MONO COUNTY POLICY REGARDING BENEFITS OF MANAGEMENT-LEVEL OFFICERS AND EMPLOYEES

(As amended May 12, 2020)

ARTICLE 1. INTRODUCTION

The purpose of this policy is to memorialize the non-salary benefits generally provided by the County to its management-level officers and employees. Additional, different, or even lesser benefits may be specified, and benefits may also be waived or excluded pursuant to the express terms of a written agreement between an employee and the County. In the event and to the extent that a conflict exists between any provision of this policy and such an agreement, the terms of the agreement shall prevail as to that employee. Certain benefits set forth herein (e.g., vacation and sick leave) are, by their nature, only appropriate or legally available for employees, as opposed to elected officials, due to legal differences between the natures of employees and elected officials. Where such differences exist, they are specifically noted in the policy. The Board of Supervisors may amend this policy from time to time after meeting and conferring to the extent (if any) required by law.

ARTICLE 2. COVERED OFFICERS AND EMPLOYEES

This policy applies to: elected and appointed department/agency heads, including the county counsel and the county administrative officer; management level employees, deputies and assistants serving under individual at-will employment agreements with the County; and members of the board of supervisors (hereafter “covered officers” and/or “covered employees”).

This policy shall not apply to any independent contractor, nor to any person who serves the County pursuant to a contract with another public agency. Furthermore, as noted above in Article I, the express terms of an individual employment agreement applicable to one of the foregoing officers or employees may exclude various benefits or provide for lesser, different, or waived benefits, and such terms shall prevail over any provision of this policy. Finally, note that the County may, in its discretion, extend or otherwise apply any of the principles of this policy to officers or employees other than those expressly mentioned above.

ARTICLE 3. HEALTH, LIFE, AND DISABILITY INSURANCE

A. Each covered officer and employee and his or her dependents are entitled to health care benefits as provided in this Article and Articles 4 and 5.

B. "Health care benefits" means the medical, dental, and eye-care benefits provided to covered officers and employees and their dependents by the County pursuant to this Policy.

C. The County shall continue to participate in the CalPERS medical insurance program on behalf of covered officers and employees.

D. The County shall pay only the statutory amount prescribed by Government Code section 22892 per officer or employee per month for CalPERS medical insurance.

E. Life Insurance. The County shall provide covered officers and employees with term life insurance in the amount of fifty thousand dollars ($50,000), applicable during their active service to the County (not after their retirement or other termination of employment or service).

F. Disability Insurance (Not Applicable to Elected Officers). The County shall assure that all covered employees are enrolled in the State Disability Insurance (SDI) program at County expense. The County shall pay all such premiums as are necessary to provide SDI benefits to covered employees. When the covered employee has filed a disability claim and is receiving disability benefits pursuant to the SDI program, the County shall continue paying:

(1) Monthly contributions into the Cafeteria Plan based on the employee's applicable tier (See Article 6); and

(2) The medical portion of Social Security.

G. Health Care Coverage for Retirees and Post-Retirement Health Beneficiaries.

(1) A "retiree" is a former covered officer or employee whom CalPERS considers to be a County retiree/ annuitant, but who is not a post-retirement health beneficiary as described in this policy. The County shall pay the statutory amount prescribed by Government Code section 22892 per month for each retiree who enrolls in CalPERS medical insurance, regardless of their age or years of continuous service for the County.

(2) A "post-retirement health beneficiary" or "PRHB" is a former covered officer or employee who falls within one of the following categories:

- Was hired or elected prior to January 1, 1986, held permanent employment status or was holding elected county office and was age fifty (50) or older on the date of his or her retirement, and had accrued at least five (5) years continuous service with the County immediately preceding the date of retirement;

- Was hired or elected between January 1, 1986 and June 30, 1987, held permanent employment status or was holding elected county office and was age fifty (50) or older on the date of his or her retirement, and had accrued at least ten (10) years continuous service prior to retirement;

- Was hired or elected between July 1, 1987 and January 1, 1996, held permanent employment status or was holding elected county office and was age fifty (50) or older on the date of his or her retirement, and had accrued at least fifteen (15) years continuous service prior to retirement;

- Was hired or elected between January 1, 1996 and December 31, 2001, held permanent employment status or was holding elected county office and was age fifty-five (55) or older on the date of his or her retirement, and had accrued at least twenty (20) years continuous service immediately prior to retirement.

With respect to any elected official who was a county employee immediately preceding his or her first election to office, the official's tier under this definition shall be based on his or her date of hire as an employee and his or her years of prior service as a county employee shall be counted along with years of service as a county officer, provided all such service was continuous.

