Director of any errors. The Agency shall pay the employee the amount of any underpayment; the employee shall reimburse the Agency for any overpayment.
1310. PAY DATE. The date of payment shall be bi-weekly as designated by the Executive Director, or his/her designee. In the event these dates fall on a holiday or weekend, the pay date will be moved to the last working day prior to the scheduled pay date.
1311. Reserved
1312. SUSPENSION: A period of suspension shall not be deemed to cause a discontinuance in years of employment for the purposes of step advancements, but the calculation of continuous employment for the purpose of calculating step advancements shall be extended by the number of days of the suspension.
1313. PRE-TAX DEDUCTIONS: The Agency has implemented Section 125 of the Internal Revenue Code allowing for a pre-tax salary deduction in an amount equal to employee-designated costs of dependent care, medical deductibles, co-payments, etc., as desired by each employee. Employees are hereby notified that they forfeit pay which they authorize to be deducted which does not equal their expenditures for a particular benefit category. No cash will go to any employee as an alternative to contributions to the Health Fund.
1314. OUT OF CLASS PAY: An employee assigned temporarily to perform work of a job classification with a higher designated pay range ("temporary range") than the pay range designated for such employee's regularly assigned class ("regular range") shall be paid in accordance with the pay range of the elevated job classification during the temporary assignment. The employee shall be placed in the pay step closest to, but not less than, 5% higher than their current pay scale. The temporary assignment shall not begin until the Executive Director approves such an assignment and provides the employee with the terms of the temporary job assignment, including the begin and end date, in writing.
- 1314.1 An employee who believes that a supervisor has required that employee to work temporarily in a class with a temporary range higher than the employee's regular range, and who is not receiving the temporary range, may request through the Executive Director, that the employee be paid in accordance with the temporary range. The request shall be made within thirty (30) days of the assignment. The Executive Director shall, within five (5) working days, approve or deny the employee's request and in either case shall inform the employee of the decision.



PART 14

TERMS OF EMPLOYMENT

1401. HOME OFFICE ASSIGNMENTS: Most employees will be assigned to a home office (Amador, Alpine, Calaveras, or Tuolumne). In the event that the Executive Director requires any employee be reassigned to a different home office on a short-term or long-term basis, the Executive Director shall first attempt to make the assignment with a qualified volunteer. If in the opinion of the Executive Director, there is no qualified volunteer for reassignment to the different home office, the Executive Director shall have the right to choose a qualified employee to be reassigned to the different home office. In reassigning any employee, the Executive Director shall take into consideration the Agency's needs at the employee's assigned home office, its needs at the new home office, the employee's special qualifications for the new assignment, and the employee's seniority and any hardship to the employee in being assigned to the new home office. The determination of qualifications, the offices' needs, seniority, and hardship shall be made solely by the Executive Director.

1401.1 Some employees may not be assigned to a home office because their duties require them to routinely serve more than one office or work in more than one county. Such floating employees may be assigned a home office by the Executive Director when the employee's duties change and become localized within one county.

1402. HOURS OF WORK, SCHEDULES AND BREAK AND REST PERIODS: The provisions of this section apply to all employees, including exempt employees, except where it is specified that they apply to non-exempt employees.

1402.1 Schedule. Employees in the offices of the Agency shall work a five (5) day/eight (8) hour schedule unless the Executive Director specifically approves a different schedule. The determination of any schedule is not subject to the meet and confer process; it is a management right to be determined solely by the Executive Director.

1402.2 Business Hours. The Agency's offices will be open for business 8:00 a.m. to 5:00 p.m., Monday through Friday.

1402.3 Workday. The workday for part-time and extra-help employees shall be the same as that for full-time employees for purposes of overtime compensation.

1402.4 Meal Breaks.

(a) Non-exempt employees are required to take unpaid, off-duty meal breaks of no less than thirty (30) minutes as set forth herein. Consult with their supervisor for the length of meal break you are entitled to receive. It is the non-exempt employee's responsibility to clock out for this lunch break and clock back in when returning to work. Non-exempt employees are required to take a meal break if they are working a shift longer than five (5) consecutive hours. If a non-exempt employee is working a shift that is five (5) to ten (10) consecutive hours in length, such an employee is required to take a meal break no later than the four hours and 59 minutes into their shift. If a non-exempt employee

works a shift twelve (12) to eighteen (18) consecutive hours in length, then they are required to take a second meal break no later than the end of the employee's nine hours and 59 minutes into their shift. These meal breaks must be off-duty, meaning the employee must be relieved of all his/her duties, must not be interrupted by work including by answering the work phone or work calls, and is free to leave work to take the meal break. Meal breaks cannot be combined with each other or with rest breaks.

(b) Exempt employees are not required to clock out during meal breaks.

1402.5 Rest Breaks. Non-exempt employees shall be entitled to take, and shall take, duty-free breaks totaling 30 minutes per day. Breaks may be taken in two 15 minute increments or in three 10 minute increments and shall be coordinated with the supervisor to account for work coverage. No employee shall perform any duties (including answering the telephones) during a break. Rest periods may not be combined or be used to shorten a workday. Rest breaks are paid breaks.

1402.6 Workweek. The workweek for full-time employees shall be five (5) workdays within a calendar week, for a total of forty (40) hours; provided, however, that the Executive Director shall have the right to establish in lieu of the five (5) workdays within a calendar week or ten (10) workdays within a pay period, a modified schedule consisting of 80 hours for the pay period.

1402.7 Alternative Workweek. Alternative work schedules may be approved by the Executive Director, provided they conform with state and federal law. Establishment of an alternative work schedule in any office is not subject to the meet and confer process; it is a management right to be determined solely by the Executive Director.

(a) All holidays falling within an alternative work schedule are paid at eight (8) hours.

(b) In the case of an alternate work schedule, reversion to an eight (8) hour work day, five days per week may be required as follows:

- Training conferences. During weeks in which a significant number of staff are away from the office attending training conferences, staff with an alternative schedule may be required to revert to eight (8) hour work days in order to accommodate work coverage.
- Other business needs. When business needs require, staff may be directed to revert to a 5/8 schedule and/or to maintain an 8-5 work schedule. This includes but is not limited to mandatory meetings of employees.

1402.8 Modifying Schedules. Once a schedule has been assigned, there will be no

trading or changing of schedules with other employees without written consent of the Executive Director or the Deputy Director.

- 1402.9 Outreach Events. The Executive Director reserves the right to alter an employee's schedule for outreach events upon reasonable notice when these events require that personnel be in attendance even if that schedule includes work hours on a Saturday, Sunday, or week days after 5:00 p.m. Examples of those events include but are not limited to County Fairs and Health Fairs. The Executive Director shall use best efforts to staff such events with staff who offer to adjust their work schedule.
- 1402.10 Overtime. A non-exempt employee assigned by the Agency to perform overtime work beyond the workday, beyond the workweek, beyond the work period established in lieu of the forty (40) hour workweeks, or beyond the fifth (5<sup>th</sup>) consecutive workday of a work period established in lieu of the forty (40) hour workweek, shall be granted compensation at a rate equal to one and one-half (1 ½) times the employee's regular hourly rate of pay for all such overtime work performed, commencing upon arrival at the employee's assigned worksite and ending upon departure from such worksite. When calculating overtime pay, the Agency shall not consider holidays or any leaves of absence, including vacation and sick leave, in such calculations.
- 1402.11 Compensatory Time Earned Non-exempt employees may be allowed to accrue up to a maximum of 80 hours compensatory time earned (CTE), meaning that in lieu of receiving overtime pay or extra compensation, the non-exempt employee receives additional time off. For purposes of overtime compensation, the work period, workday, and workweek for part-time and extra-help employees are the same as full-time employees. When work that will qualify as overtime must be performed, the Executive Director may determine, based on Agency need and budgetary considerations, whether compensation will occur with pay or CTE.
- 1402.12 Call back time. Employees called back to work after completion of his/her regular shift shall receive a minimum of two (2) hours compensation for the time worked. If an employee receives a call requesting that he/she return to work, the employee is not required to do so and will not be retaliated against for deciding not to report for extra work for any reason. The Agency has no on-call employees.
- 1402.13 Approval for overtime. No employee may work beyond his/her workday or work period so as to qualify for overtime pay or CTE unless expressly directed to do so or approved by his/her supervisor.
- 1402.14 Exempt employees. Exempt employees are those management and professional employees who are not subject to the Fair Labor Standards Act (FLSA) overtime provisions, and such employees shall be required to work during such hours as necessary to carry out the duties of their position, as designated by the Executive Director or the Director's designee, and such hours may be varied so long as the work requirements and efficient operations of the Agency are assured. ~~As exempt employees, employees shall not be docked pay nor have their accumulated leave balances reduced~~

~~for absences of less than one (1) day. Absences of less than one (1) day require approval of the Executive Director or the Director's designee. Absences of less than one (1) day shall not be reflected on an exempt employee's time card.~~

1403. ATTENDANCE. Attendance is an essential function of each position. Employees of the Agency are expected to report to their work site and perform their assigned duties on a sustained, regular and punctual basis. Late arrivals, early departures, or other absences which are not planned and preapproved in writing or otherwise authorized by the Rules are unacceptable except under extraordinary circumstances as they contribute to reduced performance and customer service, and to lower morale because of the added burdens on other employees for covering for unplanned absences of employees. Employees shall follow policies, procedures and guidelines regarding attendance and reporting as set forth in the Agency Employee Handbook.

