

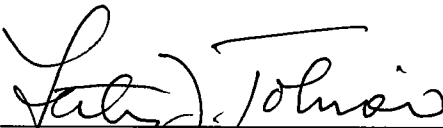
ANALYSIS

This ordinance amends Title 5 - Personnel and Title 6 - Salaries, of the

Los Angeles County Code by:

- Implementing provisions negotiated with represented employee units;
- Amending various sections extending provisions negotiated with represented employee units to non-represented Fire Department classifications.

RAYMOND G. FORTNER, JR.
County Counsel

By: 
LESTER J. TOLNAI
Principal Deputy County Counsel
Management Services Division

LJT:mag
05/04/05 (requested)
05/10/05 (revised)

ORDINANCE NO. _____

An ordinance amending Title 5 - Personnel and Title 6 - Salaries of the Los Angeles County Code, relating to Fire Department employees.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 5.72.060 is hereby amended to read as follows:

5.72.060 Uniforms -- Forester and fire warden employees.

~~Upon authorization of the department head persons employed as battalion chief, air officer, fire services or division assistant fire chief who regularly wear uniforms may be entitled to have issued to them annually one jacket and one pair of pants, as prescribed by the Manual of Operations for the department of forester and fire warden.~~

A. In addition to all other compensation provided for in this Code, any person employed in a position set forth in Subsection 5 below shall be entitled to the following:

1. Effective March 1, 2005, a one-time only lump-sum payment of \$2,500.00;
2. \$1,000.00 payable between December 1, 2005 and December 15, 2005 provided such person was employed in said position on November 1, 2005;
3. \$1,000.00 payable between December 1, 2006 and December 15, 2006 provided such person was employed in said position on November 1, 2006;
4. \$1,000.00 payable between December 1, 2007 and December 15, 2007 provided such person was employed in said position on November 1, 2007;

5. The provisions of this Subsection A shall apply to any person employed in one of the following classes provided such person's performance is "Competent" or better or, in the case of persons paid in accordance with the provisions of Title 6, Chapter 6.08, Part 3 of this Code, "Merit Performance" or better:

<u>Item No.</u>	<u>Title</u>
<u>0208</u>	<u>Battalion Chief (56-Hours)</u>
<u>0217</u>	<u>Assistant Fire Chief</u>
<u>0335</u>	<u>Assistant Chief, Forestry Division</u>
<u>0336</u>	<u>Chief, Forestry Division</u>
<u>2932</u>	<u>Section Chief, Lifeguard Services, Fire</u>
<u>2934</u>	<u>Assistant Chief, Lifeguard Services, Fire</u>
<u>2935</u>	<u>Chief Lifeguard Services, Fire</u>

B. In addition to all other compensation provided for in this Code, any safety fire fighting employee employed in a position set forth in Subsection 5 below shall be entitled to the following:

1. Effective March 1, 2005, a one-time only lump-sum payment of \$1,250.00;
2. \$500.00 payable between December 1, 2005 and December 15, 2005 provided such person was employed in said position on November 1, 2005;
3. \$500.00 payable between December 1, 2006 and December 15, 2006 provided such person was employed in said position on November 1, 2006;

4. \$500.00 payable between December 1, 2007 and December 15, 2007 provided such person was employed in said position on November 1, 2007;

5. The provisions of this Subsection B shall apply to any person employed in one of the following classes provided such person's performance is "Competent" or better or, in the case of persons paid in accordance with the provisions of Title 6, Chapter 6.08, Part 3 of this Code, "Merit Performance" or better:

<u>Item No.</u>	<u>Title</u>
<u>0219</u>	<u>Deputy Fire Chief, Emergency Operations (UC)</u>
<u>0220</u>	<u>Chief Deputy, Emergency Operations, Fire (UC)</u>
<u>0215</u>	<u>Chief, Air Operations, Fire Services</u>
<u>0224</u>	<u>Chief Deputy, Business Operations, Fire (UC)</u>
<u>0225</u>	<u>Deputy Fire Chief, Business Operations (UC)</u>

6. All payments made pursuant to this section shall be made by separate payroll warrant.

SECTION 2. Section 6.08.365 is hereby amended to read as follows:

6.08.365 Departmental special rates.

. . .

E. Forester and Fire Warden. Participants listed in ~~paragraph 2 of~~ subsections H, O, P, and Q of Section 6.76.020 shall be entitled to receive the compensation provided by those provisions. Notwithstanding any other provision of

this code, any such compensation received by an employee shall be disregarded when calculating the amount of promotional increase to which the Participant is entitled pursuant to subsection C of Section 6.08.340.

. . .

SECTION 3. Section 6.12.050 is hereby amended to read as follows:

6.12.050 Paid leave for holidays.

Any employee who is employed on a monthly basis pursuant to subsection B of Section 6.28.020 shall, when approved by the board, be entitled to paid leave for holidays as defined by Section 6.12.040 of this chapter, as follows:

. . .

