



## **Board of Directors** ***Legal and Claims Committee***

3/12/2024 Board Meeting

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**REVISED 7-8**

### **Subject**

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Approve amendments to the Metropolitan Water District Administrative Code to provide an exempt time off benefit to unrepresented employees equivalent to the time off benefit provided to Metropolitan's management unit, create a new reproductive leave loss benefit as required by state law, conform personnel regulations for unrepresented employees to current practices and regulations; and authorize the General Manager to adjust unrepresented salaries to conform with the equity wage and cost-of-living adjustments provided to Metropolitan's management unit. The General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. **[Revised Subject]**

### **Executive Summary**

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The proposed amendments to Administrative Code Division VI, Chapters 2 and 5 will add two new key benefits (exempt time off for unrepresented employees, and reproductive loss leave in accordance with state law), update the Code to currently and going forward provide benefits for unrepresented employees to correspond with benefits provided to Metropolitan's management unit, along with other changes to conform personnel regulations, including benefits, for unrepresented employees to current practices and regulations.

### **Proposed Action(s)/Recommendation(s) and Options**

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**Staff Recommendation: Option #1 [Revised]**

#### **Option #1**

Approve amendments to the Metropolitan Water District Administrative Code to provide an exempt time off benefit for unrepresented employees, create a new reproductive loss leave benefit, and to conform personnel regulations for unrepresented employees to current practices and regulations; and authorize the General Manager to adjust unrepresented salaries to conform with the equity wage and cost-of-living adjustments provided to Metropolitan's management unit.

**Fiscal Impact:** Up to \$400,000 per year

**Business Analysis:** The Administrative Code will be amended to add benefits required by state law and provide consistency between unrepresented employees and Metropolitan's management unit.

#### **Option #2**

Do not approve the proposed amendments to the Metropolitan Water District Administrative Code.

**Fiscal Impact:** None

**Business Analysis:** The Administrative Code will not be amended to conform to state law and provide consistency between unrepresented employees and Metropolitan's management unit.

## Alternatives Considered

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No alternatives were considered to providing specified benefits for unrepresented employees and conforming personnel regulations, policies and practices for unrepresented employees with those of Metropolitan's management unit.

No alternatives were considered to amendment of the Administrative Code to conform to State law.

## Applicable Policy

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Metropolitan Water District Administrative Code Section 2451: Duties and Functions [Legal and Claims Committee]

Metropolitan Water District Administrative Code Section 6200: Personnel Regulations

Metropolitan Water District Administrative Code Section 6500: Management and Confidential Employees – General

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

## Related Board Action(s)/Future Action(s)

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Not applicable

## California Environmental Quality Act (CEQA)

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### CEQA determination for Option #1:

The proposed action is not subject to CEQA because it involves continuing administrative activities, such as general policy and procedure making (Section 15378(b)(2) of the State CEQA Guidelines). In addition, the proposed action is not subject to CEQA because it involves organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment (Section 15378(b)(5) of the State CEQA Guidelines).

### CEQA determination for Option #2:

None required

## Details and Background

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This letter proposes amendments to Metropolitan's Administrative Code Division VI, Chapters 2 and 5 by adding two new benefits, as well as other amendments to update the Code to, currently and going forward, provide benefits for unrepresented employees to correspond with benefits provided to Metropolitan's management unit. Other amendments will also conform some of Metropolitan's personnel regulations, found in Chapter 2, regarding benefits for unrepresented employees, to current practices and regulations. This letter also proposes authorizing the General Manager to adjust unrepresented salaries to conform with the equity wage and cost-of-living adjustments provided to Metropolitan's management unit.

The amendments would also add section 6268, which will provide all employees unpaid leave of up to five (5) days in the event of a failed adoption, failed surrogacy, miscarriage, stillbirth, or unsuccessful assisted reproduction. This new benefit is required by SB 848, which was signed into law by Governor Newsom on October 11, 2023, and went into effect on January 1, 2024.

The amendments also adds section 6536, which provides a forty (40) hour allotment of exempt time off to qualifying unrepresented employees and an additional forty (40) hour allotment for qualifying unrepresented employees who receive at least an overall meets standards performance evaluation. This benefit will be added to provide qualifying unrepresented employees with a time off benefit equivalent to one recently negotiated by the MAPA bargaining unit for its members.

In addition to amendments, this letter seeks authorization for the General Manager to provide unrepresented employees with salary adjustments equivalent to those recently negotiated by MAPA. The proposed salary adjustments are as follows:

Year	Adjustment
2023	5.5% equity adjustment from July 1, 2023
2024	3% cost of living adjustment
2025	4% cost of living adjustment
2026	4% cost of living adjustment

Other amendments are being sought to clarify existing benefits language or to conform to existing practices regulations. The entire list of proposed amendments is set forth in **Attachment 1**, with overstrikes reflecting deletions and underlining reflecting additions. **Attachment 2** sets forth the sections as they will appear in the Administrative Code if the changes are approved.

The Administrative Code is proposed to be amended as follows:

1. Amend Administrative Code sections 6227(b)(3) and 6242 and add section 6268 to add a new state-mandated “reproductive loss leave” benefit to provide employees unpaid leave of up to five (5) days in the event of a failed adoption, failed surrogacy, miscarriage, stillbirth, or unsuccessful assisted reproduction.
2. Amend Administrative Code section 6227(d)(3) to clarify the use of unpaid sick leave for certain rehired employees, the payout basis for unused sick leave at time of separation, and to clarify that employees on temporary promotion will be classified to their regular classification and paid unused leave at their regular hourly pay at the at time of separation.
3. Amend Administrative Code section 6500(a) to update the hourly pay rate schedule for positions occupied by unclassified service employees including their pay grades and positions.
4. Amend Administrative Code section 6500(d) to conform the practice of regularly updating the hourly pay rate schedule rather than annually.
5. Amend Administrative Code section 6520 to clarify that temporary and less than part-time employees are not entitled to Article 2 benefits unless otherwise provided and to conform benefits for unclassified service employees to correspond with benefits provided to the District’s management unit, which means the current rule regarding how unclassified service employees receive benefit adjustments will change, as specified.
6. Amend Administrative Code section 6521 to clarify that retirement contributions made by employees deemed CalPERS Classic Members do not to exceed 7% of employee’s salary while those deemed New Members of CalPERS pay their own contributions.
7. Amend Administrative Code section 6523 to update the dental insurance policy to include any covered participant and revise the annual policy limits for orthodontics (up to \$2,000) and for diagnostic and preventative care (up to \$2,500).
8. Amend Administrative Code section 6524 to clarify that the tuition reimbursement policy allows an additional \$2,000 reimbursement for higher degrees, not to exceed a total of \$11,000 annually.
9. Amend Administrative Code section 6525 to clarify that the maximum upper limit available is \$400,000 for combined coverage term life insurance.
10. Amend Administrative Code section 6531 to clarify the order in which sick leave must be exhausted to receive long-term disability insurance benefits and the conditions under which such benefits expire.

- 11. Amend Administrative Code section 6532 to clarify that reimbursements for state-mandated licenses and fees are not capped whereas professional development expenses, such as seminars, books, and electronic equipment, are capped. The current cap is \$900 annually.
- 12. Add Administrative Code section 6535, the Wellness Enhancement Program, which provides reimbursements for health and fitness services and equipment, capped at \$400 annually.
- 13. Add Administrative Code section 6536, Exempt Time Off, which provides an annual allotment of time off, any unused portion of which shall be automatically cashed out towards the end of each calendar year. Retroactivity rules shall apply, as specified.
- 14. Amend Administrative Code sections 6227(c)(2), 6521, 6522, 6523, 6524, 6525, 6528, 6529, 6530, 6531, 6533, and 6534 to make minor, non-substantive changes.

All amendments are effective upon Board approval unless specified otherwise.

***Project Milestone***

Not applicable because amendments conform the Administrative Code to current law, practices, and regulations.



