

SENIOR MANAGEMENT PERSONNEL POLICY

A POLICY OF THE CITY OF AUBURN, NEW YORK, TO PROVIDE A COMPENSATION AND BENEFIT PLAN FOR SENIOR MANAGERS AND NON-UNION EMPLOYEES.

The Senior Management Policy is designed to provide a fair and competitive compensation and benefits plan to attract and retain senior management employees at the city of Auburn who are not represented by collective bargaining agreements.

This Policy is a revision of the current Management Policy adopted by Resolution #82 on June 9, 2011 and is designed to achieve the following:

- Establish benefits and compensation for employees that recognizes the Council's goal of restraining future escalation in the cost of labor
- Maintain benefits and compensation for existing managers, but introduce performance based wage adjustments and other considerations
- Address the potential wage and benefit compression and disparity that can occur between non-represented managers and their subordinate employees who are represented by collective bargaining agreements.

1. COVERED EMPLOYEES

Employees considered Management Personnel; covered under this Policy, fall under the following categories:

Department Heads — DH

Management & Professional — MP

Management Support - MS

2. WORK WEEK

The workweek for Management Personnel shall be the hours necessary to fulfill their responsibilities and meet the needs of those working under their supervision. As such, only MS Personnel are required to fill out forms showing hours worked. All others (DH, MP) are merely to note hours of sick or vacation time. DH and MP Personnel shall normally be present (mandatory for MS Personnel) during core hours, which are equivalent to the work hours of the primary employees under their direct supervision, i.e., 8:00 a.m. to 4:00 p.m. for City Hall based operations; 7:00 a.m. to 3:30 p.m. or other field based work schedule as appropriate for Field Managers and Department Heads with field operations. However, it is understood that DH and MP Personnel may adjust their time to meet the needs of the City, their Department, and their personal schedules (within reason). The City Manager may authorize special workweeks or hours consistent with these standards. DH or MP Personnel are expected, as part of their job, to occasionally work outside of normal work hours without expectation of extra compensation in time or wages.

DH and MP are not eligible for overtime compensation and do not have to account for less than half day absences on their timesheets, however, they shall still notify the City Manager's office in advance of partial day absences from the workplace.

3. COMPENSATORY TIME

Management Personnel may be required to work in excess of their normal workweek because of an emergency situation, Departmental needs, or as requested by the City Manager. Only MS Personnel will be credited with compensatory time off, when specifically requested by their Department head, at a rate equal to their normal rate for all hours worked in excess of their normal workweek, when such work is other than casual overtime. Any current carryover hours at the time this Policy goes into effect, will be "grandfathered" to the credit of the employee. MS Personnel will be allowed the same options as related to compensatory time as employees in the CSEA bargaining unit.

4. VACATION

All Management Personnel shall be granted a paid vacation earned during the prior calendar year or part thereof. Any increases in vacation allowance shall be based upon the employee's anniversary date and shall be granted after completion of the stipulated years of service..

Existing City Employees who are promoted into management positions covered by this policy shall carry any accrued leave forward into their new position. Additionally, DH shall be eligible for 4 weeks of vacation in their first year and all others eligible for 2 weeks of vacation leave in their first year. For subsequent years vacation accrual will be based on the following chart.

<u>Required Service</u>	<u>Time Off</u>
<u>Department Heads:</u>	
1 year but less than 15 years	15
15 years but less than 20 years	20
20 years but less than 25 years	25
25 years and thereafter	

Management & Professional/Support Staff:

1 year but less than 3 years	2 weeks plus 1 day
3 years	2 weeks plus 2 days
4 years	2 weeks plus 3 days
5 years but less than 7 years	3 weeks
7 years but less than 10 years	3 weeks plus 3 days
10 years but less than 15 years	4 weeks
15 years but less than 20 years	4 weeks plus 3 days
20 years but less than 25 years	5 weeks plus 2 days
25 years and thereafter	6 weeks plus 4 days

New employees to the city in the position of DH or MP shall accrue vacation based on the same schedule as promoted employees, however, the City Manager may grant up to four weeks of vacation as part of a negotiated compensation package to be available to the employee upon appointment to assist in relocation. If a new employee terminates employment within 12 months, any advanced leave used in excess of the normal accrual schedule shall be withheld from the final paycheck and if there is a deficit the employee shall pay the city the difference.

Any vacation benefit exceeding four (4) weeks must be approved in writing by the Mayor and Council. A week is defined as five (5) days.

Vacations must be taken in the calendar year following the calendar year in which they were earned, except that a maximum of Ten (10) days may be carried over into the next calendar year. (An exception is made in that any hours carried over from 2007 to 2008 will continue to be allowed to carry over each year, in accordance with the Policy adopted in 2007.) Vacation time off will be granted in hourly segments.

