



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 15-1005, Version: 1

REPORT TO COUNCIL

SUBJECT

Amend the Salary Resolution to Revise the Paid Time Off and Paid Medical Leave Provisions for Unrepresented Classified Confidential Employees

BACKGROUND

Unrepresented Classified Confidential employees are not organized and do not negotiate for any changes to their wages, hours, and/or other terms and conditions of employment. Pursuant to the Salary Resolution Section 1.000, Pay Plan Category G employees (Unrepresented Classified Confidential) receive the same treatment as Pay Plan Category B employees (Sunnyvale Employees' Association - SEA) for purposes of wage increases/decreases, benefits, and leaves, except for Paid Time Off (PTO) and floating holiday as defined in Section 3.110 and 3.310.

The City offers a Paid Medical Leave ("PML") benefit to employees that provides full pay for any medically certified illness or injury for ninety (90) calendar days. In recent years, the City has negotiated with various employee groups to require use of a certain amount of the employee's Paid Time Off (120-160 PTO hours, depending on employee group) before the City pays the PML benefit. The Public Safety Officers Association (PSOA), Public Safety Managers Association (PSMA), Sunnyvale Management Association (SMA), and Unrepresented Classified Confidential are currently the only groups that have paid leave use requirements prior to PML eligibility that are lower than 120 hours.

EXISTING POLICY

Council Policy 7.3.1 Legislative Management - Goals and Policies, Goal 7.3D: Maintain a quality work force, consistent with state and federal laws, City Charter, and adopted policies in order to assure that City services are provided in an effective, efficient, and high quality manner.

ENVIRONMENTAL REVIEW

N/A

DISCUSSION

Currently, Unrepresented Classified Confidential employees must use 80 hours of Paid Time Off before being eligible for Paid Medical Leave. The proposed change for Unrepresented Unclassified Confidential requires the use of 120 hours of Paid Time Off before Paid Medical Leave is available. This change is consistent with higher PTO use requirements for PML that already apply to the Communication Officers Association (COA), Unrepresented Management, Department Directors, Attorneys, and SEA (the PTO use requirement for SEA is 160 hours prior to PML eligibility).

Additionally, the City has been working to update the language used for Paid Medical Leave within the Salary Resolution to replace the word "disability" with "illness or injury." The City applies the two

phrases in the same way for purposes of administering the PML program; “illness or injury” simply modernizes old language. “Disability” was used before state and federal laws were passed that defined disabilities and required employers to provide protected unpaid leave for those disabilities. The City has always applied PML for any medically certified illness or injury, regardless of whether it rises to the level of a “disability” as defined in the state and federal laws.

FISCAL IMPACT

Increasing the PTO usage prior to becoming eligible for Paid Medical Leave from 80 hours to 120 hours is expected to be a modest cost savings to the City on an ongoing basis. Actual savings associated with the proposed change for Unrepresented Classified Confidential employees will depend on usage. It should be noted that there are currently 25 Unrepresented Classified Confidential employees.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

ALTERNATIVES

1. Adopt the amended Salary Resolution to require 120 hours of Paid Time Off prior to Paid Medical Leave eligibility for Unrepresented Classified Confidential employees.
2. Do not adopt the amended Salary Resolution to require 120 hours of Paid Time Off prior to Paid Medical Leave eligibility for Unrepresented Classified Confidential employees.

STAFF RECOMMENDATION

Alternative 1: Adopt a Resolution Amending Resolution 190-05, the City's Salary Resolution, to Revise Section 3.110(g) (Paid Time Off Leave (PTO) and Paid Medical Leave - Confidential Employees) to Require 120 hours of Paid Time Off prior to Paid Medical Leave Eligibility for Unrepresented Classified Confidential Employees.

Prepared by: Doug Baker, Human Resources Manager
Reviewed by: Teri Silva, Director of Human Resources
Reviewed by: Kent Steffens, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENT

1. Resolution to Amend Salary Resolution