1404. UNAUTHORIZED ABSENCES: Any employee's unauthorized absence, i.e., absence from his/her duty without leave for five (5) or more consecutive working days, shall constitute an automatic voluntary resignation by such employee from his/her employment with the Agency, effective as of the last date on which the employee worked. Any employee's failure to return to Agency service within five (5) working days of the expiration of his/her leave of absence, or to secure from the Agency extension of such leave of absence, shall constitute an automatic voluntary resignation by such employee from his/her employment with the Agency, effective as of the date of expiration of his/her leave of absence.

1404.1 Reinstatement: Reinstatement of an employee to his/her employment with the Agency following his/her automatic voluntary resignation may be granted by the Executive Director, upon petition by the employee to him/her for such reinstatement.

1405. TRAVEL: Any employee required by the Agency to operate his/her vehicle in the performance of Agency business shall receive an allowance at the then-current IRS mileage reimbursement rate. Employees who are required to use their private vehicles on Agency business shall be entitled to mileage reimbursement except that an employee who is called to work at his/her home office assignment shall not be eligible for mileage reimbursement.

1405.1 The Agency has elected to utilize per diem rates to reimburse travelers. Per diem rates may be used exclusively for meals and incidentals. When per diem rates are utilized, there is no requirement to obtain receipts for travels to substantiate these components of business travel. Said rates will be those as outlined ~~by the employee bargaining agreement(s)~~ below:

- A. Breakfast \$18.00
- B. Lunch \$21.00
- C. Dinner \$35.00
- D. Incidentals \$5.00 per day

1405.2 Except as set forth below in 1405.7, if any employee is required by the Agency to travel outside the county in which his/her home office assignment is located during regular meal hours, the Agency shall reimburse the

employee for the cost of such meals. A meal reimbursement shall not occur when an event for which the employee has travelled provides an included meal.

- 1405.3 Breakfast may be claimed only when the approved travel commences at or before 6:00am. Breakfast may be claimed on the last fractional day of a trip of more than 24 hours if travel terminates on or after 9:00 am.
- 1405.4 Lunch may be claimed on the first day if the trip begins at or before 9:00 a.m. and lunch may be claimed on the last fractional day of a trip of more than 24 hours if the travel terminates at or after 2:00 p.m.
- 1405.5 Dinner may be claimed if the trip ends at or after 7:00 p.m.
- 1405.6 Incidental costs for items such as luggage handling, gratuity, and other services or costs may be claimed for the actual and necessary costs up to the daily maximum rate. Incidental expenses may be claimed for each day in which travel extends beyond 8 hours.
- 1405.7 The exception to the foregoing paragraph is when an employee with a Tuolumne, Calaveras or an Amador home office assignment is directed to travel for the day to one of the other member counties. The employee will be entitled to mileage but no reimbursement for meals.
- 1405.8 If the Executive Director assigns on a temporary basis to Alpine County an employee with a home office assignment in either the Tuolumne, Amador or Calaveras offices, only lunch may be claimed unless the temporary assignment is for more than one workday. If the assignment is for more than one workday, a reimbursement plan shall be established by the Executive Director prior to the assignment.
- 1405.9 In general, advances of per diem will NOT be made unless otherwise arranged by the employee with payroll.
1406. TRAVEL FOR WORK-RELATED ACTIVITIES: Employees are encouraged to use Agency vehicles for travel to and from work events. In the event staff must use their private vehicles for travel to such events, or use of their private vehicle is otherwise approved by the Executive Director, they will be reimbursed for mileage which will be calculated using the distance from their home work site OR their home to the event, whichever is less. Travel time will be paid to employees, both to and from the event.
1407. HOLIDAYS. The Agency designates the following days as Agency holidays:

New Year's Day	January 1
Martin Luther King's Birthday	Third Monday-January
President's Day	Third Monday-February
Cesar Chavez Day	March 31

Memorial Day	Last Monday-May
Independence Day	July 4
Labor Day	First Monday-September
Columbus Day	Second Monday-October
Veterans' Day	November 11
Thanksgiving	Fourth Thursday-November
Day after Thanksgiving	Friday Following Thanksgiving
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 31

- 1407.1 Any days declared by the President, and/or by the Governor of California, and which also may have been approved by resolution of the JPA Board, as a public day of fast, public day of mourning, public day of thanksgiving, or public holiday for Agency employees, shall entitle a regular employee to paid holiday leave for such days.
- 1407.2 When a holiday falls on a Saturday, the preceding workday which is not a holiday shall be deemed the holiday. When a holiday falls on a Sunday, the succeeding workday which is not a holiday shall be deemed the holiday. Employees who are required by the Executive Director to work on a holiday which falls on a Saturday or Sunday shall have that workday treated as a holiday and not the preceding workday if the holiday is on a Saturday or the succeeding workday if the holiday falls on a Sunday. If an employee works on a Sunday which is a holiday and also works on the following Monday, only the actual holiday would be treated as a working paid holiday under Rule 1407.5.
- 1407.3 Regular full-time employees shall earn paid holiday leave at a rate of eight (8) hours leave per day. This shall be pro-rated for part-time employees. Holiday leave shall be paid to that employee during the payroll period of the holiday(s). If an employee regularly works overtime, such an employee will only receive paid holiday leave at the rate of eight (8) hours and shall not receive overtime for holiday leave. Extra-help employees, as defined in Rule 803, will receive unpaid holidays.
- 1407.4 An eligible employee shall be in paid status on his/her regular working day immediately preceding or succeeding a holiday in order to be paid for the holiday.
- 1407.5 Working Holiday Pay. A regular employee who is required, or permitted, to work on a holiday shall be compensated at a rate equal to the holiday plus time and one-half the employee's straight time rate of pay for all such hours worked; provided, however, that a regular employee who is required, or permitted, to work on a holiday may elect, in lieu of such compensation, to be granted compensatory paid holiday leave as CTE at a rate equal to one and one-half (1-1/2) times the employee's straight time rate of pay for all such hours worked

and to receive for the holiday on which he/she is required, or permitted, to work the straight time rate of pay for his/her most regularly assigned class. Regular part-time employees required to work on a holiday shall receive time and one-half the employee's straight time rate of pay, plus, if requested by the employee, available holiday time to a maximum of eight (8) hours.

1407.6 Any employee receiving State Disability Insurance (SDI) benefits, or on an unpaid leave of absence, shall not be entitled to be paid holiday leave, unless said leave is being supplemented by vacation and/or sick leave. Once these leaves are exhausted, holiday leave will not be accrued.

1408. VACATION LEAVE. Regular full-time employees shall earn and accrue paid vacation leave in accordance with the following provision. All probationary and regular full-time and part-time employees scheduled to work less than a full month and/or full-time shall accrue vacation on a prorated basis:

1408.1 Accrual Rates

<u>Annual Vacation Accrual</u>	<u>Years of Service</u>
88 Hours	0 - < 3 yrs
128 Hours	3 yrs - < 10 yrs
168 Hours	10 + yrs

1408.2 Maximum Vacation Leave Accrual. An employee may accrue up to 400 hours of annual vacation leave. An employee cannot accrue more than 400 hours of annual vacation accrual unless the Agency is unable to allow the employee time off to use vacation time. The Executive Director, or his/her designee, shall make every effort to allow employees to take vacation leave during the year in which it is accrued.

1408.3 Provisions for Probationary Employees. Vacation accrual commences on the first day of employment and can be taken after six (6) months of service, but only for the amount of time that has been accrued. Probationary employees who suffer a work-related injury shall be allowed to use accrued vacation leave to compensate said employee for any loss of earnings when the cause is work-related and a worker's compensation claim has been filed and accepted by the Agency. Other exceptions to this Rule may be made by the Executive Director in appropriate circumstances.

1408.4 Vacation Scheduling. Employees must request vacation time in advance by completing the appropriate agency form and submitting to their supervisor for approval. Only in extraordinary circumstances will vacation requests be accommodated which are not approved in advance in writing by a supervisor. The Agency recommends that employees take their vacation each year. Supervisors will make every effort to approve vacation requests; however, the needs of the Agency must be taken into consideration prior to approving such requests. Agency needs include, but are not limited to, staff coverage and

workload issues. Additionally, the Agency may, at its discretion, deny to any employee vacation leave during any work stoppage, strike, work slowdown, or other job action against the Agency by its employees, or during any bona fide emergency for which the Agency deems it necessary to have its employees work. When supervisors are unable to accommodate requests due to multiple requests for the same day, supervisors will discuss the situation with the impacted employees to attempt to negotiate a resolution that is acceptable to each employee. In the event that is not possible, time off will be granted on a rotation basis in order to allow all staff the opportunity to have time off during holidays. Seniority will be used as a means for deciding between multiple requests only after historical time off has been considered.

