

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
RESCINDING RESOLUTION NO. 14268 AND ADOPTING A REVISED
TEMPORARY, SEASONAL, RETIREE, AND FIXED-TERM EMPLOYEES
SALARY AND BENEFIT PLAN AND SALARY SCHEDULE**

WHEREAS, it is the intent of the City of San Rafael to compensate temporary, seasonal, retiree, and fixed-term employees at a rate of pay similar to that of regular or comparable employees performing like work; and

WHEREAS, there is a need to adopt a revised Temporary, Seasonal, Retiree, and Fixed-Term Employees Salary and Benefit Plan to update benefits listed for non-exempt and exempt Fixed-Term positions; add job descriptions, and apply salary adjustments to the Salary Schedule; and

WHEREAS, the revised salary and benefit plan would replace the salary and benefit plan previously approved by the City Council pursuant to Resolution No. 14268;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Rafael as follows:

- (1) That Resolution No. 14268 is rescinded;
- (2) That the benefits added to the Temporary, Seasonal, Retiree, and Fixed-Term Employee Salary and Benefit Plan are effective January 1, 2022;
- (3) That the Temporary, Seasonal, Retiree, and Fixed-Term Employees Salary and Benefit Plan attached as Exhibit "A" hereto, including the Salary Schedule effective January 1, 2022 attached hereto as Exhibit "B", are adopted for the classifications identified therein;
- (4) That the Temporary, Seasonal, Retiree and non-exempt Fixed-Term Employees covered by the foregoing Salary and Benefit Plan shall be paid on an hourly basis at the rates established in the aforementioned salary schedule, only for time actually worked; and
- (5) That FLSA Exempt Fixed-Term Employees covered by the foregoing Salary and Benefit Plan shall be paid on a salaried basis, at the salary established in the aforementioned salary schedule.

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the Council of said City on Tuesday, the 18th day of January 2022, by the following vote, to wit:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

Lindsay Lara, City Clerk

**TEMPORARY, SEASONAL, RETIREE OR FIXED-TERM EMPLOYEES
SALARY AND BENEFIT PLAN**

DEFINITION

Temporary, Seasonal, Retiree, and Fixed-Term employees serve important roles in supporting City business. These positions perform job duties and provide city services that are outside of the regular classified services. All positions covered by this resolution are at-will and as such serve at the pleasure of the appointing authority and may be removed at any time without cause and without right of appeal. Temporary, Seasonal, or Fixed-Term employees who wish to secure a regular position with the City must compete in the applicable recruitment and examination process for any such regular position.

Seasonal

Seasonal is defined as those employees who perform specific job responsibilities that are for a specific period of time. The period is typically for a period of four (4) months or less. Seasonal employees often work in recreation or park programs. Seasonal employees may work a maximum of 1,000 hours in a fiscal year.

Retiree

Retirees who return to fill temporary or seasonal positions may work a maximum of 960 hours per fiscal year. Once the retiree employee reaches 960 hours in a fiscal year, he/she shall no longer be eligible to work for the City until the next fiscal year.

Temporary

Temporary positions do not have the same title as classified City positions (those covered by a City MOU) and may not exceed 1,000 hours in a fiscal year.

The Department Director or designee has the authority to make temporary appointments provided there are sufficient funds in the department budget. Temporary appointments are typically made to meet short-term employment needs such as peak workload, illness, vacations of full-time employees, or pending the establishment of a new eligibility list.

There are four types of Temporary Appointments:

A. Standard Temporary Appointment:

Appointment to one of the temporary job classifications listed in this resolution for a specific purpose that is of temporary nature.

B. Special Appointment: Special temporary appointments to perform work outside an existing City classification and for which no temporary job classification exists may be made under special circumstances, when the individual has a unique combination of expertise, background and skills and is needed to help the department respond to a priority work issue. City Manager approval is required.

