

RESOLUTION NO. 2025-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY ESTABLISHING COMPENSATION AND BENEFITS FOR UNREPRESENTED, CONFIDENTIAL CLASSIFICATIONS

WHEREAS, the Meyers-Milias-Brown Act ("MMBA") (Government Code sections 3500 et seq.) governs labor relations between local government employers and employees and Section 3507.5 thereof permits a public agency to adopt local rules and regulations providing for the designation of the "confidential" employees of the public agency and restricting such employees from representing any employee organization, which represents other employees of the public agency, on matters within the scope of representation; and

WHEREAS, the City's Employer-Employee Relations Rules, contained in Appendix A to the Crescent City Municipal Code, represents the City's adoption of local rules and regulations for the administration of employer-employee relations, including but not limited to the designation of "confidential" employees, defined as those employees who have access to information relating to or affecting employer/employee relations . . ."; and

WHEREAS, the City has designated such "confidential" employees as more fully identified and listed herein below; and

WHEREAS, in order to preserve the confidentiality of City Council discussions and employee bargaining unit discussions regarding labor negotiations, employee classifications designated as confidential are, upon the adoption of this Resolution, no longer represented by any recognized bargaining unit as defined by the City's Employer-Employee Relations Rules and the MMBA; and

WHEREAS, it is necessary to establish such wages, hours and working conditions separate and apart from those created by memoranda of understanding for employees who are members of recognized bargaining units; and

WHEREAS, nothing in this assignment resolution is intended to restrict or enlarge any of the rights of the parties reserved to themselves or to restrict or enlarge of the rights under Federal or State law.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Crescent City, California, does hereby establish compensation and benefits effective July 7, 2025 for unrepresented, confidential employees as follows:

1. **UNREPRESENTED, CONFIDENTIAL POSITIONS.** The following are the City's current authorized unrepresented, confidential classifications covered by this resolution ("Covered Positions" or "Covered Employees"):

- Human Resources Analyst (FLSA non-exempt)
- Human Resources Manager (FLSA exempt)

2. **SALARY SCHEDULE.** As of the effective date of this resolution, the salary schedule for the Covered Positions are as follows (hourly rates):

	Step 1	Step 2	Step 3	Step 4	Step 5
Human Resources Analyst	28.60	30.03	31.54	33.11	34.77
Human Resources Manager	36.51	38.33	40.25	42.26	44.37

3. **BENEFITS.** Covered Positions will receive the same benefits as the base benefits specified in that certain Memorandum of Understanding (MOU) between the City and the Crescent City Management Employees' Association approved by the City Council by way of Resolution No. 2023-48, and as amended from time to time (currently located at Sections 10 (Benefits), 11 (Health and Welfare Insurance), 12 (Holidays) and 13 (Leaves)).

4. **HOURS OF WORK.** Covered Positions will be assigned to one of the following schedules:

5.1. For a standard schedule: the normal workday is eight (8) hours in each single workday for five (5) days per week.

5.2. For a defined 9-80 schedule: the normal workday is nine (9) hours, Monday through Thursday, and eight (8) hours every other Friday.

5.3. The workweek for employees assigned to a standard schedule begin at 12:00 a.m. on Sunday and end at 11:59 p.m. on Saturday.

5.4. The workweek for employees assigned to a defined 9-80 schedule will begin at 12:01 p.m. on Friday and ends at 12:00 p.m. on the following Friday.

5. **OVERTIME.** Non-exempt Covered Employees are eligible for overtime compensation as required by regulations of the U.S. Department of Labor with respect to the Fair Labor Standards Act (FLSA). Any work in excess of nine (9) hours in one work day for a defined 9-80 schedule and any work in excess of forty (40) hours in any one (1) work week will be compensated at no less than one and one-half (1.5) times the regular rate of pay. Holiday time will count toward the employee's work week hours for computation of overtime hours. Sick leave and vacation leave time will not count toward the employee's work week hours for

computation of overtime hours, except for when leave is used to make an employee's 8-hour holiday a 9-hour holiday per paragraph 9. Overtime must be authorized by the employee's Department Head / City Manager.

