

STAFF REPORT



MEETING DATE:	October 22, 2019
SUBJECT:	Approve Human Resources Policy Updates
AGENDA ITEM:	11
STAFF CONTACT:	Dan Little, Executive Director

STAFF RECOMMENDATION:

It is recommended that the board of directors approve revisions to SRTA's Human Resources (HR) Policies and Procedures Manual.

DISCUSSION:

Staff has been working to update SRTA's HR policies. The attached mark-up version is provided for board consideration. There are three areas of change as follows:

- 1) Mid-manager Role – Provides policies to reflect the current practice of offering a temporary mid-manager professional development opportunity.
- 2) Employee Leave Without Pay – Following up to an item referred back to staff at the prior meeting, provides an option for an employee to take up to 10 days unpaid annual leave provided their vacation leave balance is below one year of the accrual rate, and they have used all available compensation time off. Time off must be approved in advance. Pay is not received for that day and no benefits will accrue.
- 3) Meal Periods – Simplifies the meal period definition to make it easier to understand and allows more flexibility as to when meal period is taken during their workday, and eliminates compensation time for employees who waive their lunch.

HR COMMITTEE REVIEW:

The HR Committee has reviewed the updates, made recommendations incorporated by staff, and recommends approval.

ALTERNATIVES:

The board of directors may choose to modify or decline the proposed revisions.

FISCAL IMPACT:

The addition of a Mid-Manager role reflects existing policy and is already reflected in the current budget. Employee Leave Without Pay and Meal Periods would reduce overall agency payroll costs.

A handwritten signature in blue ink that reads "Dan Little".

Daniel S. Little, AICP, Executive Director

Attachments: Human Resources Policies and Procedures Manual Recommended Revisions

5.05.050 - ACTING PAY/WORKING OUT OF CLASSIFICATION

- A. When an employee is temporarily assigned work and responsibilities normally assigned to a vacant higher-level non-exempt position, the employee shall receive pay according to the most current salary classification pay schedule for performing such work at a rate equivalent to that provided for under Agency promotional rules after meeting the following requirements (at which time the pay increase will be effective the first day the employee started working out of class):
1. Perform the full regular duties of the higher position.
 2. Perform the duties of the higher position for a period of at least 80 work hours, except with an approved interruption. (Holidays shall be treated like weekends or comparable regularly scheduled days off.) An approved interruption shall be the use of approved leave balances not to exceed an accumulation of 16 hours during the 80-hour qualification period.
 3. A vacant higher-level position, as referred to herein, shall include absences by the incumbent of the higher position of more than 10 workdays including vacation, sick or other forms of leave.
- B. Additionally, the executive director or designee must approve such an arrangement prior to assigning an employee to work out of class in a position subject to the conditions described in this paragraph.

5.05.055 – Mid -Manager Rotation Role

- A. A full-time employee may be temporarily assigned additional work in a mid-manager rotation role by mutual agreement of the Executive Director and the employee for managerial experience and professional development. A rotation in the mid-manager role will not exceed twelve months and is established by the Executive Director by written agreement with the employee. The role is voluntary, and the agreement may be terminated at any time by the Executive Director or employee. The employee shall not receive management benefits while in the rotation; however, there will be a five percent compensation increase while the agreement is in effect. The agreement will include specific additional duties while in the mid-manager role and shall specify the term of the agreement. At the end of the agreement, the employee will be evaluated for their performance in the mid-manager role as part of their regular evaluation.

5.05.060 - PERFORMANCE EVALUATION

INTRODUCTION

- A. The purpose of this policy is to establish Agency-wide procedures and standards for conducting performance evaluations for all employees. All employees shall receive a written performance evaluation on an Agency approved form a minimum of once annually. All formal performance evaluations shall be placed in the employee's personnel file. Employees shall be given copies of any formal written review of their performance by their supervisor or other designated staff. Employees have the right to make comments in writing concerning any written performance

of an emergency, the executive director or authorized designee shall provide an employee with 14 days advance notice of a permanent schedule change and/or a 12-hour notice of a temporary change.

- c. During payroll periods which contain a holiday, employees may be required to revert to a standard work schedule. However, in no event shall an employee receive more than eight hours of holiday pay or holiday credit for any holiday.
- d. The usage of accrued leave balances such as vacation, sick leave, and other paid time off, shall be on an hour-for-hour basis.

8. Work Shifts

- a. All employees will be assigned to a work shift with regular start and stop times, although the actual start and stop times may be different between employees based upon employer/supervisor and employee needs. The Agency's office hours are 8 a.m. to 5 p.m., Monday thru Friday. All employees should work during the core hours of 9 a.m. to 4 p.m. The employee's supervisor will set a designated schedule in writing with specific working start and end times.

9. Start Time

- a. Employees are required to be at their assigned work locations and ready to begin work at their designated start time.

