



- **Board of Directors**

Organization, Personnel and Technology Committee

6/14/2022 Board Meeting

7-10

Subject

Amend Section 1106 and Section 6226 of the Metropolitan Water District Administrative Code regarding Holidays and Annual Leave to ensure benefits parity by adding Juneteenth and an across-the-board standard for payments of excess accumulated annual leave; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Executive Summary

This board action is to update Administrative Code Section 1106 to add Juneteenth as a Metropolitan observed holiday and to revise Administrative Code Section 6226 which will implement an annual leave paydown process for Unrepresented employees in conformance with existing bargaining unit language and practice.

Details

On May 10, 2022, the Metropolitan Board of Directors approved a new Memorandum of Understanding (MOU) with American Federation of State, County and Municipal Employees Local 1902. Included in the newly approved MOU is the addition of Juneteenth as a Metropolitan observed holiday. This action would approve the Juneteenth holiday for all Metropolitan employees, regardless of negotiated MOU. **Attachment 1** shows an edited version of Administrative Code Section 1106, which lists all Metropolitan approved holidays including the addition of the Juneteenth holiday. **Attachment 2** is a final version of Administrative Code Section 1106 with all edits incorporated.

Administrative Code Section 6226 defines annual leave accrual for Metropolitan employees. All bargaining units have negotiated specific annual leave language within the MOUs. This results in Administrative Code Section 6226 defining annual leave for Unrepresented employees only. **Attachment 3** shows revisions to Administrative Code Section 6226 updating language based on administrative practice and implementing consistency in practice for payments of excess accumulated annual leave. Specifically, all bargaining units receive a payment of excess accumulated annual leave two times a year, in May and November. This action adds a payment of excess accumulated annual leave in May for Unrepresented employees as is in place for all bargaining units. **Attachment 4** is a final version of Administrative Code Section 6226 with all edits incorporated.

Policy

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

Metropolitan Water District Administrative Code Section 1106: Holiday

Metropolitan Water District Administrative Code Section 6226: Annual Leave

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA (Public Resources Code Section 21065, State CEQA Guidelines Section 15378(b)(2) and 15378(b)(5)) because it involves organizational or administrative activities and general policy and procedure making that would not result in a direct or indirect physical change to the environment.

CEQA determination for Option #2:

None required

Board Options

Option #1

Amend Section 1106 and Section 6226 of the Metropolitan Water District Administrative Code regarding Holidays and Annual Leave to ensure benefits parity by adding Juneteenth and an across-the-board standard for payments of excess accumulated annual leave.

Fiscal Impact: No additional fiscal impact for implementing additional holiday. Unknown fiscal impact for implementing payment of excess accumulated annual leave since it varies based on Unrepresented employee annual leave balance, but costs are within approved budget.

Business Analysis: This action ensures benefits parity for all Metropolitan employees regardless of bargaining unit or Unrepresented status. Observing a holiday for all employees eases administration of days off and consistency with payments of excess accumulated annual leave ensures parity for all employees.

Option #2

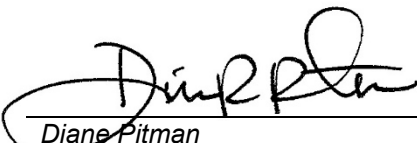
Do not amend Administrative Code Section 1106 and Section 6226

Fiscal Impact: Unknown

Business Analysis: Having a limited number of employees observing the Juneteenth holiday creates a challenge for productivity since some resources are working and others are not.

Staff Recommendation

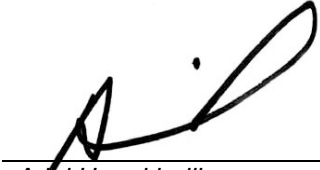
Option #1



Diane Pitman
Human Resources Group Manager

6/6/2022

Date



Adel Hagekhalil
General Manager

6/7/2022

Date

Attachment 1 – Administrative Code Section 1106 Edited

Attachment 2 – Administrative Code Section 1106 Final

Attachment 3 – Administrative Code Section 6226 Edited

Attachment 4 – Administrative Code Section 6226 Final

§ 1106. Holiday.

Whenever the word "Holiday" is used in this Code, it shall include January 1 (New Year's Day), the third Monday in January (~~observance of~~ Martin Luther King Jr.'s birthday Day), the third Monday in February, (Presidents' Day), March 31 (~~observance of~~ César Chávez's Birthday Day), the Friday before Easter, the last Monday in May (Memorial Day), June 19 (Juneteenth), July 4 (Independence Day), the first Monday in September (Labor Day), November 11 (Veterans' Day), Thanksgiving Day, the day following Thanksgiving Day, December 24 (Christmas Eve), December 25 (Christmas Day), December 31 (New Year's Eve), and any day or portion of a day declared by the Board as a Holiday. If any Holiday other than December 24 and 31 falls on Sunday, the following Monday is a Holiday. If any Holiday falls on Saturday, the preceding Friday is a Holiday.

Section 100.1.5 - M.I. 31609 - January 11, 1977; amended by M.I. 32690 - April 10, 1979; amended by M.I. 33384 - August 19, 1980; renumbered 100.1.6 by M.I. 33642 - March 10, 1981; renumbered 100.7 by staff. Section 100.7 repealed and Section 1106 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 37218 - July 12, 1988; amended by M. I. 45943 - October 12, 2004; amended by M. I. 46036 - December 14, 2004

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Whenever the word "Holiday" is used in this Code, it shall include January 1 (New Year's Day), the third Monday in January (Martin Luther King Jr. Day), the third Monday in February, (Presidents' Day), March 31 (César Chávez Day), the Friday before Easter, the last Monday in May (Memorial Day), June 19 (Juneteenth), July 4 (Independence Day), the first Monday in September (Labor Day), November 11 (Veterans' Day), Thanksgiving Day, the day following Thanksgiving Day, December 24 (Christmas Eve), December 25 (Christmas Day), December 31 (New Year's Eve), and any day or portion of a day declared by the Board as a Holiday. If any Holiday other than December 24 and 31 falls on Sunday, the following Monday is a Holiday. If any Holiday falls on Saturday, the preceding Friday is a Holiday.