6. **COMP TIME.** In compliance with Section 3(s)(1)(C) of the FLSA and the California Labor Code, non-exempt Covered Employees may convert authorized overtime hours to Compensatory Time Off (CTO) at a rate of 1.5 hours per each overtime hour worked, upon the approval of the employee's Department Head. The maximum accrual of CTO will be eighty (80) hours. The balance of accrued compensatory time off may not be carried over at the end of the City's fiscal year. Any unused comp time will be paid to the employee. Use of accrued compensatory time off must occur before use of floating holidays, administrative leave or vacation. Use of accrued compensatory time off is subject to the same requirements as use of vacation and sick leave.
7. **ADMIN LEAVE.** An exempt Covered Employee, who is not eligible for overtime, will receive 40 hours of admin leave per fiscal year for attending meetings and events outside of normal City business hours. Admin leave does not carry forward from year to year, however, any unused leave will be paid out at the end of each fiscal year. Admin leave must be used prior to floating holidays or vacation leave. Admin leave will be prorated for the first year of employment in accordance with employee's hire date.
8. **REPORTING TIME.** Non-exempt Covered Employees may, at the recommendation of their Department Head and upon approval from Human Resources, have one-quarter (1/4) of one hour reduced from their pay for each fifteen (15) minutes they report to work later than their normal starting time. Continued tardiness for work may result in disciplinary action against the employee. Employees leaving their work area early without the prior authorization of their Department Head will have their pay reduced in the same manner as is provided for employees who are late for work, and in addition, such absence may be considered as a refusal to work and as such may be considered as grounds for disciplinary action.
9. **HOLIDAY PAY.** A non-exempt Covered Employee who is required to work on a City-designated holiday will be paid eight (8) hours of holiday pay and will also be paid their regular overtime hourly rate of pay for any hours actually worked on the designated holiday. If the holiday falls on a day that the employee would normally work nine (9) or ten (10) hours, the employee may use one or two hours of vacation, comp time, or floating holiday.

10. **MERIT PLAN.** A Covered Employee may receive a special merit pay for exemplary job performance. The special merit pay must be approved by the City Manager with a written justification for the special merit pay by including detailed examples of the employee's outstanding job performance and a copy of the employee's current year's annual performance evaluation. The following specific standards and conditions apply:

10.1. The employee must have attained a performance rating of 4 (Exceeds Job Standards) or 5 (Outstanding) in all applicable rating categories during his or her current year's annual performance evaluation.

10.2. The employee must have worked a minimum of 1760 work hours during the annual performance evaluation period.

10.3. The employee must have attained the annual goals and objectives set for him/her by the Department Head.

10.4. A special merit pay will not be paid to an employee who receives a performance rating of less than 4 or 5 in any rating category, or if a disciplinary action has been sustained against the employee.

10.5. An eligible employee must have at least two (2) years of full-time continuous service with the City.

10.6. A special merit pay shall be five percent (5%) of the employee's base hourly rate, multiplied by the number of regular hours worked during the year immediately prior to his or her current year's annual evaluation due date.

10.7. A special merit pay shall be paid once, in a lump sum, as an annual premium, to an eligible employee based on the date the employee's special merit pay is approved by the City Manager.

10.8. An employee must meet the above standard and conditions each year during his or her annual performance evaluation in order to qualify for any successive special merit pay.

11. **LONGEVITY PAY.** Covered employees will be compensated for longevity based upon years of full-time continuous service with the City as follows:

<u>Years of Full-Time Continuous Service</u>	<u>Longevity Pay % of Base Pay</u>
5	2.5%
10	2.5%
15	2.5%
20	2.5%

For the purposes of computing years of service, the anniversary of full-time employment will be used for qualification.

12. **BILINGUAL PAY.** In the course of employment, Covered Employees requested to provide translation or interpretation of a language other than English will be compensated at the rate of \$520.00 annually (\$20.00 biweekly). Employees eligible for bilingual pay must be proficient, including reading, writing and speaking fluently in a language that meets the City's operational needs. Employees proficient in American Sign Language are also eligible for bilingual pay. Eligible employees must be available to provide translation or interpretation services to any City Department.
13. **EDUCATION INCENTIVE PAY.** Unless required by the specific job classification, employees who possess or obtain a BA/BS from an accredited college or university in a job-related field approved by the Department Head and City Manager will receive 3.5% of their hourly base rate as a special pay. Employees who possess or obtain a MA/MS from an accredited college or university in a job-related field approved by the Department Head and City Manager will receive 5.0% of their hourly base rate as a special pay. If the degree is from a non-accredited college or university, then the employee must obtain special approval from the City Manager. These special pays are cumulative.
14. **EMPLOYER-EMPLOYEE RELATIONS RULES.** The City's Employer-Employee Relations Rules codified at Appendix A to the Crescent City Municipal Code are applicable to the job classifications covered by this resolution.

BE IT FURTHER RESOLVED, that the City Council of the City of Crescent City does hereby assign the benefits described herein to the City's unrepresented, confidential classifications.

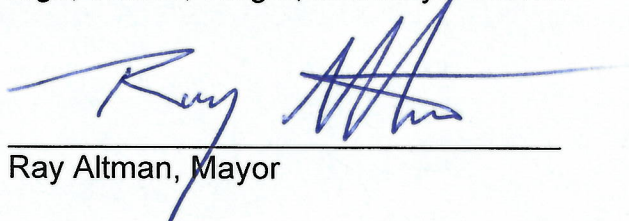
APPROVED and ADOPTED and made effective the same day by the City Council of the City of Crescent City this 7th day of July 2025, by the following polled vote:

AYES: Council Members Dooley, Greenough, Tinkler, Wright, and Mayor Altman

NOES: None

ABSTAIN: None

ABSENT: None



Ray Altman, Mayor

ATTEST:



Robin Altman, City Clerk