Adel Hagekhalil  
General Manager

Date



Marcia Scully  
General Counsel

Date

**Attachment 1 - The Administrative Code of The Metropolitan Water District of Southern California (with changes marked)**

**Attachment 2 - The Administrative Code of The Metropolitan Water District of Southern (clean copy)**

## Division VI

### PERSONNEL MATTERS

Chapter	Sec.
1 Employee Relations	6100
2 Personnel Regulations	6200
3 General Employee Matters	6300
4 Officers	6400
5 Management and Confidential Employees - General	6500
[6 Repealed	6600]
[7 Repealed	6700]
8 Employee Deferred Compensation and Savings Plans	6810

## Chapter 2

### PERSONNEL REGULATIONS

Sec.
6200. Definitions
6201. Benefits Paid Temporary Employees
6202. Hourly Pay Rate Calculations
6203. Leave Accrual and Usage
6204. Merit System
6205. Eligibility and Qualifications for Employment
6206. Appointments and Removals
6207. Positions Authorized
6208. Pay Rate Administration
6209. Discharge
6210. Employee Evaluation
6211. Merit Increases
[6212 - 6216 reserved for future use]
6217. Disciplinary Procedure
6218. Appeal Procedure
6219. Disciplinary Actions
6220. Suspension
6221. Demotion
6222. Reduction in Force
6223. Hours of Work
6224. Overtime
6225. Holidays
6226. Annual Leave
6227. Sick Leave
6228. Disability Leave
6229. Special Leave

- 6230. Employee Leave Transfers
- 6231. Family and Medical Leave
- 6232. Paid Leave While Caring For A Newly Born Or Newly Adopted Child
- 6233. Benefits Paid Regular Part-Time Employees
- 6234. Domestic Partners
- [6235 - 6239 reserved for future use]
- [6240 - Repealed]
- 6241. Notice of Absence
- 6242. Reinstatement Upon Return from Leave Necessitated by Pregnancy, Childbirth, Miscarriage, or Abortion
- 6243. Bereavement Leave
- 6244. Use of Accumulated Leave - Industrial Injury
- 6245. Use of Accumulated Leave - Quarantine
- 6246. Military Leave
- 6247. Leave Without Pay
- 6248. Severance Pay
- 6249. Jury Duty Leave
- [6250 - 6259 reserved for future use]
- 6260. Shift Pay and Diving Pay
- 6261. Time Off for Voting
- 6262. Leave for Subpoenaed Employees
- 6263. Modification of Work Schedules
- 6264. Retention of Travel Incentives
- 6265. Service Awards
- 6266. Insurance Pertaining to Employees
- 6267. Relocation Expenses for Unrepresented and Officer Employees
- 6268. Reproductive Loss Leave

**§ 6227. Sick Leave.**

(a) Employees shall accumulate sick leave at the following rates:

(1) Regular and Recurrent employees shall accumulate sick leave with full pay at the rate of .045978 hours for each hour of service.

(2) Temporary employees, excluding Annuitants, shall accumulate sick leave with full rate pay at the rate of .033333 hours for each hour of service effective July 1, 2015.

(b) Such leave may be taken for absences from duty made necessary by:

(1) Incapacity due to illness.

(2) Incapacity due to injury incurred in the line of duty with the District to the extent provided in Section 6244 of this Code, or to injury not incurred in the line of such duty.

(3) A female employee's incapacity due to pregnancy, childbirth, miscarriage, abortion, or a reproductive loss event.

(4) Medical, dental or ocular examination or treatment of an employee, without incapacity, for which appointment cannot be made outside working hours, but limited to four hours for each appointment.

(5) To attend to the illness or injury in the employee's immediate family, other than the employee's own illness, to the extent permitted by Section 6229 of this Code. For the purposes of this section, "immediate family" means spouse, state-registered domestic partner, child, parent, sibling, grandparent, or grandchild, or designated person. A "designated person" for purposes of this section means a person identified by the employee at the time the employee requests special leave with pay and may include any individual related by blood or whose association with the employee is the equivalent of a family relationship. An employee is limited to one (1) designated person per 12-month period for paid sick days.

(6) To seek medical attention for injuries, obtain services from a shelter, program, or crisis center, psychological counseling or to participate in safety planning, including temporary or permanent relocation when an employee is a victim or survivor of domestic violence, sexual assault or stalking to the extent and limitation provided in Section 6229 of this Code.

(c) Physician Certification.

(1) A physician's certification or other proof of incapacity or treatment may be required if an employee's supervisor believes that a medical verification is justified in order for the employee to fulfill their job requirements or if the employee has a leave abuse problem. Notice of this requirement shall be given in advance in all cases of prior leave abuse. A physician's certification shall be required for all sick leave absences exceeding ten (10) working days.

(2) A physician's certification authorizing an employee's return to work from serious illness or injury shall be reviewed by the District's medical support in ~~Workplace Health & Safety~~ Human Resources Medical prior to the employee's return to work. An illness or injury may require additional medical examinations/testing in order to determine whether the employee can safely perform their duties, or to determine appropriate work restrictions. Such examination/testing will be done at District expense and on District time if the District requires that it be conducted by District-selected medical personnel.

(3) In the event sick leave is requested while an employee is on vacation, a certification by an attending physician is required for the granting of sick leave.

(d) Accumulation of Sick Leave for Regular and Recurrent Employees.

(1) Accumulation of sick leave as of the pay period of any annual payroll cycle which includes November 15, shall not be in excess of 1,000 hours of sick leave.

(2) If, during any period of any annual payroll cycle which includes November 15, an employee's total of accumulated sick leave exceeds the limitation on accumulation stated in Section 6227(d)(1), the excess accumulated sick leave shall, as soon as practicable after that payroll period, be paid to the employee entitled thereto at the employee's hourly pay rate at the end of said payroll period for 52.2 percent of the excess accumulated hours of such sick leave.

(3) An employee who separates from employment with the District, and has an accumulation of 10,440 hours of service with the District without interruption, will be paid at the employee's hourly rate of 52.2 percent of all accumulated sick leave. If the employee is rehired within twelve (12) months from their separation date, then any unused and unpaid sick leave will be reinstated. Employees will be paid out their unused sick leave at the time of separation based on the regular hourly base pay. Employees on temporary promotion performing higher level duties in a temporary capacity, upon separation of service will be returned to their regular classification and unpaid leave will be paid at their regular hourly base pay.

(4) If an employee retires in accordance with the Public Employees' Retirement Law, as stated in Government Code Section 20965, the employee may elect one of two options: (1) to be paid at the employee's hourly rate for 52.2 percent of the excess accumulated hours of sick leave at the time of separation with the remaining 47.8 percent converted to additional service credit; or (2) to have 100 percent of such accumulated hours converted to additional service credit. If the employee makes no election, the employee will be defaulted to option (1).

(5) Except as provided in Section 6248 and Section 6227, there shall be no cancellation of earned but unused sick leave.

(e) Employees on military leave, either reserve, National Guard, State Guard or extended military service do not lose their accumulated sick leave credit.

(f) Accumulation of Sick Leave for Temporary employees, excluding Annuitants.

(1) A Temporary employee's accumulation of sick leave shall be limited to a total not to exceed sixty (60) hours.

(2) Upon separation from employment with the District, a Temporary employee will not be compensated for unused paid sick time.

(3) A Temporary employee who separates from employment with the District, and is rehired by the District within twelve (12) months from the date of separation, shall have his or her previously accrued and unused paid sick days reinstated.

(g) The unauthorized use of sick leave may result in disciplinary action.



**§ 6242. Reinstatement Upon Return From Leave Necessitated by Pregnancy, Childbirth, Miscarriage, or Abortion.**

An employee returning from leave necessitated by pregnancy, childbirth, miscarriage, ~~or~~ abortion, or a reproductive loss event shall be entitled to reinstatement to the employee's position held at the time the leave status began or, if the position has been deleted, to a position of like status in the same geographic area. Except as otherwise specifically provided by this Code or by rule of the District, such an employee shall, while on leave status, accumulate seniority credit for the purpose of determining ranking in the event of a reduction in force, but shall accumulate other benefits only as specifically provided for the type of leave taken by the employee.