- 1408.5 Vacation Pay Rate. An employee's pay for any day of vacation leave shall equal the pay which the employee would have received had he/she worked his/her regular hours in his/her most regularly assigned class, but not in any temporarily assigned higher class, during the day of the vacation leave.
- 1408.6 Unpaid Leave of Absence. An employee on an unpaid leave of absence shall not be entitled to accrue vacation.
1409. SICK LEAVE All probationary and permanent fulltime employees shall accrue sick leave at a rate of eight (8) hours per month. All probationary and regular full-time and part-time employees scheduled to work less than a full month shall accrue sick leave on a prorated basis.
- 1409.1 Use of Sick Leave. Employees are entitled to use sick leave pay for those days/hours which the employee would normally have worked to a maximum of the hours accrued unless otherwise specified herein, for the purposes set forth below. Sick leave shall be taken in increments of .25 hours:
- (a) For preventative medical, dental, optical care, illness or injury to the employee or the persons set forth below; for BEREAVEMENT LEAVE as set forth hereinafter; or for catastrophic destruction of property of the employee.
  - (b) "Illness or injury" is defined as
    - Medically defined illness or injury
    - Pregnancy, childbirth, and complications ensuing there from (collectively "pregnancy")
    - Time in a hospital, clinic, or physician's office caused by the illness or injury to the employee, or the persons listed below, or the employee's pregnancy
    - Any qualifying injury or illness as governed by the Family Medical Leave Act (FMLA) as discussed herein
  - (c) Persons for whose care the employee may use sick leave include



the relationships set forth below

- Adult or minor child, defined as biological or adopted child, foster child, step child, legal ward, grandchild
- Parent/other relative, defined as biological or adoptive parent or grandparent, foster parent, stepparent, sibling, adult legal ward, uncle, aunt, nephew, niece or relative-in-law (mother-, father-, brother-, sister-, son-, or daughter-in law)
- Spouse/partner, defined as spouse or registered domestic partner

- (d) Catastrophic destruction of property of employee. The verification and approval of leave for the catastrophic destruction of property of the employee must be obtained prior to the employee's taking leave for this purpose, except in cases of bona fide emergency, upon which the Agency shall require verification and justification of the use of leave following an employee's use thereof.

1409.2 Insufficient accrued sick leave and leave without pay. If an employee does not have sufficient accrued sick leave during any illness or injury, said employee is hereby required to utilize his/her available compensatory time earned (CTE) in fractional amounts until his/her available CTE is exhausted, whereupon the employee shall utilize his/her available vacation leave in fractional amounts until his/her available vacation time is exhausted. In any case, leave without pay (LWOP) cannot be utilized unless all other leave accruals have been exhausted, or unless otherwise allowed herein. LWOP must be approved in advance in writing by the Executive Director or his/her designee.

1409.3 Reporting procedures for sick leave.

- a. When the employee, in advance, knows about the need for sick leave, the employee shall request authorization for such sick leave from the appropriate supervisor prior to such absence. This would include, but not be limited to, scheduled medical, dental or vision appointments.
- b. If an employee is not able to report due to illness or injury, the employee shall report as soon as possible to the appropriate supervisor, but in no case later than the start of their work shift, except for extenuating circumstances prohibiting giving notice.

1409.4 Verification procedures. Before being paid for the use of accrued sick leave, the employee shall submit a signed request for leave form to the appropriate supervisor. This form will include the dates and hours of absence along with the category of the request, as outlined in subsection 1409.1 herein. If an employee does not return to work prior to the preparation of the payroll, the form will be completed by the supervisor and signed by the employee upon return. These hours will not be used to calculate overtime.

1409.5 Doctor Certificate or other proof.

- a. If an employee's illness or injury results in an absence from work for more than three (3) consecutive work days or demonstrates a pattern of usage which may require accommodation or progressive discipline, a certificate from the medical provider or other reasonable proof of illness or injury may be required. The Executive Director may make such sick leave usage reviews and may require such additional documentation, including a statement from the medical provider, as he or she deems necessary before approving the sick leave benefit. Failure to comply with such a request may result in disciplinary action.
- b. An employee who is injured or who becomes ill while on vacation may be paid sick leave in lieu of vacation, provided that the employee provides documentation showing that the employee was hospitalized during the period for which sick leave is claimed.
- c. At the request of the Executive Director or their designee, an employee may be required to provide documentation from a medical provider which releases the employee to return to work.

1409.6 Unused Sick Leave. Unused sick leave shall accrue from year to year.

1409.7 Unpaid Leave of Absence. An employee on an unpaid leave of absence shall not be entitled to accrue sick leave.

1410. LEAVE FOR ON-THE-JOB INJURY. If an employee is injured on the job, (s)he should report the injury immediately to his/her supervisor. Injured employees have the right to see a physician of their choice for diagnosis and treatment.

1410.1 Coordination of leave benefits with State Disability Insurance (SDI), Workers' Compensation temporary disability indemnity or Family Medical Leave Act (FMLA)/California Family Rights Act (CFRA).

- a. During a waiting period during which no benefits are payable from SDI or workers' compensation temporary disability indemnity, the employee is required to use accrued sick leave, CTE, or vacation leave rather than taking leave without pay.
- b. Upon completion of any waiting period discussed in Rule 1410.1(a), an employee is required to use for the period of absence, due to injury or illness, that fraction of his/her accrued sick leave, accrued compensatory time earned (CTE), and accrued vacation leave necessary to make up any difference in wages between the State Disability Insurance (SDI) or FMLA/CFRA leave benefits, or from workers' compensation temporary disability indemnity or temporary disability indemnity, and the pay the employee would have received had (s)he worked his/her regular hours and regular days in his/her most regularly assigned class, but not in any temporarily assigned higher class, during the period of illness or injury following any such required waiting period. Such an employee may utilize his/her

available sick leave in fractional amounts until his/her available sick leave is exhausted, whereupon the employee may utilize his/her available compensatory CTE in fractional amounts until his/her available CTE is exhausted, whereupon the employee may utilize his/her available vacation leave in fractional amounts until his/her available vacation time is exhausted. Only once the accrued sick leave, CTE, and vacation leave are exhausted can the employee take leave without pay (LWOP).

- c. Accrual of leave while on Worker's Compensation. Employees on an approved Worker's Compensation leave are entitled to accrue sick, vacation, and holiday leave.

1410.2 Return to Duty. An employee absent due to an alleged occupational injury or illness shall provide to the Agency a written release from a licensed health care practitioner for the employee's return to duty before being permitted to resume his/her employment duties following any absence due to occupational injury or illness.

1411. FAMILY MEDICAL LEAVE: FAMILY MEDICAL LEAVE ACT (FMLA) and CALIFORNIA FAMILY RIGHTS ACT (CFRA).

The Agency shall comply with federal and state laws regarding family medical leave (FMLA and CFRA). FMLA/CFRA shall run concurrently with any other authorized leave (i.e. disability, worker's compensation, etc.), except that an employee's entitlement to pregnancy disability leave under California law, discussed in Rule 1412, does not run concurrently with leave under the CFRA. FMLA/CFRA allows for a 12-week leave within a 12-month period.

1411.1 The twelve (12) month period shall begin on the date the qualifying leave is taken and may be used for any of the following purposes:

- a. For a serious health condition when the employee is unable to work;
- b. For the birth and care of the newborn child of the employee, an adopted child, or a child placed in foster care with the employee;
- c. For placement with the employee of a son or daughter for adoption or foster care;
- d. To care for an immediate family member (spouse, registered domestic partner, child, grandchild, grandparent, sibling, or parent) with a serious health condition;
- e. A qualifying exigency relating to a close family member's military service;

- f. 26 weeks leave for an employee who is the spouse, son, daughter, parent, or next of kin for a covered military service member who requires care.

- 1411.2 In calculating whether or not an employee qualifies to use FMLA/CFRA, the Agency will use what is commonly known as the "rolling back" method of calculation. This means that when an employee requests FMLA/CFRA, the Agency will look back at the previous twelve (12) month period in order to determine if the employee qualifies for the requested leave. The employee must have worked for the Agency for a minimum of 12 months preceding the leave AND the employee must have worked a minimum of 1250 hours during those preceding 12 months.
- 1411.3 If the FMLA/CFRA leave is for the reason specified in Rule 1411.1(a) or (d), the employee is required to use accrued sick leave in fractional amounts until his/her available sick leave is exhausted, whereupon the employee shall utilize his/her available CTE in fractional amounts until his/her available CTE is exhausted, followed by accrued vacation leave in fractional amounts until his/her available vacation time is exhausted. Once all three types of leave are exhausted, the employee will be on leave without pay (LWOP).
- 1411.4 If the FMLA/CFRA leave is for the reasons specified in Rule 1411.1(b), 1411.1 (c), 1411.1 (e), or 1411.1(f), the employee is required to use accrued CTE in fractional amounts until his/her available CTE is exhausted, followed by accrued vacation leave in fractional amounts until his/her available vacation time is exhausted. Once both types of leave are exhausted, the employee will be on leave without pay (LWOP).
- 1411.5 Benefits While on FMLA Leave Without Pay
- a. The Agency will pay the employers portion of the employee's health insurance program premium, as provided in the relevant bargaining unit MOU, for up to four (4) months within a twelve (12) month period, commencing with the start of the FMLA leave and continuing for up to 4 months thereafter during the medical leave. While on such leave of absence, the employee shall accrue no employee benefits, no seniority, and no time toward salary step advancement.
  - b. The four (4) month period is a "rolling forward" period beginning on the employee's first day of absence, through twelve (12) months from that date. The Agency may recover health insurance premiums for the period the employee was on unpaid status if the employees fails to return to work after FMLA leave, with the exception of those employees or employee's family members who have a continuation, recurrence, or onset of a serious health condition, or for other circumstances beyond the employee's control as defined in the FMLA.