PRHBs shall receive those benefits after retirement set forth in Article 8, unless they have at any time elected to participate in the County's 401(a) retirement plan.

ARTICLE 4. DENTAL CARE PLAN

The County shall provide all covered officers and employees and their dependents with the County dental plan. The current County dental care plan shall be the minimum base coverage.

ARTICLE 5. VISION CARE PLAN

The County shall provide all covered officers and employees and their dependents a vision care plan. The current Vision Care Plan C shall be the minimum base coverage.

ARTICLE 6. CAFETERIA PLAN

A. Effective January 1, 2021, for covered officers and employees enrolled in PERS Select insurance, the County shall contribute into the cafeteria plan an amount equal to ninety-five percent (95%) of the PERS Select premium for the coverage tier in which the covered officer or employee is enrolled (i.e., single, two-party, or family), minus the statutory amount prescribed by Government Code section 22892, which the County shall pay directly to PERS. Effective January 1, 2021, for covered officers or employees not enrolled in PERS Select insurance, the County shall contribute into the cafeteria plan an amount equal to eighty percent (80%) of the PERS Choice premium for the coverage tier in which the covered officer or employee is enrolled, minus the statutory amount prescribed by section 22892, which the County shall pay directly to PERS.

B. With respect to any covered officer or employee who is not enrolled in CalPERS medical coverage for their applicable tier, but who provides the County with proof of medical coverage under an insurance plan providing at least the same level of benefits available from CalPERS under the Cafeteria Plan, the County shall contribute to the Cafeteria Plan three hundred dollars ($300) per month for that non-enrolled officer or employee. Notwithstanding the foregoing, no officer or employee (regardless of date of assuming office or date of hire) shall be eligible to receive a contribution to the Cafeteria Plan under this subsection unless they were already receiving such a contribution prior to August 1, 2011.

ARTICLE 7. 401(a) PLAN

A. Any covered officer or employee originally hired or elected on or after January 1, 2002, shall not be eligible to earn or receive the retirement service benefit provided by Article 8, but shall instead be eligible to receive County contributions into an Internal Revenue Code Section 401(a) Plan established by the County, as described more fully below. Any active officer or employee who was originally hired or elected prior to January 1, 2002, may also elect to receive County contributions into a Section 401(a) Plan under this Article, but only if he or she agrees to waive and relinquish any present or future rights he or she may have to receive the post-retirement benefit provided by paragraphs B and C of Article 8.

B. The County has established and fully implemented an Internal Revenue Code Section 401(a) Plan consistent with this Article. The County shall contribute into the Section 40l(a) Plan an amount on behalf of each covered officer or employee electing to participate under this Article 10 equal to the amount contributed by that officer or employee from his or her own pre- tax salary into one of the County's Section 457 deferred compensation plans or into the 401(a) Plan directly (if made available to officer or employee contributions) but not to exceed 3% of the officer or employee's pre-tax salary. Accordingly, if a officer or employee contributed a total of 1-3 % of his or her pre-tax salary to a 457 plan, then the dollar amount of the County's 401(a) contribution would fully match the officer or employee's 457 contribution; if an officer or employee contributed more than 3% of his or her pre-tax salary to a 457 plan, then the dollar amount of the County's 401(a) contribution would only be equal to 3% (and not more) of the officer's or employee's pre-tax salary and would not fully match the officer's or employee's 457 contribution. The employee may direct the investment of said contributions in accordance with the options or limitations provided by the 401(a) Plan. Each such employees shall vest -- that is, earn the right to withdraw - The County's contributions into the 401(a) Plan on their behalf based on years of County service, as set forth more fully below.

C. The 401(a) Plan implementing this Article shall provide the following schedule of vesting requirements for any participating employee to earn and be eligible to withdraw or otherwise receive a portion (or in some cases all) of his or her total account value at the time of termination:

Years of County Service	Portion of Account Value Vested
Less than 1 year	0 percent
1year plus 1 day	10 percent
2 years plus 1 day	20 percent
3 years plus 1 day	40 percent
4 years plus 1 day	60 percent
5 years plus 1 day	80 percent
6 years or more	100 percent

D. In addition to and notwithstanding the foregoing, officers' or employees' options for withdrawing, "rolling over," and otherwise using account money -- and the tax consequences of such withdrawals and use - shall be subject to any legal requirements or limitations of Internal Revenue Code Section 401(a) and any other applicable laws with which the County and the Plan must comply.

