



**REGULAR PART-TIME AND TEMPORARY EMPLOYEES
CLASSIFICATION AND BENEFITS
PLAN GUIDELINES**

Prepared by Human Resources

**CITY OF ESCONDIDO
CLASSIFICATION AND BENEFITS PLAN
REGULAR PART-TIME AND TEMPORARY EMPLOYEES**

1. **REGULAR PART-TIME:** AN EMPLOYEE WHO IS EMPLOYED IN A REGULAR CLASSIFICATION, BUT WORKS A REDUCED SCHEDULE.
 - a. **Reduced Work Schedule/Benefits** - Regular part-time positions should be budgeted in the hiring Department's budget as a regular part-time position of at least 1,040 hours per fiscal year. If the position is budgeted as a full-time position, but the employee works a reduced work schedule, then the employee must complete a Voluntary Reduction in Hours (VRH) Request Form each quarter. The regular part-time position shall be designated as a PT Level 1 position (see Attachment A), and shall be eligible for benefits as stated in the classification's respective Memorandum of Understanding (MOU), or Management and Unclassified Salary and Benefits Plan.
 - b. **Leave Accruals and Specialty Pays** - Leave accruals, including but not limited to, vacation, sick leave, management leave, and holiday credit are based on the ratio of hours scheduled for an average workweek (prorated amounts). Pro-rated sick leave accruals shall not accrue at a rate less than what is required by State Law; AB 1522 (Paid Sick Leave Law). Specialty pays, such as bilingual pay, are also prorated based on hours worked.
 - c. **Merit Increases** - Merit increases for employees in regular part-time positions are based on anniversary dates in the classification. Merit increases for regular part-time employees in management positions are given at the discretion of the Department Head and City Manager.
 - d. **Regular Status** - Regular status is granted only for regular part-time employees in a classified position after successful completion of a probationary period appropriate for the employee's classification; for most miscellaneous classifications, this is the equivalent of twelve months (refer to the appropriate MOU). Employees in unclassified positions remain in an at-will status for the duration of their employment.
 - e. **Seniority** - Seniority may be granted to employees based on the effective date of appointment. This original date of hire will carry over if they are ultimately hired in a full-time capacity.
 - f. **CalPERS Eligibility** - Regular part-time employees are eligible for enrollment in the Public Employees' Retirement System. Employees working more than 1,720 hours receive a full year's service credit. Service credit for employees working less than 1,720 hours per year will be prorated by CalPERS.

2. **TEMPORARY PART-TIME AND SEASONAL:** AN AT-WILL EMPLOYEE TYPICALLY WORKING LESS THAN 1,000 HOURS PER FISCAL YEAR.
- a. **Part-Time Employee Levels and Work Hours** - There are three types of temporary part-time employees (PT Level 2, PT Level 3, and PT Level 4), depending upon hours worked and job classification. Generally, part-time employees may work less than 1,000 hours per fiscal year, or upon City Manager approval, can work up to a maximum of 1,500 hours per fiscal year. Retired CalPERS annuitants cannot exceed 960 hours per fiscal year unless approved by CalPERS. Refer to Attachment A for more information.
 - b. **Salary Upon Hire** - Employees will be required to meet the minimum requirements of the position they are assigned, as determined by Human Resources. Appointments are typically made at Step 1 of the salary schedule. Employees are eligible for merit increases as stated below.
 - c. **Merit Increases** - Applicable to PT Level 2, PT Level 3, PT Level 4, and Retired Annuitants only:
 - Employees will be eligible for a merit increase annually on their anniversary date with department head approval if:
 - They have worked at least 400 hours, **and**
 - It has been at least one year since their last merit increase
 - The maximum annual merit increase an employee is eligible to receive is 5%.
 - Employees who have not worked 400 hours by their anniversary date will be eligible to receive a merit step increase effective the first pay period after they have reached 400 hours. The date for subsequent merit step increases will be one year from the date of the last merit increase provided they have worked an additional 400 hours.
 - Employees who have worked more than one part-time position in a year, have accrued 400 hours between two or more positions, but are currently only active in one position (with less than 400 hours) at the time of their anniversary date, will be evaluated on a case-by-case basis for step increases upon department head approval.
 - d. **Public Agency Retirement Services (PARS) Eligibility** - Temporary part-time and seasonal employees are typically enrolled in PARS. If enrolled in PARS, employee pays the full employee contribution, currently 7.50 percent. Retired annuitants who are receiving CalPERS retirement are not eligible for PARS. Once an employee enrolled in PARS separates from employment, PARS will notify the employee that he/she will be eligible for a distribution of their account funds. When an employee changes employment status to a position covered by another retirement system with the same employer and without a break in service, and is no longer eligible to participate in the PARS plan, the employee is eligible for an In-Service Distribution of their PARS account 24 months after his/her last contribution was made.
 - e. **CalPERS Eligibility** - If a PARS employee reaches or exceeds 1,000 hours during a fiscal year, the employee will be enrolled in CalPERS. All compensable hours are reported to CalPERS, including paid sick leave. Such employee will remain enrolled in CalPERS for the duration of employment with the City, even though they may work less than 1,000 hours during subsequent years of service. The employee pays the full CalPERS employee contribution which is dependent upon the Retirement Tier

