

**RESOLUTION OF THE CITY OF SAN BERNARDINO AMENDING  
RESOLUTION 2007-345, SECTION 2, B. COMPENSATION AND SECTION 2, Y.  
HOLIDAYS, BETWEEN THE CITY AND MANAGEMENT/CONFIDENTIAL  
EMPLOYEES.**

**BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE CITY  
OF SAN BERNARDINO AS FOLLOWS:**

SECTION 1: Resolution 2007-345 Section 2, B, Compensation is hereby amended by  
adding subsection 7, and amending Section 2, Y. Holidays as follows:

**SECTION 2, B. COMPENSATION**

**7. Short-term Salary Reduction**

**a. NON-SAFETY MEMBERS**

Effective August 1, 2008 through June 30, 2009 (August 15, 2008 payroll  
check), all non-safety members of the Management/Confidential group will  
participate in a five percent (5%) reduction in base salary.

The short-term salary reduction will be administered each payroll period  
and will be reflected on the employees semi-monthly payroll check. The monthly  
pay rate reportable to PERS will not be changed and all step/merit increases will  
continue to be processed as normal.

In return, each non-safety member of SBCMA, except those employed in  
the City Attorney's Office, will receive eighty-eight (88) hours of time off which  
will be placed in a bank upon approval of this agreement. The hours must be  
scheduled off with respective department heads and used prior to January 1, 2010.  
Any remaining balance on January 1, 2010 will be forfeited. Should the City  
adopt any closure dates during the period of August 1, 2008 through December  
31, 2009, this time off may be applied.

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SECTION 2, Y. HOLIDAYS

All participants shall receive the following paid holidays:

New Year's Day	January 1
Martin Luther King Day	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving	4th Thursday in November
Day after Thanksgiving	Friday after
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 31

Two (2) Floating Holidays (18 holiday hours)

Holidays listed above shall be allowed on a Monday, if any such holiday falls on Sunday, and shall be allowed on the preceding Friday, if such holiday falls on a Saturday, for all employees except those covered by other provisions herein. If the Christmas and New Year holidays occur on Mondays, these holidays and the holiday eves will be observed on Mondays and Tuesdays.

Non-safety employees shall accrue nine (9) hours of holiday time per holiday. Two (2) floating holidays will equal 18 holiday hours and will be placed into the employee's holiday account at the beginning of each calendar year.

Holidays earned in any twelve (12) month period are not accumulative beyond the total number of holidays allowed each year by this pay plan.

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5 If a holiday falls on a nine – (9) or ten – (10) hour work day, the employee will  
6 be paid eight (8) hours holiday pay. The employee may supplement the holiday with accrued  
7 vacation, holiday account time, or no pay. The employee will be paid nine (9) hours holiday  
8 pay.

9 If new employees elect to "draw down" from the holiday account, the hours used  
10 will be deducted from the sixteen (16) holiday account hours they receive upon the completion  
11 of six (6) months of continuous service. Effective January 1, 2006, employees may draw down  
12 from the eighteen (18) hours holiday account upon completion of six (6) months of continuous  
13 service.

14 In the event of the employee's failure for any reason to take such holiday account  
15 hours during the term of this Resolution, the employees shall be paid for his/her holiday account  
16 balance, upon separation from the City. Effective January 1, 2006, non-shift employees may  
17 accrue a total balance of a maximum of 126 hours.

18 Effective January 1, 2006, safety employees will accrue nine (9) hours per  
19 holiday. Holidays earned in any twelve-month period are not accumulative beyond the total  
20 number of holidays allowed each year by this pay plan. Employees may not exceed a balance of  
21 126 hours at any time.

22 Police Management

23 Police Safety Management members may sell back up to one quarter (25%) of their  
24 annual holiday leave. Maximum sell back will be 28 hours. Eligible employees shall notify the  
25 Finance Department by August 1, of his/her request for sell back for the prior fiscal year ending  
June 30. The City shall compensate eligible employees on the first payday in September.

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4 Fire Management

5 Effective August 1, 2008 through June 30, 2009, all Fire Safety Management members  
6 who work a 24 hour shift, will accrue 69 hours of Holiday time. During the time period  
7 of August 1, 2008 through June 30, 2009, the Holiday accrual rate will be reduced from  
8 15.75 per month to 6.28 hours per month.

9 In lieu of the above, shift employees shall accrue six-and-a-half (6-1/2) shifts per  
10 calendar year, accrued at six (6) hours per pay period.”

11 SECTION 2: The City and SBCMA agree to meet and discuss extending the aforesaid  
12 amendments to Resolution 2007-345 set forth in Section 1 of the Resolution pending review of  
13 the financial status of the City of San Bernardino for FY 2008-10, prior to July 1, 2009.

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I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Mayor and the Common Council of the City of San Bernardino at a joint regular meeting thereof, held on 4th day of August, 2008, by the following vote, to wit:

COUNCILMEMBERS:	AYES	NAYES	ABSTAIN	ABSENT
ESTRADA	<u>X</u>	_____	_____	_____
BAXTER	<u>X</u>	_____	_____	_____
BRINKER	<u>X</u>	_____	_____	_____
DERRY	_____	_____	_____	<u>X</u>
KELLEY	<u>X</u>	_____	_____	_____
JOHNSON	<u>X</u>	_____	_____	_____
MCCAMMACK	<u>X</u>	_____	_____	_____

Rachel G. Clark  
Rachel G. Clark, City Clerk

The foregoing resolution is hereby approved this 6<sup>TH</sup> day of August, 2008.

Patrick J. Morris  
Patrick J. Morris, Mayor  
City of San Bernardino

Approved as to form:

JAMES F. PENMAN,  
City Attorney

By: James F. Penman

HR/Agenda Items:Reso.Mgmt-Conf.Furlough.2008