**§ 6268. Reproductive Loss Leave**

Upon a reproductive loss event of an employee, the employee shall be allowed such reproductive loss leave for up to five (5) days without pay per reproductive loss event (RLE). RLE is defined as the day or, for a multiple day event, the final day of a failed adoption, failed surrogacy (applies to the would-be parent), miscarriage, stillbirth, or an unsuccessful assisted reproduction. If the employee experiences more than one RLE within 12 months, the employee is entitled to a maximum of 20 days of reproductive loss leave ("RLL") within a 12 month period, not to exceed five (5) days per RLE. Employees are required to complete their RLL within three (3) months of the RLE, but if the employee is taking other specified leave (e.g., CFRA, FMLA, pregnancy disability leave, personal leave, sick leave, comp time) prior to or immediately after an RLE, the three (3) months does not start until the other leave completes. RLE need not be taken consecutively. The employee is not required to provide documentation to verify the RLE, but will be required to submit a leave request. Only an employee with thirty (30) days or greater of service is eligible for reproductive loss leave.

**Chapter 5**

**MANAGEMENT AND CONFIDENTIAL EMPLOYEES - GENERAL**

Article		Sec.
1	Salaries	6500
2	Benefits	6520
3	Grievances	6540
4	Miscellaneous	6560

**Article 1**

**SALARIES**

**§ 6500. Hourly Pay Rate Schedule.**

(a) The hourly pay rate (as that term is defined in subdivision (h) of Section 6200) and schedule of positions occupied by unclassified service employees not in an appropriate unit recognized pursuant to Section 6108 shall be as follows:

<u>Grade</u>	<u>Range</u>	<u>Title</u>
14	<del>\$12.74-17.39</del> <del>(\$26,499-36,171)</del> <u>14.77-</u> <u>20.16</u> <del>(\$30,722-41,933)</del>	*Student Youth Intern
<del>24</del> <u>2</u>	<del>\$15.40-21.07</del> <u>18.43-25.06</u> <del>(\$32,032-43,826)</del> <u>38,334-</u> <u>52,125)</u>	*Student Intern
66	<del>\$52.78-71.96</del> <u>61.18-83.42</u> <del>(\$109,782-149,677)</del> <u>127,254-</u> <u>173,514)</u>	Principal Administrative Analyst
<del>67</del>	<del>\$62.75-85.70</del> <del>(\$130,520-178,256)</del>	<del>Executive Office Manager</del>
68	<del>\$55.61-75.95</del> <u>64.47-88.05</u> <del>(\$115,669-157,976)</del> <u>134,098-</u> <u>183,144)</u>	Program Manager I
71	<del>\$0.24-82.35</del> <u>69.83-95.46</u> <del>(\$125,299-171,288)</del> <u>145,246-</u> <u>198,557)</u>	Program Manager II
72	<del>\$61.87-84.55</del> <u>71.73-98.01</u> <del>(\$128,690-175,864)</del> <u>149,198-</u> <u>203,861)</u>	Board Executive Secretary <u>Special Assistant to the GM</u> Staff Assistant to General Manager
73	<del>\$63.58-86.83</del> <u>73.70-100.65</u> <del>(\$153,296-209,352)</del> <u>132,246-</u> <u>180,606)</u>	<del>Audit Administrator</del> <u>Senior Audit Manager</u>
74	<del>\$75.74-103.33</del> <u>65.33-89.14</u> <del>(\$157,539-214,926)</del> <u>135,866-</u> <u>185,411)</u>	Program Manager III
75	<del>\$67.05-91.64</del> <u>77.72-106.23</u> <del>(\$139,464-190,611)</del> <u>161,658-</u> <u>220,958)</u>	Human Resources Manager I

77	<del>\$70.80-96.75</del> <u>82.07-112.16</u> ( <del>\$147,264-201,240</del> <u>170,706-233,293</u> )	Deputy General Auditor
78	<del>\$72.73-99.38</del> <u>84.31-115.21</u> ( <del>\$151,278-206,710</del> <u>75,365-239,637</u> )	Human Resources Manager II
79	<del>\$86.64</del> <u>74.74-118.43</u> <u>102.16</u> ( <del>\$180,211</del> <u>155,459-246,334</u> <u>212,493</u> )	Sr. Deputy General Counsel-Labor Relations
80	<del>\$89.01</del> <del>\$76.79-121.67</del> <u>104.96</u> ( <del>\$185,141</del> <del>\$159,723-</del> <u>253,074</u> <u>218,317</u> )	<u>Chief Deputy DE&amp;I Officer</u> <u>Deputy Chief EEO Officer</u> Human Resources Section Manager Manager of Colorado River Resources
81	<del>\$91.51</del> <del>78.93-125.03</del> <u>107.85</u> ( <del>\$190,341</del> <del>\$164,174-</del> <u>260,062</u> <u>224,328</u> )	Assistant General Auditor Budget and Treasury Manager Executive Legislative Representative Human Resources Manager III Strategic Comm. & Policy Advisor
<u>82</u>	<u>\$93.96-128.42</u> ( <u>\$195,437-267,114</u> )	<u>Manager of Bay-Delta Programs</u> <u>Manager of Bay-Delta Science &amp; Regulator Strategy</u>
85	<del>\$101.98</del> <del>87.97-139.31</del> <u>120.17</u> ( <del>\$212,118</del> <del>\$182,978-</del> <u>289,765</u> <u>249,954</u> )	Assistant Group Manager <u>Bay-Delta Initiatives Policy Manager</u> <u>Chief EEO Officer</u> <u>Chief Diversity, Equity &amp; Inclusion Officer</u> <u>Chief Safety, Security &amp; Protection Officer</u> <u>Chief Sustainability, Resiliency &amp; Innovation Officer</u> <u>Chief Principal Deputy General Counsel-Labor Relations</u>
86	<del>\$9104.78</del> <del>0.39-1143.14</del> <u>23.47</u> ( <del>\$217,942</del> <del>\$188,011-</del> <u>297,731</u> <u>256,818</u> )	Assistant General Counsel <u>Executive Advisor: Water Resources &amp; Capital Improvements</u> <del>Bay-Delta Initiatives Manager</del> Group Manager <u>Group Manager—Bay Delta Initiatives</u> Group Manager—External Affairs <u>Group Manager—Finance</u> Group Manager—Human Resources Group Manager—Real Property <u>Manager of Colorado River Resources</u>
88	<del>\$110.62</del> <u>95.42-151.13</u> <u>130.37</u>	<u>Board Executive Officer</u>

	<del>(\$230,090-\$198,474- 314,350-271,170)</del>	<u>Group Manager—Conveyance &amp; Distribution</u> Group Manager—Info Technology <u>Group Manager—Water Resources Management</u> <u>Group Manager—Treatment &amp; Water Quality</u> Group Manager—Water Resources <del>Mgmt.</del> <u>Management</u>
89	<del>\$113.62-98.01-155.33-134.00 (\$236,330-323,086-203,861- 278,720)</del>	Group Manager—Engineering Services Group Manager—Water System Operations
93	<del>\$126.71-109.30- 173.11-149.33 (\$263,557-227,344- 360,069-310,606)</del>	Assistant General Manager – Chief Administrative— Officer  Assistant General Manager—Chief External Affairs Officer Assistant General Manager – Chief Financial Officer Assistant General Manager – Strategic Water Initiatives
94	<del>\$130.15-112.27- 177.89-153.46 (\$270,712-233,522- \$370,011-319,197)</del>	Assistant General Manager—Chief Operating Officer
97	<del>\$141.25-192.98 (\$293,800-\$401,398)</del>	<u>Executive Officer &amp; Assistant General Manager—Water &amp; Technology Resources</u>

( ) Shows approximate annual salary range for convenience; Board approved rates are hourly. Asterisk \* positions are Fair Labor Standards (FLSA) “non-exempt” (i.e., eligible for overtime).