10. Rest Breaks

- a. When practical, employees shall be granted a 15-minute paid rest period during shifts of at least four hours. Employees whose shift is six hours or longer shall be granted a 15-minute paid rest period in each half of the employee's work shift. Unless otherwise approved by the executive director or authorized designee, such breaks shall not be taken within one hour of the employee's starting time, quitting time, or meal break and shall not be accumulated or used to supplement meal breaks, arrive at work late, or leave work early.
- b. Employees who work less than three and one-half hours in a day will not receive a paid rest period.
- c. When traveling overnight, such as on a train, where sleeping facilities are purchased, a rest break of at least 8 hours is required.

11. Meal Periods

- a. All non-exempt employees must take at least a 30-minute meal period during the day if the employee will work more than five hours. Employees may not waive their meal break period for the day without written approval by the executive director or his/her designee. This break ~~must be taken during the day and not~~ cannot be "tacked" onto the beginning or end of the workday. SRTA will provide the opportunity for meal periods, but it is up to the

employee to schedule and to take the break allocated. SRTA shall not assign a non-exempt employee work-related responsibilities during the meal period.

- ~~b. Non exempt employees should take their meal break in order to avoid unapproved or unnecessary overtime or compensatory time off. Non exempt employees may not waive their meal period for the day without prior written approval by the executive director or his/her designee. If a non-exempt employee does not take their meal break during the day, and works at least eight hours, the employee shall be paid overtime or compensatory time off at overtime rates for the meal period missed.~~

12. Telecommuting

- a. Full time SRTA employees report to work at a regularly assigned work site. Telecommuting allows an employee to work at a location other than the conventional office, such as an employee's home or a satellite office. Telecommuting can be used periodically, as occasions arise where both SRTA and the employee would benefit from such an arrangement.
- b. The supervisor may approve telecommuting on a case by case basis for employees whose circumstances are such that they are able to work but don't allow them to physically get to the office. This is generally limited to whole workday increments, and infrequent occasions when travel to the work site would not be reasonably possible, however the employee is available to work from another location.
- c. The employee must request the telecommuting schedule on a form provided by SRTA. The form should list specific work tasks to be completed by the employee. No telecommuting may occur prior to the form being completed and approved.
- d. Telecommuting is not a substitute for sick leave, child or elder care. The telecommuter must provide child or dependent care in a manner that allows job responsibilities to be successfully met. The duties, obligations, responsibilities, and conditions of an employee are not changed by telecommuting. Employee should be readily accessible by regular communication methods during their normal working hours.
- e. Telecommuting is available to all non-exempt employees that have completed their first evaluation and are not subject to a corrective action plan.

5.05.090 - OVERTIME PAY

A. POLICY

- 1. All Agency positions are classified as either exempt or non-exempt in accordance with the federal Fair Labor Standards Act. Non-exempt employees are eligible to earn overtime compensation and/or compensatory time off at overtime rates (compensatory time is earned at one-and-one-half hours for each hour of overtime worked).

domestic partner, father, mother, son, daughter, sister, brother, grandparent, grandchild, step grandparents, stepparents, stepchildren, stepsisters, stepbrothers, and step grandchildren.

- a. Verification of Bereavement Leave - Satisfactory proof of death may be required at the discretion of the executive director or authorized designee for any use of bereavement leave.

5.10.085 – LEAVE WITHOUT PAY

1. A non-exempt full-time employee may request up to 10 days per calendar year of unpaid leave for personal reasons. An employee requesting leave without pay should not have any remaining compensation time off accrued and shall have less than one year's worth of vacation accrual available. No benefits such as sick leave and vacation will accrue when taking unpaid leave under this provision. Requests for leave without pay shall be approved in advance by the executive director or designee in consideration of work duties and deadlines, and shall not be unreasonably denied.

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5.10.090 - MISCELLANEOUS EMPLOYEE LEAVE

A. POLICY

1. There are many reasons an employee may be placed on temporary leave. Continued pay, benefits and reinstatement rights depend on the employee circumstances, and state and federal requirements. Requests for leave shall be discussed with the Agency human resources contract provider and the executive director. Requests shall be submitted in writing by the employee with sufficient detail for the Agency to make a determination under the applicable policies or laws. The executive director or authorized designee ~~shall~~may grant or deny the requested leave of absence for some or all of the requested period. Requests for leaves shall not be unreasonably denied.

B. RELEASE FROM DUTY

1. When the best interest of the Agency requires the immediate removal of the employee from his/her position, any employee may be released from regularly assigned duties, with pay and benefits, by the executive director or authorized designee for a period not to exceed two weeks of pay based on the employees approved work schedule. Upon showing of good cause by the executive director or authorized designee, such release from duty may be extended up to an additional two weeks.

C. PREGNANCY DISABILITY LEAVE/REASONABLE ACCOMMODATION

1. Notice: The Agency complies with the Pregnancy Disability Leave (PDL) and reasonable accommodation provisions of the California Fair Employment and Housing Act (FEHA).