

JULY 1, 2026 – JUNE 30, 2029

COMPENSATION PLAN
BETWEEN
THE CITY OF WESTMINSTER



AND
EXECUTIVE EMPLOYEES

ADOPTED

RESOLUTION NO.

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RESOLUTION NO. XXXX

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WESTMINSTER PROVIDING FOR A COMPENSATION PLAN FOR THE EXECUTIVE EMPLOYEES OF THE CITY OF WESTMINSTER FOR THE PERIOD OF JULY 1, ~~2023~~2026 THROUGH AND INCLUDING JUNE 30, ~~2026~~2029

The Mayor and City Council of the City of Westminster do hereby resolve as follows:

SECTION 1. APPLICATION OF RESOLUTION.

This Resolution provides for salaries, benefits and other terms and conditions of employment applicable to unrepresented Executive Employees of the City of Westminster. Classifications covered by this Resolution are as follows:

- Assistant City Manager
- Chief of Police
- City Clerk
- Community Development Director
- Community Services Director
- Finance Director/City Treasurer
- Human Resources & Risk Management Director
- Public Works Director

SECTION 2. ALLOCATION TO SALARY RANGE.

The classifications listed above are allocated to monthly salary ranges as contained in the Executive Employee Salary Schedule, attached hereto as Exhibit "A", "B" and "C" by reference made a part hereof.

Employees will receive a performance evaluation annually on the anniversary date of their hire or promotion to their current position. All other policies as stated in the Personnel Policy Manual, ~~Article XIV~~, shall apply.

Employees whose current salary exceeds the maximum salary established for the position shall be "Y" rated until such time the salary range exceeds their salary.

SECTION 3. SALARY INCREASES.

~~A.~~ Salary Increase Term; Fiscal Year ~~2024-2026~~2026-2029.

Effective in the pay period following ~~January~~July 1, ~~2024~~2026, all members of the Executive Employee group shall receive a three percent (~~35~~3%) increase to base salary.

Effective in the pay period following ~~July~~January 1, ~~2024~~2027, all members of the

Executive Employee group shall receive a three percent (~~3~~5%) increase to base salary.

Effective in the pay period following July 1, ~~2025~~2027, all members of the Executive Employee group shall receive a three percent (~~3~~5%) increase to base salary.

Effective in the pay period following July 1, 2028, all members of the Association shall receive a five percent (5%) increase to base salary.

SECTION 4. EXECUTIVE LEAVE.

Employees covered by this agreement shall receive Executive Leave in the amount of One Hundred and Twenty (120) hours per calendar year on a pro-rata basis:

Unused Executive Leave shall not be carried over beyond the calendar year in which it is earned unless an exception is approved by City Manager. The use of Executive Leave shall be at the convenience of the City and is subject to approval by the City Manager. Executive Leave may not be cashed out upon termination.

SECTION 5. AUTO ALLOWANCE

Executive employees shall receive an auto allowance in the amount of three hundred dollars (\$300) monthly for use of a personal vehicle for City business.

Each employee receiving this allowance shall have a personal vehicle at their work site each day worked and shall use that vehicle on City business. For business trips more than 25 miles one-way from City Hall, the employee may use a City pool car or be reimbursed at the IRS rate for travel beyond the first 50 miles.

SECTION 6. DEMOTION.

Demotion of Executive Employees for other than disciplinary reasons shall not result in a reduction in pay; and if continued payments exceed the appropriate salary schedule, the employee shall be shown on the personnel and payroll records as a "Y" rated employee, with the salary held at the "Y" rate.

SECTION 7. EXECUTIVE PROFESSIONAL DEVELOPMENT.

The City would like to encourage professional development for Executive staff by pursuing educational, professional or community-oriented activities, enhancing job skills and expertise, and/or purchasing materials/equipment, which improve the executive's performance. These activities, materialism equipment or fees are intended to be beyond what is budgeted for individuals through the annual budget cycle. The reimbursement options available include the following:

- Professional memberships, licenses and certificates that are job-related.
- Professional Conferences~~s~~ that are job-related including fees and other expenses while attending.

- Membership dues in community organizations relevant to the executive's job assignment.
- Purchase of job-related professional journals, periodicals, books or other written materials which further knowledge or improvement of effectiveness in performance of duties.