(b) Unrepresented FLSA “exempt” employees are eligible to receive a monthly transportation allowance. Transportation allowance amounts are to be administered by the General Manager based on a schedule approved by the Board of Directors.

(c) Unrepresented FLSA “exempt” employees are eligible to participate in a pay-for-performance incentive program promulgated by the General Manager. The Board shall establish the total expenditure for the program.

(d) Unless otherwise directed by the Board, the range of base hourly pay rates for the employees in the positions identified in Section 6500(a) will be adjusted ~~annually~~ to correspond with the ~~annual~~ across-the-board salary adjustments provided to the District’s management unit. Actual pay rates for these employees will be based on merit pursuant to employee evaluations. Department Heads are authorized to move a position to a different salary grade in accordance with practices, policies and procedures promulgated by the General Manager.

## Article 2

## BENEFITS

Sec.

- 6520. General
- 6521. Retirement
- 6522. Medical Insurance
- 6523. Dental Insurance
- 6524. Tuition Reimbursement
- 6525. Term Life Insurance
- [6526 repealed]
- [6527 repealed]
- 6528. Personal Leave
- 6529. Part-Time Disability Leave
- 6530. Bereavement Leave
- 6531. Long-Term Disability Insurance
- 6532. ~~Professional Dues~~ Professional Development and Productivity Enhancement
- 6533. Deferred Compensation
- 6534. Vision Plan
- 6535. Wellness Enhancement Program
- 6536. Exempt Time Off

### § 6520. General.

In addition to other benefits set forth in this Administrative Code, employees, other than temporary or less than part-time employees, and to the extent specified, annuitants, shall be entitled to the following benefits effective June 28, 1987, unless otherwise provided hereinafter. Further, unless otherwise directed by the Board, benefits for the employees in the positions referenced in Section 6500(a) shall be provided to correspond with the across-the-board salary and benefits adjustments provided to the District's management unit.

### § 6521. Retirement.

The District shall pay to the California Public Employees' Retirement System (CalPERS) on behalf of each employee an amount equal to the required employee contribution to CalPERS, not to exceed seven percent (7%) of each employee's salary for employees deemed Classic Members by CalPERS. Employees deemed as New Members are subject to the Public Employees' Pension Reform Act (PEPRA) and shall pay their own employee contributions.

The contribution shall be treated as an employer contribution made pursuant to Section 414(h)(2) of the Internal Revenue Code ~~of the United States~~ in determining the tax treatment of the contribution. Such contributions shall be treated for all purposes other than taxation in the same manner and to the same extent as contributions made by employees prior to June 30, 1985. Such contributions shall be paid from the same source of funds as used in paying wages to the affected employees. The employee does not have the option to receive the District-contributed amount paid pursuant to this section directly instead of having it paid to CalPERS.

Notwithstanding any provision in this Code to the contrary, the wages of each unrepresented employee shall be reduced by the indicated percentage of the amount of such employee's contribution paid by the District pursuant to the provisions of this section:

For such employees employed prior to January 1, 1981: 64.3%

For such employees employed on or after January 1, 1981: 100.0%

This section shall be operative only so long as the District pickup of the retirement contribution continues to be excluded from the gross income of the employee under the provisions of the Internal Revenue Code.

#### **§ 6522. Medical Insurance.**

Metropolitan's monthly contribution for employees in classifications referenced listed in Section 6500 and related annuitants to the medical plans maintained by CalPERS the Public Employees' Retirement System shall be established by Board resolution pursuant to the provisions of the Public Employees' Medical and Hospital Care Act.

#### **§ 6523. Dental Insurance.**

The District shall fully pay premiums for employees in classifications referenced listed in Section 6500 and their qualified dependents under the group dental insurance provided by Delta Dental Company. Any reserve funds developed under the policy may be applied towards paying the premium of any policy obtained pursuant to this section.

During the policy year beginning with September 1, 1992, the District shall amend its policy to provide for an increase in orthodontic coverage under the prior terms of the policy to \$1,5002,000 lifetime maximum per eligible dependent child to age 19 covered participant; and to increase the prophylaxis (cleaning) benefit by providing for such cleaning once every four (4) months. In addition, the District shall amend its policy to provide for an increase in the maximum payable for diagnostic and preventative care per calendar year per eligible person to \$2,0002,500 a year; and to provide for sealant treatment for dependent children.

#### **§ 6524. Tuition Reimbursement.**

Tuition reimbursement for unrepresented-all employees in classifications referenced listed in Section 6500 shall be one-hundred percent (100%) percent of tuition, registration fees, books, and laboratory fees for up to twelve (12) units per quarter or semester; provided however, that employees who receive tuition reimbursement approval for a course or curriculum on or after August 1, 1992 shall be eligible for tuition reimbursement at the rate of one-hundred+00 percent (100%), to a maximum of \$9,000 per calendar year, and up to an additional \$2,000 per calendar year for graduate or doctorate degrees.

#### **§ 6525. Term Life Insurance.**

All employees in classifications referenced-listed in Section 6500 will be provided with District-paid term life insurance affording coverage in an amount equal to 2,080 times the employee's hourly rate rounded off to the next higher thousand dollars, with employees having the option at their own expense to obtain additional coverage not to exceed a maximum combined coverage of four hundred thousand dollars (\$400,000).

#### **§ 6528. Personal Leave.**

Employees in classifications referenced-listed in Section 6500 who are exempt from overtime pay and have been employed by the District for more than 1,044 hours of current service, including military leave during the period of current service, may take personal leave with pay up to twenty-four (24) hours each annual payroll cycle which shall not be charged against accumulated sick leave. Such personal leave may be taken for any personal reason, so long as such leave does not interfere with the mission of the District.

#### **§ 6529. Part-Time Disability Leave.**

An unrepresented employee, otherwise eligible for disability leave pursuant to Section 6228, may be permitted by the employee's Department Head to work for a period, subject to termination by the Department Head, on a part-time basis if a physician's statement is furnished, satisfactory to and accepted by the District, stating the employee is physically able to work on a part-time basis. The Department Head may not re-delegate the authority provided by this section. Notwithstanding any provision to the contrary in Sections 6200 through 626~~85~~, the employee shall be permitted to accrue leave in accordance with District regulation for those hours not on disability leave, but shall not be allowed to use leave until returning to work on a full-time basis and a physician's statement, satisfactory to and accepted by the District, is received stating the employee is physically able to return to work on a full-time basis for an indefinite time. For all other purposes of Section 6228, an employee on part-time disability leave shall be considered to be on full-time disability leave and shall not be considered as having returned to work.

#### **§ 6530. Bereavement Leave.**

Upon the death of a member of an employee's immediate family, a classification referenced-listed in Section 6500 shall be allowed such bereavement leave with pay as is actually necessary to take care of funeral arrangements or to attend the funeral, but not to exceed three (3) working days, or, one workweek as determined by the employee's assigned work schedule, if the death occurs 250 miles or more from the employee's place of residence. If the death does not occur 250 miles or more from the employee's place of residence, then the employee shall be allowed additional bereavement leave without pay not to exceed two (2) working days, except that an employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee. For the purposes of this section, "immediate family" means spouse, state-registered domestic partner, or the employee's or spouse's/domestic partner's child, parent, brother, sister, stepparent, stepchild, grandparent, grandchild, aunt or uncle. An employee, if requested by Metropolitan, within thirty (30) days of the first day of the leave, shall provide documentation of the death of

the family member. As used in this section, “documentation” includes, but is not limited to, a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or governmental agency. The bereavement leave shall be completed within three (3) months of the date of death of the family member.

