

FILE NO. 000782

ORDINANCE NO. 131-00

1 [Court Employee Compensation]

2 IMPLEMENTING SCHEDULES OF COMPENSATION AND OTHER ECONOMIC BENEFITS
3 FOR CERTAIN CLASSIFICATIONS OF PERSONS EMPLOYED BY THE SUPERIOR
4 COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO; RATIFYING ACTIONS
5 PREVIOUSLY TAKEN.

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

7 I. This ordinance, which has been approved by a majority of the judges of the Superior
8 Court pursuant to Government Code section 69900, establishes the rates of compensation
9 and benefits effective July 1, 1999 and effective July 1, 2000, for the following classifications
10 of Superior Court employees: 0175 Senior Criminal Research Attorney, 0243 Traffic System
11 Programmer, 0244 Court Traffic Senior Application Programmer, 0246 Court Application
12 Programmer, 0248 Court Technical Writer, 0260 Legal Advisor, 0273 Assistant System
13 Coordinator, 0278 Assistant System Manager, 0360 Legal Research Attorney, 0366
14 Dependency Mediation Assistant, 0811 MIS Specialist I, and 0818 MIS Specialist II.

15 II. For purposes of this ordinance, the term "covered employees" shall mean those
16 classifications enumerated in paragraph I above. The term "Court" shall mean the Superior
17 Court of California, County of San Francisco. The term "City" shall mean the City and County
18 of San Francisco.

19 III. The General Fund of the City and County of San Francisco shall not be used to
20 fund any of the salary increases or benefits referred to in this ordinance. The City shall not be
21 liable for any costs incurred in providing the wages and other benefits set forth in this
22 ordinance. The City's obligations under this ordinance shall be limited to administering health
23 and retirement benefits and payroll processing. This paragraph shall not apply to the payment
24 of wages and benefits for those positions covered by this ordinance which are specifically
25 authorized and funded by the City budget.

Supervisor Brown
SUPERIOR COURT
BOARD OF SUPERVISORS

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

3 V. Compensation and Additional Economic Benefits for All Covered Employees in
4 the Above Classes.

5 A. WORK SCHEDULES

6 A normal work schedule is a tour of duty of forty (40) hours per week, usually worked in
7 eight (8) hour increments within a nine (9) hour period, during five consecutive days. An
8 alternative work schedule may be established by mutual agreement. A part-time work
9 schedule is a tour of duty less than forty (40) hours per week. Salaries for part-time services
10 shall be calculated upon the compensation for normal schedules proportionate to the hours
11 actually worked. This paragraph does not constitute a guarantee of 40 hours per week, or
12 any other specific level of hours.

13 B. HOLIDAYS

14 1. Floating Holidays

15 a. In addition to those days authorized by Section 135 of the Code of
16 Civil Procedure as Court holidays, covered employees shall receive four (4) floating holidays
17 on July 1, 1999 and each subsequent July 1st to be taken, on or before June 30th of the fiscal
18 year in which the days were credited, on days selected by the employee subject to the
19 approval and sole discretion of the Court.

20 b. Employees must complete six (6) months continuous service
21 before receiving the floating holidays, except when a particular day has been determined to
22 be a floating holiday for all of the employees of the Court, provided that all part-time
23 employees who are not regularly scheduled, but are employed on an as needed irregular
24 intermittent or other irregular basis are ineligible for the additional days.

1 c. Floating holidays may only be taken in eight-hour increments. Any
2 floating holiday credit unused by the employee by the close of business on the applicable
3 June 30th will no longer be available to the employee.

4 d. Employees who have completed five years of continuous service
5 at the maximum salary rate for their classification shall be credited with one (1) additional
6 floating holiday to be used per the same restrictions as the other floating holidays provided in
7 this section.

8 2. Part-time Employees Eligible for Holidays

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

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

18 c. The proportionate amount of holiday time shall be taken in the
19 same fiscal year in which the holiday falls. Holiday time off shall be taken at a time mutually
20 agreeable to the employee and the Chief Executive Officer or his designee.

21 3. Holiday Compensation for Time Worked

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

1 half times for work on the holiday. Time off in lieu shall be scheduled at the discretion of the
2 Court.

3 4. Holiday Pay for Employees Laid Off

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

7 C. OVERTIME AND HOLIDAY PAY

8 All holiday and overtime payments should be distributed as part of the regular pay
9 warrants for the period in which the overtime and holiday pay was earned.