5. HOLIDAYS

The following days shall be recognized as holidays:

New Year's Day	Labor Day
Martin Luther King, Jr.'s Birthday	Columbus Day
Presidents Day	Veteran's Day
Good Friday	Thanksgiving Day
Memorial Day	Friday after Thanksgiving
Fourth of July	Christmas Day

An exception is made for Management Personnel in the Police and Fire Departments. They shall follow the holiday policy of their subordinates.

MS Personnel required to work on a holiday, due to an emergency, will be compensated following the Holiday Policy of the CSEA bargaining unit.

Holidays falling on Saturday will be observed on the preceding Friday and those falling on Sunday will be observed on the following Monday. In accordance with Public Law 90-363, Presidents Day will be recognized as falling on the third Monday in February and Memorial Day on the last Monday in May.

6. PERSONAL LEAVE

Management Personnel shall be entitled to take up to three (3) paid personal leave days during each fiscal year; such leave shall not be cumulative, unless approved by the City Manager.

Personal leave will be granted in hourly segments if such leave does not impair the efficiency of the operations.

Personal leave ordinarily must be approved at least twenty-four (24) hours prior to the time leave begins (except in cases of emergency).

7. BEREAVEMENT LEAVE

Management Personnel shall follow the Funeral Leave Policy of their subordinates.

8. SICK LEAVE

Each full time employee shall accumulate up to two hundred sixty (260) working days of sick leave, to be applied toward time off due to illness or injury which is not work related (After a minimum of twenty (20) years of continuous service, Management Personnel shall be allowed to accumulate unlimited days of sick leave). Such leave shall be reduced by one day for each day paid. Sick leave will be granted in hourly segments.

Each full time employee will earn sick leave credit at the rate of one-half (1/2) day per biweekly pay period, provided, however, that he/she is in full pay status for at least five (5) work days during such biweekly pay period.

Each employee may use up to five (5) days in a twelve-month period of sick leave accruals for illness in the employee's immediate family.

An exception is made for Management Personnel in the Police and Fire Departments. They shall follow the Sick Leave Policy of their subordinates.

Accumulated sick leave shall not be payable at the time of termination of employment, except for the following:

- (a) A physician selected by the Employer certifies that the termination of the employee was necessitated by debilitating illness or injury, and then only so

long as such illness or injury continues and the employee permits physical examination at reasonable intervals; and

- (b) After a minimum of ten (10) years continuous service and upon termination or leaving their position with the City, said employee having a minimum of 75 days accumulated sick leave, shall be paid for 25 days; and
- (c) When an active employee dies after twenty (20) years of service and prior to retirement from the New York State Retirement System, the Employer shall pay to the estate any unused accumulated sick leave up to a maximum of twenty-five (25) days.

Where the Employer selects a physician for the examination of an employee, such examination will be paid for by the Employer.

The following guidelines shall be utilized for Sick Leave Donation Program:

- (a) The recipient for donation must contact the City Manager to initiate the plan.
- (b) Only non-union employees may donate time.
- (c) Recipients wishing to utilize the sick leave donation program will have their situation reviewed on a case-by-case basis.
- (d) The recipient must exhaust all accruals prior to utilizing donated sick leave.
- (e) The recipient must provide proper medical documentation to the City.
- (f) Only sick leave may be donated, not other types of leave.
- (g) Donors cannot contribute more than five (5) days and the wage differential will have no bearing on the day-for-day exchange.
- (h) Donors must have a minimum of forty-five (45) sick days accumulated to remain at the 40-day minimum after the donation.

The donation does not affect the donor's sick leave incentive pay. Any time unused by the recipient will not be returned to the donor.

If the sick leave benefits for subordinate employees are reduced then the sick leave benefits for employees covered by this plan shall be reduced accordingly.

9. LONGEVITY PAY

Employees covered under this Policy shall be entitled to longevity pay consistent with those of their respective subordinates. Management Personnel in the Police and Fire Departments shall be granted longevity pay in accordance with either this Policy or their respective unions; whichever is more beneficial to the employee. In addition, Management Personnel in the Police and Fire Departments shall be granted Longevity Days equal to those afforded to sworn personnel, up to a total of five (5) days.

Longevity pay is not provided for employees who join city employment after July 1, 2012.

10. HEALTH and DENTAL INSURANCE

The Employer shall provide health and dental insurance for those classified positions that currently enjoy this benefit. Management Personnel shall be afforded the same options for health insurance coverage that are available to their subordinates upon retirement or leaving City employment.

Management Personnel contributions shall be adjusted periodically to reflect the average of contributions set forth in the city's collective bargaining agreements.

Employees may elect to decline the City's health insurance benefits, provided they can demonstrate proof of continuous coverage under a non-City plan. Any employee who exercises this option will be eligible for a \$2,000 yearly stipend, payable in two semi-annual installments and pro-rated for partial year coverage. Installments will normally be paid in the first payroll in January and the last payroll in June of each year. The employee must demonstrate continuous coverage throughout the non-coverage stipend period and prior to opting back into the City health coverage. Employee may opt back into City coverage, with proof of continuous coverage, during annual open enrollment or upon a qualifying event. If the employee experiences a lapse in coverage, employee may not opt back into City plan and will then no longer be able to obtain the \$2,000 stipend.

