

DEPARTMENT: County Counsel/Personnel By: Jeffrey G. Green PHONE: 209/966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes () No(X))

Adopt this resolution approving Administrative Leave Policy and Procedures.

During recent negotiations, agreement was reached between Mariposa County and the Mariposa County Managerial and Confidential Organization (MCMCO), represented by the American Federation of State, County and Municipal Employees (AFSCME), to convert eligible bargaining unit members from overtime to overtime-exempt employees in conformance with the requirements of the Fair Labor Standards Act (FLSA). As part of that settlement, the County agreed to provide seventy-two (72) hours of paid administrative leave per calendar year, and the County was to develop a written policy governing the use of administrative leave subject to meeting and conferring with MCMCO representatives. Those discussions have occurred, and the attached Policy is now presented for formal adoption by the Board.

BACKGROUND AND HISTORY OF BOARD ACTIONS: By Resolution 98-363 adopting the new Memorandum of Understanding with MCMCO, the Board approved administrative leave for overtime-exempt employees (Ref Section 8.2.12). This requested Board action will establish the policy and procedures required to formally implement this leave.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Do not approve the recommended Administrative Leave Policy and Procedures; the County would be out of compliance with the terms of its current MOU with MCMCO.
2. Make any changes to the recommended Administrative Policy and Procedures as deemed necessary by the Board.

COSTS: (X) Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

SOURCE: () 4/5ths Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve for Contingencies, if approved: \$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

1. Administrative Leave Policy and Procedures.

CLERK'S USE ONLY:

Res. No.: 99-110 Ord. No. _____

Vote - Ayes: 4 Noes: _____

Absent: Richard Abstained: _____

Approved () Denied

Minute Order Attached () No Action Necessary

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: _____

A.O. Initials: JG

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

ADMINISTRATIVE LEAVE POLICY AND PROCEDURES

Introduction

All classifications in the Mariposa County Managerial/Confidential Organization bargaining unit, with the exception of Municipal Court Clerk, Paralegal and Planner IV, are deemed exempt from overtime requirements under the collective bargaining agreement and the Fair Labor Standards Act. Employees in the exempt classifications are paid on a salary basis versus an hourly basis and are compensated for meeting the requirements and performing the duties of their job regardless of the number or scheduling of work hours. Such employees may be required periodically or routinely to work long or irregular hours and to attend various County meetings and functions outside of normal business hours to fulfill their job responsibilities.

Eligibility

Administrative leave is available, subject to advance approval of the department head, to all classes of employees exempt from overtime as specified above. Exempt employees are eligible for up to seventy-two (72) hours of paid administrative leave per calendar year. This time will be credited in advance on or near each January 1 and is neither cumulative from year-to-year nor to be considered part of vacation accrual. Administrative leave may be authorized in increments of one hour to full-day increments and may be used by the employee for any reason. Leave time requests properly submitted will not be unreasonable denied by the department head.

Procedure

Requests for administrative leave shall be made on the attached form and submitted in advance of the leave to the department head. The employee's use of administrative leave with a balance of leave time available shall be tracked and recorded by the department.

Administrative Leave Request Form

Calendar Year _____

Employee Name: _____

Department: _____

Date(s) and Time of Absence: _____

Beginning Hours: 72

Hours Used to Date,
(Including Requested Hours) _____

Hours Available: _____

Employee Signature

Date

To be Completed by Department Head

Approved _____

Denied _____

Reason for Denial:

Signature

Date