10 D. RECOVERY OF OVERPAYMENTS

11 The schedule of recovery of any overpayment shall be made by mutual agreement
12 between the City on behalf of the Court and the employee, which agreement shall be provided
13 to the City in writing. In the absence of a mutual agreement, the Court will instruct the City to
14 deduct no more than 20% of the total amount in any one bi-weekly paycheck.

15 E. HEALTH AND DENTAL CARE BENEFITS

16 1. The level of the City's contribution on behalf of the Court to health
17 benefits will be set annually in accordance with the requirements of San Francisco Charter
18 Appendix Sections A8.423 and A8.428.

19 2. The City on behalf of the Court shall continue to fund the level of dental
20 coverage for each member and family dependents provided in FY 1998-99.

21 F. DEPENDENT HEALTH CARE BENEFITS – AMOUNT OF EMPLOYEE
22 CONTRIBUTION TO BE PAID BY THE CITY ON BEHALF OF THE COURT

23 1. Monthly Amount

24 Between July 1, 1999 and the approval date of this ordinance, the City on behalf
25 of the Court will continue to contribute \$225 toward dependent health care. Effective with the

1 approval date of this ordinance, the City on behalf of the Court will contribute the greater of
2 either \$225 per month or a monthly amount equivalent to that required for an employee who
3 selects Kaiser at the "employee plus two" level.

4 2. For "medically single" employees, i.e., benefited employees not receiving
5 this contribution paid by the City on behalf of the Court for dependent health care benefits, the
6 City on behalf of the City on behalf of the Court shall contribute all of the premium for the
7 employee's own health care benefit coverage.

8 G. RETIREMENT CONTRIBUTION

9 1. Effective July 1, 1999, the City on behalf of the Court shall continue to
10 contribute to the appropriate pension plan a total of:

11 8% of pension covered gross salary for old plan SFERS full rate members;

12 7.5% of pension covered gross salary for new plan SFERS full rate members;

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

18 H. LONG TERM DISABILITY

19 The City on behalf of the Court shall provide to employees with six months continuous
20 service a Long Term Disability (LTD) plan that provides, after a one hundred eighty (180) day
21 elimination period, sixty percent (60%) salary (subject to integration) up to age sixty-five.

22 I. STATE DISABILITY INSURANCE (SDI)

23 1. Upon a vote by 50% plus one or more of the members of a covered
24 classification that the members desire to be enrolled in the State Disability Insurance
25 Program, the Court, and if required by state law, the Board of Supervisors on behalf of the

1 Court, shall take any and all necessary action to enroll such employees therein. The cost of
2 SDI will be paid by the employee through payroll deduction at a rate established by the State
3 of California Employment Development Department.

4 2. At the employee's option, the employee's accrued sick leave, vacation
5 and holidays shall be integrated with SDI payments to provide a maximum to the employee of
6 their net income.

7 J. SENIORITY INCREMENTS

8 1. Entry at the First Step. Covered employees who enter a classification at
9 the first pay step shall advance to the second step within the classification upon completion of
10 two thousand eighty (2080) hours worked (exclusive of overtime) and to each successive step
11 upon completion of an additional two thousand eighty (2080) hours worked (exclusive of
12 overtime) of required service within the classification, until the maximum salary rate is
13 achieved.

14 2. Entry at Other than the First Step. Covered employees who enter a
15 classification at a rate of pay other than the first step shall advance one step upon completion
16 of two thousand eighty (2080) hours worked (exclusive of overtime) of required service within
17 the classification and continue to advance to each successive step upon completion of an
18 additional two thousand eighty (2080) hours worked (exclusive of overtime) of required
19 service within the classification, until the maximum salary rate is achieved.

20 3. Date Increment Due. Increments shall accrue and become due and
21 payable on the next day following completion of required service as specified above.

22 K. SUPERVISORY DIFFERENTIAL ADJUSTMENT

23 The Chief Executive Officer may adjust the salary of a supervisory employee whose
24 schedule of salary is set herein subject to the following conditions:
25

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

4 2. The supervisor actually supervises the technical content of subordinate
5 work and possesses education and/or experience appropriate to the technical assignment.

6 3. The assignment is a regular one approved by the Chief Executive Officer.

