



Human Resource Services

Agenda **REVISED**

Lakeside Plaza Building
1401 Lakeside Drive, Suite 200
Oakland, CA 94612-4305
TDD: (510) 272-3703

September 13, 2018

Honorable Board of Supervisors
Administration Building
Oakland, CA 94612

Subject: Administrative Code and Salary Ordinance Amendments

Dear Board Members:

Recommendations:

- 1) Adopt the following Administrative Code amendments:
 - a. Amend Section 3.16.010 to authorize a total of four floating holidays per calendar year for all unrepresented employees; and
 - b. Amend Section 3.16.010 by making non-substantive changes to make language consistent and to delete obsolete language.

- 2) Adopt the following Salary Ordinance amendment:
Amend Article 7 by deleting Section 7-16, which provides the authorization of the additional one floating holiday for all unrepresented employees.

Discussion/Findings:

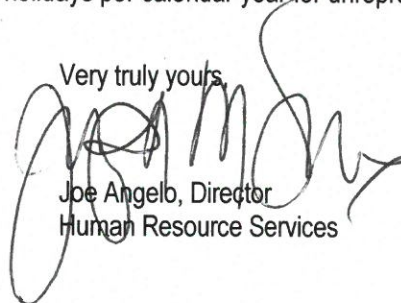
We recommend amending Section 3.16.010 (Holidays defined) of the Administrative Code. Unrepresented employees (includes unrepresented management employees and unrepresented non-management employees) are entitled to receive four (4) floating holidays per calendar year. Currently, the Administrative Code authorizes three (3) floating holidays per year, and the Salary Ordinance authorizes the additional one (1) floating holiday per year, for the total of four (4) floating holidays. In order to make it easier to locate the authorization for the four (4) floating holidays, we are proposing that all four (4) floating holidays per calendar year will be authorized by the Administrative Code. In addition, obsolete language which previously changed floating holidays from fiscal year to calendar year can be deleted and this provision will be incorporated in the authorization of the four (4) floating holidays in the Administrative Code.

We also recommend amending the Salary Ordinance, Article 7. Specifically to delete Section 7-16 (Floating Holiday), which provides the authorization of the additional one (1) floating holiday for unrepresented employees. This section will be obsolete given that the authority to list the four (4) floating holidays per calendar year as recommended above will be in the Administrative Code.

Financing:

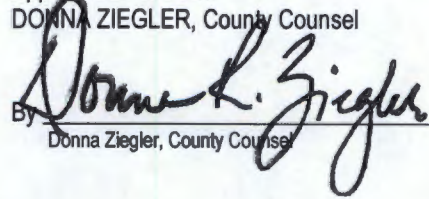
These amendments do not result in any changes to actual benefits and are made to designate the Administrative Code as the single source of authorization for granting four (4) floating holidays per calendar year for unrepresented employees. There is no cost to the County resulting from these amendments.

Very truly yours,



Joe Angelb, Director
Human Resource Services

Cc: CAO
Auditor-Controller
County Counsel

By 
Donna Ziegler, County Counsel

O-2018-56

AN ORDINANCE AMENDING
CERTAIN PROVISIONS OF THE 2017 - 2018
COUNTY OF ALAMEDA ADMINISTRATIVE CODE

The Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

Chapter 3.16 - Holidays of the County of Alameda Administrative Code is hereby amended by the following underlined and deleted language to Section 3.16.010 to read as follows:

3.16.010 - Holidays defined.

Ordinance No. O-2016-68

A. Unless mutually agreed in a current memorandum of understanding or sideletter of agreement, paid County of Alameda holidays shall be:

1. January 1st, known as "New Year's Day";
2. The third Monday in January, known as "Dr. Martin Luther King, Jr. Day";
3. February 12th, known as "Lincoln's BirthDay Day";
4. The third Monday in February, known as "Presidents' Day";
5. The last Monday in May, known as "Memorial Day";
6. July 4th, known as "Independence Day";
7. First Monday in September, known as "Labor Day";
8. November 11th, known as "Veterans Day";
9. Thanksgiving Day;
10. Day after Thanksgiving;
11. December 25th;
12. All other days appointed by the President of the United States or the Governor of the State of California for a public fast, national day of mourning, Thanksgiving or holiday and approved in writing by three (3) or more members of the Board of Supervisors ("Board"); and
13. ~~Three~~ Four (4) floating holidays are to be scheduled by mutual agreement of the employee and his/her department and taken within the ~~fiscal~~ calendar year, except that an employee hired on or after ~~April 1st~~ July 1st of any year shall not be entitled to floating holidays for that ~~fiscal~~ calendar year.

