



Date: June 8, 2023
To: Board of Directors
From: David Aranda, Interim General Manager
Subject: Approving Additions to the KPPCSD Employee Policy and Procedures Manual Adding Vacation and a Great Accrual of Sick Time for Non-Sworn Regular Employees of the District

Recommendation

Approve and adopt Resolution No. 2023-16, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Amending And Adding To The Policy And Procedure Manual For The Kensington Police Protection And Community Services District Vacation and a Great Accrual of Sick Time for Non-Sworn Regular Employees of the District.

Background

The District's Board of Directors approved a Policy and Procedure Manual on December 9, 2021. In addition, the Police Officers are incorporated in a Memorandum of Understanding that outlines additional benefits separate from the Policy Manual.

This General Manager understands the financial restrictions the district has and thus currently various benefits available to the sworn staff are not available for the non-sworn staff. However, this agenda item attempts to provide two benefits to regular employees, both part time and full time, that will result in very little additional cost to the district. The two benefits are vacation accrual and a great sick time accrual.

As outlined in the attached resolution the amount of vacation and sick time is capped and sick time is not cashed out at the time of separation from the district. Vacation and sick time not only bring some benefits to the employees, but it also benefits the district by allowing employees to stay home when they are ill, and taking needed time off from time to time which bring refreshment and recharging for employees.

Note: In addition to the Resolution being part of this agenda item, please include the section of the existing policy manual 3200 on page 51-53. A note should also be added that anyone wishing to see the entire policy and procedure manual can contact you.

Additions to PPM Adding Vacation and Accrual of Sick Time for
Non-Sworn Regular Employees of the District
June 8, 2023
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Exhibit

- Resolution No. 2023-16, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Amending And Adding To The Policy And Procedure Manual For The Kensington Police Protection And Community Services District.
- Pages 34, 51, 52, 53 and 54 of the Policy & Procedure Manual

RESOLUTION NO. 2023-16

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
KENSINGTON POLICE PROTECTION AND COMMUNITY
SERVICES DISTRICT AMENDING AND ADDING TO THE POLICY
AND PROCEDURE MANUAL FOR THE KENSINGTON POLICE
PROTECTION AND COMMUNITY SERVICES DISTRICT
VACATION AND A GREAT ACCRUAL OF SICK TIME FOR NON-
SWORN REGULAR EMPLOYEES OF THE DISTRICT**

The Board of Directors of the Kensington Police Protection and Community Services District (“Board of Directors”) does find as follows:

WHEREAS, the Board of Directors; the board of directors approved the Kensington Police Protection and Community Services District’s Policy and Procedure Manual on December 9, 2021; and

WHEREAS, there is a need and an ability to update and amend the policy; and

WHEREAS, the General Manager sees such a need,

NOW THEREFORE, THE BOARD OF DIRECTORS DOES RESOLVE AS FOLLOWS:

1. Section 3200.1.2 will reflect fourteen (14) paid holidays per year in conjunction with the Police Memorandum of Understanding between Kensington Police Protection and Community Services District and Kensington Police Officers’ Association.
2. Section 3200.2.2 shall be changed as follows: “Accrual Rate. All employees that work 32 hours per week or more will accrue sick leave at a rate of 8 hours per pay period. Employees that work less than 32 hours per week will accrue sick leave at a rate of 4 hours per pay period.
3. 3200.2.3 Limits on Accrual. Change to: Employees working 32-40 hours per week may accrue up to 96 hours of sick time. Employees working less than 32 hours per week may accrue up to 48 hours of sick time.
4. 3200.2.4 Limits on use. Employees may use up to their full amount of accrued sick time. The accrued sick time will be maintained by the Accounting Clerk in the employees HR file folder. Upon leaving the District sick time is not paid out.
5. 3205.1 Vacation Time. Eligibility. Regular full time (32 hours per week or more) and Regular part time employees are eligible to accrue vacation time. Temporary employees are not eligible.
6. 3205.2. Accrual Rate. Employees that work 32 hours or more per week accrue 3 hours of vacation per pay period. Employees working less than 32 hours per week accrue 1.5 hours of vacation per pay period.
7. 3205.3. Limits on Accrual. Employees will stop accruing vacation when the accrual rate reaches 96 hours for regular full time employees and 48 hours for regular part time

employees.