H. Where specifically approved by the Board of Supervisors, safety fire fighting employees employed in the Fire Department shall be compensated for accumulated holiday time as follows:

1. A 56-hour safety fire fighting employee employed in the Fire Department who, as of December 31, 2005, has in excess of 396 hours of accumulated holiday leave and a 40-hour safety fire fighting employee employed in the Fire Department who, as of said date, has in excess of 264 hours of accumulated holiday leave shall not be paid for such time prior to termination from County service. Such accumulated holiday leave shall remain available for the employee's use subject to prior

approval of the employee's department head. Upon termination from County service, any such remaining time shall be paid off at the workday rate of pay in effect on the employee's final day of County service;

2. Commencing December 31, 2005 and continuing on each December 31st thereafter, each safety fire fighting employee employed in the Fire Department shall be compensated for accumulated holiday leave in excess of 264 hours in the case of 56-hour employees or 176 hours in the case of 40-hour employees. Such excess holiday leave shall be paid at the employee's workday rate of pay in effect on the last day of the calendar year.

SECTION 4. Section 6.18.080 is hereby amended to read as follows:

6.18.080 Time for taking vacations.

A. Vacations shall be taken at the time authorized by an employee's department head.

B. Vacation earned in one pay period is available for use in the next pay period, except that vacation earned during the employee's first year of service is subject to the restriction in subsection C below.

C. Vacation hours earned by an Eligible Employee pursuant to this Chapter 6.18 may not be taken off or paid off at separation from service until the employee has completed one year of service, based on the employee's continuous service date, or, for an otherwise eligible employee without a continuous service date, the employee's latest hire date.

D. Until December 1, 1993, whenever the sum of an employee's Current and Deferred Vacation exceeds 40 days or 320 hours, that portion in excess of 40 days or 320 hours may be deferred for no more than one year. If at the end of that year, an employee still has Current and Deferred Vacation in excess of 40 days or 320 hours, the employee shall lose that portion in excess of 40 days or 320 hours and be compensated for it at his workday rate of pay in effect on the last day of such year of deferment.

E. Effective on December 31, 1993 and at the end of each calendar year thereafter, the sum of an employee's Current and Deferred Vacation may be deferred to the following calendar year. If that sum exceeds 320 hours, ~~or 30 shifts (720 hours)~~ for ~~an employee of the fire department employed on a 56-hour workweek basis~~, those hours in excess of 320 hours ~~or 30 shifts~~ must be used by the end of the calendar year to which they were deferred. If, at the end of that year, an employee still has Current and Deferred Vacation in excess of 320 hours ~~or 30 shifts~~, the employee's balance of available vacation hours shall be reduced by the number of hours in excess of 320 hours ~~or 30 shifts~~ that were deferred, and the employee shall be compensated for the reduction on an hour-for-hour basis at the employee's workday rate of pay in effect on the last day of the year of deferment.

F. Where specifically approved by the Board of Supervisors, safety fire fighting employees employed in the Fire Department shall be compensated for accumulated vacation time as follows:

1. A 56-hour safety fire fighting employee employed in the Fire Department who, as of December 31, 2005, has in excess of 720 hours of accumulated Current and Deferred Vacation time and a 40-hour safety fire fighting employee employed in the Fire Department who, as of said date, has in excess of 480 hours of accumulated Current and Deferred Vacation time shall not be paid for such time prior to termination from County service. Such accumulated Current and Deferred Vacation time shall remain available for the employee's use subject to prior approval of the employee's department head. Upon termination from County service, any such remaining time shall be paid off at the workday rate of pay in effect on the employee's final day of County service;

2. Commencing December 31, 2005 and continuing on each December 31st thereafter, each safety fire fighting employee employed in the Fire Department shall be compensated for accumulated Current and Deferred Vacation time which, in the aggregate, is in excess of 480 hours in the case of 56-hour employees or 320 hours in the case of 40-hour employees. Such excess Current and Deferred Vacation time shall be paid at the employee's workday rate of pay in effect on the last day of the calendar year.

SECTION 5. Section 6.20.020 is hereby amended to read as follows:

6.20.020 Accrual of full-pay sick leave.

. . .

G. Sick leave at full pay may be accumulated to a maximum of 1,920 hours, except that employees employed on a 56-hour workweek may accumulate sick leave to a maximum of 2,880 hours. Effective May 1, 2005, any employee who forfeited any sick leave at full pay during the period beginning October 1, 2003 through May 31, 2005 due to then existing limits on the accumulation of such time shall be credited on a one-time-only basis with additional sick leave at full pay equal to the amount of the forfeited time.

. . .

SECTION 6. Section 6.20.070 is hereby amended to read as follows:

6.20.070 Injuries in the course of employment.

. . .