ARTICLE 8. BENEFITS FOR POST-RETIREMENT HEALTH BENEFICIARIES

A. Each post-retirement health beneficiary as defined in Article 3 will be eligible for a flexible credit allowance under the County's Section 125 Cafeteria Plan (See Article 6) as set forth below, unless he or she has at any time prior to retirement opted to participate in the County's Section 401(a) Plan (see Article 7).

B. The amount of the flexible credit allowance shall be computed as follows:

(1) Post-retirement health beneficiaries who enroll in CalPERS medical insurance, shall receive a flexible credit allowance equal to the monthly

amount of the PERS Choice premium based on the residency and coverage tier (PRHB and up to one dependent) in which the PRHB is enrolled, minus the statutory amount prescribed by Government Code section 22892 per month paid by the County directly to PERS and minus the same monthly amount that the PRHB was contributing toward their medical insurance premiums as an active employee on January 1, 2020. For example, if an employee was contributing $50 per month toward his or her medical insurance as an active employee on January 1, 2020, then that same fixed dollar amount shall be deducted from the flexible credit allowance paid to them as a PRHB pursuant to this subsection. Note that under this formula, while the PERS Choice premium and the statutory amount prescribed by Government Code section 22892 will vary over time (based on the then-current amounts), the amount deducted therefrom based on what the PRHB was contributing as an active employee does not vary.

(2) All PRHBs who are eligible for Social Security Medicare coverage shall enroll in the PERS Supplement/Managed Care.

(3) Each PRHB, and one dependent, shall also be eligible to receive the same dental and eye-care benefits provided to covered officers and employees in Articles 4 and 5 of this policy.

ARTICLE 9. VACATION ACCUMULATION (Not Applicable to Elected Officers)

A. In accordance with the Mono County Code, covered employees shall accrue vacation benefits as follows:

Initial Employment..........15 days vacation per year
After 10 years service......17 days vacation per year
After 15 years service......19 days vacation per year
After 20 years service…..20 days vacation per year

For purposes of this benefit, a "day" means eight (8) hours. Said vacation days per year assumes full-time employment. Covered employees working less than a full-time schedule shall accrue a prorated amount of vacation days per year.

B. Notwithstanding anything to the contrary, the maximum number of vacation hours that may be accumulated by any covered employee shall not exceed 400.

C. If a covered employee's total accumulated vacation hours exceed 400, then their vacation accrual will cease until the covered employee's accumulation of vacation days falls at or below 400 hours.

D. Any covered employee whose total accumulated vacation hours exceeds 400 as of the date this policy is adopted will be compensated for those accumulated vacation hours over 320, through a one-time “cash out” payment as soon as said payment may be reasonably processed by Mono County payroll. Notwithstanding the foregoing, any such covered employee may instead be compensated for a lesser number of hours which reduces that employee’s accumulated vacation hours to a number between 320 and 400, if that employee provides written notice to payroll within ten working days of the date the policy is adopted specifying the lesser number of hours to be cashed out. Employees receiving a one-time cash out pursuant to this paragraph may not also cash out additional hours under paragraph B of Article 12 of the MOU for calendar year 2020, unless the total of hours cashed out pursuant to both paragraphs does not exceed 40.

E. Any covered officer or employee who has accrued a minimum of 80 vacation hours may, upon written request, be compensated for up to a maximum of 40 hours of accrued vacation time per calendar year, instead of taking that vacation time off.

ARTICLE 10. SICK LEAVE (Not Applicable To Elected Officers)

A. In accordance with Mono County Personnel Rules section 270, sick leave for each covered employee shall accrue upon the covered employee's date of employment at the rate of one (1) full day of sick leave for each month of full-time service, to a maximum accrual of one hundred and twenty (120) sick leave days (960 hours). Part-time employees accrue a prorated amount. Upon termination, the employee shall be compensated for accrued sick leave as follows:

(1) If the employee has worked for the County for less than five (5) years, no amount shall be paid for accrued sick leave.

(2) If the employee has worked for the County for five (5) or more years, but less than ten (10) years, then the employee shall be paid seventy-five percent (75%) of the dollar value of the accrued sick leave.

(3) If the employee has worked for the County for ten (10) or more years, then the employee shall be paid one hundred percent (100%) of the dollar value of the accrued sick leave.

B. The dollar value of the employee's accrued sick leave shall be based upon the employee's base compensation on the date of separation.