8. 3205.4 Permitted use. Employees must fill out the designated form and obtain approval of their supervisor for vacation time off. It is only the authority of the supervisor that approves time off for vacation time. Vacation time must be taken in increments of 2 hours.
9. This resolution will also direct the General Manager to place, effective July 1, 2023 30 hours of sick time for the Administrative Assistant/Parks Coordinator, Board Clerk and Accounting Clerk in each of the three respective HR files as a starting point for accrued sick time.
10. This resolution will also direct the General Manager to place, effective July 1, 2023 20 hours of vacation time for the Administrative Assistant/Parks Coordinator, Board Clerk and Accounting Clerk in each of the three respective HR files as a starting point for accrued vacation time.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District upon motion by Director _____, seconded by Director _____, on Thursday, the 8th day of June, 2023, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

Alexandra Aquino-Fike
President, Board of Directors

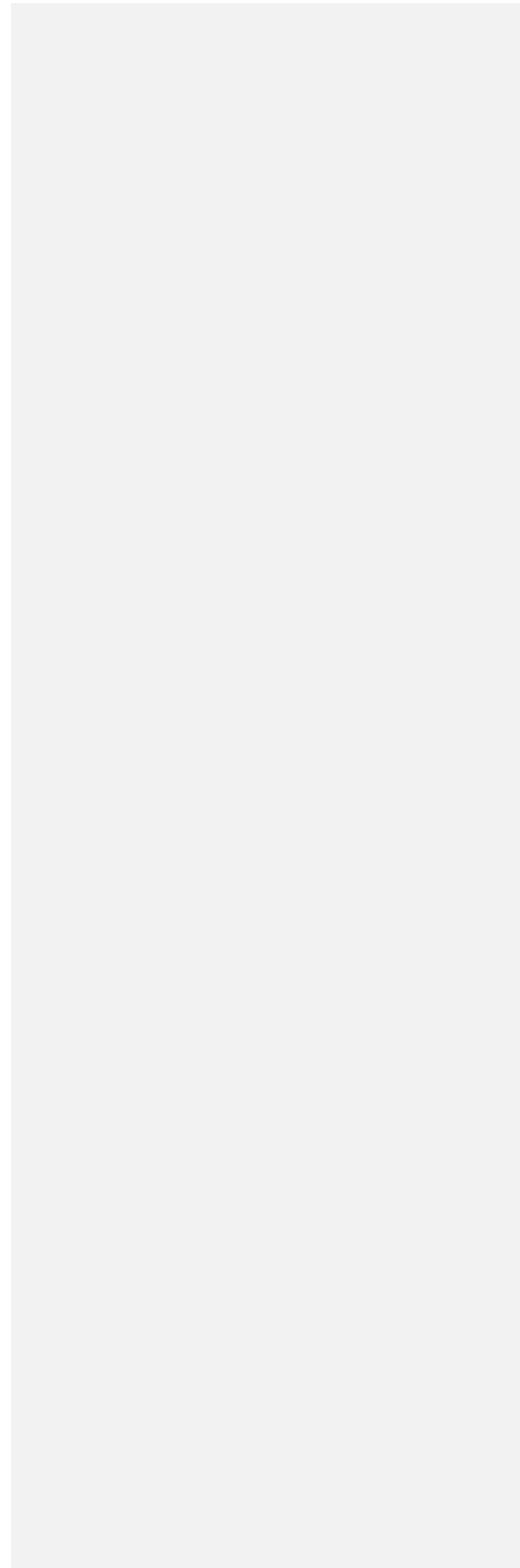
HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on Thursday, the 8th day of June, 2023.

Lynelle M. Lewis
District Clerk of the Board

David Aranda
Interim General Manger

**KENSINGTON POLICE PROTECTION AND
COMMUNITY SERVICE DISTRICT**

**POLICY AND
PROCEDURE MANUAL**



42. Unauthorized representation by an employee of the District's position on any matter.
43. While on duty, District staff shall not unilaterally obtain information, conduct research, or make statements at public meetings without the approval of the General Manager nor shall they use their position with the District in conducting such activities. Staff can attend meetings as private citizens on their own time and express personal opinions after publicly identifying themselves and indicating that they are stating a personal opinion.
44. Employees or former employees who enter District offices without authorization will be reported to law enforcement.