F. Limitations on Earning and Carryover of Vacation, Sick Leave, and Overtime.

1. Except for safety fire fighting personnel employed in the Fire Department or as otherwise approved by the Board of Supervisors, No provision of Division 1 of this title limiting the carryover of vacation and overtime shall apply to employees during the time they are absent under the provisions of this section or Section 4850 of the Labor Code, nor shall they apply to overtime at the end of the first calendar year, or to vacation at the end of the first vacation anniversary year of such employee's return to duty;

2. Employees who are absent under provisions of subsection D1 of this section shall not earn any vacation or sick leave for the duration of such absence.

. . .

SECTION 7. Section 6.76.020 is hereby amended to read as follows:

6.76.020 Additional information.

. . .

O. Beginning July 1, 2005, any person employed in one of the following positions shall, if certified as an Emergency Medical Technician -1, receive a bonus of 14 standard salary levels provided such person's performance is "Competent" or better or, in the case of persons paid in accordance with the provisions of Title 6, Chapter 6.08, Part 3 of this Code, "Merit Performance" or better:

<u>Item No.</u>	<u>Title</u>
<u>0208</u>	<u>Battalion Chief (56 Hours)</u>
<u>0335</u>	<u>Assistant Chief, Forestry Division</u>
<u>2932</u>	<u>Section Chief, Lifeguard Services, Fire</u>
<u>0215</u>	<u>Chief, Air Operations, Fire Services</u>

P. Beginning July 1, 2005, any safety fire fighting employee employed in one of the following positions shall, if certified as an Emergency Medical Technical -1, have the pay rate provided by Chapter 6.08 increased by 3.5 percent provided such person's performance is "Competent" or better or, in the case of persons paid in accordance with the provisions of Title 6, Chapter 6.08, Part 3 of this Code, "Merit Performance" or better:

<u>Item No.</u>	<u>Title</u>
<u>0217</u>	<u>Assistant Fire Chief</u>
<u>0219</u>	<u>Deputy Fire Chief, Emergency Operations, (UC)</u>
<u>0220</u>	<u>Chief Deputy, Emergency Operations, Fire (UC)</u>
<u>0336</u>	<u>Chief, Forestry Division</u>
<u>2934</u>	<u>Assistant Chief, Lifeguard Services, Fire</u>
<u>2935</u>	<u>Chief Lifeguard Services, Fire</u>
<u>0224</u>	<u>Chief Deputy, Business Operations, Fire (UC)</u>
<u>0225</u>	<u>Deputy Fire Chief, Business Operations (UC)</u>

Q. Command Pay.

1. Eligibility. Beginning January 1, 2006, each safety fire fighting employee employed in one of the following positions shall be eligible to receive command pay based on years of completed aggregate service in the County of Los Angeles in accordance with the implementation schedule provided in paragraph 4:

<u>Item No.</u>	<u>Title</u>
<u>0217</u>	<u>Assistant Fire Chief</u>
<u>0219</u>	<u>Deputy Fire Chief, Emergency Operations (UC)</u>
<u>0220</u>	<u>Chief Deputy, Emergency Operations, Fire (UC)</u>
<u>0224</u>	<u>Chief Deputy, Business Operations, Fire (UC)</u>
<u>0225</u>	<u>Deputy Fire Chief, Business Operations (UC)</u>

2. The command pay provided for in this Subsection Q shall be contingent on completion of the requisite aggregate safety fire fighting service with the County of Los Angeles as set forth in Subsection 3 below. In the case of mergers or consolidations, as provided in Section 6.02.040 of this title, agency hire date as a safety employee shall be recognized for the purpose of determining aggregate service. Neither lateral fire fighting experience, military service buy-back, nor non-safety County work experience shall count toward meeting the aggregate service requirements for command pay;

3. The command pay provided by this subsection shall only be paid upon departmental certification that the employee's performance is "Merit Performance" or better. Whenever an "Unsatisfactory Performance" or "Improvement Needed Performance" evaluation is filed with the Director of Personnel, the Command Pay shall be cancelled and may not be restored until a "Merit Performance" or better rating is filed;

4. Command pay based on years of aggregate service shall be implemented as follows:

a. Beginning January 1, 2006, in addition to the compensation provided for in Section 6.28.050, an eligible employee under this subsection shall receive additional compensation that is 3.5 percent higher than he would otherwise be entitled to receive upon the completion of 24 years of aggregate County service;

b. Beginning July 1, 2006, in addition to the compensation provided for in Section 6.28.050, an eligible employee under this subsection shall receive additional compensation that is 7.5 percent higher than he would otherwise be entitled to receive upon the completion of 29 years of aggregate County service.

SECTION 8. Pursuant to Sections 25123 (e) and 25123 (f) of the Government Code, this ordinance shall take effect immediately upon final passage. If this ordinance becomes effective after March 1, 2005, it shall be construed and applied as if it were effective and operative on and after March 1, 2005.

[FireFighterLTCC]