

Staff Report

TO: Board of Directors

FROM: Jennifer Hanson, General Manager
 Greg Jones, Assistant General Manager
 Naomi Schmitt, Director of Human Resources

DATE: December 13, 2023

SUBJECT: **Benefits and Compensation Plan - Wages, Hours, and Terms and Conditions of Employment for Department Directors**

ADMINISTRATION

RECOMMENDATION:

Adopt Resolution No. 2023-54 ratifying the 2024 – 2026 Benefit and Compensation Plan and Authorizing Changes in Wages, Hours, and Terms and Conditions of Employment for Department Directors, and authorize the General Manager to execute all necessary documentation.

BACKGROUND:

The attached Benefit and Compensation Plan (Plan) establishes wages, hours, and terms and conditions of employment for NID’s Department Directors.

Staff drafted the attached resolution for the Board’s consideration. Subject to approval, the wages, hours, and terms and conditions of employment for Department Directors will be defined by the Benefit and Compensation Plan and related District policies.

In general, the Plan underwent a significant re-write from previous Plan versions with an overall intent to update for accuracy and clarity. Many of the non-economic changes were identified as “administrative cleanup” in an effort to remove duplicative, unclear and contradictory language of previous Plans. Significant economic changes were also addressed in this update. An overview of the changes is outlined in the table below:

| 2024 - 2026 NID-Department Directors B&C Overview of Changes: | | | |
|---|----------|-----------------|--|
| Article | Title | Economic Impact | Notes |
| N/A | Preamble | Non Economic | Administrative Cleanup - Update for accuracy and clarity |

| | | | |
|----|-------------------------|--------------|---|
| 1 | Wages | Economic | Rename from "Salary and Other Compensation." Changes include: COLA. |
| 2 | Performance Evaluations | Non Economic | Administrative Cleanup - Update for accuracy and clarity |
| 3 | Sick Leave | Non Economic | Administrative Cleanup - Update for accuracy and clarity. Pending Proposal to offer sick conversion to PERS. Awaiting actuarial information from PERS |
| 4 | Holidays | Non Economic | Administrative Cleanup - Changes include: Convert Columbus Day to a floating holiday. |
| 5 | Jury Duty | Non Economic | Administrative Cleanup - Proposed enhancements to Jury Duty to be less cumbersome, while removing superfluous language for accuracy and clarity. |
| 6 | Bereavement Leave | Non Economic | Administrative Cleanup - Proposed enhancements to bereavement leave in compliance with State law, while removing superfluous language for accuracy and clarity. |
| 7 | Miscellaneous | Economic | Changes include: \$400 reimbursement for work boots (up from \$180). |
| 8 | CalPERS Retirement | Non Economic | Administrative Cleanup - Added as stand alone article for accuracy and clarity. |
| 9 | Vacation | Non Economic | Administrative Cleanup - Update for accuracy and clarity. Changes include: Increase rate of accrual; Reduce vacation cap. |
| 10 | Insurance for Retirees | Economic | Administrative Cleanup - Rename from "Benefits for Retirees." Update to Plan for accuracy and clarity |
| 11 | Insurances | Economic | Rename from "Benefits for Employees." Changes include: Discontinuance of the HRA for a cafeteria plan and redistribute money for the full purchase of three ee only, ee+1 and family medical plans in Year 1. |
| 12 | Hours and Overtime | Economic | Mostly Administrative Cleanup. Economic changes include: Increase from 80 to 96 hrs of Admin Leave accrual. |
| 13 | Term | Economic | Changes include: 3 Year B&C Plan |

Attached is Resolution No. 2023-54 for the Board's consideration. Upon approval of the Resolution, the benefits and compensation plan of employment for the Department Directors will be confirmed.

BUDGETARY IMPACT:

The chart below details the three-year projected cost to NID associated with Department Directors under this amended Plan. Financial considerations beginning January 1, 2024 include:

