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.

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:  

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

By:
Deputy

Action Form Revised 5/92
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

ALrequest frm
4/99