C. Emergency Appointment: Temporary appointment of an employee to prevent stoppage of public business, loss of life, or damage to persons or property, or when qualified personnel cannot be readily obtained due to emergency conditions. An employee appointed in this category need not meet the minimum qualifications of the job.

- D. **Per Diem**: Per Diem is defined as those temporary employees who are not regularly scheduled to work but serve in an as-needed capacity. Per Diem employees are typically on a list to be called when needed. Per Diem temporary appointments are made to one of the temporary classifications listed in this resolution.

Fixed-Term

Fixed-Term is an appointment of an employee to an allocated and Fixed-Term position that will be needed longer than six months and with an expected end date. Fixed-Term positions are established due to limits on grant funding or other known limits to the position's duration and are not subject to the 1,000 hour per year limit on working hours. Employees appointed to Fixed-Term appointments must accept the position with the understanding that continued appointment is contingent upon grant funds and job performance. Fixed-Term appointments may be made for up to a three-year period and may be extended by approval of the City Manager.

SALARY, BENEFITS, WORK HOURS, AND CLASSIFICATION

Rate of Pay

It is the intent of the City of San Rafael to compensate Temporary, Seasonal, Retiree and Fixed-Term employees at a rate of pay similar to that of regular employees performing like work. The hourly rate is based upon the level of duties performed. The attached Temporary/Seasonal/Retiree/Fixed-Term Salary Schedule lists the rates of pay for each position.

Effective July 1 of each fiscal year, such Salary Schedule may be adjusted by the City Manager to a rate of pay similar to that of regular or comparable employees performing like work, provided that the City Manager has made a determination that the salary schedule adjustment will be fiscally prudent under projected budget conditions. Such compensation may also be adjusted as necessary to comply with State Minimum Wage requirements.

Benefits for Temporary, Seasonal, and Retiree employees

Temporary, Seasonal, and Retiree employees do not receive benefits with the exception of a retirement plan and paid sick leave. Participation in a retirement plan is mandated by Federal Law and San Rafael enrolls hourly employees in the Public Agency Retirement System (PARS). Under PARS, employees covered by this resolution contribute 3.75% of their salary to the retirement plan and the City contributes the same amount. Contributions are tax-deferred. Retiree employees do not participate in PARS. Temporary and Seasonal employees are entitled to sick leave in accordance with California's Paid Sick Leave Law (AB 1522) as outlined in the City's Paid Sick Time Policy.

Benefits for Non-Exempt Fixed-Term employees also participate in the PARS retirement plan, and in addition receive the following basic benefits package (prorated for part-time): health and dental insurance up to a maximum of \$600 per month, twelve (12) days of paid sick leave per year, ten (10) vacation days per year, eleven (11) City holidays, and two (2) floating holidays. A Fixed-Term employee may accrue a maximum of 200 hours of vacation. Upon termination, any unused accrued vacation leave will be paid out to the employee.

Benefits for Exempt Fixed-Term employees shall receive the following benefits:

PARS retirement: employer contribution of 3.75% and employee contribution of 3.75% of their salary to the retirement plan.

Sick Leave: twelve (12) days of paid sick leave per year shall accrue each year. Accrued sick leave will not be paid out to the employee upon termination.

Vacation: ten (10) days of paid vacation per year. A Fixed-Term employee may accrue a maximum of 200 hours of vacation. Unused accrued vacation leave will be paid out to the employee upon termination.

Holidays: eleven (11) designated holidays and two (2) floating holidays per calendar year. The hours for the floating holidays are automatically added to an employees' vacation accrual on a semi-annual basis.

Administrative Leave: ten (10) Administrative Leave days (75 hours) each calendar year subject to the approval of the Department Director and the City Manager. Unused Administrative Leave shall not carry over from one calendar year to the next, nor shall unused Administrative Leave balances be paid upon termination.