The City Manager must approve participation in the activities and/or purchase of the materials/equipment in advance. Claims for reimbursement must be accompanied by documentation that an eligible expense has been incurred during the fiscal year for the Executive Employee only. Any portion of the reimbursement amount not incurred within the fiscal year shall remain City funds unless prior approval has been received by the City Manager. Requests to carry forward unencumbered amounts to the next fiscal year must receive approval by the City Manager prior to the end of the fiscal year. All payments will be in the form of reimbursement and no Executive Employee will directly receive cash for this benefit. Reimbursements, which are subject to taxation, will be processed through the payroll system. The Finance Department shall administer this program in accordance with the stated purpose and will provide the appropriate forms and procedures. This reimbursement program does not prohibit individual departments from continuing to budget funds for executive staff attendance at professional conferences and seminars, for the payment of professional membership dues, and/or for the purchase of books, journals and written materials that are job-related and will enhance an executive's knowledge or expertise.

SECTION 8. LONGEVITY PAY.

Employees shall be eligible to receive Longevity Pay at the completion of the following consecutive years of service:

21 years of service:	2.0% of base salary
22 years of service:	4.0% of base salary
23 years of service:	6.0% of base salary
24 years of service:	8.0% of base salary
25 years of service:	10.0% of base salary

An employee who qualifies shall be eligible for only one of the levels of Longevity Pay noted above. Longevity Pay shall continue to be reported to CalPERS as special compensation and therefore compensation earnable pursuant to California Public Employees' Retirement System (CalPERS) Regulations, Section 571(a)(1).

Employees transitioning into the Executive Employee group from any of the represented employee organizations within the City of Westminster shall retain all earned Longevity Pay and continue to accrue any remaining Longevity Pay under the terms of the Memorandum of Understanding or Resolution such employee left, not to exceed a maximum of ten percent (10%). In the event the employee's former employee organization negotiates a change in Longevity Pay, the employee shall retain the earned Longevity Pay or receive such compensation under the terms of this resolution, whichever is greater.

SECTION 9. BILINGUAL PAY.

Employees who are assigned a position requiring routine and consistent communication skills in languages other than English and is one of the following listed languages shall receive an additional \$~~150.00~~200.00 per month (\$~~69.24~~92.31 biweekly) increase to base pay.

- Spanish
- Vietnamese
- American Sign Language

Additional languages may be added to the eligibility list at the discretion of the department head with Human Resources Director approval. The Human Resources Director will determine the specific examination for employees to qualify for bilingual pay.

This form of special compensation, also referred to as “Bilingual Premium,” shall continue to be reported to CalPERS as special compensation, and therefore compensation earnable pursuant to California Public Employees’ Retirement System (PERS) Regulations, Section 571(a)(4).

SECTION 10. SPECIAL PAY (ADVANCED POST).

Upon submitting proof to Human Resources of Advanced POST Certification, the Chief of Police shall be paid an additional 2.5% above base salary as Advanced POST Pay. This form of special compensation, also referred to as “Peace Officer Standard Training (POST) Certificate Pay,” shall be reported to CalPERS as special compensation and therefore compensation earnable pursuant to California Public Employees’ Retirement System (CalPERS) Regulations, Section 571(a)(2).

SECTION 11. VACATION ALLOWANCE.

Vacation allowance shall be earned based on the following schedule:

Years of Service	Accrual per Pay Period	Yearly Accrual
Year 1	4.62	120
Year 2	4.92	128
Year 3	5.23	136
Year 4	5.54	144
Years 5 to 10	5.85	152
Years 10 to 15	6.15	160
Years 15 to 20	6.46	168
Year 21	6.77	176
Year 22	7.08	184
Year 23	7.38	192
Year 24+	7.69	200

Requests should be submitted at least 1 week in advance for a time off request of less than 5 workdays and at least three weeks in advance for time off in excess of a week. Each request shall be evaluated based on operational need.

Executive Employees shall be permitted to cash out accrued vacation hours a maximum of two (2) times per calendar year so long as a minimum of one hundred and twenty (120) vacation hours are maintained in the employee's leave account at all times.

All vacation hours in excess of two hundred and forty (240) hours shall be paid in cash on the second pay period of November each year.

The City shall provide an exception for economic hardship. The Director of Human Resources shall review such requests for vacation cash out. A good faith demonstration that the employee has a financial hardship will be sufficient (i.e., does not require that the hardship be "unforeseen" or "preventable" as 457 withdrawals require).

SECTION 12. SICK LEAVE.

Employees shall be credited with sick leave at the rate of eight (8) hours per month and may not be taken off until earned.