1412. PREGNANCY DISABILITY LEAVE (PDL). A female employee is eligible to receive up to four (4) months pregnancy disability leave (PDL). This leave may be concurrent with any other available and authorized leave (i.e. FMLA). PDL is available only when the employee is actually disabled as a result of the pregnancy. This includes but is not limited to time off needed for severe morning sickness, doctor-ordered bed rest, childbirth, recovery from childbirth. The employee's health-care provider must provide documentation for this leave. During PDL, the Agency will pay his/her share of the employee's health insurance program premium so long as the employee pays his/her share, if any, of such monthly premium.
- A. When PDL may be taken: PDL may be taken before or after the birth at any period of time the employee is physically unable to work as a result of the pregnancy or pregnancy-related condition.
  - B. Retention of leave and taking leave without pay: An employee on PDL is generally required to use accrued sick leave during PDL prior to taking leave without pay (LWOP). An employee on PDL can but is not required to use accrued vacation or CTE while on PD.
  - C. Return to duty: Upon returning from PDL, the employee will be employed in the same or comparable classification.

1413. Reserved

1414. BEREAVEMENT LEAVE. A regular employee shall be granted leave not to exceed fifteen (15) days/ one hundred twenty (120) hours on account of the death of the persons set forth above in section 1409.1. The Agency may require, upon an employee's return from bereavement leave, appropriate verification of the employee's absence from work on account of the death of said person. Available sick leave may be used for these purposes.
- A. Use of compensatory time earned (CTE) and vacation time: An employee who exhausts his/her available sick leave shall utilize his/her available CTE until all available CTE is exhausted, whereupon the employee shall utilize his/her available vacation leave until his/her available vacation leave is exhausted at which time the employee would be on leave without pay (LWOP).
  - B. Bereavement leave not charged to paid leave types.
    - (1) Where the deceased person is one of the following relationships, a maximum of three (3) days/twenty-four (24) hours shall not be charged against the employee's available sick leave, but instead shall be paid leave. These 3 days shall be counted as part of the total 15 days of bereavement leave provided under this section:
      - a. Adult or minor child, whether biological, adoptive, foster or step-child;
      - b. Parent, whether biological, adoptive, foster, step-parent or parent-in-law;
      - c. Sibling; or
      - d. Spouse or registered domestic partner.

1415. JURY DUTY/COURT APPEARANCE LEAVE. Any regular employee absent from work for service as a juror, or absent from work for appearance as a witness in response to a subpoena or court order to testify for the Central Sierra Child Support Agency, shall be granted paid leave of absence for the time necessary in going to, returning from, and serving or appearing in such capacity. Any fees received by the employee for such service or appearance shall be remitted to the Agency. The Agency shall require, prior to, and/or following, an employee's use of such leave, appropriate verification of the employee's need to be absent from work for service as a juror, or for appearance as a witness, in response to a subpoena to testify for the Agency. Any regular employee absent from work in response to a subpoena to testify in a matter not related to the Central Sierra Child Support Agency shall be granted CTE, vacation or leave without pay (LWOP) if the employee has no accrued CTE or vacation available.

1415.1 Grand Jury: For the purposes of this section, jury duty does not include service on any civil Grand Jury.

1416. LEAVE FOR PROMOTIONAL EXAMINATIONS Regular employees shall be granted paid leave of absence for purposes of taking qualifying or promotional examinations for Agency service, or for interviewing for other employment with the Agency. The Agency shall require, prior to, and/or following, an employee's use of such leave, appropriate verification that such examination or interview is scheduled at a time when the employee is required to be working for the Agency.

1417. LEAVE FOR MILITARY SERVICE Employees shall be granted paid and unpaid leaves of absence, and reinstatement rights following such leaves, in accordance with the provisions of the Uniformed Services Employment and Re-Employment Rights Act (USERRA), 38 USC 4301 et seq.

1417.1. Use of sick leave for health examinations required for military service. An employee absent for purposes of a health examination required for military service in the United States shall utilize his/her unused sick leave for such absence. In the event sick leave is exhausted the employee shall use CTE until exhausted, then would use vacation until exhausted, then would be placed on leave without pay (LWOP). Agency shall require, prior to, and/or following, an employee's use of such leave, appropriate verification that such health examination is scheduled at a time when the employee is required to be working for the Agency.

1417.2 Military Spouse Leave: An employee who is the spouse of a qualified service member, who works an average of 20 or more hours per week, who provides notice to the Agency of his/her intention to take the leave within two (2) business days of receiving official notice that the service member will be on leave from deployment, and who submits written documentation certifying that the service member will be on leave from deployment during the time the leave is requested shall be granted military spouse leave for up to ten (10) days. The Agency will provide additional information on this Rule to an employee upon request.

1418. OTHER TYPES OF LEAVE

1418.1 Discretionary leaves of absence: In addition to those leaves of absence noted herein, a leave of absence, with or without pay, may be granted for any period of time and upon any terms acceptable to the Agency and the employee, as authorized by the Executive Director. For leaves approved for more than ten (10) days, the Board will be notified at the next Board Meeting in closed session. An employee's pay for any period of absence under any leave provision shall equal the pay which the employee would have received had he/she worked his/her regular hours and regular days in his/her most regularly assigned class, but not in any temporarily assigned higher class, during the period of absence.

1418.2 The Agency will honor other requests for leave which are legally required.

1419. ADMINISTRATIVE LEAVE. In the event that the Executive Director deems necessary he/she may, by written notice, place an employee on administrative leave.

1419.1 The written notice shall specify the period of leave, if known, and any terms of the administrative leave not specified herein.

1419.2 During the period of administrative leave, the employee shall be entitled to all pay and benefits normally accruing to said employee but said employee shall remain away from his/her workplace and shall not carry out any duties related to his/her job. The employee must remain available by phone and for employment at all times during their regular work hours and must be available to report to work within two (2) hours of being advised to do so.

1419.3 The employee may discuss his/her placement on administrative leave with the Executive Director, but there shall be no right of appeal from placement on administrative leave; provided, however that the employee shall not be prevented from appealing any disciplinary action taken which is the cause for the employee being placed on administrative leave.

1419.4 If no disciplinary action, or other charge, follows the placement on administrative leave, all notices and other references to the employee's placement on administrative leave shall be expunged from the employee's personnel file.

1420. PROVISIONS AFFECTING LEAVES No absence under any paid leave provision shall be considered a break in service for any employee, and all benefits accruing to an employee shall continue to accrue during such absence. Absence under any unpaid leave provision shall not be considered a break in service, except as otherwise provided in these Rules, but all other benefits accruing to an employee under this Agreement shall cease to accrue for the duration of any such unpaid leave of absence unless continuation of such benefit accrual is required in accordance with the provisions of those noted herein, or with applicable laws.

1420.1 Stay of accrual of sick and vacation leave. Any employee receiving State Disability Insurance (SDI) benefits, or Paid Family Leave benefits, or on an unpaid leave of absence (with the exception of an approved worker's

compensation leave), shall not be entitled to accrue sick and vacation leave unless such benefit accrual is required by law.

- 1420.2 Conditions under which leave may be denied. The Agency may, at its discretion, deny to any employee either paid or unpaid leave of absence, except those that are legally required, under any provisions of this Agreement during any work stoppage, strike, work slowdown, or other job action against the Agency by its employees, or during any bona fide emergency for which the Agency deems it necessary to have its employees work. The Agency may also deny paid or unpaid leave based upon Agency need, including but not limited to, coverage and workload issues. Full-time and part-time employees may use vacation leave, holiday leave, sick leave, personal leave, and other types of paid leave only on days and during the hours on which they have been scheduled to work.
1421. LEAVE BALANCE CONVERSION OPTION: Employees who retire from the Agency shall be entitled to apply all accumulated sick leave towards PERS service credit for retirement purposes to the extent allowed by PERS regulations at the time of retirement.
1422. DONATED LEAVE BANK: A donated leave bank may be established under the following terms and conditions for an employee who qualifies to use it and who requests it.
- A. Leave to be donated to the bank is limited to vacation leave.
  - B. The donated leave bank is not continually in existence. When an employee needs and requests donations, vacation leave may be donated into the bank.
  - C. The Executive Director shall determine whether an employee qualifies for donated leave and shall act as the “banker”, supervising the donations and the acceptance of the donated vacation leave.
  - D. For an employee to qualify for the establishment of a leave bank, the employee must have exhausted all of the vacation, sick, compensatory time earned (CTE), and holiday leave accrued to him/her. The benefit of the leave bank shall not be applied until all of the employee’s own leave is exhausted.
  - E. Thirty (30) days (240 hours) is the maximum number of donated days an employee may take for one (1) occurrence. In extraordinary circumstances, the JPA Board may allow an increase of the thirty (30) day limit.
  - F. An employee may donate to as many leave banks as the employee chooses up to a maximum of 40 hours of vacation overall in any calendar year.
  - G. Donated hours will not be returned to the donor, unused donated hours shall remain with the employee to whom they were donated.
1423. PERFORMANCE EVALUATIONS. Permanent employees shall be evaluated at least once per year within a month of the anniversary of their date of hire or promotion, and more often if the Agency perceives the need for such additional evaluation. The Agency shall be responsible for ensuring that an evaluation and report of appointment, or report of termination, or other appropriate document is completed.
- 1423.1 The preparation and use of performance evaluations are intended for the mutual



benefit of the Agency and its employees. Performance evaluations should be used:

- a. To identify the evaluator's expectations for the employee's job performance;
- b. To acknowledge above standard performance;
- c. To prescribe the means and method of converting deficiencies to a required level of performance; and
- d. To encourage two-way communication between employees and their evaluators as to how to improve the work environment to increase morale and efficiency.