the employee is enrolled in by CalPERS. Upon enrollment in CalPERS, an employee's contributions would be terminated in PARS.

If an employee who is enrolled in CalPERS terminates employment with the City and withdraws their contributions, it is not necessary to reenroll them in CalPERS upon rehire. Such an employee would be enrolled in PARS. However, if the employee leaves their contributions on deposit with CalPERS at the time of termination and is rehired, they must be reenrolled in CalPERS. Their CalPERS retirement tier will be determined by CalPERS.

- f. **Leave Accruals** - Part-time temporary employees do not receive leave accruals, except as mandated by State Law, AB 1522, Paid Sick Leave Law, effective January 1, 2015 (excludes CalPERS annuitants):

Sick Leave Accruals:

- Employees who work for the City of Escondido for at least 30 days within a year, shall accrue one hour of sick leave for every 30 hours worked.

Sick Leave Use:

- Employees are eligible to use their paid sick leave accrual for the following appropriate purposes:
 - An employee's own diagnosis, care, or treatment of an existing health condition of, or preventive care.
 - Diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee's family member to include parent, child, spouse, registered domestic partner, parent-in-law, sibling, grandchild, grandparent, or a person who is significant to the employee.
 - To obtain any relief or services related to being a victim of domestic violence, sexual assault, or stalking.

Department supervisors are responsible for the use and monitoring of sick leave to ensure that sick leave is appropriately used on or after 90 days of employment.

Sick Leave Notice and Verification:

- Supervisors must permit the employee to use paid sick leave upon oral or written request. Supervisors cannot deny an employee the right to use valid paid sick leave or retaliate for using such covered leave. If the need is foreseeable, the employee must give reasonable advance notice, but where the need is unforeseeable the employee shall provide notice as soon as practicable. The employee sick leave notification requirement is stated under the City of Escondido Personnel Rules and Regulations, Rule 14, Section 2, or as required by the employee's Department.
- The verification (doctor's certification) requirement to receive paid sick leave is set forth in Personnel Rule 14, Section 2. Verification can also be required for sick leave use related to domestic violence, sexual assault or stalking.

Abuse of Leave & Excessive Use:

- An employee shall be subject to disciplinary action for abuse of sick leave which is defined as a claim of entitlement to sick leave when the employee does not meet the requirements of appropriate sick leave use as defined above.
- Excessive use of sick leave, tardiness, and failing to use the call-in procedures when absent or tardy, can negatively impact the performance of the employee's work or affect others in the performance of their job. Factors that will be considered in determining whether use of sick leave is excessive include, but are not limited to, the number of absences compared to other employees, whether absenteeism is limited to a finite time period or whether it continues over time, the basis for the absenteeism, and the significance of the impact on the performance of the employee's job or of others.

General Paid Sick Leave Information:

- Sick leave use is paid at the employee's hourly rate (not including overtime premium pay). If the employee has two City of Escondido part-time positions with varying rates of pay, the employee's sick leave will be paid at the higher base hourly pay rate.
 - Upon rehire of a former employee within one year of separation, the employee's previously accrued and unused sick leave balance will be reinstated.
 - Upon changing status from part-time, temporary to a full-time, regular employee, an employee's part-time sick leave balance will carry over.
 - Paid Sick Leave Law does not conflict with the City's application of California's Kin Care Law.
 - Written notice of sick leave is included on the employee's wage statement.
 - Supervisors shall not require an employee to search for or find a replacement worker to cover the days during which the employee used paid sick leave, as a condition of using the leave.
 - Paid sick leave will not be considered hours worked for purposes of overtime calculation.
 - An employee will not receive compensation for unused accrued paid sick leave upon termination, resignation, retirement, or other separation from employment with the City.
- g. **CalPERS Post-Retirement Employment** - The following are general requirements of post-retirement employment per the Public Employees' Pension Reform Act of 2013 (PEPRA):
- Retired CalPERS annuitants cannot be hired within 180 days of retirement, with the exception of public safety retirees hired to perform public safety functions. A retiree who receives a Golden Handshake or any other retirement-related incentive is disqualified from any exception and must meet the 180 day wait period.
 - CalPERS retirees should only be hired into retired annuitant designated positions in order to supplement the work of regular staff (extra-help work, special project work, or to perform work in excess of that which regular staff can do). The retiree

should have previous work experience and the skill set needed to perform the job duties.