### § 6531. Long-Term Disability Insurance.

The District shall provide long-term disability (LTD) insurance to employees in classifications referenced listed in Section 6500. Commencing July 1, 1998, or as soon thereafter as practical, the insurance shall provide a benefit of \$8,000 per month, but not to exceed sixty-six 66 percent (66%) of the employee's monthly salary. The benefit shall commence ninety (90) days after the employee's disability commences. Benefit payments are paid after the employee first exhausts all sick leave, exhausting disability leave payable at the rate of 75 percent (75%) of full pay, and exhausting disability leave at the rate of 50 percent (50%) of full pay, in that order. Benefit payments and shall expire 2 1/2 years at age 65 after commencement, unless the employee's disability terminates sooner. If the employee applies for LTD benefits at age 65 or older, payments will expire within twelve (12) to twenty-four (24) months depending on age when the first payment begins. The District's insurance carrier shall determine eligibility including whether an employee is disabled. Preexisting conditions shall be excluded from coverage. The District shall have the right to change carriers and coverage so long as the replacement insurance is at least as advantageous.

### § 6532. Professional Development and Productivity Enhancement ~~Dues~~.

Any employee in an unrepresented position referenced listed in Section 6500 shall be reimbursed for professional dues, pursuant to authorization by the employee's Department Head, when professional dues are related to the fulfillment of the District's purposes. professional development and productivity enhancement expenses, as follows:

(a) The District shall reimburse employees for state-mandated license for certification fees.

(b) The District shall reimburse unrepresented employees, to correspond with adjustments provided to the District's management unit, for the costs incurred for professional development, certifications, licenses, or other costs incurred for professional development or productivity enhancement including seminars, journals, periodicals, books, travel expenses, professional association dues, pre-approved electronic equipment software and hardware, computing or communication devices, and other equipment pursuant to authorization by the employee's Department Head, to a specified annual maximum, when related to their job duties and/or to the fulfillment of the District's purposes. Any unused monies will roll over for one and only one subsequent year, from odd calendar years to even years, and unused monies during even years will be neither rolled over nor paid out.

### § 6533. Deferred Compensation.



The District shall provide a matching contribution, on behalf of each employee in a classification ~~referenced listed~~ in Section 6500 who is a participant in the 401(k) Plan provided for in Division VI, Chapter 8, Article 1 of this Code, in the amount of one (1) dollar for each dollar contributed by the employee in accordance with a compensation-reduction election made by the participant pursuant to the 401(k) Plan Section 3.2. Commencing July 1, 2004, or as soon thereafter as practical, the maximum District matching contribution shall not exceed four and one-half percent (4.5%) of the employee's total cash compensation and salary reductions permitted under Sections 401(k), 414(b) and 457 of the Internal Revenue Code during that time period. This section shall only be operative to the extent that the District can make matching contributions and maintain compliance with the Internal Revenue Code.

#### **§ 6534. Vision Plan.**

The District shall on behalf of each employee in a classification ~~referenced listed~~ in Section 6500 provide for a vision care program through a District-approved vision plan provider~~Vision Service Plan (VSP)~~. The vision care program shall provide coverage of standard ophthalmic materials when necessary for the eligible employee's visual welfare. This program shall provide for eye examinations, lenses, and frames under ~~VIP's Plan "B"~~the program. The District shall fully pay the employee only premium rate. Employees will, however, be permitted the option to purchase family coverage through the program.

#### **§ 6535. Wellness Enhancement Program.**

The District shall on behalf of each employee in a classification referenced in Section 6500, provide a wellness enhancement reimbursement benefit for common health and fitness services not to exceed four hundred dollars (\$400) annually for District-approved activities, services, equipment and products that promote physical activity, wellness and work-life balance. All submissions for reimbursement must be submitted by January 31 for the prior year. This benefit is annual and any unused remainder may not be carried over to subsequent years.

#### **§ 6536. Exempt Time Off**

(a) Effective January 1, 2024, and each calendar year thereafter, all full-time FLSA-exempt employees with a classification referenced in Section 6500 are eligible for an annual allotment of forty (40) hours of Exempt Time Off (ETO) to be used within the calendar year it is allotted. The annual allotment of ETO becomes available for use on the first District business day of the calendar year and shall not roll over into the following calendar year. Employees hired after the annual allotment in January, and existing employees who are promoted or transferred into an applicable classification after the annual allotment in January, are not eligible to receive ETO until the following calendar year. Existing employees with an ETO allotment or balance from a previous classification will retain their unused ETO for that calendar year. Any unused portion of ETO will be automatically cashed out by the District to the employee on the first paycheck following December 1 of each calendar year.

(b) Effective January 1, 2025 and each calendar year thereafter, all eligible employees under this section with a current overall annual evaluation rating of Meets Standards and above for the prior evaluation year, shall receive an additional annual allotment of forty (40) hours of ETO to be used within the calendar year it is allotted. This additional annual allotment of ETO becomes available for use on the first District business day of the calendar year and shall not roll over into the following calendar year. Only persons who are actively employed by the District at the time of the annual allotment in January will be eligible for the allotment. Any unused portion of ETO will be automatically cashed out by the District to the employee on the paycheck following December 1 of each calendar year.

(c) Eligible employees shall make a request to use ETO hours to their direct supervisor. The District shall determine whether a request for ETO shall be granted. However, an eligible employee's timely request to use ETO hours under this provision shall only be denied for good and sufficient business reasons.

(d) Any ETO hours not used by an employee prior to separation of service will be automatically cashed out by the District at separation.

(e) Effective July 1, 2022 through December 31, 2022, all employees eligible under this section, who were employed by the District during that timeframe, shall receive a retroactive payment equivalent to an allotment of twenty-four (24) hours of ETO for that timeframe.

(f) Effective January 1, 2023 through December 31, 2023, all employees eligible under this section who were employed by the District during that timeframe shall receive a retroactive payment equivalent to an allotment of forty (40) hours of ETO for that timeframe.

(g) Eligible employees who received an overall annual evaluation rating of Meets Standards and above for the 2022-2023 evaluation year shall receive an additional allotment of 40 hours of ETO for that evaluation period. Any unused portion of ETO awarded under this provision will be automatically cashed out by the District to the employee on the first paycheck following December 1, 2024.

(h) Only persons employed by the District at the time this section becomes effective may be awarded retroactive allotments and/or retroactive payments, as set forth above.

## Division VI

### PERSONNEL MATTERS

Chapter	Sec.
1 Employee Relations	6100
2 Personnel Regulations	6200
3 General Employee Matters	6300
4 Officers	6400
5 Management and Confidential Employees - General	6500
[6 Repealed	6600]
[7 Repealed	6700]
8 Employee Deferred Compensation and Savings Plans	6810

## Chapter 2

### PERSONNEL REGULATIONS

Sec.
6200. Definitions
6201. Benefits Paid Temporary Employees
6202. Hourly Pay Rate Calculations
6203. Leave Accrual and Usage
6204. Merit System
6205. Eligibility and Qualifications for Employment
6206. Appointments and Removals
6207. Positions Authorized
6208. Pay Rate Administration
6209. Discharge
6210. Employee Evaluation
6211. Merit Increases
[6212 - 6216 reserved for future use]
6217. Disciplinary Procedure
6218. Appeal Procedure
6219. Disciplinary Actions
6220. Suspension
6221. Demotion
6222. Reduction in Force
6223. Hours of Work
6224. Overtime
6225. Holidays
6226. Annual Leave
6227. Sick Leave
6228. Disability Leave
6229. Special Leave

- 6230. Employee Leave Transfers
- 6231. Family and Medical Leave
- 6232. Paid Leave While Caring For A Newly Born Or Newly Adopted Child
- 6233. Benefits Paid Regular Part-Time Employees
- 6234. Domestic Partners
- [6235 - 6239 reserved for future use]
- [6240 - Repealed]
- 6241. Notice of Absence
- 6242. Reinstatement Upon Return from Leave Necessitated by Pregnancy, Childbirth, Miscarriage, or Abortion
- 6243. Bereavement Leave
- 6244. Use of Accumulated Leave - Industrial Injury
- 6245. Use of Accumulated Leave - Quarantine
- 6246. Military Leave
- 6247. Leave Without Pay
- 6248. Severance Pay
- 6249. Jury Duty Leave
- [6250 - 6259 reserved for future use]
- 6260. Shift Pay and Diving Pay
- 6261. Time Off for Voting
- 6262. Leave for Subpoenaed Employees
- 6263. Modification of Work Schedules
- 6264. Retention of Travel Incentives
- 6265. Service Awards
- 6266. Insurance Pertaining to Employees
- 6267. Relocation Expenses for Unrepresented and Officer Employees
- 6268. Reproductive Loss Leave

**§ 6227. Sick Leave.**

(a) Employees shall accumulate sick leave at the following rates:

(1) Regular and Recurrent employees shall accumulate sick leave with full pay at the rate of .045978 hours for each hour of service.