Full-flex cafeteria plan: Exempt Fixed-Term employees are eligible to participate in the City's full flex cafeteria plan and shall receive a monthly flex dollar allowance to purchase benefits under the full flex cafeteria plan. The monthly flex dollar allowance effective January 1, 2017 is:

For employee only:	\$634.57
For employee and one dependent:	\$1,269.13
For employee and two or more dependents:	\$1,649.88

Dental Insurance: The City shall pay dental premiums on behalf of the employee and eligible dependents.

Vision Plan: The City will pay for a vision plan for "employee plus dependent" vision benefits.

Car Allowance: A monthly car allowance of \$350 or use of a city car in lieu of a monthly car allowance may be authorized at the discretion of the City Manager.

In recognition of exempt status under FLSA, time off for Vacation, Sick Leave, and Administrative leave purposes shall not be deducted from an Exempt Fixed-Term employee leave accrual unless the employee is absent for the full work day.

Hours Worked

Temporary and Seasonal employees covered by this resolution may not work more than 1,000 hours in a fiscal year, unless they work in Police or Fire in a position that is staffed 24 hours per day. Employees in these positions (dispatch and police records) may work up to 1,250 hours in a calendar year.

Retirees under the 1937 Retirement Act working in any positions may not exceed the 960 hours per fiscal year limit.

Fixed term employees are not subject to the 1,000 hour per fiscal year limit.

Work Week and Overtime

Temporary, Seasonal, Retiree, and Fixed-Term employees who are non-exempt are eligible to receive overtime pay in accordance with the Fair Labor Standards Act (FLSA). Overtime is paid when the employee works in excess of 40 hours per week. The week period is defined as Sunday at 12:01am to the following Saturday at 11:59pm. The work week for full-time Fixed-Term positions is thirty-seven and one-half (37.5) hours. For full-time Fixed-Term positions in the Police department, the work week is forty (40) hours.

Classification

Following is a list of the positions covered by this resolution. Department Directors may appoint from one of these positions at any point in the salary range based on the qualifications of the person filling the Temporary, Seasonal, Retiree or Fixed-Term position.

Temporary/Seasonal/Retiree/Fixed-Term Job Descriptions

Administrative Specialist

Provides responsible work on complex administrative assignments. Performs more complex accounting tasks with more independence and prepares financial and statistical reports with a minimum of supervision. Researches and compiles a variety of informational materials, types drafts and finished documents including confidential materials, brief instructions, or written materials. Organizes and maintains files and records, schedules appointments, and arranges for facilities and supplies. Five years of responsible secretarial or office administrative experience is typically required.

Advanced Professional Fixed -Term (exempt)

Typically performs specialized professional work of greater complexity and more autonomy than the Professional Temp position. Responsibilities of an advanced professional temp are similar to those of a management position and may involve supervision.

Child Care Aide

Works with the children in the childcare program to carry out the day-to-day activities of the pre-school or elementary childcare programs. Responsible for assisting in planning and scheduling activities. Prior experience working with children in recreation, education or similar setting is preferred.

Child Care Specialist

Under general direction, this classification works with child care staff to plan and implement curriculum and instructional activities and ensure a safe environment for participants. Employees in this classification rely on experience and judgment to ensure the efficient and effective functioning of the childcare program. High School Diploma or GED and twelve (12) college units in recreation, education, or related field; BA preferred. One (1) year working with youth in a group setting preferred.

Clerical Temp

Provides clerical support to a department or division. Duties include record keeping, filing, and receptionist duties including answering phones and setting up meetings. Performs word processing from tapes, brief instructions or written material.

Dispatcher Temp

Operates emergency dispatching equipment to communicate with the public and Department personnel for the purpose of receiving, interpreting, and transmitting information essential to the delivery of emergency police services. Responsibilities include operation of Department telephone and radio communication equipment to receive and transmit information essential to the delivery of emergency police services, maintenance of radio logs and other related records, assisting in preparing, checking and indexing reports, operating personal computers and related software, providing information to the public, and related duties as required.