Accumulated sick time shall be disposed of in any of the following ways at the discretion of the employee. The employee must declare in advance his/her intended form of disposition to the City. This declaration shall be made ~~in July~~ by April 30th of each year for the current year only. The forms of disposition shall be:

1. CASH OUT. The employee may elect to cash all remaining sick leave earned during the previous twelve (12) months at the rate of fifty percent (50%) of the total value. The cash out will occur during the last pay period in June.
2. RETIREMENT. Employees who make an application for and retire from City service shall receive cash payment for up to two hundred and forty (240) hours of sick leave to be paid at the rate in effect at the time of such retirement. Upon retirement, all remaining accumulated sick time, not disposed of, will be credited towards reported to CalPERS retirement and may be converted into additional service credit on an hour for hour basis.
3. DEATH. In the event of death of the employee, the designated beneficiary on file in the Human Resources Department shall be paid in cash for sick leave at the rate of hundred percent (100%) of cash value.
4. LAYOFF. Employees whose employment is terminated due to layoff shall be paid in cash for all (100%) accumulated sick leave on the books at the time of layoff, at full cash value.

SECTION 13. HOLIDAY CREDIT.

In addition to their regular compensation, employees shall be eligible for eleven (11) holidays, which will be credited as earned, and which may be taken either on such holiday or any other time, but only at the convenience of the City. Employees shall receive nine (9) hours for each recognized holiday.

The legal holidays of the City are:

- January 1 (New Year's Day)
- Third Monday in January (Martin Luther King Day)
- Third Monday in February (Presidents' Day)
- Last Monday in May (Memorial Day)
- July 4 (Independence Day)
- First Monday in September (Labor Day)
- November 11 (Veteran's Day)
- Fourth Thursday in November (Thanksgiving Day)
- Fourth Friday in November (Day after Thanksgiving)
- December 24 (Christmas Eve)
- December 25 (Christmas Day)

When a holiday falls on a Saturday, the Friday before will be observed as the holiday. When a holiday falls on a Sunday, the following Monday will be observed. If a holiday falls on a day that City Hall is closed, the employee will receive nine (9) hours of vacation ~~accrued~~credited to their leave bank.

SECTION 14. FLOATING HOLIDAYS.

A maximum of three (3) nine (9) hour Floating Holidays (total of twenty-seven [27] hours) to be taken at the convenience of the City. Such holidays are not eligible for cash payment and must be taken between the first pay period of the calendar year and the last pay period of the calendar year. It is understood "calendar year" refers to the City's normal payroll cycle and might not include a pay period that includes the entire month of December. The intent and practice is to allow employees twenty-six pay periods in which to utilize the floating holiday hours. The employee is eligible for the three (3) Floating Holidays after sixty (60) days' continuous employment.

Every day appointed by the President or Governor for public fast, thanksgiving, or holiday and so proclaimed by the Mayor.

SECTION 15. WINTER RECESS.

City offices will be closed between Christmas Eve and New Year's Day. Employees will be allowed to use banked time to cover time employees are off. Employees may also choose time off without pay.

SECTION 16. CATASTROPHIC LEAVE DONATIONS.

In recognition of the fact that catastrophic illness or injury can cause employees financial hardship, an employee may apply for Catastrophic Leave donations from fellow City employees. This will allow the employee facing financial hardship to remain on the payroll through the use of Sick Leave hours. Requests for Catastrophic Leave donations shall be made through and from the Human Resources Department.

~~To be eligible for Catastrophic Leave donations, an employee must have exhausted all accumulated leave balances and must be expected to be absent from the workplace due to personal illness or injury, or due to the illness or injury of an immediate family member which requires the care of the employee.~~

An eligible recipient is an employee who:

- Holds permanent/full-time status
- Submits medical evidence substantiating a non-industrial catastrophic illness/injury or that of an immediate family member
- Has exhausted all leave accruals
- Is not eligible for Long Term Disability (LTD) benefits

Donations shall be limited to whole hour increments of Vacation, Comp Time, and Sick Leave (Sick Leave shall be donated at 50% value). The donating employee shall have his/her leave hours deducted accordingly and the recipient shall have donated hours credited to his/her Sick Leave account. Donated hours shall be converted to Sick Leave hours for the recipient as follows:

1. Donated hours multiplied by donating employee's hourly rate (base pay and Longevity Pay included).
2. This amount divided by the recipient's hourly rate (base pay and Longevity Pay included).
3. Result is the number of hours the recipient will have credited to their Sick Leave account.