1423.2 Employees shall be evaluated by a supervisor, manager, the Deputy Director, or the Executive Director or their designee, who shall have personal knowledge of the job performance of the employee. Each employee shall be assigned an evaluator for the purposes of education, supervision, and evaluation.

1423.3 Evaluations are intended to be participatory in nature involving the employee's input as much as possible. Both the employee and the evaluator shall meet to discuss and share their opinions. The evaluator shall then complete the Agency evaluation form to be placed in the employee's personnel file. All evaluations shall use the official form provided by the Agency.

1423.4 Any evaluation, when completed, shall be reviewed with the employee by the evaluator during the employee's working hours, without loss of pay or benefits to the employee. No evaluation shall be placed in any employee's personnel file, or other Agency record, until the evaluation has been reviewed with the evaluated employee. Both the evaluator and the evaluated employee shall affix to the evaluation their signatures and the date of review. The employee's signature shall not indicate that he/she agrees with the contents, conclusions, or recommendations of the evaluation, but only that the employee has read the evaluation and has had an opportunity to discuss it with the evaluator. The evaluator shall not add material to the evaluation after the employee and the evaluator have signed the evaluation form, unless mutually agreed.

1423.5 Any employee who wishes to respond to his/her evaluation may, during the employee's working hours, make such a written response within thirty (30) calendar days after receiving said evaluation. The response shall be appended to the evaluation and included in the employee's personnel file. Evaluations shall not be subject to any appeal or grievance procedures.

1424. TRAINING AND STAFF DEVELOPMENT. Employees will be trained as needed to assure high quality performance. In addition to providing training to improve performance, training should also be provided as needed to prepare employees for more responsible assignments and to implement affirmative action plans for equal employment opportunity. Training is available to staff in a variety of formats including but not limited to one-on-one, web-based, classroom style, and self-directed learning.

1425. SAFETY CONDITIONS. The Agency has adopted a safety program for employees. The

Agency carries out job safety programs, practices, and procedures as may be promulgated by the Agency, or required by state law, rule, regulation, or order. With the exception of items of personal clothing, the Agency agrees to provide such health and safety equipment as may be required by the Agency, or by federal, and/or state law, rule, regulation, or order. Employee shall use the safety and health equipment provided by the Agency. Alternate safety and health equipment furnished by employees must meet State Division of Occupational Safety and Health (OSHA), or American National Standards Institute (ANSI) safety requirements, and approved in advance of its use by the Executive Director for an employee requesting the use of alternate equipment. The employee shall be responsible for returning Agency safety and health equipment upon permanent separation from employment, or upon the request of any of the employee's supervisors.

- 1425.1        On-the-job-injury: If an employee is injured on the job, he/she should report the injury immediately to his/her supervisor. Injured employees have the right to see a physician of their choice for diagnosis and treatment. As soon as practicable, an employee shall notify his/her immediate supervisor, and/or the Safety Officer, about any unsafe equipment or unsafe working condition. The immediate supervisor shall investigate, or cause to be investigated, reports of unsafe equipment, or unsafe working condition, and shall advise the affected employees of any corrective actions to be taken. If the employee still believes that the situation is unsafe, the matter shall be referred to the Executive Director as soon as possible by the supervisor and/or Safety Officer. The employee will not be required to work with the alleged unsafe equipment or unsafe working condition until a decision on the safety of the equipment or working condition has been rendered by the immediate supervisor and Executive Director. The decision of the Executive Director is final unless overruled by the State Division of Occupational Safety and Health Administration (OSHA).
- 1425.2        Unsafe equipment: No employee shall be disciplined for having refused to work with equipment, or under conditions that they believe are unsafe, provided they do not continue to refuse to perform the work once an authorized representative of the State Division of Occupational Safety and Health Administration (OSHA) or the Executive Director has determined the situation to be safe. An employee who unreasonably refuses to perform work is subject to discipline.
- 1425.3        Adherence to job safety requirements: As a condition of continued employment, employees shall be responsible for adhering to Agency and state job safety requirements. Accordingly, knowing failure by an employee to perform work in accordance with Agency or state job safety requirements shall constitute just cause for disciplinary action against the employee by the Agency.
- 1425.4        Possession or use of weapons: To ensure the Agency maintains a workplace safe and free of violence for all employees, the Agency prohibits the possession or use of dangerous weapons on agency property. All Agency staff are subject to this policy, including contract workers and temporary employees as well as visitors and customers. A license to carry a weapon, including a CCW license, does not supersede this Agency policy. Any employee who violates this policy will be subject to disciplinary action, up to

and including termination.

- (a) "Agency property" is defined as all agency-occupied or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the Agency's ownership or control in addition to any off-site location an employee may travel to for Agency business. This policy applies to all Agency-owned or leased vehicles and all vehicles that come onto Agency Property.
- (b) "Dangerous weapons" include firearms, explosives, knives and other weapons that are deemed dangerous as determined by the Executive Director, i.e. any device or instrument that a reasonable person would find dangerous and is capable of inflicting harm, and that has no proper work-related reason to be in the workplace or on agency property.
- (c) An employee is responsible for making sure that any item possessed by the employee is not prohibited by this policy. An employee shall seek guidance from the Executive Director if an employee has any concern or uncertainty about whether a particular instrument or device is prohibited by this policy. Further, an employee may seek approval from the Executive Director for a waiver of this prohibition based on unique and appropriate circumstances. Such requests for clarification and/or waiver shall be made in writing and shall state the factual basis for the request for clarification or waiver.
- (d) All employees have a mandatory duty to immediately report to the Executive Director any dangerous weapon that is brought into or on agency property by another employee.
- (e) To ensure the safety of all employees and Agency visitors, the Agency reserves the right at any time and at its discretion to search all agency-owned or leased vehicles, plus packages, containers, employee offices or work stations, lockers, desks, files, equipment, or any other area or article on agency premises.
- (f) An employee's purse, handbag, backpack, briefcase, or wallet, or the employee's personal vehicle, may also be searched, but only on the basis of information that creates a reasonable suspicion that the employee is in possession of a dangerous weapon, device or instrument. Notwithstanding the foregoing, an employee's personal vehicle may contain a stun gun, taser, pepper spray, or other non-lethal personal protection device.
- (g) Employees who fail or refuse to promptly permit a search as allowed in accordance with this policy will be subject to discipline up to and including termination.

1426. PERSONAL PROPERTY. Personal belongings that an employee is required to bring into the workplace for the performance of the duties of the job are covered by Agency insurance. A written authorization form must be signed and dated by all parties and include a complete inventory of said personal belongings. Other personal property brought by employees not

required by the Agency is done so at the risk of the employee and is not covered by Agency insurance.

1427. EMPLOYEE ASSISTANCE PROGRAM. Employees who experience financial or family difficulties, or have problems with drug or alcohol abuse, are encouraged to seek assistance through the Employee Assistance Program (EAP) offered by the Agency.
1428. SERVICE AWARDS. The Agency shall adopt a service award program such that the employees are recognized for their continued commitment and service at intervals of five (5) years beginning with year five (5) of continuous employment. The Executive Director must ensure that the cost of such program is reasonable.

Part 15

EMPLOYEE RECORDS AND RIGHT TO PRIVACY

1501. GENERAL. It is the policy of the Agency to prohibit access to or disclosure of any information collected by the Agency relative to any employee for personnel administration purposes except as provided by law and these Rules.
1502. PERSONNEL RECORDS. Personnel records shall mean all information, data and documents collected by the Agency relative to an employee for personnel administration purposes. Such records shall include the official personnel file maintained on each employee, personnel forms, medical reports relative to an employee, individual payroll record information, employee evaluation reports, personnel data stored and produced by data processing, and any other material relating to and used in making employment decisions about an employee. An official personnel file shall be established and maintained by the Agency for each employee.
1503. DISCLOSURE OF EMPLOYEE RECORD INFORMATION. No employee record information shall be disclosed by any person to a third party except as provided by law and the following procedures.
- A. The names, classifications and gross salary may be disclosed to the public upon request. Additionally, the contents of a written employment contract may be provided upon request.
  - B. Information from an employee's personnel record may be disclosed to a third party upon the written request of the employee.
  - C. Disclosure of employee record information shall be made pursuant to legal process and to authorized law enforcement authorities for the purposes of law enforcement, including investigations.
  - D. As determined by the Executive Director, employee record information may be disclosed as necessary for the proper operation and management of the Agency.
  - E. In case of emergency when disclosure of employee information is reasonably necessary to protect an employee's health or welfare and permission of the employee cannot be timely obtained, necessary employee information may be disclosed by the Agency.
1504. NOTIFICATION OF CHANGE IN PERSONAL INFORMATION. Each employee is responsible for promptly notifying the Human Resources Manager of any changes in relevant personal information, including residence and mailing addresses, telephone number, person to contact in an emergency, and number and names of dependents.
1505. PERSONNEL FILES. Any employee shall have the right, upon request, to inspect and copy all material in his/her personnel file, with the exception of material which the Agency is permitted, or required by law, to withhold from the employee. Such request, inspection, and copying shall be made at a time when the employee is not required to be on duty. Any employee shall have the right to attach to any material in his/her personnel file, his/her comments thereon. Such attachment shall be made at a time when the employee is not

required to be on duty. At the time of such attachment to his/her personnel file, the employee and the person causing the entry into the employee's personnel file, of the material to which such attachment is made, shall affix to such attachment their signatures and the date of attachment. If the person causing the entry of the material to which such attachment is made is not available at the time such attachment is made, the Executive Director shall sign and date such attachment in his/her/their stead.