Events Specialist

Assists in set up, delivery, and breakdown of sound equipment, stages, band equipment, lighting, tents, generators and display equipment. Provides guest services such as making announcements, operating soundboards, and lighting equipment. May supervise maintenance crews and security at events. Special Events Assistants work independently and must be able to manage multiple tasks at a time to trouble-shoot and to make sound decisions. Requires the ability to move heavy equipment

Executive Professional Fixed Term (Exempt)

Directs, plans, and coordinates City activities and are responsible for devising policies and strategies to meet the goals and objectives of the City. Oversee budgetary activities. Consult, interact with other high level staff, City Council, and various local agencies. Negotiate or approve contracts and agreements. May have direct supervision over staff. Ability to travel to attend meetings and conferences.

Facilities Attendant

Under general direction of the Recreation Program Coordinator or Recreation Supervisor, this position is responsible for supervision of a Community Center during assigned work hours. Job duties includes the supervision of front counter/reception area, managing daily registration process, set-up and breakdown of equipment for scheduled activities, custodial and cleaning including but not limited to emptying trash, vacuuming, cleaning windows, cleaning restrooms, etc. Opening and securing facility before and after building use and interacting with instructors, clients and general public. Bilingual in Spanish and/or Vietnamese preferred.

Head Lifeguard

Under general supervision of the Pool Manager, Recreation Program Coordinator or Recreation Supervisor, the Head Lifeguard is responsible for pool safety, assisting with staff training and scheduling, staff supervision, daily administrative duties, sanitation and public relations of the pool facility. The Head Lifeguard is in charge of the pool in the absence of the Pool Manager, Recreation Program Coordinator or Recreation Supervisor. A minimum of two years pool guarding experience, current certifications as required for the position including, lifeguard training, CPR for the Professional Rescuer and A.E.D. training. Water Safety Instruction certification is desirable. Knowledge of: Aquatic facility safety principals and injury prevention strategies.

Intern

These positions provide work-experience to students who are interested in gaining entry-level experience in a profession of interest. Interns perform support tasks including research, surveys, data collection, drafting reports, and other related administrative tasks.

Library Page

Shelves incoming material maintains the shelves in order and assists library staff as needed. This is an entry-level position.

Lifeguard

Responsible for the enforcement of all rules and regulations pertaining to the safety and wellbeing of pool users and patrons. Responsibilities include maintaining health and safety standards, performing, emergency rescue techniques and rendering first aid to the injured, performing routine maintenance and custodial duties. Incumbent must possess a current Lifeguard Certification which includes CPR for the Professional Rescuer, First Aid and Automated External Defibrillator.

Maintenance Temp

Performs a variety of manual and semi-skilled tasks involved in the maintenance, improvement and operation of the City's sewage pumping stations and gravity sewer lines, and/or construction, repair, maintenance, and cleaning of streets, sidewalks, other concrete structures, storm drainage or related Public Works facilities.

Office Aide

Answers phones, prepares letters and reports, keeps schedules up-to-date, processes mail, performs payroll related functions, and other miscellaneous duties. Performs routine basic accounting duties including maintenance of journal vouchers, accounting records, subsidiary and general ledger entries, fixed asset record documentation, payroll timekeeping, accounts and grants receivables, audit preparation; financial, budgeting and statistical reports.

Officer Temp

Performs routine police reporting duties, including crime scene investigation, maintains training records, manages training schedules and reservations, assists the COPPs manager, maintains regulatory alarm permit program, prepares statistical information through the PD records management system, participates in guest speaking engagements, maintains a fair booth at the Marin County fair, and assists with crime prevention programs. Maintains files for all regulatory services within the purview of the police department, including alarm permits, concealed weapon permits, etc. Conducts background checks on body workers and fingerprints job applicants.

Paraprofessional Temp

A paraprofessional temp is trained in or knowledgeable of a specific field and is qualified to provide assistance to the work of a professional.

Parking Aide

This position provides general service and information to the public, and is responsible for the upkeep, presentation, and general operations of all City parking areas. Duties include assisting the public at all City parking locations, providing general information about the City of San Rafael, and specific information about rates, locations, and various programs. Operates all parking equipment and collects parking fees and provides change to customers, maintains records of transactions and parking activities, prepares cash deposits and delivers to designated drop areas, and may include basic parking enforcement duties of a limited nature.