(2) Temporary employees, excluding Annuitants, shall accumulate sick leave with full rate pay at the rate of .033333 hours for each hour of service effective July 1, 2015.

(b) Such leave may be taken for absences from duty made necessary by:

(1) Incapacity due to illness.

(2) Incapacity due to injury incurred in the line of duty with the District to the extent provided in Section 6244 of this Code, or to injury not incurred in the line of such duty.

(3) A female employee's incapacity due to pregnancy, childbirth, miscarriage, abortion, or a reproductive loss event.

(4) Medical, dental or ocular examination or treatment of an employee, without incapacity, for which appointment cannot be made outside working hours, but limited to four hours for each appointment.

(5) To attend to the illness or injury in the employee's immediate family, other than the employee's own illness, to the extent permitted by Section 6229 of this Code. For the purposes of this section, "immediate family" means spouse, state-registered domestic partner, child, parent, sibling, grandparent, or grandchild, or designated person. A "designated person" for purposes of this section means a person identified by the employee at the time the employee requests special leave with pay and may include any individual related by blood or whose association with the employee is the equivalent of a family relationship. An employee is limited to one (1) designated person per 12-month period for paid sick days.

(6) To seek medical attention for injuries, obtain services from a shelter, program, or crisis center, psychological counseling or to participate in safety planning, including temporary or permanent relocation when an employee is a victim or survivor of domestic violence, sexual assault or stalking to the extent and limitation provided in Section 6229 of this Code.

(c) Physician Certification.

(1) A physician's certification or other proof of incapacity or treatment may be required if an employee's supervisor believes that a medical verification is justified in order for the employee to fulfill their job requirements or if the employee has a leave abuse problem. Notice of this requirement shall be given in advance in all cases of prior leave abuse. A physician's certification shall be required for all sick leave absences exceeding ten (10) working days.

(2) A physician's certification authorizing an employee's return to work from serious illness or injury shall be reviewed by the District's medical support in Human Resources Medical prior to the employee's return to work. An illness or injury may require additional medical examinations/testing in order to determine whether the employee can safely perform their duties, or to determine appropriate work restrictions. Such examination/testing will be done at District expense and on District time if the District requires that it be conducted by District-selected medical personnel.

(3) In the event sick leave is requested while an employee is on vacation, a certification by an attending physician is required for the granting of sick leave.

(d) Accumulation of Sick Leave for Regular and Recurrent Employees.

(1) Accumulation of sick leave as of the pay period of any annual payroll cycle which includes November 15, shall not be in excess of 1,000 hours of sick leave.

(2) If, during any period of any annual payroll cycle which includes November 15, an employee's total of accumulated sick leave exceeds the limitation on accumulation stated in Section 6227(d)(1), the excess accumulated sick leave shall, as soon as practicable after that payroll period, be paid to the employee entitled thereto at the employee's hourly pay rate at the end of said payroll period for 52.2 percent of the excess accumulated hours of such sick leave.

(3) An employee who separates from employment with the District, and has an accumulation of 10,440 hours of service with the District without interruption, will be paid at the employee's hourly rate of 52.2 percent of all accumulated sick leave. If the employee is rehired within twelve (12) months from their separation date, then any unused and unpaid sick leave will be reinstated. Employees will be paid out their unused sick leave at the time of separation based on the regular hourly base pay. Employees on temporary promotion performing higher level duties in a temporary capacity, upon separation of service will be returned to their regular classification and unpaid leave will be paid at their regular hourly base pay.

(4) If an employee retires in accordance with the Public Employees' Retirement Law, as stated in Government Code Section 20965, the employee may elect one of two options: (1) to be paid at the employee's hourly rate for 52.2 percent of the excess accumulated hours of sick leave at the time of separation with the remaining 47.8 percent converted to additional service credit; or (2) to have 100 percent of such accumulated hours converted to additional service credit. If the employee makes no election, the employee will be defaulted to option (1).

(5) Except as provided in Section 6248 and Section 6227, there shall be no cancellation of earned but unused sick leave.

(e) Employees on military leave, either reserve, National Guard, State Guard or extended military service do not lose their accumulated sick leave credit.

(f) Accumulation of Sick Leave for Temporary employees, excluding Annuitants.

(1) A Temporary employee's accumulation of sick leave shall be limited to a total not to exceed sixty (60) hours.

(2) Upon separation from employment with the District, a Temporary employee will not be compensated for unused paid sick time.

(3) A Temporary employee who separates from employment with the District, and is rehired by the District within twelve (12) months from the date of separation, shall have his or her previously accrued and unused paid sick days reinstated.

(g) The unauthorized use of sick leave may result in disciplinary action.

**§ 6242. Reinstatement Upon Return From Leave Necessitated by Pregnancy, Childbirth, Miscarriage, or Abortion.**

An employee returning from leave necessitated by pregnancy, childbirth, miscarriage, abortion, or a reproductive loss event shall be entitled to reinstatement to the employee's position held at the time the leave status began or, if the position has been deleted, to a position of like status in the same geographic area. Except as otherwise specifically provided by this Code or by rule of the District, such an employee shall, while on leave status, accumulate seniority credit for the purpose of determining ranking in the event of a reduction in force, but shall accumulate other benefits only as specifically provided for the type of leave taken by the employee.

**§ 6268. Reproductive Loss Leave**

Upon a reproductive loss event of an employee, the employee shall be allowed such reproductive loss leave for up to five (5) days without pay per reproductive loss event (RLE). RLE is defined as the day or, for a multiple day event, the final day of a failed adoption, failed surrogacy (applies to the would-be parent), miscarriage, stillbirth, or an unsuccessful assisted reproduction. If the employee experiences more than one RLE within 12 months, the employee is entitled to a maximum of 20 days of reproductive loss leave (“RLL”) within a 12 month period, not to exceed five (5) days per RLE. Employees are required to complete their RLL within three (3) months of the RLE, but if the employee is taking other specified leave (e.g., CFRA, FMLA, pregnancy disability leave, personal leave, sick leave, comp time) prior to or immediately after an RLE, the three (3) months does not start until the other leave completes. RLE need not be taken consecutively. The employee is not required to provide documentation to verify the RLE, but will be required to submit a leave request. Only an employee with thirty (30) days or greater of service is eligible for reproductive loss leave.

**Chapter 5**

**MANAGEMENT AND CONFIDENTIAL EMPLOYEES - GENERAL**

Article		Sec.
1	Salaries	6500
2	Benefits	6520
3	Grievances	6540
4	Miscellaneous	6560

**Article 1**

**SALARIES**

**§ 6500. Hourly Pay Rate Schedule.**

(a) The hourly pay rate (as that term is defined in subdivision (h) of Section 6200) and schedule of positions occupied by unclassified service employees not in an appropriate unit recognized pursuant to Section 6108 shall be as follows:

<u>Grade</u>	<u>Range</u>	<u>Title</u>
14	\$14.77-20.16 (\$30,722-41,933)	*Student Youth Intern
22	\$18.43-25.06 (\$38,334-52,125)	*Student Intern
66	\$61.18-83.42 (\$127,254-173,514)	Principal Administrative Analyst
67	\$62.75-85.70 (\$130,520-178,256)	Executive Office Manager
68	\$64.47-88.05 (\$134,098-183,144)	Program Manager I
71	\$69.83-95.46 (\$145,246-198,557)	Program Manager II
72	\$71.73-98.01 (\$149,198-203,861)	Board Executive Secretary Special Assistant to the GM Staff Assistant to General Manager
73	\$73.70-100.65 (\$153,296-209,352)	Senior Audit Manager
74	\$75.74-103.33 (\$157,539-214,926)	Program Manager III
75	\$77.72-106.23 (\$161,658-220,958)	Human Resources Manager I
77	\$82.07-112.16 (\$170,706-233,293)	Deputy General Auditor
78	\$84.31-115.21 (\$175,365-239,637)	Human Resources Manager II
79	\$86.64-118.43 (\$180,211-246,334)	Sr. Deputy General Counsel-Labor Relations
80	\$89.01-121.67 (\$185,141-253,074)	Chief Deputy DE&I Officer Deputy Chief EEO Officer Human Resources Section Manager