Note: With at-will employment, either the employee or the District can terminate the employment relationship without any cause, without any reason or notice, and in the absence of employee misconduct.

3110.2 Discipline. If a supervisor or the General Manager is concerned about an employee's job performance, or if the employee is not meeting job expectations, the supervisor may take further action to communicate this concern. Appropriate discipline for performance is not considered harassment.

Policy 3120: Employment Status

3120.1 At-will Employment. Employment by the District is at-will, meaning that either the District or the employee may terminate the employment relationship at any time for any lawful reason. No District employee has any authority to make any agreement or representation contrary to District's policy of at-will employment, except that the Board or the General Manager may occasionally enter into severance agreements in the business interest of District and in accordance with the law.

As a condition of employment, each employee must execute an At-Will Employment Agreement prior to beginning employment with the District. Employees may be required to re-sign the acknowledgement in Appendix 3000 A at other points during employment with District, for example, when these Rules are updated.

3120.2 Regular Employees

3120.2.1 Full-Time Employees. Regular full-time employees are those whose normal workweek is at least forty (40) hours per week. Full-time employees may be paid on an hourly basis or a salaried basis at the District's discretion. Full-time employees are eligible for all District-sponsored benefits on the first day of hire. However, the District will only provide such benefits as specifically approved by the Board.

3120.2.2 Part-Time Employees. Regular part-time employees are those whose normal workweek is fewer than forty (40) hours per week.

3120.3 Temporary Employees. Temporary employees are those whose services are intended to be of limited duration. Temporary employees may be full-time or part-time. An employee's status will not change from temporary to regular unless the employee is advised of

and prohibited uses of technology systems. Nothing in this policy is intended to limit or will be applied in a manner that limits employees' rights to engage in protected concerted activity as prescribed by the Meyers-Milias-Brown Act.

Policy 3200: Holiday, Vacation, & Sick Leave

3200.1 Holidays

3200.1.1 Eligibility. Full-time and part-time salaried exempt employees are eligible for holiday pay. To be eligible for holiday pay, an employee must be regularly scheduled to work on the day on which the holiday is observed and must work their regularly scheduled working days immediately preceding and immediately following the holiday, unless an absence on either day is approved in advance by the General Manager or that person's designee.

3200.1.2 Holiday Pay. Eligible employees are entitled to ~~fourteen~~^{twelve} (12) paid holidays per year in conjunction with the Police Memorandum of Understanding between Kensington Police Protection and Community Services District and Kensington Police Officers' Association. Part-time salaried employees will receive pro-rated pay proportionate for the ~~fourteen~~^{twelve} (12) days based on the employee's regularly assigned work hours.

Holidays shall be determined by the General Manager or that person's designee in accordance with the District's needs. Current holidays are:

- New Year's Day
- Martin Luther King, Jr.
- President's Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Indigenous People's Day
- Veterans' Day
- Thanksgiving
- Day After Thanksgiving
- Christmas

When a holiday falls on a Saturday, it will be observed on the preceding Friday. When a holiday falls on a Sunday, it will be observed on the following Monday. When a holiday is observed

during an employee's scheduled vacation, the employee will receive holiday pay instead of vacation time.

3200.2 Sick Leave

3200.2.1 Eligibility. All employees, including part-time and temporary employees, who work thirty (30) or more days in a year are entitled to paid sick leave. Employees begin to accrue paid sick leave on their first day of employment.

