

**COMPREHENSIVE SUMMARY OF  
CITY OF STOCKTON  
LAW DEPARTMENT COMPENSATION PLAN**

The City's Law Department employees designated "Executive Plan" (EP), "Professional Plan" (PP), and "Support Plan" (SP) are hereby accorded compensation and benefits as outlined in this Plan consistent with the Stockton City Council's objective to fairly and equitably provide for its Law Department employees.

The Law Department Compensation Plan shall be effective January 1, 1997, through December 31, 2008, and beyond that date until amended by action of the Stockton City Council.

## **Law Department Compensation Plan**

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The Law Department Compensation Plan consists of a salary administration program and certain benefits specific to three (3) categories of non-represented employees listed in this Plan. This Plan shall be administered by the City Attorney who is the City Council's designated representative for purposes of determining compensation and benefits for employees of the Law Department. "Executive Plan" (EP), which includes the City Attorney and the Assistant City Attorney, provides certain benefits and a minimum to maximum salary range. "Professional Plan" (PP), which includes the Deputy City Attorneys and the Liability Claims Investigator I/II's, provides certain benefits and a minimum to maximum salary range. "Support Plan" (SP), which includes all other Law Department personnel, provides certain benefits and a minimum to maximum salary range.

### **Section 1. Retirement Contribution Supplement and Modification to P.E.R.S. Retirement Plan**

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- 1.1 The City will pay seven percent (7%) of all employees' current base salary and other compensation as qualified by state law toward the Public Employees' Retirement System (P.E.R.S.). Such amounts will be applied to the employees' individual accounts in accordance with California Government Code section 20615.
- 1.2 The City's P.E.R.S. retirement plan is modified to reflect two percent (2%) at age 55, for all department employees effective January 1993.
- 1.3 The City will provide military service credit pursuant to the provisions of California Government Code section 20930.3, at the employee's expense.

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- 1.4 Effective January 1, 1997, the City will make application to provide P.E.R.S. California Government Code section 20615.5 (Employer Paid Member Contributions Converted to Payrate during the Final Compensation Period) as added P.E.R.S. benefits. At the beginning of employee's last year of employment, the employee will pay their employees' seven percent (7%) benefit cost through an automatic payroll deduction. The City will increase the base salary for those employees by the same seven percent (7%) for the last twelve (12) months of employment. Internal Revenue Service (IRS) Code 414H(2) will be concurrently implemented with P.E.R.S. California Government Code section 20615.5, to be effective upon adoption by the Stockton City Council and the P.E.R.S. Administration Board.
- 1.5 Effective January 1, 1997, the City will make application to provide P.E.R.S. California Government Code section 20965 (Credit for Unused Sick Leave) as added P.E.R.S. benefits, to be effective upon adoption by the Stockton City Council and the P.E.R.S. Administration Board.
- 1.6 Effective January 1, 1998, the City will make application to provide P.E.R.S. California Government Code section 21382.5 (Fourth Level of 1959 Survivor Benefits) as added P.E.R.S. benefits, to be effective upon adoption by the Stockton City Council and the P.E.R.S. Administration Board.
- 1.7 The City will make application to provide PERS California Government Code Section 21335 (5% Annual Cost of Living Allowance Increase) as added PERS benefits, to be effective upon adoption by the Stockton City Council and PERS Administration Board. The intended implementation date base year will be 2001. The first application will be April 1, 2003.

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### Section 2. Group Life Insurance Coverage

Each participant in the program will receive group life insurance coverage paid for by the City of Stockton.

- 2.1 EP employees will receive life insurance coverage equal to twice their annual salary. Effective January 1, 1997, EP employees will receive an additional fifty percent (50%) life insurance coverage. The life insurance coverage will be three (3) times their annual salary.

Effective January 1, 2001, EP employees will receive an additional half percent (.5%) life insurance coverage. The life insurance coverage will be three and one-half (3 ½) times their annual salary.