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

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

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

16 7. In no event will the Chief Executive Officer approve a supervisory salary
17 adjustment in excess of 10% over the supervisor's current basic compensation. If, in the
18 following fiscal year, a salary inequity continues to exist, the Chief Executive Officer may
19 again review the circumstances and may grant an additional salary adjustment not to exceed
20 10%.

21 L. REIMBURSEMENT OF MILEAGE AND RELATED EXPENSES

22 Covered employees required to use their own vehicle for Court business shall be
23 reimbursed for mileage as fixed by the Controller of the City and County of San Francisco in
24 accordance with IRS rules, and will be reimbursed for all necessary parking and toll expenses
25 with appropriate documentation. Employees will also be reimbursed for the actual amount of

1 any required expenses incurred for public transportation taken in the course of a job
2 assignment.

3 M. MEALS

4 Covered employees shall, subject to the procedures established by the Controller of
5 the City and County of San Francisco, be reimbursed for the reasonable and actual costs of
6 meals upon presentation of receipts in the following circumstances:

7 1. When an employee is required by the Court to attend a meeting at which
8 a meal is served and such meal is billed to the employee;

9 2. When an employee is traveling overnight out of the City on Court
10 business.

11 N. FINGERPRINTING

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

14 O. ADDITIONAL COMPENSATION FOR BILINGUAL OR SIGN LANGUAGE

15 Covered employees who are assigned at the discretion of the Court to use a language
16 other than English for a minimum of 10 hours biweekly as part of their work shall have their
17 positions designated as "bilingual." Employees who are assigned to a "designated bilingual
18 position" and who use a language other than English for a minimum of ten (10) hours but less
19 than forty (40) hours biweekly shall be granted additional compensation of thirty-five dollars
20 (\$35.00) biweekly. Employees who are assigned to a "designated bilingual position" and who
21 use a language other than English for over forty (40) hours biweekly shall be granted
22 additional compensation of fifty dollars (\$50.00) biweekly. A "designated bilingual position" is
23 a position designated by the Court which requires the use of a foreign language including sign
24 language for the hearing impaired and Braille for the visually impaired, for a minimum of 10
25 hours biweekly.

1 **VI. General Wage.**

2 Base wage rates of covered employees shall be increased by three and one-half
3 percent (3.5%) effective July 1, 1999 in accordance with the salary schedule attached as
4 Appendix A. Base wage rates of covered employees shall be increased by three and three-
5 quarters percent (3.75%) effective July 1, 2000 in accordance with the salary schedule
6 attached as Appendix B. All base wages shall be rounded to the nearest salary schedule.

7 **VII. Additional Economic Benefits for 0175 Senior Criminal Research Attorneys,
8 0260 Legal Advisors, and 0360 Legal Research Attorneys.**

9 **A. ATTORNEY LEAVE**

10 Attorneys are generally required to work in excess of eighty (80) hours per pay period
11 because of the nature of attorneys' work, including litigation deadlines and ethical and
12 professional obligations. In light of this work requirement, each full-time employee in a
13 classification covered by this section shall be eligible to receive five (5) days of paid leave per
14 fiscal year at the discretion of the Appointing Officer. Five of these days may be carried into
15 the next fiscal year. These classifications shall not be eligible to receive compensatory time
16 off.

17 **B. BAR DUES**

18 Each active full-time employee who has been employed in a classification covered by
19 this section for more than one year as of January 15, 2000, shall be reimbursed for the full
20 amount of his/her annual California State Bar dues for that calendar year. Payment will be
21 made no later than February 15, 2000.

22 **C. CASH BENEFIT ALLOWANCE**

23 The City on behalf of the Court shall continue, at the employee's option, either: 1.) to
24 contribute to dependent health care the same amount identified in this ordinance under
25

1 section V.F. for other covered employees, or 2.) to pay \$210 per month to each employee
2 covered by this section as a direct payment for individual benefit options.

3 D. LIFE INSURANCE

4 The City on behalf of the Court shall continue to provide life insurance in the amount of
5 \$125,000 to each employee covered by this subsection or shall make purchase of such life
6 insurance available to each covered employee through the City's 125 Cafeteria Plan.