The minimum donation an employee may make is two (2) hours and the maximum is forty (40) hours. All donation forms submitted to HR will be date stamped and used in the order they are received for each bi-weekly pay period. Multiple donations will be rotated in order to insure even use of time from donors. Any donation form submitted that is not needed will be returned to the donor.

~~In the event that an eligible employee receives donations of leave in excess of that which is required, unused hours shall be deposited into a Catastrophic Leave Bank for future use by eligible employees covered by this Resolution. Unused hours shall be multiplied by the primary recipient's hourly rate to determine a total monetary amount available for~~

~~future Catastrophic Leave Donation requests. The total amount available shall be divided by a future recipient's hourly rate to determine how many hours are available for that recipient.~~

SECTION 17. BEREAVEMENT LEAVE.

In the event of a death to a spouse, domestic partner or child (to include foster and/or stepchild), the employee shall be granted two (2) weeks of leave with pay depending on the employee's schedule, with such time not to be charged against the employee's leave account. It is understood the "two (2) weeks" amount will coincide with the employee's work schedule (i.e., 4-10 work week, 28 day work cycle, etc.).

AB 1949 amends the California Fair Employment and Housing Act (FEHA) to create a statutory right for eligible employees to take up to five days of bereavement leave upon the death of a covered family member of which the employee should be granted up to thirty (30) hours off with pay. This time can be used consecutively or intermittently and must be completed within three months of the date of death of the family member. A "covered" family member would include parent, grandparent, grandchild, sibling, or parents-in-law. ~~If it is necessary for an employee to travel outside the immediate area due to a death in the specified family members, upon approval of the City Manager, leave may be extended up to a total of forty (40) hours to attend a funeral. "Immediate area" as used above means within five hundred (500) miles of the City of Westminster, as measured from City Hall (8200 Westminster Boulevard).~~

In order to be granted bereavement pay, employees must complete and submit a Request for Leave form and provide proof of need (e.g. obituary, death certificate) within ten (10) business days.

SECTION 18. RETIREMENT.

1. MISCELLANEOUS (NON-SAFETY) EMPLOYEES.

Miscellaneous (Non-Safety) employees include all positions covered by this Resolution except the Chief of Police. These employees shall be members of the California Public Employees' Retirement System (CalPERS) and shall be eligible for retirement benefits based on their hire date, as noted in Sections A, B, and C below:

A. MISCELLANEOUS TIER 1 - PERS 2.5% @ AGE 55 FORMULA shall be applicable to miscellaneous employees hired prior to July 28, 2011.

- i. Employee Contribution. The member (employee) contribution rate for Non-Safety (Miscellaneous) employees is established by State Legislation and is currently set at 8.0% of "pensionable compensation." These contributions shall be administered via payroll deduction on a pre-tax basis in accordance with Section 414(h)(2) of the Internal Revenue Service Code and applicable Government Code sections.

- ii. Final Compensation. Upon retirement, employees under this section will have their retirement calculation based on the average monthly salary earned during the highest twelve (12) consecutive months of employment to establish final compensation.
- B. MISCELLANEOUS TIER 2 - PERS 2.0% @ AGE 60 FORMULA shall be applicable to miscellaneous employees hired on or after July 28, 2011, but prior to January 1, 2013, as well as new hires from other agencies who are current members of CalPERS or a reciprocal retirement system.
- i. Employee Contribution. The member (employee) contribution rate for Non-Safety (Miscellaneous) employees is established by State Legislation and is currently set at 7.0% of “pensionable compensation.” These contributions shall be administered via payroll deduction on a pre-tax basis in accordance with Section 414(h)(2) of the Internal Revenue Service Code and applicable Government Code sections.
 - ii. Final Compensation. Upon retirement, employees under this section will have their retirement calculation based on the average monthly salary earned during the highest thirty-six (36) consecutive months of employment to establish final compensation.
- C. MISCELLANEOUS TIER 3 - PERS 2.0% @ AGE 62 FORMULA shall be applicable to new employees/members hired on or after January 1, 2013 as defined by the Public Employee Pension Reform Act of 2013 (PEPRA).
- i. Employee Contribution. Employees shall be responsible for contributing one-half of the normal cost for this pension programs required by Public Employees’ Pension Reform Act (PEPRA). Members hired on or after January 1, 2013, are subject to possible increases or decreases to their pension benefit contribution rate based on the results of the annual actuarial valuations which are determined and effective each July. This reimbursement shall be administered via payroll deduction on a pre-tax basis in accordance with Section 414(h)(2) of the Internal Revenue Service Code and applicable Government Code sections. In no event shall the City pay any of the required employee contribution, as prescribed by PEPRA and outlined in Government Code Section 20516 et al.
 - ii. Final Compensation. Upon retirement, employees under this section will have their retirement calculation based on the average monthly salary earned during the highest thirty-six (36) consecutive months of employment to establish final compensation.