ARTICLE 11. MERIT LEAVE (Not Applicable to Elected Officers)

A. By the nature of their management positions, most covered employees are exempt from payment of overtime compensation under the Fair Labor Standards Act (FLSA) and will not be paid overtime by the County for hours worked in excess of 40 hours per week. FLSA-exempt employees are expected to efficiently manage time to perform their job duties, and be available for staff, clients and the public. This entails full-time exempt employees being available for more than 40-hours per workweek (or a lesser amount in the case of part-time exempt employees) and outside of normal business hours.

B. In consideration of these expectations, the lack of overtime pay and job complexities, eighty hours (80) of merit leave per calendar year is awarded to full-time exempt employees (not elected officials); part-time exempt employees may be awarded a prorated lesser amount based on their regular schedule. Merit leave is not an hour-for- hour entitlement, but rather is extra time off provided in addition to vacation time, sick leave, etc. The initial award for exempt employees shall be prorated based upon the remainder of the calendar year (unless different in an individual's at-will agreement).

C. Merit leave does not accrue to a bank and the yearly entitlement must be used within the calendar year it is awarded, or it is lost unless provided otherwise by Resolution of the Board. There is no carryover of unused merit leave to subsequent year(s) and merit leave has no cash value.

D. Merit or vacation leave (or sick leave, if applicable) must be used whenever a full-time exempt employee works fewer than 80 hours during any two-week payroll period; or a prorated lesser number of hours during any two-week payroll period in the case of part-time exempt employees. A two-week payroll period means fourteen consecutive calendar days beginning on a Sunday as designated by the Finance Department.

E. Merit leave is used in a manner similar to vacation time. An FLSA-exempt employee will note merit leave taken with an (M) on the time sheet in a manner similar to vacation time taken (V) and sick leave taken (S).

ARTICLE 12. PERS RETIREMENT

A. Covered employees are members of the CalPERS retirement system and are eligible to earn benefits accordingly. For elected officers, membership in the CalPERS system is optional, except to the extent otherwise specified by the Public Employees' Pension Reform Act of 2013 (hereinafter "PEPRA"). Actual benefits are governed by law and the County's current contracts with CalPERS. Covered miscellaneous employees hired or otherwise taking office after December 31, 2012, are provided with "2% at 62" PERS Retirement Benefits as mandated by PEPRA; however, covered employees hired or otherwise assuming office within six months of leaving a previous public employer with pension system reciprocity are not considered new and may be eligible for the plan in effect with the new employer on December 31, 2012, which in Mono County was "2.5% at 55" for miscellaneous employees. Covered miscellaneous employees hired or otherwise taking office between April 10, 2012, and December 31, 2012, are provided with PERS "2.5% at 55" retirement. Any covered miscellaneous employees hired or otherwise taking office prior to April 10, 2012, are provided with PERS "2.7% at 55" retirement.

B. The Sheriff-Coroner, if opting to be a member of CalPERS, and the Undersheriff are safety members of the Local Sheriff coverage group and receive benefits at the level specified by PEPRA based on their applicable dates of assuming office or date of hire and the level of benefits in place under the County's contract with CalPERS on that date for the Local Sheriff coverage group (or based on the plan in effect on December 31, 2012, in the event they are hired or otherwise assume office within six months of leaving a previous public employer with pension system reciprocity as described above).

C. The Chief Probation Officer is a safety member of the County Peace Officer coverage group and receives benefits at the level prescribed by PEPRA for that coverage group based on his or her date of hire (or based on the plan in effect on December 31, 2012, if employees hired within six months of leaving a previous public employer with pension system reciprocity as described above). This coverage group also applies generally to the District Attorney Chief Investigator.

D. Covered officers and employees who are members in the CalPERS system pay the employee's (or "member's") contribution for applicable PERS coverage and retirement. (Note: To the extent mandated by PEPRA and based on date of hire or assuming office, new officers and employees may also be required to be 50% of the "normal cost" for their PERS retirement benefits.) The County has implemented an IRS 414H2 program for all covered officers and employees in order to facilitate the officers' or employee's PERS contributions and to provide for tax deferred payment of the officer's or employee's PERS contributions.

E. The County's contract with CalPERS provides eligible covered officers and employees with Level IV Survivors' Benefit Program (specifically those benefits provided by Government Code Section 21574).

ARTICLE 13. TRAVEL EXPENSES

Travel policies, expenses and reimbursement shall be governed by sections 620-660 of the Mono County Personnel Rules and by Resolution R20-27 of the Board of Supervisors (“Comprehensive Policy for Travel, Per Diem and Food and Beverage Reimbursement”), or any successor(s) thereto which may be unilaterally adopted and implemented by the Board.