- CalPERS retirees cannot be hired to fill vacant part-time or regular staff positions **except on an interim basis** during a recruitment to fill the vacant position. There are specific interim appointment provisions that must be adhered to, or the retired annuitant can be subject to mandatory reinstatement by CalPERS.
 - CalPERS annuitants can work a maximum of 960 hours per fiscal year, without exception. Retired annuitants cannot “volunteer” hours while employed.
 - A designated retired annuitant appointment must be of a limited duration. Limited duration is an appointment that is not for an indefinite period of time, and is not an appointment to a part-time position. A retired annuitant appointment should have a beginning and end date. **All retired annuitant appointments should not exceed two years unless an exception is made by the City Manager.**
 - Compensation paid to retirees cannot be less than the minimum or exceed the maximum monthly base salary paid to other employees performing comparable duties.
 - CalPERS retired annuitants are not eligible for paid sick leave as stated in 2f. Retirees cannot receive any other benefit, incentive, compensation in lieu of benefits, or other form of compensation in addition to the hourly pay rate.
 - A retiree who receives unemployment insurance payments for retired annuitant work with any public employer within the previous 12 months is prohibited from retired annuitant work with any CalPERS employer for 12 months.
 - Other provisions as specified by PEPRA. Violations of PEPRA can result in mandatory reinstatement by CalPERS.
 - The provisions in the section do not apply to retired annuitants who are independent contractors (consultants) as defined by the Internal Revenue Service.
 - Department representatives will need to complete a Retired Annuitant Approval to Hire Form when hiring or extending a retired annuitant’s part-time employment. Completed forms must be submitted to Human Resources for review and approval.
- h. **Voluntary Benefits** - Three voluntary medical expense plans are available to all active part-time employees. Employees can purchase The Hartford supplemental optional benefits at reduced group rates and pay premiums by payroll deduction. These benefits are made available to part-time employees upon hire and during the City’s annual open enrollment process. The City will not make any retro deductions for unpaid premiums. If the City is unable to deduct premiums, the plan will terminate. However, the employee may continue the plan directly with the provider.
- i. **Separated Employees** - Employees who are no longer actively employed with the City shall be terminated (not left in an “inactive” status). If a part-time employee has a break in service of more than 90 days, the employee will undergo a new physical, fingerprinting, and psychological assessment (if required by job assignment).
- j. **Safety Shoe Allowance** - Park Attendant I/II/IIIs receive an annual safety shoe allowance of \$25.00 each January if they are in a paid, active status during the first

pay period of the calendar year. Temporary, part-time maintenance employees in the Public Works Department may be reimbursed for the purchase of required footwear up to \$75; and, up to \$150 for temporary, part-time maintenance employees in the Streets and Parks Divisions.

**SUMMARY
REGULAR PART-TIME AND TEMPORARY
POSITION CATEGORIES**

POSITION CATEGORY	HOURS	CLASSIFICATION		VACATION, SICK LEAVE, HOLIDAY, HEALTH, LIFE, DENTAL INSURANCE, VOLUNTARY BENEFITS	CalPERS/ PARS	MERIT/STEP INCREASES
		TEMPORARY	REGULAR			
<i>REGULAR PART-TIME</i>	Not less than 20 hours per week, 1,040 hours per year		X	YES - All	CalPERS	YES
<i>TEMPORARY</i> (Includes part-time and seasonal employees.)	An average of 20 hours per week, not to exceed 999 hours for PARS and 1,500 hours for PERS per fiscal year (except for CalPERS retired annuitants; 960 hours per fiscal year)	X		Voluntary Benefits and Sick Leave per AB 1522 (CalPERS retired annuitants excluded from paid sick leave)	PARS* / PERS	YES

*If employee meets or exceeds 1,000 hours in fiscal year, they are removed from PARS and enrolled in CalPERS.