2. SAFETY EMPLOYEES.

Safety employees covered by this Resolution include the Chief of Police only. These employees shall be members of the California Public Employees’ Retirement System (CalPERS) and shall be eligible for retirement benefits based on their hire date, as

noted in Sections A, B, and C below:

- A. SAFETY TIER 1 - PERS 3.0% @ AGE 50 FORMULA shall be applicable to safety employees hired prior to July 28, 2011.
- i. Employee Contribution. The member (employee) contribution rate for Safety employees is established by State Legislation and is currently set at 9.0% of “pensionable compensation.” Safety employees covered herein shall therefore contribute PERS payments in the amount of 9.0% of “pensionable compensation” as their full PERS member contribution. These contributions shall be administered via payroll deduction on a pre-tax basis in accordance with Section 414(h)(2) of the Internal Revenue Service Code and applicable Government Code sections.
 - ii. Final Compensation. Upon retirement, employees under this section will have their retirement calculation based on the average monthly salary earned during the highest twelve (12) consecutive months of employment to establish final compensation.
- B. SAFETY TIER 2 - PERS 2.0% @ AGE 50 FORMULA shall be applicable to safety employees hired on or after July 28, 2011 but prior to January 1, 2013, as well as new hires from other agencies who are current members of CalPERS or a reciprocal retirement system.
- i. Employee Contribution. Employees shall contribute PERS payments in an amount of 9.0% of “pensionable compensation” as their full PERS member contribution. This contribution shall be administered via payroll deduction on a pre-tax basis in accordance with Section 414(h)(2) of the Internal Revenue Service Code and applicable Government Code sections.
 - ii. Final Compensation. Upon retirement, employees under this section will have their retirement calculation based on the average monthly salary earned during the highest thirty-six (36) consecutive months of employment to establish final compensation.
- C. SAFETY TIER 3 - PERS 2.7% @ AGE 57 FORMULA shall be applicable to new local safety members entering CalPERS membership for the first time in a Police Safety classification on or after January 1, 2013 as defined by the Public Employee Pension Reform Act of 2013 (PEPRA).
- i. Employee Contribution. As required by Public Employees’ Pension Reform Act (PEPRA). Members hired on or after January 1, 2013 are subject to possible increases or decreases to their pension benefit contribution rate based on the results of the annual actuarial valuations which are determined and effective each July.
 - ii. Final Compensation. Upon retirement, employees under this section will have their retirement calculation based on the average monthly salary earned during

the highest thirty-six (36) consecutive months of employment to establish final compensation.

3. TERMINATION OF PERS MEMBERSHIP.

A. DISABILITY RETIREMENT.

A miscellaneous employee becoming disabled to the extent that they are incapable of performing their duties may be eligible for disability retirement provided they have at least five (5) years of service. The monthly retirement allowance is determined by CalPERS.

B. DEATH BEFORE RETIREMENT.

If an employee dies before becoming vested or has not reached retirement age, they will receive ~~a refund of the member's accumulated contributions to the retirement fund plus interest, plus~~ six (6) months' salary, provided they have been a member of the Retirement System for six (6) years or more. For those who die before completing six (6) years membership, the benefit is one (1) month's salary for each year of membership ~~plus refund of contributions and interest~~. The salary referred to is that earned during the year preceding death. Prior service does not count toward this benefit.

~~C. INDUSTRIAL DEATH.~~

~~If death is service connected in the judgment of the Industrial Accident Commission, a monthly income is paid to the widow/widower for life (or until remarriage) instead of the above basic death benefit. However, if she/he is also eligible for survivor benefits from Social Security because of the member's death, the State System benefit will be reduced by the amount of such Social Security so long as Social Security benefits are payable (usually until the youngest child reaches 18 and after the widow/widower reaches age 62). The total, including Social Security, would be 50% of final compensation. If death was caused by external violence or physical force, the total benefit (including Social Security) would be increased to the following percentages of final compensation so long as the widow lives and does not remarry:~~

- ~~• Widow or widower with 3 or more children under 18 ————— 75.0%~~
- ~~• Widow or Widower with 2 children under 18 ————— 70.0%~~
- ~~• Widow or widower with 1 child under 18 ————— 62.5%~~

DC. TERMINATION OF EMPLOYMENT.