- 3 Year Term (January 1, 2024 – December 31, 2026)
- Addition of a 5% COLA beginning January 1, 2024
- Additional range of 2% to 5% COLA beginning January 1, 2025 and 2026
- Increased annual boot reimbursement from \$180 to \$400
- Health Reimbursement Arrangement (HRA) discontinuance

| <u>Department Directors</u> | | | | |
|--|--------------------------------|-----------------------------|--|------------------------------------|
| 3-Year Benefits and Compensation Plan Cost | | | | |
| Projected Employee Count as of 1/1/2024: 10 | | | | |
| Date Range: 1/1/2024 - 12/31/2026 | | | | |
| | Projected YE Baseline Cost* | Projected YE MOU Cost ** | Projected YE Cost over Baseline *** | Projected Cumulative Cost to NID ^ |
| FY 2024 | \$3.25M | \$3.48M | \$230K | |
| FY 2025 | \$3.28M | \$3.61M | \$330K | \$560K |
| FY 2026 | \$3.30M | \$3.74M | \$440K | \$1.00M |

*NOTE *: Baseline Cost of Current Payroll & Benefits Obligations Projected at Year End In Absence MOU Changes*

*NOTE **: Projected Year End Payroll & Benefits Obligations, inclusive of Baseline Cost and MOU Changes*

*NOTE ***: Projected Year End Payroll & Benefits Cost Obligation of MOU as Compared to Baseline Cost*

NOTE ^: Projected Year over Year Cumulative Payroll & Benefits Cost Obligation of MOU as Compared to Baseline Cost

Attachments (2)

- Resolution No. 2023-54
- 2024 – 2026 Benefit and Compensation Plan and Authorizing Changes in Wages, Hours, and Terms and Conditions of Employment for Department Directors



RESOLUTION NO. 2023-54
OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

**ESTABLISHING BENEFIT AND COMPENSATION PLANS, AND AUTHORIZING
CHANGES IN WAGES, HOURS, AND TERMS AND CONDITIONS OF
EMPLOYMENT FOR DEPARTMENT DIRECTORS**

WHEREAS, Nevada Irrigation District (hereafter “NID”) desires to establish a set of policy documents to confirm and/or change wages, hours and terms and conditions of employment for Department Directors; and

WHEREAS, the current wages, hours, and terms and conditions of employment for Department Directors are defined by a Benefits and Compensation Plan – Wages, Hours, and Terms and Conditions of Employment for Department Directors (Plan); and were adopted by Resolution No. 2021-44; and

WHEREAS, the 2021 Plan was to have a term expiring on December 31, 2023, and in accordance with its terms has been continued in force and effect; and

WHEREAS, prior to the expiration of the Plan, the wages, hours, and terms and conditions of employment for Department Directors should be defined by policy documents, including Benefit and Compensation Plans and various personnel policies; and

WHEREAS, the Board of Directors has authorized and approved the establishment of a separate Benefit and Compensation Plan for Department Directors, and has directed that the documents be prepared incorporating certain benefits and compensation; and

WHEREAS, the Board of Directors has authorized and approved such agreements and directed that a resolution be prepared incorporating such changes in a successor Plan; and

WHEREAS, the agreed-upon wages, hours, and terms and conditions of employment for Department Directors for the successor Plan are set forth in Attachment A.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Nevada Irrigation District, as follows:

1. That the Benefit and Compensation Plan for Department Directors, as shown on Attachment A, and all attachments thereto are hereby approved.
2. That the General Manager is hereby authorized and directed to implement the wages, hours, and terms and conditions of employment for Department Directors as described in Attachment A.

BE IT FURTHER RESOLVED that the General Manager is hereby authorized to finalize and execute the Benefit and Compensation Plan for Department Directors with all necessary exhibits, as a successor Benefit and Compensation Plan for Department Directors, to be effective January 1, 2024.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 13th day of December, 2023 by the following vote:

| | |
|------------------|------------|
| AYES: | Directors: |
| NOES: | Directors: |
| ABSENT: | Directors: |
| ABSTAINS: | Directors: |

President of the Board of Directors

Attest:

Secretary to the Board of Directors

Nevada Irrigation District
Benefits and Compensation Plan
for
Department Directors



NID

January 1, 2024 – December 31, 2026

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| APPENDIX A: Classifications | |

Preamble

This benefits and compensation plan applies to employees in classifications listed in Appendix "A" Classifications.

Article 1 - Wages

1.1. Salary Schedule

The salary schedule consists of seven (7) steps with five percent (5.0%) between steps.

1.2. Step Advancement

Employees will receive a step advancement based on merit and as approved by the General Manager until they reach the top step of their salary schedule. Salary Increases

Effective the first full pay period following adoption by the Board Directors or January 1, 2024, whichever is later, all classifications will receive a five percent (5.0%) salary increase.