3200.2.2 Accrual Rate. ~~All employees accrue sick leave at a rate of one (1) hour per thirty hours worked unless otherwise provided herein or by contract. All employees that work 32 hours per week or more will accrue sick leave at a rate of 8 hours per pay period. Employees that work less than 32 hours per week will accrue sick leave at a rate of 4 hours per pay period.~~

3200.2.3 Limits on Accrual. ~~Full-time employees (i.e., employees working forty (40) hours per week) may accrue up to one hundred sixty (160) hours of sick time. Part-time employees are subject to an accrual cap that bears the same proportion to one hundred sixty (160) hours as does the hours that their regularly assigned weekly work hours to forty (40) hours. When an employee's accrued sick leave hours has reached their cap, the employee will cease accruing additional sick leave until the employee's sick leave balance falls below that cap, at which time the employee will begin accruing sick leave again. In the event that the employee had accrued hours in excess of their cap on the date that this Policy took effect, the employee's leave shall be capped at their then current level and the employee shall not begin accruing more leave until their hours fall below the cap. There is no retroactive grant of sick compensation for the period of time the accrued sick compensation was at the cap. Sick leave does not accrue during an unpaid leave. Employees working 32-40 hours per week may accrue up to 96 hours of sick time. Employees working less than 32 hours per week may accrue up to 48 hours of sick time.~~

3200.2.4 Limits on Use. ~~Employees may use up to 160 hours of paid sick leave per year. Accrued, unused sick leave carries over from year to year. Employees may use up to their full amount of accrued sick time. The accrued sick time will be maintained by the Accounting Clerk in the employees HR file folder. Upon leaving the District sick time is not paid out.~~

3200.2.5 Permitted Uses of Sick Leave. Sick leave may be used for the following purposes:

1. Diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee.
2. Diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee's family member.
3. For an employee who is a victim of domestic violence, sexual assault, or stalking, any of the following purposes related to the domestic violence, sexual assault, or stalking: to obtain or attempt to obtain a temporary restraining order, restraining order, or other injunctive relief; to seek medical attention for injuries; to obtain services from a shelter, program, or crisis center; to obtain psychological counseling; or to participate in safety planning and take other actions to increase safety, including temporary or permanent

relocation.

For the purposes of sick leave, a “family member” is any of the following: a child (biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stands in loco parentis, regardless of age or dependency status); parent (biological, adoptive, or foster parent,

stepparent, or legal guardian of the employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child); spouse or registered domestic partner; grandparent; grandchild; or sibling.

Abuse of the District's sick leave policy is dishonest and may lead to discipline, up to and including termination.

3200.2.6 Requesting Sick Leave. If the need for sick leave is foreseeable, employees must give reasonable advance notice. Employees who request sick leave are required to communicate with their supervisor at least one (1) hour before the beginning of the employee's shift. If requests for sick leave are not made within this time frame, approval for sick leave usage will not be granted unless there is an unusual circumstance (i.e., earlier notice was not practicable). Communication may be by telephone, email, or in person. The District reserves the right to ask for proof of illness as permitted under the law.

Employees are permitted to take sick leave in increments of two hours.

3200.2.7 Certification of Need for Leave. Employees may be required to provide documentation from a state recognized medical practitioner certifying the need for leave upon request by the employee's supervisor or General Manager. If an employee is absent for three (3) or more days with an illness or injury, a doctor's release is required before being allowed to return to work.

3200.2.8 Disability Insurance for Leave Exceeding Seven Days. Employees who are hospitalized or out sick for more than seven (7) calendar days for an injury or illness that is not work-related, may apply for State Disability Insurance ("SDI") benefits.

The General Manager (or designee) can supply the SDI application form, but it is the employee's responsibility to apply. Also, employees must send their Notice of Disability Benefits Received to the General Manager (or designee).

3205.1 Vacation Time Eligibility. Regular full time (32 hours per week or more) and Regular part time employees are eligible to accrue vacation time. Temporary employees are not eligible.

3205.2 Accrual Rate. Employees that work 32 hours or more per week accrue 3 hours of vacation per pay period. Employees working less than 32 hours per week accrue 1.5 hours of vacation per pay period.

3205.3 Limits on Accrual. Employees will stop accruing vacation when the accrual rate reaches 96 hours for regular full time employees and 48 hours for regular part time employees.

3205.4 Permitted use. Employees must fill out the designated form and obtain approval of their supervisor for vacation time off. It is only the authority of the supervisor that approves time off for vacation time. Vacation time must be taken in increments of 2 hours.

Policy 3210: Other Protected Leaves

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