1505.1 Notes, correspondence, logs or other material documenting or relating to events regarding an employee kept by a supervisor which is not part of an employee evaluation or disciplinary action will be discarded after two (2) years from the event noted in the notes, correspondence, or logs.

1506. MEDICAL INFORMATION. All medical information concerning an employee or applicant is kept separately and is treated as confidential, in accordance with the Americans with Disabilities Act (ADA) and the California Confidentiality of Medical Information Act (CCMIA) and any amendments thereto, as well as any successor statutes and any other applicable state or federal law.

1506.1 The Agency will not obtain medical information about an employee or applicant except in compliance with CCMIA. To enable the Agency to obtain certain medical information, the employee or applicant may need to sign an authorization for release of medical information.

1506.2 Access to employee or applicant medical information shall be strictly limited to only those with a legitimate need to have such information for Agency purposes, or if access is required by law, pursuant to subpoena or court order. In the case of an employee with a disability, managers and supervisors may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations.

1506.3 The Agency will not provide employee or applicant medical information to a third party (except as permitted under the CCMIA) unless the employee signs an authorization for release of medical information in the form prescribed by the Agency. The Agency will release only the medical information that is identified in the employee's authorization. If the employee's authorization indicates any limitations regarding the use of the medical information, the Agency will communicate those limitations to the person or entity to which it discloses the medical information.

1507. REFERENCES. All requests from outside the Agency for reference checks or verification of employment concerning any current or former employee must be referred to the Human Resources Manager. Information will be released only if the employee signs an authorization for release of employment information in the form prescribed by the Agency, except that without such authorization the following limited information will be provided: dates of employment and salary upon departure. Managers and supervisors should not provide information in response to requests for reference checks or verification of employment unless required by law or specifically approved by the Executive Director on a case by case basis.

**AGENDA ITEM**

**IX**



## MEMORANDUM

**DATE:** October 23, 2024  
**TO:** Board of Directors  
**FROM:** Julie R. Prado, Executive Director  
**SUBJECT:** Travel Policy 1-200

**(ITEM IX)**

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In the October 2023 Board meeting your Board modified our Travel Policy, 1-200, to include a Supplemental Policy regarding temporary office assignments which allowed the Agency to reimburse staff for mileage who are temporarily reassigned to another office. The policy was approved to exist for one year as a pilot policy to analyze both the impact and need for a continued policy. This policy has proven to be helpful to ease the burden on staff when reassignments have been necessary. Due to vacancies in our Calaveras office, there was significant need for temporary assignments over the past year while staff were hired and trained. While we do not anticipate an ongoing need to reassign staff with any regularity, we do see a benefit to continue the policy as a permanent practice so that, should the need arise, staff do not experience negative financial impacts as a result of a temporary reassignment. Because we anticipate using the reimbursement process very infrequently, we do not feel there are budget concerns in creating a permanent policy.

**Recommendation:** That the Board permanently amend the Travel Policy 1-200 to include the Supplemental Policy as a permanent addition to the Board Policy. The policy is attached outlining the proposed revisions.



**TRAVEL POLICY**



**Section:** Human Resources

**Policy No:** 1-200

**Issue Date:** August 26, 2004  
**Revised Date:** January 27, 2020  
**Last Revised Date:** January 22, 2024

**Resolution No:** 04-028; 20-004; 24-003

**PURPOSE**

To establish guidelines for business travel.

**SCOPE**

Travel policies apply to all Agency officials, employees, and Board members. Each supervisor is responsible for ensuring that employees, prior to departure on their next business trip, review this policy to understand its intent and requirements.

**POLICY**

It is the policy of the Board of Directors of the Agency that any officer or employee who is required to travel in the performance of his or her duties and in the service of the Agency (excluding the attendance of a Director of the Board at any Agency Board meeting) will be reimbursed for his or her actual and necessary expenses within the maximum rate limits, for subsistence, transportation, and business expenses. It is further the policy of the Board of Directors to establish maximum rates or reimbursement for such expenses, which will be appropriately adjusted by resolution of said Board when deemed necessary. Travel expenses are to be made in accordance with this policy.

1. All travel requests must be submitted on the official Agency travel request form. All travel must be recommended for approval by the employee’s supervisor, or manager if the supervisor is not available, and by the Executive Director or his/her designee.
2. When approved, employees will be reimbursed for actual expenses incurred with the understanding that the maximum reimbursement rate and eligibility to claim meals is outlined in the Agency Personnel Rules and Regulations. Mileage shall be reimbursed at current rates set by the Internal Revenue Service.
3. For members of the Board of Directors, intra-county meal reimbursement may only be authorized when a Board member is attending a meeting on official Agency business, having been appointed by formal Board action to represent the Central Sierra Child Support Agency Board of Directors at said meeting.
4. To qualify for meals, the claim must include the supervisor’s certification that Agency business was conducted for the primary benefit of the Agency, and that meals to be reimbursed were appropriate for the activity. The claim must also include information about the purpose of the activity.

5. Travel will not be authorized unless sufficient unencumbered funds are available in the budget.
6. Travel advances are limited to the best estimate of the travel costs, unless there is an extraordinary need for additional funds. Travel advances are to be used only for the purpose intended.
7. It is the preference of the Agency that employees use Agency vehicles. Mileage claims for the use of personal vehicles will not be approved when Agency vehicles are available unless there are extraordinary circumstances and the employee receives prior approval from the Executive Director, or his/her designee.
8. Generally, lodging, car rentals, and airfare are coordinated by Human Resources and paid for using the Agency credit card. In extraordinary circumstances, by prior approval from the Executive Director or his/her designee, employees may be authorized to use a personal credit card for this purpose. In such cases, employees shall be reimbursed in accordance with this policy.
9. Employees receiving travel advances must submit a properly approved official travel request form with the appropriate meeting notice. Final expenses should be reported within ten (10) business days of returning from travel. Any outstanding advances more than thirty (30) days old may be deducted from an employee's paycheck.
10. At the conclusion of an Agency business trip, an employee or member of the Board of Directors that has incurred business-related expenses should complete the final accounting in accordance with the following:
  - a. With the exception of reimbursed meals, all business expenses must be supported with invoices/receipts and maps for mileage.
  - b. For all lodging (whether submitted for reimbursement or charged to an Agency credit card), vendor receipts/invoices must be submitted. Credit card charge slips do not represent adequate supporting documentation - **a hotel receipt must be obtained to substantiate all lodging expenditures.**
  - c. For airfare (whether submitted for reimbursement or charged to an Agency credit card), airline-issued receipts should be obtained. If a traveler fails to obtain a receipt, other evidence must be submitted indicating that the trip was taken and the amount that was paid; for example, a combination of an itinerary, a credit card receipt, and boarding passes.
  - d. Mileage shall be reimbursed at the Internal Revenue Service (IRS) rates currently in effect.
  - e. Only one expense report form should be prepared for each trip.

- f. The Agency has elected to utilize per diem rates to reimburse travelers. Per diem rates may be used exclusively for meals and incidentals. When per diem rates are utilized, there is no requirement to obtain receipts for meals and incidentals to substantiate these components of business travel. Said rates will be those as outlined by the Agency's Personnel Rules and Regulations and/or union bargaining contract.
- g. An employee will not be reimbursed for expense reports not meeting the preceding criteria. If an expense report results in a balance due to the Agency (as a result of receiving a travel advance greater than actual business expenditures), the employee must sign a statement indicating authorization to settle the balance due through a payroll deduction. Should the employee fail to sign such statement within 30 days of the end of travel, the funds may be deducted from the employee's pay.
- h. No further travel advances will be issued to any employee who has an outstanding balance due to the Agency from previous business trips that are 30 days old.
- i. The Agency shall reimburse travelers only for those business-related costs that are reasonably incurred. Accordingly, the following guidelines shall apply:
  - 1. Suites and other upgraded rooms at hotels shall not be allowed. Travelers should stay in standard rooms unless such a room is unavailable and the room rate is approved by the Executive Director.
  - 2. When utilizing rental cars, travelers should rent mid-size or smaller vehicles; share rental cars whenever possible.
  - 3. When possible, travelers should utilize cellular phones when placing calls; avoiding the use of the hotels long-distance service. Business-related long-distance telephone calls while away on travel that are made through a long-distance service are permitted but should be kept to a minimum; expense reports should explain long-distance charges. When a long-distance service must be used for personal calls, a maximum of two (2) calls home to family per day, not to exceed ten minutes per call, may be reimbursed.
- j. The following additional rules apply to air travel:
  - 1. Air travel should be at coach class; first class air travel shall not be reimbursed unless there is a documented medical reason.
  - 2. Memberships in airline flight clubs are not reimbursable.
  - 3. Cost of flight insurance is not reimbursable.
  - 4. When returning on a Sunday or departing on a Saturday in order to obtain a cost


savings in airfare due to the Saturday-night stay-over, travelers should provide a total cost comparison showing that the lower airfare plus an extra night of lodging, meals, and incidentals is less costly than airfare without the Saturday night stay-over.