Section 100.1.5 - M.I. 31609 - January 11, 1977; amended by M.I. 32690 - April 10, 1979; amended by M.I. 33384 - August 19, 1980; renumbered 100.1.6 by M.I. 33642 - March 10, 1981; renumbered 100.7 by staff. Section 100.7 repealed and Section 1106 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 37218 - July 12, 1988; amended by M. I. 45943 - October 12, 2004; amended by M. I. 46036 - December 14, 2004

§ 6226. Annual Leave.

(a) Subject to any applicable memorandum of understanding, or employment agreement, employees shall accumulate annual leave with full pay at the following rates for each hour of total service:

Range of Hours From	Through	Accumulation Factor For Each Hour Within Range	Approx. Vac. Hrs	Maximum- Accumulation
1	8,352	.038625 0	80	161.28
8,353	18,792	.057472 0	120	240
18,793	20,880	.061610 0	128	257.28
20,881	22,968	.065288 0	136	272.64
22,969	25,056	.068966 0	144	288
25,057	27,144	.073104 0	152	305.28
27,145	39,762	.076781 <u>7076782</u>	160	320.64
39,763	41,760	.080459 <u>7080453</u>	168	336.00
41,761	43,848	.084291 1	176	352.00
43,849	45,936	.088122 <u>6088123</u>	184	368.00
45,937	48,024	.091954 0	192	384.00
48,025	Last hour of total service	.095785 4	200	400.00

Notwithstanding the above, the maximum accumulation for those unrepresented classifications listed in Section 6500, that are eligible for annual leave, shall be 1.25 times the ~~maximum accumulation that would otherwise be applicable~~ no greater than 560.51 hours.

(b) Subject to the restrictions contained in subsection (d) and any applicable memorandum of understanding, annual leave usage will be authorized as it is earned up to the maximum permitted by subsection (a). The District shall be responsible for scheduling annual leave periods of employees in such a manner as to achieve the most efficient functioning of the District. The District shall determine whether or not a request for annual leave will be granted. However, an employee's timely request for annual leave shall only be denied for good and sufficient business reasons.

(c) Subject to any applicable memorandum of understanding, if on the last day of the payroll cycle that includes May 15 and November 15 of any year, ~~the total of accumulated annual leave exceeds the limitation on accumulation applicable to the hours of total service, the excess accumulated annual leave may not be used but shall, as soon as practicable after the end of the twenty fourth pay period of the annual payroll cycle, be paid to the employee entitled thereto~~ an employee has credit for more than 400 hours, the employee shall be paid for all hours in between 400 and the maximum set forth in Section 6226 (a) above. Such payment shall be paid at the employee's hourly pay rate in effect at the end of said twenty fourth for the current pay period, for one hundred percent of the excess accumulated hours of such annual leave.

(d) No vacation may be granted, or paid for, unless the employee has completed 1,044 hours current service, including military leave. No vacation may be extended past an employee's date of termination.

(e) Employees returning from leave for military service shall earn vacation at the rate appropriate to the total time of District employment plus military service.

(f) Notwithstanding any provision of this Section 6226 to the contrary, a Department Head may approve the accumulation of annual leave at a rate of .0574720 hours for each hour of service for the first through the fourth year of service or .076782 for each hour of service for the first through the thirteenth year of service for an employee recruited by that Department Head.

Ords. 113, 114, 120, 123, 130, 138, and 142; repealed by Ord. 145; Section 433.13 added, as amended, by M.I. 32297 - June 13, 1978; amended by M.I. 34309 - July 13, 1982; and by M.I. 35166 - June 12, 1984; paragraph (c) [formerly Section 433.13.3] amended by MT 36119 - June 10, 1986. Section 433.13 repealed and Section 6226 adopted by M.I. 36464 - January 13, 1987, effective April 1, 1987; amended by M.I. 36719 - July 14, 1987; paragraph (c) amended by M.I. 37218 - July 12, 1988; paragraph (f) amended by M.I. 37405 - November 8, 1988; paragraph (a) amended by M.I. 40545 - November 9, 1993; paragraphs (a), (b), (c), (d) and (f) amended by M.I. 42500 - July 8, 1997; paragraph (c) amended by M.I. 43275 - November 10, 1998; paragraph (a) amended by M.I. 45943 - October 12, 2004.

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Range of Hours From Through		Accumulation Factor For Each Hour Within Range	Approx. Vac. Hrs
1	8,352	.038625	80
8,353	18,792	.057472	120
18,793	20,880	.061610	128
20,881	22,968	.065288	136
22,969	25,056	.068966	144
25,057	27,144	.073104	152
27,145	39,762	.076782	160
39,763	41,760	.080453	168
41,761	43,848	.084291	176
43,849	45,936	.088123	184
45,937	48,024	.091954	192
48,025	Last hour of total service	.095785	200

Notwithstanding the above, the maximum accumulation for those unrepresented classifications listed in Section 6500, that are eligible for annual leave, shall be no greater than 560.51 hours.

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(c) Subject to any applicable memorandum of understanding, if on the last day of the payroll cycle that includes May 15 and November 15 of any year, an employee has credit for more than 400 hours, the employee shall be paid for all hours in between 400 and the maximum set forth in Section 6226 (a) above. Such payment shall be paid at the employee's hourly pay rate in effect for the current pay period, for one hundred percent of the excess accumulated hours of such annual leave.

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