Upon termination of employment, an employee with five (5) or more years of service may either leave their contributions with the Retirement System and receive, upon attaining retirement age, the retirement benefit they have earned, or they may withdraw their contributions (plus interest), thus terminating their

membership in the System and receiving no retirement benefits. Except (1) a member with less than five (5) years of service shall not have interest refunded upon termination of employment, and (2) a member who is transferring to employment with another agency covered by the System shall not have the right of withdrawing their accumulated contributions, but the contributions will be transferred with the member.

SECTION 19. DEFERRED COMPENSATION PLAN

Executive employees may participate in the City's Section 457(b) Deferred Compensation Plan by electing to contribute pre-tax earnings to the plan, subject to applicable Internal Revenue Service (IRS) annual contribution limits.

In addition, the City may provide an employer matching contribution through a qualified Section 401(a) Defined Contribution Plan. Employer matching contributions are contingent upon the employee making elective deferrals to the City's approved 457(b) Deferred Compensation Plan.

Executive Management Deferred Compensation Match

Executive Management employees shall be eligible for an employer matching contribution to the employee's ~~457(b)~~401(a) Deferred Compensation Contribution Plan contributions as follows:

- 2026: City match of \$0.30 for every \$1.00 contributed by the employee
- 2027: City match of \$0.30 for every \$1.00 contributed by the employee
- 2028: City match of \$0.50 for every \$1.00 contributed by the employee

Employer matching contributions shall be subject to the following vesting schedule:

- 25% vested after completion of Year 1
- 50% vested after completion of Year 2
- 75% vested after completion of Year 3
- 100% vested after completion of Year 4

Additionally, current Executive Management employees with more than four (4) years of continuous service with the City may be immediately eligible for full vesting upon implementation of the program in recognition of their established tenure and long-term commitment to the organization.

SECTION ~~19~~20. HEALTH BENEFIT PROGRAM.

A. The City shall maintain a comprehensive health benefit program consisting of the following ~~programs~~:

- * Comprehensive family health medical coverage
- * Dental care
- * Vision care
- * Life insurance
- * Long Term Disability

The City's Health Benefit Program may be increased in scope at any time; however, the Benefit Program may not be decreased without providing an equivalent program.

- B. The City has implemented a full flex cafeteria plan. Active employees participating in the City's full flex cafeteria plan shall receive a flex dollar allowance to purchase group health coverage under the plan:

Effective Date	Single Coverage, 2 Party Coverage or Opt Out	Family Coverage*
January 1, 2023	\$1,600 per month \$738.46 per pay period	\$2,000 per month \$923.07 per pay period

~~* These amounts are provided only to employees who participate in the CalPERS health insurance program and are enrolled in the Family level of coverage.~~

<u>Effective Date</u>	<u>Single Coverage or Opt Out</u>	<u>2-Party and Family Coverage</u>
<u>July 1, 2026</u>	<u>\$1600 per month</u>	<u>The City shall contribute 90% of the cost of the PERS GOLD monthly premium (region rates apply)</u>

A portion of the flex dollar allowance is identified as the City's mandatory contribution towards CalPERS Health under the Public Employees' Medical and Hospital Care Act (PEMHCA), hereinafter referred to as the "PEMHCA minimum contribution." The PEMHCA minimum contribution shall be adjusted annually by an amount to be determined by CalPERS. Remaining flex dollars shall be used by employees to participate in the City's health benefits plans.

Unused flex dollar allowances, after the employee has elected the coverage under the Cafeteria plan they desire, can be taken by the employee as cash (taxable income), or deposited into the following tax deferred options: (1) employee's Health Care spending account (Section 125 plan); (2) Dependent Care Spending account; (3) 457 Deferred Compensation plan; or (4) used to purchase voluntary products. Employees who do not use the full monthly maximum benefit amount shall be paid the unused amount on the first payday of the month.

- C. City life insurance coverage shall provide for \$50,000 death benefit and \$50,000 accidental death or dismemberment rider effective the first month following adoption of this Resolution. Additional insurance amount is available based on eligibility determination.

- D. The City shall provide Long Term Disability Insurance for non-industrial injuries, of covering 66 2/3% of ~~the an~~ employees' monthly salary, up to a maximum

benefit of \$10,000 per month, to be paid for by the City with the full cost of such coverage paid by the City.