Effective December 30, 2024, all classifications will be increased from 2.00% up to 5.00%, based on the August-to-August movement of the Consumer Price Index (CPI) for the prior year. The applicable CPI is the San Francisco Area, Wage Earners for all Urban Consumers (CP1-U).

Effective December 29, 2025, all classifications will be increased from 2.00% up to 5.00% based on the August-to-August movement of the Consumer Price Index (CPI) for the prior year. The applicable CPI is the San Francisco Area, Wage Earners for all Urban Consumers (CP1-U).

1.3. Out of Class Pay

Employees who are assigned in writing by their General Manager to perform work outside of their classification for a minimum of forty (40) consecutive hours receive five percent (5.0%) of their base hourly rate of pay for those hours worked.

Article 2 - Performance Evaluations

2.1. Evaluations

Employees will be evaluated prior to completing their probationary periods and at least once every twelve (12) months until they reach the top step of their salary schedule. Employees who have reached the top step of their salary schedule will be evaluated at least once every twenty-four (24) months. In addition, an employee may also be evaluated at any time at the discretion of the General Manager, or when the performance of the employee has been rated at or below the "Improvement Needed" level on the most recent evaluation.

2.2. Form of Evaluation

Performance evaluations are conducted using the form prescribed by the Human Resources Department.

Each performance evaluation will be discussed with the employee. The employee must sign the report as a means of acknowledging its content. The signature does not mean the employee agrees with the contents of the evaluation report. After the evaluation has been completed and signed, a copy will be given to the employee, their supervisor, and placed in the employee's personnel file in the Human Resources Department.

Article 3 - Sick Leave

3.1. Accrual

Full-time employees accrue 3.69 hours of sick leave per pay period. Part-time employees accrue sick leave on a pro-rata basis according to their full-time equivalency.

3.2. Definition

Sick leave is absence from work due to illness, non-industrial injury, industrial injury, or quarantine due to exposure to a contagious disease.

If an employee has exhausted sick leave and has a medical need to be absent from work, the District may require that the employee use available leaves to remain in paid status.

3.3. Attendance on Immediate Family

Employees may utilize their sick leave to attend to the illness of family members as defined by the California Family Rights Act.

3.4. Doctor's Certificate

If absence extends beyond three (3) consecutive workdays, the District may require a doctor's certificate be provided to Human Resources. If the absence exceeds five (5) consecutive workdays, a release from the doctor to return to work may be required. Cost of obtaining a doctor's report is borne by the employee.

3.5. Integration of Benefits

Employees may not receive more than one hundred percent (100%) of their regular rate of pay when using integrated benefits. Employees on an approved leave of absence will not accrue vacation, sick, or receive holiday pay.

3.6. Payout Upon Separation

Upon voluntary termination, retirement, or death of an employee, an amount equal to fifty

percent (50%) of accumulated sick leave will be paid to the employee or the estate of said employee. At the discretion of the employee or the estate of the employee, the accumulated sick leave may be paid in a single lump sum or may be deferred as deferred earnings at the rate of earnings in effect at the time of death, retirement, or voluntary termination. The District does not pay the employee for any unused accrued sick leave upon the termination of an employee for cause.

Article 4 - Holidays

Full-time employees receive eight (8) hours of pay at their straight-time rate for each of the following holidays:

| | |
|-------------------------------|------------------------|
| New Year's Day | Labor Day |
| Martin Luther King's Birthday | Veteran's Day |
| President's Day | Thanksgiving Day |
| Memorial Day | Day after Thanksgiving |
| Juneteenth | Christmas Day |
| Independence Day | |

Full-time employees receive an additional twenty-four (24) hours of floating holiday annually on the first full pay period of the calendar year. Employees hired during the year will receive prorated floating holiday hours. Unused floating holiday hours will be cashed out on the final paycheck in the year in that they were accrued.

Article 5 - Jury Duty

Employees who are summoned for jury duty and unable to perform their regular duties will be given a leave of absence with pay for the duration of their jury duty.

Article 6 - Bereavement Leave

Employees who have been employed by the District for at least thirty (30) days are entitled to five (5) days of bereavement leave in the event of the death of a "family member." The District provides paid leave for the first twenty-four (24) hours, the employee may use sick leave, vacation, CTO for any additional bereavement leave. The employee who utilizes bereavement leave must notify their supervisor of the intent to use bereavement leave. Bereavement leave must be taken within three months following the death of the family member.