		Manager of Colorado River Resources
81	\$91.51-125.03 (\$190,341-260,062)	Assistant General Auditor Budget and Treasury Manager Executive Legislative Representative Human Resources Manager III Strategic Comm. & Policy Advisor
82	\$93.96-128.42 (\$195,437-267,114)	Manager of Bay-Delta Programs Manager of Bay-Delta Science & Regulator Strategy
85	\$101.98-139.31 (\$212,118-289,765)	Assistant Group Manager Bay-Delta Initiatives Policy Manager Chief EEO Officer Chief Diversity, Equity & Inclusion Officer Chief Safety, Security & Protection Officer Chief Sustainability, Resiliency & Innovation Officer Principal Deputy General Counsel-Labor Relations
86	\$104.78-143.14 (\$217,942-297,731)	Assistant General Counsel Executive Advisor: Water Resources & Capital Improvements Group Manager Group Manager—Bay Delta Initiatives Group Manager—External Affairs Group Manager—Finance Group Manager—Human Resources Group Manager—Real Property Manager of Colorado River Resources
88	\$110.62-151.13 (\$230,090-314,350)	Board Executive Officer Group Manager—Conveyance & Distribution Group Manager—Info Technology Group Manager—Water Resources Management Group Manager—Treatment & Water Quality Group Manager—Water Resources Management
89	\$113.62-155.33 (\$236,330-323,086)	Group Manager—Engineering Services Group Manager—Water System Operations
93	\$126.71-173.11 (\$263,557-360,069)	Assistant General Manager – Chief Administrative Officer Assistant General Manager—Chief External Affairs Officer Assistant General Manager – Chief Financial Officer Assistant General Manager – Strategic Water Initiatives
94	\$130.15-177.89 (\$270,712-\$370,011)	Assistant General Manager—Chief Operating Officer

97	\$141.25-192.98 (\$293,800-\$401,398)	Executive Officer & Assistant General Manager—Water & Technology Resources
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( ) Shows approximate annual salary range for convenience; Board approved rates are hourly. Asterisk \* positions are Fair Labor Standards (FLSA) “non-exempt” (i.e., eligible for overtime).

(b) Unrepresented FLSA “exempt” employees are eligible to receive a monthly transportation allowance. Transportation allowance amounts are to be administered by the General Manager based on a schedule approved by the Board of Directors.

(c) Unrepresented FLSA “exempt” employees are eligible to participate in a pay-for-performance incentive program promulgated by the General Manager. The Board shall establish the total expenditure for the program.

(d) Unless otherwise directed by the Board, the range of base hourly pay rates for the employees in the positions identified in Section 6500(a) will be adjusted to correspond with the across-the-board salary adjustments provided to the District’s management unit. Actual pay rates for these employees will be based on merit pursuant to employee evaluations. Department Heads are authorized to move a position to a different salary grade in accordance with practices, policies and procedures promulgated by the General Manager.

## Article 2

### BENEFITS

Sec.

- 6520. General
- 6521. Retirement
- 6522. Medical Insurance
- 6523. Dental Insurance
- 6524. Tuition Reimbursement
- 6525. Term Life Insurance
- [6526 repealed]
- [6527 repealed]
- 6528. Personal Leave
- 6529. Part-Time Disability Leave
- 6530. Bereavement Leave
- 6531. Long-Term Disability Insurance
- 6532. Professional Development and Productivity Enhancement
- 6533. Deferred Compensation
- 6534. Vision Plan
- 6535. Wellness Enhancement Program
- 6536. Exempt Time Off

**§ 6520. General.**

In addition to other benefits set forth in this Administrative Code, employees, other than temporary or less than part-time employees, and to the extent specified, annuitants, shall be entitled to the following benefits effective June 28, 1987, unless otherwise provided hereinafter. Further, unless otherwise directed by the Board, benefits for the employees in the positions referenced in Section 6500(a) shall be provided to correspond with the across-the-board salary and benefits adjustments provided to the District's management unit.

**§ 6521. Retirement.**

The District shall pay to the California Public Employees' Retirement System (CalPERS) on behalf of each employee an amount equal to the required employee contribution to CalPERS, not to exceed seven percent (7%) of each employee's salary for employees deemed Classic Members by CalPERS. Employees deemed as New Members are subject to the Public Employees' Pension Reform Act (PEPRA) and shall pay their own employee contributions.

The contribution shall be treated as an employer contribution made pursuant to Section 414(h)(2) of the Internal Revenue Code in determining the tax treatment of the contribution. Such contributions shall be treated for all purposes other than taxation in the same manner and to the same extent as contributions made by employees prior to June 30, 1985. Such contributions shall be paid from the same source of funds as used in paying wages to the affected employees. The employee does not have the option to receive the District-contributed amount paid pursuant to this section directly instead of having it paid to CalPERS. Notwithstanding any provision in this Code to the contrary, the wages of each unrepresented employee shall be reduced by the indicated percentage of the amount of such employee's contribution paid by the District pursuant to the provisions of this section:

For such employees employed prior to January 1, 1981: 64.3%

For such employees employed on or after January 1, 1981: 100.0%

This section shall be operative only so long as the District pickup of the retirement contribution continues to be excluded from the gross income of the employee under the provisions of the Internal Revenue Code.

**§ 6522. Medical Insurance.**

Metropolitan's monthly contribution for employees in classifications referenced in Section 6500 and related annuitants to the medical plans maintained by CalPERS shall be established by Board resolution pursuant to the provisions of the Public Employees' Medical and Hospital Care Act.

**§ 6523. Dental Insurance.**

The District shall fully pay premiums for employees in classifications referenced in Section 6500 and their qualified dependents under the group dental insurance provided by Delta Dental Company. Any reserve funds developed under the policy may be applied towards paying the premium of any policy obtained pursuant to this section.

During the policy year beginning with September 1, 1992, the District shall amend its policy to provide for an increase in orthodontic coverage under the prior terms of the policy to \$2,000 lifetime maximum per covered participant; and to increase the prophylaxis (cleaning) benefit by providing for such cleaning once every four (4) months. In addition, the District shall amend its policy to provide for an increase in the maximum payable for diagnostic and preventative care per calendar year per eligible person to \$2,500 a year; and to provide for sealant treatment for dependent children.

**§ 6524. Tuition Reimbursement.**

Tuition reimbursement for all employees in classifications referenced in Section 6500 shall be one-hundred percent (100%) of tuition, registration fees, books, and laboratory fees for up to twelve (12) units per quarter or semester; provided however, that employees who receive tuition reimbursement approval for a course or curriculum on or after August 1, 1992 shall be eligible for tuition reimbursement at the rate of one-hundred percent (100%), to a maximum of \$9,000 per calendar year, and up to an additional \$2,000 per calendar year for graduate or doctorate degrees.

**§ 6525. Term Life Insurance.**

All employees in classifications referenced in Section 6500 will be provided with District-paid term life insurance affording coverage in an amount equal to 2,080 times the employee's hourly rate rounded off to the next higher thousand dollars, with employees having the option at their own expense to obtain additional coverage not to exceed a maximum combined coverage of four hundred thousand dollars (\$400,000).

**§ 6528. Personal Leave.**

Employees in classifications referenced in Section 6500 who are exempt from overtime pay and have been employed by the District for more than 1,044 hours of current service, including military leave during the period of current service, may take personal leave with pay up to twenty-four (24) hours each annual payroll cycle which shall not be charged against accumulated sick leave. Such personal leave may be taken for any personal reason, so long as such leave does not interfere with the mission of the District.