Pool Cashier

Under general supervision, Pool Cashier are responsible for receiving and processing daily pool admissions, season passes, operating the cash register and maintaining security and accuracy of funds. Essential and important duties include: answering phones and handling customer service, ensuring customer sign in and checking identification, creating and maintaining good working relations with the public and staff, handling financial transactions at the pool including but not limited to class registration, season pass purchases, daily admission and swim diaper sales, ensuring accuracy of daily attendance and financial transactions, and assisting in an emergency and rendering first aid. Must have a certificate in American Red Cross CPR for the Professional Rescuer, First Aid and Automated External Defibrillator.

Pool Manager

Under the general supervision of the Recreation Program Coordinator or Recreation Supervisor, the Pool Manager is responsible for the organization and supervision of the City's aquatics program. Duties include the development and management of group and private swim lesson programs, managing pool schedules, developing staff training and curriculum, leading staff trainings and working directly with course instructors, pool party users and outside user groups.

Provides direction and motivation to part time staff. This position receives direction from the Recreation Supervisor.

Professional Temp

Performs job duties that require a form of specialization which typically requires a Bachelor's degree or equivalent work experience. Appointments to professional temp positions are typically made to mid-management level positions. They require some degree of a specialized profession and job knowledge.

Project Manager Fixed Term (exempt)

Performs highly responsible, complex, and varied professional administrative and analytical work in the planning, organization, implementation and oversight of City projects of defined duration, physical scale, budget, and community impact; conducts analysis of operational needs and strategic planning, productivity studies, and other complex analyses; participates in the review of plans for city facilities, municipal building construction or public works projects; escalates issues as required, facilitates higher level decision making, and authorizes change orders to keep construction moving; and serves as liaison with the department heads, community organizations, and other agencies.

Records Temp

Performs routine duties of Records Specialist including answering phones, entering calls for service into CAD, assisting customers at public counter, processing all forms of police records and reports.

Recreation Leader

Maintains a safe and enjoyable environment for recreation program participants. Responsibilities include planning, conducting and supervising activities such as organized games, group singing, art projects, field trips, and other activities for participants in a recreational/park setting.

Recreation Specialist

Under the supervision of a Recreation Program Coordinator or Recreation Supervisor, provides leadership and functional supervision to a recreation program, activity or service; directs and/or leads the activities of a program, activity or service; organizes and implements program elements and oversees participants, and performs related work as required. This is a higher-level position as distinguished from the Recreation Leader utilized in the Library and Recreation Department. This class is distinguished from the entry-level Recreation Leader by responsibility for on-site coordination of a specific program area. One (1) year of work experience in parks, recreation or related field required.

Substitute Librarian

Performs professional-level library public service work, including answering reference questions, providing readers' advisory, providing technical assistance, and presenting programs.

Substitute Library Assistant

Check's material in and out, answers simple questions, creates new patron accounts, and performs circulation tasks as needed.

Swim Instructor

Under general supervision, is responsible for the instruction of swim lesson programs. Swim Instructors must be able to demonstrate skills for class taught and must ensure the safety of all swimmers in their class. Swim Instructors may be assigned to teach group or private lessons for children 6 months through adults. Instructors are required to assist as needed in an emergency

at the pool. Must possess current Lifeguard Certification which includes CPR for the Professional Rescuer, First Aid and Automated External Defibrillator. American Red Cross Water Safety Instructor highly desirable.

Technical Professional Temp

Performs advanced professional work. Performs a variety of management and complex functions that require a high level of expertise in the field of need. May provide supervision to professional and support staff members. Conducts research and analysis. Works with stakeholders, architects, engineers, and/or contractors to assure the authorized projects are accomplished in accordance with approved regulations, policies and procedures and may act as liaison between the City and those groups.