11. RETIREMENT BENEFITS

The appropriate Retirement Plan will be available to employees that presently enjoy this benefit, except that sworn Management Personnel in the Fire and Police Departments shall be entitled to the same Pension Plan as established for their subordinates.

New employees shall enter the Retirement Plan then in effect on the date of their appointment and shall make contributions as set forth by that retirement plan.

12. CELLULAR PHONE ALLOWANCE

DH and MP Personnel who have, because of their work hours and on-call status, been assigned City owned cellular phones, may elect, with the approval of the City Manager, to receive a Cellular Phone Allowance in lieu of a City owned cellular phone. Said Allowance shall be set at \$45/month until such time as it is revised as part of a new FY Budget. The number of that phone must be available as would a City owned phone.

13. RESIDENCY REQUIREMENTS

All Department Heads are required to reside within the City of Auburn, except as otherwise exempted by Statute. MS and MP Personnel not living within the City at the time this Personnel Policy was originally adopted may continue to do so, but must comply with this Policy upon promotion to a new position covered by this Policy. Within 90 days of appointment (new hire) or promotion (existing employee), employees must comply with this Policy unless there are extenuating circumstances, which prohibit compliance. A waiver may be granted in writing by the City Manager with the consent of the City Council. MS Personnel covered by this Policy shall follow the residency requirements of the CSEA Professional Bargaining Unit.

If residency requirements are changed through CSEA collective bargaining agreements the City Manager may approve Management Personnel to reside outside the city limits, but within a 10 mile radius of Memorial City Hall.

14. FAMILY AND MEDICAL LEAVE

The terms of the Federal Family Medical Leave Act apply to all employees covered by this Policy. Additional agreements may be arranged by the City Manager.

Maternity Leave – In recognition of shifting demographics in management ranks the City desires to provide consideration for new mothers beyond that provided for under the FLSA and will grant 3 weeks of paid leave under the following conditions:

Employee has been in continuous full time employment with the city for the previous 24 months

Employee must return to a full time, continuous work schedule within 12 weeks

This benefit is exclusively to support the recovery of the mother from child birth, not for child care or other considerations

15. GRIEVANCE PROCEDURES

The City Manager shall establish grievance procedures for those employees covered by this Policy.

16. WAGES

Management Personnel, except where preempted by contracts or State Law, may receive base pay raises on an annual basis at the time of their performance evaluation. Raises will be determined by the City Manager based upon a combination of the following factors:

- | | |
|---|------------|
| 1. Previous year Consumer Price Index | 10% weight |
| 2. Job performance during the prior year and, | 50% weight |
| 3. Financial condition of the city of Auburn | 40% weight |

Job Performance criteria are set forth in attachment “A”.

The bonus program provides for a one time, lump sum payment to a Management employee based upon performance for the prior year. A bonus may be provided in lieu of a base salary increase or in addition to a base salary increase. A bonus is not subject to the salary cap.

The limitation on bonuses and pay increases is set at a maximum of \$5,000 combined in any one year.

Equity adjustments may be made by the City Manager in cases where substantial and substantive differences exist between the total compensation (base pay, longevity, overtime, leave) of Management Personnel and their subordinate employees. Adjustments will only be considered where there is a consistent differential exceeding 2.5%.

In order to attract qualified candidates, the City Manager shall have the authority to negotiate at which step management personnel will be appointed (A through F). An employee hired at step A of the Wage Schedule will be eligible for a step increase after six (6) months of employment (upon receiving a satisfactory employee evaluation) and each twelve (12) months thereafter, until the top step is achieved. An employee hired at a step higher than A will be eligible for a step increase after twelve (12) months and each twelve (12) months thereafter.

Base pay rates for Management Personnel shall be capped at 90 % of the City Manager’s base pay.

17. OTHER

All benefits not specifically mentioned in this Policy shall parallel those of the subordinate employees' bargaining unit contract.

18. EFFECTIVE DATE

This Policy supersedes elements of the Employee Handbook of December 7, 2006, and shall take effect immediately upon passage. This Policy shall remain in effect until such time as an Amendment or new Policy shall take its place.

This Management Personnel Policy, passed by Resolution #_____, of the City of Auburn City Council, on _____, 2014, shall be effective immediately, and shall remain in effect until superseded by City Council Resolution.

Signed this day of , 2014.

Michael D. Quill, Mayor

EMPLOYEES COVERED UNDER MANAGEMENT POLICY

Department Heads

Corporation Counsel

Comptroller

Police Chief

Fire Chief

Superintendent of Public Works

Superintendent of Engineering

Director of Planning and Econ Development

Director of Municipal Utilities

Management & Professional Staff

Director of Capital Projects & Grants

City Clerk

Management Support Staff

Secretary to City Manager

Secretary to Corporation Council

Civil Service Clerk

Secretary to the Mayor