Notes:

All part-time temporary and regular employees also receive Medicare (for employees hired after 4-1-84), Workers' Comp and Unemployment Insurance benefits.

Part-time retiree employees who are receiving CalPERS retirement shall not be eligible for PARS.

Per the Fair Labor Standards Act (FLSA), overtime is mandated when employees work more than a total of 40 hours per week, regardless of the number of PT positions held.

SUMMARY
PAID SICK LEAVE LAW (AB 1522)

Eligible Employees:	Part-time Temporary Employees working 30 or more days for the City of Escondido (excluding CalPERS retired annuitants). While AB 1522 also applies to Full-time and Part-time regular employees, the City's current accrual method provides a more generous benefit (no change to accruals, carryover and use of leave).
Sick Days Accrual:	1 hour for every 30 hours worked
Carryover of Accruals:	Yes
Accrual Cap (Max Balance):	No max accrual
Family Member Definition:	Parent, child, spouse, registered domestic partner, parent-in-law, sibling, grandchild, grandparent, or a person who is significant to the employee.
Use of Paid Sick Leave:	Upon employee's oral or written request. If need is foreseeable, the employee must give reasonable advance notice; where the need is unforeseeable the employee shall provide notice as soon as practicable.
Sick Leave Verification:	Verification (doctor's certification) requirement to receive paid sick leave is set forth in Personnel Rule 14, Section 2. Verification can be required for sick leave use related to domestic violence, sexual assault or stalking.
Rehire of Employee:	Upon rehire of a former employee within one year of separation, the employee's previously accrued and unused sick leave balance will be reinstated.
Replacement Workers:	Supervisors shall not require an employee to search for or find a replacement worker to cover the days during which the employee used paid sick leave, as a condition of using the leave.
Overtime:	Paid sick leave will not be considered hours worked for purposes of overtime calculation.

PART-TIME EMPLOYEES

There are four basic levels of part-time (PT) employees:

- **PT Level 1: An employee who is employed in a regular classification but works a reduced schedule (includes job share positions, voluntary reduction in hours, alternate work schedules, etc.).** Such employees must be budgeted in their department's budget as a regular position of at least 1,040 hours per fiscal year. PT Level 1 employees shall meet the minimum requirements for the position, are placed in PERS, and shall be eligible for health and other benefits as provided in accordance with the employee's budgeted position, including negotiated salary increases, merit increases (same as full-time regular employees), and prorated leave accruals.
- **PT Level 2: A temporary at-will employee who works 1,000 – 1,500 hours per fiscal year.** Employees may work part-time within a fiscal year (an average of 28 hours per week) **not to exceed 1,500 hours per fiscal year; no exceptions.** These employees are placed in PERS (employee contribution required). PT Level 2 employees are not eligible for benefits other than voluntary The Hartford medical expense plans, or leave accruals except as required by AB 1522, or negotiated salary increases.
- **PT Level 3: A temporary at-will employee working less than 1,000 hours per fiscal year and who is placed in the same classification and salary grade step table as a regular employee.** Employees may work part-time within a fiscal year (an average of 20 hours per week), not to exceed 999 hours per fiscal year. PT Level 3 employees are placed in PARS (employee contribution required), and are not eligible for benefits other than voluntary The Hartford medical expense plans, or leave accruals except as required by AB 1522. These employees receive the same negotiated salary increases as regular employees. PT Level 3 employees typically work less than 1,000 hours per fiscal year. Employees who work 1,000 or more hours per fiscal year (1,500 hours maximum), must be approved by the City Manager and will receive PERS benefits (employee contribution required), and will be placed in PT Level 2.
- **PT Level 4: A temporary at-will employee working less than 1,000 hours per fiscal year.** Employees may work part-time within a fiscal year (an average of 20 hours per week), not to exceed 1,000 hours per fiscal year. These employees are placed in PARS (employee contribution required), and are not eligible for benefits other than voluntary The Hartford medical expense plans, or leave accruals except as required by AB 1522, or negotiated salary increases. PT Level 4 employees who work 1,000 or more hours per fiscal year (1,500 hours maximum) must be approved by the City Manager and will receive PERS benefits (employee contribution required), and will be placed in PT Level 2.

CalPERS Retired Annuitants are designated as PT Level 3/Retired Annuitant – Extra Help, or PT Level 4/Retired Annuitant – Extra Help, depending upon work assignment.

CalPERS Retired Annuitants who are not subject to a limit of 960 hours per fiscal year are designated as PT Retired Annuitant 960-Hour Exempt.