- E. In the event any of the non-medical plans listed above become unavailable, a replacement plan shall be provided by the City.
- F. The City shall continue to make available an IRS Section 125 cafeteria plan and shall include, if possible, all options provided by law.

G. The full flex cafeteria dollar amounts listed in this Section 16.B of this Article apply to active employees only.

SECTION 2021. CONTINUATION OF MEDICAL, DENTAL, LIFE, AND VISION INSURANCE UPON RETIREMENT.

A. TIER 3.

~~Eligibility for City contribution to the retiree Health Benefits Program for employees hired on or after January 1, 2011, shall be based on the following schedule:~~

- ~~1. Employees retiring from the City with less than fifteen (15) consecutive years of service with the City of Westminster shall be eligible for a City contribution to the Retiree Health Plan equal to the PEMHGA minimum contribution to CalPERS Health.~~
- ~~2. Employees retiring from the City with more than fifteen (15) years of consecutive service with the City of Westminster shall be eligible for a City contribution to medical coverage equal to \$500.00 per month.~~
- ~~3. The City contribution to medical coverage shall continue to a surviving spouse of a deceased retiree only until the surviving spouse becomes Medicare eligible, at which time the City contribution shall be discontinued.~~
- ~~4. Employees shall not be eligible for any City contribution toward continuation of ancillary benefits (e.g., dental, vision, life insurance). Employees shall not be eligible for continuation in the City's group policy for these benefits except as required by COBRA regulations.~~

B. TIER 2.

~~Eligibility for City contribution to the retiree Health Benefits Program for employees hired on or after August 10, 2005, and on or before December 31, 2010, shall be based on the following schedule:~~

<5 Years	Years 5 -15	>15 years
PEMHCA Minimum	\$500 550/month	936.60/month

1. ~~The City contribution to medical coverage of the retiring employee's spouse shall continue to a surviving spouse retiree only until the employee's surviving spouse becomes Medicare eligible, at which time the City contribution shall be discontinued.~~
2. ~~Retirees may continue to participate in previously elected coverages. If continued, there is no charge for the City maintained vision coverage plan. If enrolled in a City maintained dental plan the City will contribute \$20 per month towards premium. Additionally, retirees may continue to participate in the City's group life insurance with coverage up to \$35,000 which may be purchased by the retiree but is based on life insurance eligibility determination. Continuation of coverage as permissible under the Plan document issued by the insurer.~~
3. ~~Retirees must elect medical insurance in order to participate in auxiliary benefits.~~

~~C. TIER 1.~~

1. ~~Represented Executive~~ employees ~~hired prior to August 10, 2005,~~ who retire from City service, shall be eligible after retirement for continuation of medical insurance at an amount not to exceed \$936.60 per month.
2. Retirees may continue to participate in previously elected coverages. If continued, there is no charge for the City maintained vision coverage plan. If enrolled in a City maintained dental plan the City will contribute \$20 per month towards the premium. Additionally, retirees may continue to participate in the City's group life insurance with a City contribution not to exceed \$19.10 per month. Additional coverage up to \$35,000 may be purchased by the retiree but is based on life insurance eligibility determination. Continuation of coverage as permissible under the Plan document issued by the insurer.
3. Retirees must elect medical insurance in order to participate in ~~auxiliary ancillary~~ benefits.
4. In order to implement the ~~tiered~~ benefit contained in this Section, ~~effective January 1, 2008~~ the City's contribution towards coverage under PEMHCA shall be the minimum contribution amount that is established by CalPERS on an annual basis. ~~Commencing January 1, 2009,~~ ~~the~~ PEMHCA minimum contribution shall be adjusted annually by an amount to be determined by CalPERS. Under California Government Code Section 22892 (-b) (-1), the City is required to pay an equal amount towards the cost of medical coverage under PEMHCA for both active and retirees. The retiree shall have any additional premium required deducted from their retirement check. City contributions required under this section shall be made directly by the City to eligible retirees on or about the 1st of each month. Retirees may receive these contributions either by check or direct deposit.
5. The City contribution to medical coverage of the retiring employee's spouse shall continue to a surviving spouse only until the employee's surviving spouse becomes Medicare eligible, at which time the City contribution shall be discontinued.

SECTION 2422. UNIFORMS.

Employees required to wear a distinctive uniform will be furnished such uniform or will receive a uniform allowance. The City will purchase and maintain uniforms for the Chief of Police position covered by this Resolution. Pursuant to Section 571(a)(5) of the California Public Employees' Retirement System (CalPERS) Regulations, the City will

report to CalPERS the monetary value for the purchase, rental, and/or maintenance of employee uniforms. The City will report uniform allowance to CalPERS in the amount of \$28.85 biweekly as pensionable compensation.