5. Cost of upgrade certificates is not reimbursable.

6. Cost of canceling and re-booking flights is not reimbursable, unless it can be shown that it was necessary or required for legitimate business reasons (such as changed meeting dates, *etc.*).

7. Travelers must identify and pay for all personal flights, even if such flights are incorporated into a flight schedule that serves business purposes (*i.e.*, the Agency will not reimburse for the personal legs of a trip).

8. It is the policy of the Agency not to reimburse any employee or Board member for separate travel costs (air fare, *etc.*) associated with his/her spouse or partner.

	<b>SUPPLEMENTAL TRAVEL POLICY OFFICE REASSIGNMENTS</b>	
	<b>Section:</b> <i>Human Resources</i>	<b>Policy No:</b> <i>1-200 (Supplemental)</i>
	<b>Issue Date:</b> <i>October 23, 2023</i> <b>Last Revised Date:</b>	<b>Resolution No:</b> <i>23-008</i>

**PURPOSE**

To establish guidelines for temporary home office reassignments related to mileage reimbursement claims.

**SCOPE**

This policy applies to all Agency employees. Each supervisor is responsible for ensuring that employees, prior to a home office reassignment, understand whether their home-office reassignment is temporary or permanent as defined below, and receive such notice in writing.

~~**NOTE:** This Supplemental Travel Policy and the definition of a temporary home office reassignment is an interim policy which shall be in effect on a pilot basis beginning October 30, 2023 and ending no later than October 31, 2024. Thereafter, this policy will either be eliminated or incorporated into permanent Agency policy.~~

**POLICY**

Definitions for Home Office Reassignments\*\*:

Permanent – The reassignment of an employee from one office to another as follows:

- A move lasting more than three (3) consecutive months

Temporary – The reassignment of an employee from one office to another as follows:

- A move lasting less than three (3) months

\*\* Please note, reassignments of work location whether temporary, permanent, or for as-needed coverage that relocate employees to another work location within the *same county* as their home office are not eligible for mileage reimbursement and therefore are not covered under this supplemental policy.

Reassignments differ from regular travel for meetings, coverage, etc, in that regular travel occurs during the workday on agency time, whereas travel to work in a reassignment situation occurs on personal time. (See Personnel Rules and Regulations Section 1401 for more information on home office assignments.)

When an employee meets the definition of a temporary home office reassignment, they will be eligible for mileage reimbursement to and from work. Travel to and from work shall not include the use of an Agency vehicle and shall not be on agency time. Mileage may be claimed for the difference in miles between the normal commute from their home to their permanent home office and the new commute from their home to the new temporary home office. If the commute to the new temporary home office is closer to the employee's home, no mileage shall be reimbursed.

Claims for mileage under this policy shall be made in accordance with normal office policy and procedure for travel reimbursement.

**AGENDA ITEM**

**X**



# MEMORANDUM

**DATE:** October 23, 2024  
**TO:** Board of Directors  
**FROM:** Julie R. Prado, Executive Director  
**SUBJECT:** Executive Report

(ITEM X)

## I. BUDGET

### Financial Summary through September 30, 2024, 25% of the Year

Expenditure Line Description	Approved Budget	Year-to-Date Expenditures	Percent of Budget Expended
Salaries	\$ 2,026,268.32	\$351,981.99	17.37%
Benefits	\$ 1,523,336.45	\$632,935.36	41.55%
Services & Supplies	\$ 755,667.23	\$247,000.56	32.69%
Fixed Assets	\$ 10,000.00	\$00	00%
Automation	\$ 6,830.00	\$1,159.98	16.98%
<b>Overall Totals</b>	<b>\$ 4,322,102.00</b>	<b>\$1,233,077.89</b>	<b>28.53%</b>

- a. CSCSA monitors expenditures throughout the fiscal year, ensuring we are on track to remain within budget and allocations. There are several large expenditures that are processed in July, at the beginning of the fiscal year, including insurances, CalPERS UAL payments, etc., that are one-time annual payments. While we are currently showing over budget, our assessment





indicates we are on track; we have no concerns regarding where we are at this time.

## **II. PROGRAM REPORT**

### **a. VACANCIES AND RECRUITMENTS**

The Agency continues to work to fill vacancies. We are in the process of a recruitment for Child Support Coordinator and Program Manager. We also have two Child Support Specialist vacancies which we will initiate recruitments for as soon as we have the capacity to provide training to new line staff; we anticipate this occurring in the coming few months.

We are excited to welcome one new staff member since our last report. Travis Wayne is a Child Support Specialist in our Tuolumne office who onboarded with CSCSA in September. He is already well on his way to contributing to the mission of the Agency. He is new to the child support program and brings a solid foundation of customer service and teamwork to the job. He is already contributing ideas to help better serve our community; we are excited to have him with us.

We currently have one temporary employee who is helping us bridge the gap as we train new staff and fill vacancies. Their assignment will end at the end of October; we will continue to assess Agency need to determine if further temporary appointments could be advantageous to our operations.

### **b. OUTREACH & MARKETING**

CSCSA continues to work towards modifying our website to allow for better analytics and retargeting. Many adjustments to our website have been made behind the scenes to better enable us to target enrollment numbers. With most of the backend work behind us, we are now focusing on creating a strategic plan to target new customers through paid advertisement.

During this past quarter, CSCSA participated in the Amador County Department of Probation Tattoo Removal Clinic at the Probation Department in Jackson, Community Roots Resource Fair at the Tuolumne Fairgrounds, Hope for Tomorrow at the Sierra Wind Wellness & Recovery Center in Jackson, and the ICES Children's Fair at the Tuolumne West Side Memorial Park in Sonora. CSCSA is thrilled to be invited to participate in so many impactful community events where we can meet people in our community and take advantage of opportunities to share details about our free services. As we fill vacancies and



work toward full staffing levels, we look forward to doing more of this important outreach work.

Thank you to each of our counties for allowing us time on your Board agenda to share the important news of child support awareness month. We always enjoy our time with you and the opportunity to spread the word about how we can help families through difficult times. We appreciate your support.

c. PROGRAM UPDATES

The child support program and CSCSA continue to work towards the implementation of the changes required in the FEM Final Rule, uncollectable debt, and the closing of our foster care cases. We are targeting casework to ensure we are ready for these implementations by pulling data reports and conducting data reliability reviews. With so many new staff, we are working towards ensuring we are cross trained so that short-term and long-term vacancies are not so impactful to operations.

Fiscal staff are concluding our 2023/24 single audit among many other projects including open enrollment, implementation of the new COLA, implementing our new wellness plan, and more. As we near the end of 2024, closing out the calendar year, w-2's and other projects are about to begin.

The office repairs as a result of the water damage from July 6, 2024 are complete. Carpets were recently cleaned, inspections are done, and we are set to reopen that half of the office on November 1, 2024. We are eager to get back to our day-to-day norms!



d. STAFFING

STAFFING LEVELS [Filled] - 2023-2024 FISCAL YEAR												
Months	7/24	8/24	9/24	10/24	11/24	12/24	1/25	2/25	3/25	4/25	5/25	6/25
<b>GENERAL UNIT</b>												
Caseworkers	11	11	11									
Office Asst	2	2	2									
<b>Subtotal</b>	<b>13</b>	<b>13</b>	<b>13</b>									
<b>MCP Unit</b>												
Fiscal	1.6	1.6	1.6									
Staff Specialists	2	2	2									
CS Program Mgr	1	0	0									
CS Supervisors	1	1	1									
Attorneys	1	1	1									
<b>Subtotal</b>	<b>6.6</b>	<b>5.6</b>	<b>5.6</b>									
<b>EXECUTIVE</b>												
Executive Director	1	1	1									
Deputy Director	1	1	1									
<b>Subtotal</b>	<b>2</b>	<b>2</b>	<b>2</b>									
<b>TOTAL</b>	<b>21.6</b>	<b>20.6</b>	<b>20.6</b>									
<b># of Staff on Leave of Absence</b>	<b>1</b>	<b>1</b>	<b>2</b>									

e. PROGRAM PERFORMANCE: Collections and Federal Performance Measures (FPMs)

MONTHLY SUPPORT DISTRIBUTED - 2023/2024 FEDERAL FISCAL YEAR YEAR TO DATE Agency collection GOAL \$12,500,000			
10/23	\$851,352	4/24	\$6,214,064
11/23	\$1,746,703	5/24	\$7,201,306
12/23	\$2,570,335	6/24	\$8,011,593
1/24	\$3,422,913	7/24	\$8,852,481
2/24	\$4,254,116	8/24	\$9,666,347
3/24	\$5,203,024	9/24	\$10,657,819