Article 7 - Miscellaneous

7.1. Outside Employment

The District discourages employees from accepting employment from any other party. The District recognizes that in certain circumstances, outside employment may not conflict with the District's interest. Employees seeking outside employment with other parties must submit written requests for approval to the General Manager before

accepting outside employment job offers. Outside work may not be performed by a District employee without prior written approval of the General Manager.

7.2. Boot Reimbursement

The District will provide a voucher or reimburse employees who are required to wear safety boots four hundred dollars (\$400) per year for the purchase and/or repair of safety boots. Boots must meet applicable OSHA standards for the duties assigned.

Article 8 - CalPERS Retirement

The District contracts with California Public Employees Retirement System (CalPERS) for retirement benefits as follows:

Employees hired before May 10, 2012: These employees receive the two-point five percent (2.5%) at age fifty-five (55) retirement formula with the one-year final average compensation period. These employees pay one hundred percent (100%) of their eight percent (8%) employee member contribution.

Employees hired after May 9, 2012, and before January 1, 2013, and employees hired after December 31, 2012, with reciprocity recognized under CalPERS: These employees receive the two percent (2%) at age fifty-five (55) retirement formula with the three (3) year final average compensation period, as defined by CalPERS in Government Code Section 20037. These employees pay one hundred (100%) of their seven percent (7%) employee member contribution on a pre-tax basis. Employees hired after December 31, 2012, without reciprocity recognized under CalPERS: These employees receive the two percent (2%) at age sixty-two (62) retirement formula with the three (3) year final average compensation period, as defined by CalPERS in Government Code Section 20037. These employees pay one half the total normal cost as determined annually by CalPERS on a pre-tax basis.

Optional Benefits – Retirement plans have the following optional CalPERS retirement benefits:

- Standard Non-Industrial Disability – Improved
- 1959 Survivor Benefit Level Three (3)
- Post-Retirement Death Benefits Five Hundred Dollar (\$500) Lump Sum
- Two percent (2%) retiree COLA

Article 9 - Vacation

Full-time employees accrue vacation per pay period based on total months of District Service as follows:

Months of Service

Hours Accrued

| | |
|-------------------|-------|
| Date of hire – 48 | 3.692 |
| 49 through 108 | 4.615 |
| 109 through 168 | 6.166 |
| 169 through 228 | 7.691 |
| 229+ | 8.038 |

Employees may accrue a maximum of three hundred and fifty (350) hours of vacation. Once an employee reaches the maximum, they will no longer accrue vacation until they fall below the cap. Prior to the implementation of salary increases in Section 3.3, employees will have their vacation balances in excess of three hundred (300) hours cashed out effective January 1, 2024, to be paid on the January 5, 2024 paycheck. Employees in an unpaid status do not accrue vacation. Part-time employees accrue vacation on a pro-rata basis according to their full-time equivalency.

Employees must submit written requests for vacation to the General Manager or designee at least two (2) weeks prior to the requested vacation. Whenever possible, the General Manager will respond within seven (7) days of receipt of the request.

If an employee falls ill while on vacation, the employee may request to use sick leave in lieu of vacation time during the illness. Requests must be submitted at the time the employee falls ill and will be denied if submitted after the employee returns from vacation. Requests must be made to the employee’s supervisor. An employee may be required to provide documentation supporting the request to use sick leave.

Upon separation, an employee will be paid out at their current rate of pay for all accrued hours and may not use vacation to delay their separation.

Article 10 - Insurance for Retirees

Employees Hired before May 10, 2012: Employees who were hired before May 10, 2012, and retire from the District (either a disability retirement or a service retirement) after completing at least ten (10) years of service are eligible to receive reimbursement up to the cost of the employee only premium for the PERS Gold Plan Region 1, minus any minimum contribution paid directly to CalPERS.

Employees Hired after May 9, 2012, and before January 1, 2022: Employees who were hired after May 9, 2012, and before January 1, 2022, and retire from the District (either a disability or service retirement) after completing at least then (10) years of service are eligible to receive reimbursement up to twenty-five percent (25%) of the cost of the employee only premium for the PERS Gold Region 1 premium, minus the minimum contribution paid directly to CalPERS. Eligible employees will receive an additional two-point five percent (2.5%) for each year of service more than ten (10) years and up to twenty (20) years.