7 E. MERIT PAY FOR 0175 SENIOR CRIMINAL RESEARCH ATTORNEYS

8 In addition to the general wage increase set forth above, incumbents in class 0175,
9 step 4 with a minimum of one year of continuous service at step 4, shall be eligible for a
10 performance increment of two and one-half percent (2.5%) above the maximum step 4 rate,
11 rounded to the nearest salary schedule, which may be awarded annually based upon
12 consideration of length of service and outstanding performance as determined by the Chief
13 Executive Officer.

14 F. CONTINUING EDUCATION AND MEMBERSHIPS

15 Attorneys covered by this section who have been employees of the court for one year
16 as of January 15th may be reimbursed up to \$500 per fiscal year for MCLE related training and
17 job related professional memberships.

18 G. SEVERANCE PAY

19 Attorneys covered by this section who have been employed by the court, under a
20 permanent appointment, for five continuous years or more who are involuntarily removed from
21 their positions would be entitled to severance pay equivalent to one week's pay for every year
22 of service beyond the first five years.

23 VIII. Compensation and Additional Economic Benefits for 0243 Court Traffic System
24 Programmer, 0244 Court Traffic Senior Programmer, 0246 Court Application Programmer,
25 0248 Technical Writer, 0273 Assistant System Coordinator, 0278 Court Assistant System

1 Manager, 0366 Dependency Mediation Assistant, 0811 MIS Specialist I, and 0818 MIS
2 Specialist II.

3 A. COMPENSATORY TIME OFF

4 1. Employees in the classes covered by this section are all considered to be
5 occupying executive, administrative, or professional positions which are exempt from the Fair
6 Labor Standards Act by the nature of their assignments and therefore are not entitled to be
7 paid for overtime worked. Instead, covered employees in the above classifications shall
8 receive compensatory time off for hours worked in excess of forty per week. Compensatory
9 time shall be earned at a rate of time and one-half. In order to be eligible, the time worked in
10 excess of forty hours must be pre-approved by the employee's supervisor. For purposes of
11 this section, legal holidays provided for in the Government Code and jury duty shall be
12 considered time worked.

13 2. No employee shall maintain a balance of Compensating Time Off (CTO)
14 exceeding 120 hours. It is the responsibility of the employee to track and monitor his/her own
15 balance of CTO to insure that this ceiling not be exceeded. The Court shall not unreasonably
16 deny a request to use CTO pursuant to this paragraph. CTO will be taken in full work-day
17 blocks unless an alternative is mutually agreed upon between the supervisor and the
18 employee. Scheduling shall be by mutual agreement of the supervisor and the employee.

19 3. Compensating Time Off (CTO) cannot be cashed-out.

20 B. SEVERANCE PAY

21 Employees covered by this section who have been employed by the court under a
22 permanent appointment for five continuous years or more who are involuntarily removed from
23 their positions would be entitled to severance pay equivalent to one week's pay for every five
24 years of service with the Court.


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IX. Retroactive Application

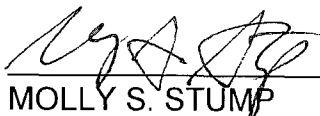
Although the City and County and the Court have incurred no legal obligation under the Charter, the Board of Supervisors does hereby ratify any actions otherwise consistent with and authorized by this ordinance that were taken before its effective date.

1 **X. Certification**

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

4
5  4/26/00
6 _____
7 ALFRED G. CHIANTELLI
8 Presiding Judge
9 Superior Court of California,
10 County of San Francisco

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

14 
15 _____
16 MOLLY S. STUMP
17 Deputy City Attorney



City and County of San Francisco

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

Tails

Ordinance

File Number: 000782

Date Passed:

Ordinance implementing the schedules of compensation and other economic benefits for certain classifications of persons employed by the Superior Court of California, County of San Francisco; ratifying actions previously taken.

May 22, 2000 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Katz, Newsom

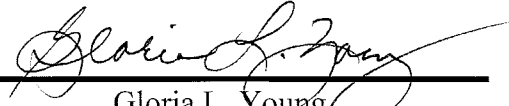
May 30, 2000 Board of Supervisors — FINALLY PASSED

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

Absent: 1 - Katz

File No. 000782

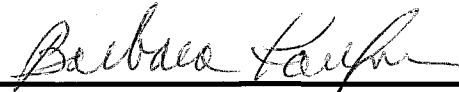
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on May 30, 2000 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

JUN - 9 2000

Date Approved



Mayor Willie L. Brown Jr.