**§ 6529. Part-Time Disability Leave.**

An unrepresented employee, otherwise eligible for disability leave pursuant to Section 6228, may be permitted by the employee's Department Head to work for a period, subject to termination by the Department Head, on a part-time basis if a physician's statement is furnished, satisfactory to and accepted by the District, stating the employee is physically able to

work on a part-time basis. The Department Head may not re-delegate the authority provided by this section. Notwithstanding any provision to the contrary in Sections 6200 through 6268, the employee shall be permitted to accrue leave in accordance with District regulation for those hours not on disability leave, but shall not be allowed to use leave until returning to work on a full-time basis and a physician's statement, satisfactory to and accepted by the District, is received stating the employee is physically able to return to work on a full-time basis for an indefinite time. For all other purposes of Section 6228, an employee on part-time disability leave shall be considered to be on full-time disability leave and shall not be considered as having returned to work.

### **§ 6530. Bereavement Leave.**

Upon the death of a member of an employee's immediate family, a classification referenced in Section 6500 shall be allowed such bereavement leave with pay as is actually necessary to take care of funeral arrangements or to attend the funeral, but not to exceed three (3) working days, or, one workweek as determined by the employee's assigned work schedule, if the death occurs 250 miles or more from the employee's place of residence. If the death does not occur 250 miles or more from the employee's place of residence, then the employee shall be allowed additional bereavement leave without pay not to exceed two (2) working days, except that an employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee. For the purposes of this section, "immediate family" means spouse, state-registered domestic partner, or the employee's or spouse's/domestic partner's child, parent, brother, sister, stepparent, stepchild, grandparent, grandchild, aunt or uncle. An employee, if requested by Metropolitan, within thirty (30) days of the first day of the leave, shall provide documentation of the death of the family member. As used in this section, "documentation" includes, but is not limited to, a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or governmental agency. The bereavement leave shall be completed within three (3) months of the date of death of the family member.

### **§ 6531. Long-Term Disability Insurance.**

The District shall provide long-term disability (LTD) insurance to employees in classifications referenced in Section 6500. Commencing July 1, 1998, or as soon thereafter as practical, the insurance shall provide a benefit of \$8,000 per month, but not to exceed sixty-six percent (66%) of the employee's monthly salary. The benefit shall commence ninety (90) days after the employee's disability commences. Benefit payments are paid after the employee first exhausts all sick leave, exhausting disability leave payable at the rate of 75 percent (75%) of full pay, and exhausting disability leave at the rate of 50 percent (50%) of full pay, in that order. Benefit payments shall expire at age 65, unless the employee's disability terminates sooner. If the employee applies for LTD benefits at age 65 or older, payments will expire within twelve (12) to twenty-four (24) months depending on age when the first payment begins. The District's insurance carrier shall determine eligibility including whether an employee is disabled. Preexisting conditions shall be excluded from coverage. The District shall have the right to change carriers and coverage so long as the replacement insurance is at least as advantageous.

**§ 6532. Professional Development and Productivity Enhancement.**

Any employee in an unrepresented position referenced in Section 6500 shall be reimbursed for professional development and productivity enhancement expenses, as follows:

(a) The District shall reimburse employees for state-mandated license for certification fees.

(b) The District shall reimburse unrepresented employees, to correspond with adjustments provided to the District's management unit, for the costs incurred for professional development, certifications, licenses, or other costs incurred for professional development or productivity enhancement including seminars, journals, periodicals, books, travel expenses, professional association dues, pre-approved electronic equipment software and hardware, computing or communication devices, and other equipment pursuant to authorization by the employee's Department Head, to a specified annual maximum, when related to their job duties and/or to the fulfillment of the District's purposes. Any unused monies will roll over for one and only one subsequent year, from odd calendar years to even years, and unused monies during even years will be neither rolled over nor paid out.

**§ 6533. Deferred Compensation.**

The District shall provide a matching contribution, on behalf of each employee in a classification referenced in Section 6500 who is a participant in the 401(k) Plan provided for in Division VI, Chapter 8, Article 1 of this Code, in the amount of one (1) dollar for each dollar contributed by the employee in accordance with a compensation-reduction election made by the participant pursuant to the 401(k) Plan Section 3.2. Commencing July 1, 2004, or as soon thereafter as practical, the maximum District matching contribution shall not exceed four and one-half percent (4.5%) of the employee's total cash compensation and salary reductions permitted under Sections 401(k), 414(b) and 457 of the Internal Revenue Code during that time period. This section shall only be operative to the extent that the District can make matching contributions and maintain compliance with the Internal Revenue Code.

**§ 6534. Vision Plan.**

The District shall on behalf of each employee in a classification referenced in Section 6500 provide for a vision care program through a District-approved vision plan provider. The vision care program shall provide coverage of standard ophthalmic materials when necessary for the eligible employee's visual welfare. This program shall provide for eye examinations, lenses, and frames under the program. The District shall fully pay the employee only premium rate. Employees will, however, be permitted the option to purchase family coverage through the program.

**§ 6535. Wellness Enhancement Program.**

The District shall on behalf of each employee in a classification referenced in Section 6500, provide a wellness enhancement reimbursement benefit for common health and fitness services not to exceed four hundred dollars (\$400) annually for District-approved activities, services, equipment and products that promote physical activity, wellness and work-life balance. All submissions for reimbursement must be submitted by January 31 for the prior year. This benefit is annual and any unused remainder may not be carried over to subsequent years.

**§ 6536. Exempt Time Off**

(a) Effective January 1, 2024, and each calendar year thereafter, all full-time FLSA-exempt employees with a classification referenced in Section 6500 are eligible for an annual allotment of forty (40) hours of Exempt Time Off (ETO) to be used within the calendar year it is allotted. The annual allotment of ETO becomes available for use on the first District business day of the calendar year and shall not roll over into the following calendar year. Employees hired after the annual allotment in January, and existing employees who are promoted or transferred into an applicable classification after the annual allotment in January, are not eligible to receive ETO until the following calendar year. Existing employees with an ETO allotment or balance from a previous classification will retain their unused ETO for that calendar year. Any unused portion of ETO will be automatically cashed out by the District to the employee on the first paycheck following December 1 of each calendar year.

(b) Effective January 1, 2025 and each calendar year thereafter, all eligible employees under this section with a current overall annual evaluation rating of Meets Standards and above for the prior evaluation year, shall receive an additional annual allotment of forty (40) hours of ETO to be used within the calendar year it is allotted. This additional annual allotment of ETO becomes available for use on the first District business day of the calendar year and shall not roll over into the following calendar year. Only persons who are actively employed by the District at the time of the annual allotment in January will be eligible for the allotment. Any unused portion of ETO will be automatically cashed out by the District to the employee on the paycheck following December 1 of each calendar year.

(c) Eligible employees shall make a request to use ETO hours to their direct supervisor. The District shall determine whether a request for ETO shall be granted. However, an eligible employee's timely request to use ETO hours under this provision shall only be denied for good and sufficient business reasons.

(d) Any ETO hours not used by an employee prior to separation of service will be automatically cashed out by the District at separation.

(e) Effective July 1, 2022 through December 31, 2022, all employees eligible under this section, who were employed by the District during that timeframe, shall receive a retroactive payment equivalent to an allotment of twenty-four (24) hours of ETO for that timeframe.

(f) Effective January 1, 2023 through December 31, 2023, all employees eligible under this section who were employed by the District during that timeframe shall receive a retroactive payment equivalent to an allotment of forty (40) hours of ETO for that timeframe.

(g) Eligible employees who received an overall annual evaluation rating of Meets Standards and above for the 2022-2023 evaluation year shall receive an additional allotment of 40 hours of ETO for that evaluation period. Any unused portion of ETO awarded under this provision will be automatically cashed out by the District to the employee on the first paycheck following December 1, 2024.

(h) Only persons employed by the District at the time this section becomes effective may be awarded retroactive allotments and/or retroactive payments, as set forth above.