

CITY OF SIERRA MADRE

# Terms & Conditions of Employment

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For Part-Time Employees

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## Article 1 Preamble

It is the intent and purpose of these Terms and Conditions of Employment to set forth the wages, hours and/or other items and conditions of employment for the part-time employees of the City of Sierra Madre ("City"), in accordance with Chapter 2.48 of the Sierra Madre Municipal Code.

### *Section 1 Part-time Employees*

An employee who generally works no more than 960 hours per fiscal year. Part-time employees are at-will employees and subject to dismissal with or without cause.

### *Section 2 Part-time staff*

Part-time staff can be regular part-time, seasonal, or temporary employees.

### *Section 3 Recruitment*

Recruitments for part-time vacancies will be conducted by the Human Resources Department. Announcements for vacant positions shall remain open until scheduled closing date or as noticed.

## Article 2 Public Employees Retirement System

### *Section 1 CalPERS Membership*

Consistent with the Government Code, employees who are local miscellaneous or safety members of the California Public Employees Retirement System are entitled to the benefits as indicated in the most recent amendment to the contract between the Board of Administration of CalPERS and the City Council.

Any part-time employee who works in excess of 1,000 hours in a fiscal year and who qualifies as defined by California Public Employees' Retirement System (CalPERS) shall be enrolled in the CalPERS retirement system. Part-time employees who became members of CalPERS prior to January 1, 2013, shall be considered to be "Classic" CalPERS employees in accordance with CalPERS regulations. Classic employees shall contribute appropriate current CalPERS rate – 8% for miscellaneous and 9% for safety employees. In accordance with the Post Employment Pension Reform Act (PEBRA), part-time employees hired on after January 1, 2013 who have not been a prior CalPERS member or have had a six (6) month break in service from employment with a CalPERS employer, are considered to be "New" CalPERS members. Such part-time employees shall contribute appropriate current CalPERS rate.

Under the Public Employees Retirement Law, a part-time employee who is concurrently enrolled as a full-time employee for another CalPERS agency will not be enrolled in the City's CalPERS plan.

### *Section 2 Apple 457 Deferred Compensation Retirement Plan*

All part-time employees who are not enrolled under the City's CalPERS plan will contribute 7.5% per paycheck towards their Apple 457 deferred compensation plan. Upon separation of employment with the City, part-time employees may withdraw or rollover their funds to another deferred compensation plan.

## Article 3 Insurance

### *Section 1 Health and Welfare*

Part-time employees who have worked more than 1,000 hours can purchase benefits under the City's group plans.

*Section 2 Family Medical Leave*

Employees are eligible for FMLA/CFRA after working for the City of Sierra Madre for at least one year and completing 1,250 hours over the 12 months prior to the commencement of the leave (29 USC § 2611 and 29 CFR 825.110).

**Article 4 Salary**

*Section 1 Part-time employee salary step/range*

All part-time positions shall have a one-step salary range.

*Section 2 Hours*

Part-time employees shall not work more than 960 hours in a fiscal year without the expressed written consent of the City Manager.

*Section 3 Overtime*

A part-time employee shall be entitled to overtime pay for all hours worked in excess of forty (40) hours in the designated seven (7) day work week, except in the case of authorized safety personnel under the FLSA 7(k) exemption.

**Article 5 Leaves**

*Section 1 Paid Sick Leave*

The Healthy Workplaces/Healthy Families Act of 2014 entitles employees who work for an employer in California for 30 or more days a year to paid sick leave.

Paid sick leave accrues at the rate of one (1) hour per every 30 hours worked, paid at the employee's hourly wage rate. An employee who works a 24-hour shift will accrue at the rate of (1.38) hours, paid at the employee's hourly wage rate. Accrual shall begin on the first day of employment or July 1, 2015, whichever is later. New part-time employees may begin using accrued sick leave after 90 days of employment.

Accrued paid sick leave shall carry over to the following year of employment but will be capped at 48 hours. For Employees who work 24-hour shifts, sick leave will be capped at 144 hours. At no time will paid sick leave be cashed out.

**Article 6 Terms and Conditions of Employment**

These Terms and Conditions of Employment are subject to all future and current applicable Federal and State laws and regulations. If any part or provision of these Terms and Conditions of Employment are in conflict with such applicable provisions of Federal and State laws and regulations, or are otherwise held to be invalid or unenforceable by any tribunal of competent jurisdiction, such part of the provision shall be suspended and superseded by such applicable law or regulations, and the remainder of these Terms and Conditions of Employment shall not be affected.

If any City rule or ordinance is in conflict with these Terms and Conditions of Employment, it shall supersede these Terms and Conditions of Employment.

This document is intended to be used in conjunction with the City of Sierra Madre Personnel Rules and Regulations. Current Rules and Regulations of the City that do not deal with matters covered by these Terms and Conditions of Employment shall remain in full force and effect.