## FEDERAL PERFORMANCE MEASURES (FPM)

MONTHLY STATISTICS - 2023-2024 FEDERAL FISCAL YEAR												
LEGEND: FPM = Federal Performance Measure												
* = measures where number naturally increases each month												
Activity	10/23	11/23	12/23	1/24	2/24	3/24	4/24	5/24	6/24	7/24	8/24	9/24
<b>Cases Opened/MO</b>	36	36	40	35	38	30	40	44	28	26	36	22
<b>Cases Closed/MO</b>	37	45	41	25	26	30	35	44	42	44	64	41
<b>TOTAL cases open</b>	4401	4394	4391	4404	4419	4426	4430	4428	4414	4396	4364	4342
<b>FPM 1: IVD Paternity % GOAL 105.0%</b>	93.56%	92.87%	93.87%	94.76%	95.49%	96.49%	97.34%	98.73%	99.38%	99.69%	100.19%	101.04%
<b>FPM 2: Order % GOAL 96.7%</b>	95.3%	95.24%	95.08%	94.66%	94.39%	94.31%	94.11%	93.81%	93.84%	93.68%	93.61%	93.71%
<b>FPM 3: Current % GOAL 73.0%</b>	69.10%	69.24%	68.21%	68.45%	67.72%	67.98%	68.66%	68.76%	68.43%	68.68%	68.47%	67.81%
<b>FPM 4: Arrears % GOAL 72.5%</b>	38.56%	45.43%	48.88%	52.34%	54.55%	57.39%	59.81%	61.57%	62.58%	64.04%	65.09%	65.53%

# CENTRAL SIERRA CHILD SUPPORT AGENCY FFY 2023/2024

## Federal Performance Measure Goals

### September 2024

	FFY GOAL	ACTUAL RESULT
<b>FPM 1 IV-D Paternity Establishment</b>	<b>105.00%</b>	<b>101.04%</b>
<i>Measures the total number of children in the IV-D caseload in the fiscal year who have been born out-of-wedlock and for whom paternity has been established, compared to the total number of children in the IV-D caseload as of the end of the prior fiscal year who were born out-of-wedlock.</i>		
<b>FPM 2 Cases with a Support Order Established</b>	<b>96.70%</b>	<b>93.71%</b>
<i>Measures cases with support orders established compared to total number of cases open at the end of a month.</i>		
<b>FPM 3 Collections on Current Child Support</b>	<b>73.00%</b>	<b>67.81%</b>
<i>Measures the amount of current support, collected and distributed, compared to the total amount of current support owed.</i>		
<b>FPM 4 Cases with Collection on Arrears</b>	<b>72.50%</b>	<b>65.53%</b>
<i>Measures the number of cases with at least one payment made towards arrears compared with the number of cases owing arrears during the FFY.</i>		
		<b>FFY to-date</b>
<b>FPM 5 Distributed Collections</b>	<b>\$12,500,000</b>	<b>\$10,657,819</b>
<i>Measures the total dollar amount of child support collected and distributed based on the CS34/35</i>		

# CENTRAL SIERRA CHILD SUPPORT AGENCY FFY 2023/2024

Federal

## Performance Measure Report

Data Source: FPM Report

FPM 1 IVD Paternity Establishment 105%	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Point in Time	Data Source
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
Monthly Goal	baseline	92.87%	94.08%	95.29%	96.50%	97.71%	98.92%	100.14%	101.36%	102.58%	103.80%	105.00%	105.00%	
Children with Paterniy Established	2392	2409	2435	2458	2477	2503	2525	2561	2578	2586	2599	2621	2621	1257 line 6
Children born out of wedlock per year	2594	2594	2594	2594	2594	2594	2594	2594	2594	2594	2594	2594	2594	1257 line 5 PY
FFY 2024 Actual	93.56%	92.87%	93.87%	94.76%	95.49%	96.49%	97.34%	98.73%	99.38%	99.69%	100.19%	101.04%	101.04%	
Over/Under (%points)	0.00%	0.00%	-0.21%	-0.53%	-1.01%	-1.22%	-1.58%	-1.41%	-1.98%	-2.89%	-3.61%	-3.96%	-3.96%	
FFY 2023 Actual	93.56%	95.34%	97.13%	98.95%	99.38%	100.47%	101.32%	102.02%	101.28%	103.88%	104.85%	106.02%		

FPM 2 Cases with Support Orders Established 96.7%	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Point in Time	Data Source
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
Monthly Goal	95.30%	95.43%	95.55%	95.68%	95.81%	95.93%	96.05%	96.18%	96.31%	96.43%	96.56%	96.70%	96.70%	
Cases with a Support Order	4194	4185	4175	4169	4171	4174	4169	4154	4142	4118	4085	4069	4069	1257 Line 2
Total Cases	4401	4394	4391	4404	4419	4426	4390	4428	4414	4396	4364	4342	4342	1257 Line 1
FFY 2024 Actual	95.30%	95.24%	95.08%	94.66%	94.39%	94.31%	94.11%	93.81%	93.84%	93.68%	93.61%	93.71%	93.71%	
Over/Under (%points)	-0.00%	-0.19%	-0.47%	-1.02%	-1.42%	-1.62%	-1.94%	-2.37%	-2.47%	-2.75%	-2.95%	-2.99%	-2.99%	
FFY 2023 Actual	96.91%	96.48%	96.42%	96.06%	96.04%	96.07%	96.11%	96.15%	96.37%	96.52%	96.63%	96.49%		

FPM 3 Collections on Current Support 73.0%	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Point in Time	Data Source
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
Monthly Goal	69.10%	69.45%	69.81%	70.16%	70.52%	70.87%	71.22%	71.58%	71.93%	72.29%	72.64%	73.00%	73.00%	
Current Support Collected	\$647,043.96	\$1,288,096.39	\$1,902,219.39	\$2,539,619.16	\$3,164,537.02	\$3,815,794.29	\$4,500,706.58	\$5,161,154.48	\$5,789,512.77	\$6,448,456.90	\$7,062,474.11	\$4,613,172.46	\$4,613,172.46	1257 Line 25
Current Support Due	\$936,321.24	\$1,860,350.13	\$2,788,773.76	\$3,710,199.82	\$4,672,691.55	\$5,613,317.94	\$6,555,378.29	\$7,506,336.45	\$8,460,967.65	\$9,389,807.42	\$10,314,093.62	\$6,803,200.62	\$6,803,200.62	1257 Line 24
FFY 2024 Actual	69.10%	69.24%	68.21%	68.45%	67.72%	67.98%	68.66%	68.76%	68.43%	68.68%	68.47%	67.81%	67.81%	
Over/Under (%points)	0.00%	-0.21%	-1.60%	-1.71%	-2.80%	-2.89%	-2.56%	-2.82%	-3.50%	-3.61%	-4.17%	-5.19%	-5.19%	
FFY 2023 Actual	68.10%	68.14%	69.06%	68.02%	68.13%	68.63%	69.11%	69.21%	69.14%	69.11%	69.26%	69.28%		

FPM 4 Collections on Arrears 72.5%	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Point in Time	Data Source
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
Monthly Goal	38.56%	41.65%	44.73%	47.82%	50.90%	53.98%	57.07%	60.15%	63.24%	66.32%	69.41%	72.50%	72.50%	
Case Paying Arrears	1,128	1,352	1,481	1,609	1,697	1,809	1,902	1,972	2,017	2,080	2,126	2,156	2,156	1257 Line 29
Cases w/Arrears Due	2,925	2,976	3,030	3,074	3,111	3,152	3,180	3,203	3,223	3,248	3,266	3,290	3,290	1257 Line 28
FFY 2024 Actual	38.56%	45.43%	48.88%	52.34%	54.55%	57.39%	59.81%	61.57%	62.58%	64.04%	65.09%	65.53%	65.53%	
Over/Under (%points)		3.78%	4.15%	4.52%	3.65%	3.41%	2.74%	1.42%	-0.66%	-2.28%	-4.32%	-6.97%	-6.97%	
FFY 2023 Actual	40.18%	47.90%	51.89%	54.85%	57.74%	62.13%	63.53%	66.11%	67.33%	67.92%	68.75%	69.68%		

Total Distributed Collections \$12,500,000	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Point in Time	Data Source
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep		
Monthly Goal	\$1,041,666	\$2,083,332	\$3,124,998	\$4,166,665	\$5,208,332	\$6,249,999	\$7,291,666	\$8,333,333	\$9,375,000	\$10,416,667	\$11,458,334	\$12,500,000	\$12,500,000	
FFY 2024 Actual	\$851,352	\$1,746,703	\$2,570,335	\$3,422,913	\$4,254,116	\$5,203,024	\$6,214,064	\$7,201,306	\$8,011,593	\$8,852,481	\$9,666,847	\$10,657,819	\$10,657,819	CS 34 line
Over/Under	\$190,314	\$336,629	\$554,663	\$743,752	\$954,216	\$1,046,975	\$1,077,602	\$1,132,027	\$1,363,407	\$1,564,186	\$1,791,487	\$1,842,181	\$1,842,181	4b,4c, 8 & 11
FFY 2023 Actual	\$824,647	\$1,776,992	\$2,680,964	\$3,549,285	\$4,448,494	\$5,496,279	\$6,484,225	\$7,540,052	\$8,483,806	\$9,422,981	\$10,388,348	\$11,265,000		