Upon attaining eligibility to participate in Medicare Part B benefits, the retiree and/or dependents must enroll in the CalPERS Medicare supplement plan. The District’s contribution will be based on the premium for participation in the PERS Gold Medicare

supplement plan, minus any minimum contribution paid directly to CalPERS.

Article 11 - Insurances

The District contracts for employees, dependents, retirees, and their dependents medical insurance benefit plans through the CalPERS Public Employees Medical and Hospital Care Act (PEMHCA) Employees must enroll in the District's sponsored dental plan.

The District contributes up to the following amounts towards employee medical insurance coverage and cafeteria plan benefits:

| Tier | Medical Benefit | Cafeteria Plan | Total Benefit |
|----------------------|-----------------|----------------|---------------|
| Employee only | Note 1 | Note 2 | Note 3 |
| Employee plus one | Note 1 | Note 2 | Note 4 |
| Employee plus family | Note 1 | Note 2 | Note 5 |

Note 1: The Medical Benefit equals the Minimum Employer Contribution (MEC) established annually by CalPERS.

Note 2: Cafeteria Plan Benefit equals the difference between the Medical Benefit and the Total Benefit.

Note 3: The total benefit is \$946.84 plus 100% of the dental premium.

Note 4: The total benefit is \$1,893.68 plus 100% of the dental premium.

Note 5: The total benefit is \$2,461.78 plus 100% of the dental premium.

Effective January 1, 2025, notes 3, 4, and 5 increase annually based on 75% of the increase in the Blue Shield Trio Region 1 CalPERS plan.

11.1. Medical-in-Lieu

Employees hired before October 27, 2021, receive \$900.00 for waiving District medical coverage.

Employees hired after October 26, 2021, receive \$450.00 for waiving District medical coverage.

11.2. Basic Life Insurance

The District provides group life insurance coverage at two times (2x) the employee's current annual base salary up to the insurer's cap.

11.3. Supplemental Life Insurance

The District offers an optional supplemental life plan for employees and dependents, at the employee's expense.

11.4. 457 Deferred Compensation Plan

The District provides a 457 Deferred Compensation Plan.

11.5. Dental Plan

The District provides dental insurance coverage for employees and their eligible dependents. Employees must enroll in the District's dental plan.

11.6. Vision Plan

The District provides vision insurance coverage for employees and their eligible dependents. Employees must enroll in the District's vision plan.

11.7. IRS 125 Flexible Spending Accounts

Employees may contribute to a Flexible Spending Account (FSA) on a pre-tax basis to assist with the cost of medical/dental/vision expenses, deductibles, and co-payments.

11.8. IRS 125 Dependent Care Spending Plan

Employees may contribute to a Dependent Care Plan on a pre-tax basis to assist with the cost of eligible child or elder care expenses.

11.9. Employee Assistance Program

The District provides employees with an Employee Assistance Program.

11.10. Part-Time Employees

Part-time employees receive contributions towards medical, dental, vision, and long-term disability benefits on a pro-rata basis according to their full-time equivalency.

11.11. Disability Insurance

The District provides employees with long term disability insurance. The District provides a voluntary short-term disability plan for employees, at a cost to employees of half the premium.

11.12. Air Ambulance

The District provides air ambulance coverage for employees and their families.

Article 12 - Hours and Overtime

12.1. Standard Workweek Definition

The Standard workweek begins on Monday at 12:00 am and ends on Sunday at 11:59 pm and consists of five (5) consecutive eight (8) hour workdays.

12.2. Alternative Schedules

An employee may work an alternative work schedule with the written permission of the employee's General Manager. Alternate work schedules include the 9/80 and 4/10 schedule. The alternative work schedule may be ended by the General Manager and the employee's schedule changed to a different alternative work schedule or the standard work schedule. The District may change the employees work period when an employee begins and/or ends working an alternative schedule.

12.3. Administrative Leave

Exempt employees accrue ninety-six (96) hours of administrative leave annually in the first pay period of the year. Unused accrued administrative leave is cashed out annually on the final paycheck of the year. Upon separation employees will be paid for unused accrued administrative leave.

Article 13 - Term

This Resolution is effective January 1, 2024, through December 31, 2026.

APPENDIX A CLASSIFICATIONS

General Manager (except as modified by Contract)

Assistant General Manager

Board Secretary

Director of Finance

Director of Engineering

Director of Water Operations

Director of Maintenance

Director of Power Systems

Director of Recreation

Director of Human Resources