~~Effective from July 1, 2002 to December 31, 2002, the floating holidays authorized by this section will be one and one-half days.~~

~~Effective January 1, 2003, the provisions of paragraph 1 will no longer be operative. Effective January 1, 2003, three floating holidays are to be scheduled by mutual agreement of the employee and his/her department and taken within the calendar year, except that an employee hired on or after July 1st of any year shall not be entitled to floating holidays for that calendar year.~~

~~Effective January 1, 2017, for full-time unrepresented non-management related to SEIU-eligible employees, four floating holidays are to be scheduled by mutual agreement of the employee and his/her department and taken~~

~~within the calendar year, except that an employee hired on or after July 1st of any year shall not be entitled to floating holidays for that calendar year.~~

B. In the event that January 1st, known as "New Year's Day"; February 12th, known as "Lincoln Day"; July 4th, known as "Independence Day"; November 11th, known as "Veterans Day"; or December 25th, known as "Christmas" shall fall on a Saturday, said holiday shall be observed on the preceding Friday. In the event that any of said holidays enumerated in this subsection shall fall on a Sunday, said holiday shall be observed on the following Monday. A day designated by the Board as a day of mourning or celebration for County employees shall be granted only to those employees who are regularly scheduled to work on the day for which such holiday is proclaimed. Notwithstanding the foregoing, when December 25th, and January 1st, known as "New Year's Day" appear in the calendar year on a Saturday or Sunday, and a weekend ~~worker~~ employee is scheduled to work on said day, the employee shall ~~celebrate~~ observe the Christmas holiday on December 25th and the New Year's holiday on January 1st.

C. In the event that the date of observance of any of the foregoing holidays which coincide with state holidays set forth in Government Code Section 6700 is changed by statute, said holiday shall be observed on the date so established instead of on the date provided for in this Section.

D. The following applies to unrepresented ~~management~~ employees:

~~Effective January 1, 2009, Floating holidays for less than fulltime unrepresented management eligible employees whose standard working hours change to fulltime after January 1 but prior to July 1 of a calendar year, shall be increased based on the employee's fulltime status. The prorated adjustment to the floating holiday hour balance shall not exceed the fulltime equivalent amount for four (4) days of floating holidays (thirty-two (32) hours for eighty (80) hour per pay period employees and thirty (30) hours for seventy-five (75) hour per pay period employees) or the fulltime equivalent amount in effect for the calendar year. After July 1 of a calendar year, no adjustment will be made to the floating holiday hour balance.~~

~~E. The following applies to unrepresented non-management employees:~~

~~Effective January 1, 2011, floating holidays for less than full time unrepresented non-management eligible employees whose standard working hours change to full time after January 1, but prior to July 1 of a calendar year, shall be increased based on the employee's full time status. The prorated adjustment to the floating holiday hour balance shall not exceed the full time equivalent amount for three days of floating holidays (twenty-four (24) hours for eighty (80) hour per pay period employee and twenty-two and a half (22.5) hours for seventy-five (75) hour per pay period employee) or the full time equivalent amount in effect for the calendar year. After July 1 of a calendar year, no adjustment will be made to the floating holiday hour balance.~~

~~Effective January 1, 2017, floating holidays for less than fulltime unrepresented non-management related to SEIU eligible employees whose standard working hours change to fulltime after January 1 but prior to July 1 of a calendar year, shall be increased based on the employee's fulltime status. The prorated adjustment to the floating holiday hour balance shall not exceed the fulltime equivalent amount for four days of floating holidays (thirty-two (32) hours for eighty (80) hour per pay period employee and thirty (30) hours for seventy-five (75) hour per pay period employee) or the fulltime equivalent amount in effect for the calendar year. After July 1 of a calendar year, no adjustment will be made to the floating holiday hour balance.~~

(Ord. 2004-45 § 1; Ord. 2002-61 § 3; Ord. 2001-47 § 1: prior admin. code § 2-8.01)

(Ord. No. 2009-54, § 1, 11-10-09; Ord. No. 2011-28, § 1, 2-1-11; [Ord. No. 2016-44](#), § 1, 9-13-16)

THE FOREGOING was **PASSED** and **ADOPTED** by a majority vote of the Alameda County Board of Supervisors this 9th day of October, 2018, to wit:

AYES: Supervisors Carson, Haggerty, Miley, Valle & President Chan – 5

NOES: None

EXCUSED: None



PRESIDENT, BOARD OF SUPERVISORS

File No: 30168

Agenda No: 8

Document No: O-2018-56



I certify that the foregoing is a correct copy of a Ordinance adopted by the Board of Supervisors, Alameda County, State of California

ATTEST:
Clerk, Board of Supervisors

By: R. Bailey
Deputy

Approved as to Form
DONNA ZIEGLER, County Counsel

By 
Donna Ziegler, County Counsel

O-2018-57

AN ORDINANCE AMENDING
CERTAIN PROVISIONS OF THE 2017 - 2018
COUNTY OF ALAMEDA SALARY ORDINANCE

The Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

Article 7 of the County of Alameda Salary Ordinance is hereby amended by deleting Section 7-16:

SECTION 7-16. FLOATING HOLIDAY

~~Effective July 1, 2001 through June 30, 2002, each unrepresented employee shall be entitled to one floating holiday in addition to any other holidays provided by this ordinance or the County Administrative Code. This holiday is to be scheduled by mutual agreement of the employee and the Agency/Department Head and taken within the fiscal year, except that an employee hired after April 1st of any year shall not be entitled to the floating holiday for that fiscal year.~~

~~Effective July 1, 2002 through December 31, 2002, each unrepresented employee shall be entitled to one-half day floating holiday subject to the same conditions in paragraph one, except that an employee hired after November 1, 2002, shall not be entitled to the one-half day floating holiday.~~

~~Effective January 1, 2003, each unrepresented employee shall be entitled to one floating holiday in addition to any other holidays provided by this ordinance or the County Administrative Code. This holiday is to be scheduled by mutual agreement of the employee and the Agency/Department Head and taken within the calendar year, except that an employee hired after July 1st of any year shall not be entitled to the floating holiday for that calendar year.~~

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