Uniform allowance is not considered pension reportable compensation for “new members” hired after January 1, 2013, pursuant to the Public Employee Pension Reform Act of 2013 (“PEPRA”).

SECTION 2223. CELL PHONE / DATA PLAN REIMBURSEMENT.

Upon showing proof of related expenses, City Manager and Executive Staff who use their personal cell phones for conducting City business will receive reimbursement of up to \$100.00 per month for their cell phone / data plan expenses.

SECTION 2324. DISABILITY LEAVES

An employee who suffers a work-related injury or illness is eligible for industrial Disability Leave in accordance with applicable Workers’ Compensation laws and the guidelines set forth.

1. NON-SWORN SALARY CONTINUATION. Once a claim is accepted, non-sworn employees shall be entitled to salary continuation at a maximum of six (6) months paid leave for job connected illness or injury. Salary continuation is paid at your average weekly wage.
2. NON-SWORN TEMPORARY DISABILITY. If an employee exhausts salary continuation and is still determined disabled, they will be entitled to temporary disability pay. Temporary Disability is paid at 2/3rds of their average weekly wage up to a maximum of 78 weeks. Such leave is to be determined by one of the doctors from the panel established by the Human Resources Department. Employee is able to use accrued time off to supplement the difference between workers’ compensation and his/her regular salary and receive a full paycheck.
3. SWORN SALARY CONTINUATION (4850). Once a claim is accepted, any sworn public safety employee who is a member of the California Public Employees’ Retirement System (CalPERS) and is disabled temporarily or permanently by injury or illness arising out of and in the course of employment, shall be paid in accordance with all applicable workers’ compensation laws. While so disabled, an employee is entitled to a leave of absence without loss of salary in lieu of temporary disability payments which would otherwise be payable, in accordance with Labor Code Section 4850.
4. SWORN TEMPORARY DISABILITY. If an employee exhausts salary continuation and is still determined disabled, they will be entitled to temporary disability pay. Temporary Disability is paid at 2/3rds of their average weekly wage up to a maximum of 52 weeks. Such leave is to be determined by one of the doctors from the panel established by the Human Resources Department. Employee is able to

use accrued time off to supplement the difference between workers' compensation and his/her regular salary and receive a full paycheck.

SECTION 2425. LIGHT DUTY ASSIGNMENTS

If released by the employee's treating physician, and with the approval of the City's doctor, the employee may be allowed to work a light duty if a position is available. Such light duty work would be made available with no loss in pay to the employee. Such assignments shall be reevaluated every 90 days.

When assigned to a light duty position, the employee shall make every effort to arrange doctor visits or prescribed in-office therapy sessions during their off-duty time. If an employee is unable to schedule an appointment during their off-duty time, the employee shall use their accruals to make up the difference to prevent time loss.

SECTION 2526. ACCRUALS WHILE ON DISABILITY LEAVE

1. Once an employee has exhausted their 4850 or salary continuation, they will no longer accrue sick leave or vacation time unless they work more than 40 hours per pay period.
2. Once an employee has exhausted their 4850 or salary continuation, they will no longer receive a flex dollar allowance (rebate) unless they work more than 40 hours per pay period. If an employee is enrolled in a City sponsored medical plan then they shall receive an allowance that can only be applied to the cost of medical, dental, vision and life insurance.

SECTION 2627. ACCRUALS WHILE ON PERSONAL LEAVE OF ABSENCE

1. Once an employee has exhausted FMLA, CFRA and PDL they will no longer accrue sick leave or vacation time unless they work more than 40 hours per pay period.
2. Once an employee has exhausted FMLA, CFRA and PDL they will no longer receive a flex dollar allowance (rebate) unless they work more than 40 hours per pay period. If an employee is enrolled in a City sponsored medical plan then they shall receive an allowance that can only be applied to the cost of medical, dental, vision and life insurance.

SECTION 2728. ME-TOO CLAUSE

If, as a result of collective bargaining, the WPOA and/or the WMEA unit receive any greater salary or benefit increases during the term of this agreement than provided herein, the City shall provide Executive employees with the same increases.

SECTION 28. ALL RESOLUTIONS IN CONFLICT, ETC.

All resolutions of the City of Westminster in conflict herewith are hereby repealed.