PP employees will receive life insurance coverage equal to one and one-half (1 1/2) times their annual salary. Effective January 1, 1997, PP employees will receive an additional fifty percent (50%) life insurance coverage. The life insurance coverage will be two and one-quarter (2 1/4) times their annual salary.

Effective January 1, 2001, PP employees will receive an additional half percent (.5%) life insurance coverage. The life insurance coverage will be two and three-quarter (2 ¾) times their annual salary.

- 2.2 SP employees will receive coverage equal to their annual salary. Effective January 1, 1997, SP employees will receive an additional fifty percent (50%) life insurance coverage. The life insurance coverage will be one and one-half (1 1/2) times their annual salary.

Effective January 1, 2001, SP employees will receive an additional half percent (.5%) life insurance coverage. The life insurance coverage will be two (2) times their annual salary.

In all instances, coverage will be rounded to the nearest ONE THOUSAND DOLLARS (\$1,000).

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### Section 3. Long Term Disability Insurance Coverage

EP, PP, and SP employees will receive long term disability insurance coverage. Essentially, this is an income protection plan which provides disability income for Law Department employees including:

- (a) Each disability--66 2/3% of salary for EP, PP, and SP employees.
- (b) A 30-day waiting period before eligibility for benefit.
- (c) Benefit payable until age sixty-five (65).

### Section 4. Deferred Compensation

EP, PP, and SP employees will receive deferred compensation as a supplement to voluntary deferred compensation plans. The City will provide, in addition to normal salary, a contribution to expand retirement benefits as follows:

- 4.1 EP employees will receive four and one-half percent (4 1/2%) of annual salary in deferred compensation. Effective January 1, 1997, the City will contribute an additional one-half percent (1/2%) for a total of five percent (5%) for EP employees; effective January 1, 1998, an additional one-half percent (1/2%) for a total of five and one-half percent (5 1/2%); effective January 1, 1999, an additional one-half percent (1/2%) for a total of six percent (6%); and effective January 1, 2000, an additional one-half percent (1/2%) for a total of six and one-half percent (6 1/2%).
- 4.2 PP employees will receive three and one-half percent (3 1/2%) of annual salary in deferred compensation. Effective January 1, 1997, the City will contribute an additional one-half percent (1/2%) for a total of four percent (4%) for PP employees; effective January 1, 1998, an additional one-half percent (1/2%) for a total of four and one-half percent (4 1/2%); effective January 1, 1999, an additional one-half percent (1/2%) for a total of five percent (5%); and effective January 1, 2000, an additional one-half percent (1/2%) for a total of five and one-half percent (5 1/2%).

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- 4.3 SP employees will receive two and one-half percent (2 1/2%) of annual salary in deferred compensation. Effective January 1, 1997, the City will contribute an additional one-half percent (1/2%) for a total of three percent (3%) for SP employees; effective January 1, 1998, an additional one-half percent (1/2%) for a total of three and one-half percent (3 1/2%); effective January 1, 1999, an additional one-half percent (1/2%) for a total of four percent (4%); and effective January 1, 2000, an additional one-half percent (1/2%) for a total of four and one-half percent (4 1/2%).
- 4.4 Effective March 1, 2000, the City's obligation to make a deferred compensation contribution in the employees' names above and beyond employees' voluntary contributions shall cease. Instead, the value of this deferred compensation benefits payable as of January 1, 2000, shall be paid directly to employees as base pay. Employees may elect to defer the amount of additional pay that would be received pursuant to this section by directing that the total amount, or any portion thereof, be deposited in or distributed among any of the City's deferred compensation plans. In no event will the total City/employee contribution exceed that amount allowed by law. Participants will receive this benefit may participate during employment with the City of Stockton and generally cannot withdraw the funds until retirement or service termination.

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### Section 5. Physical Examination

- 5.1 EP employees may schedule a physical examination annually. Cost of the examination will be paid at ONE HUNDRED PERCENT (100%) by the City of Stockton. [To include physical examination; hearing test; resting EKG (stress EKG if indicated); blood screen (serum chemistry with complete lipid and complete blood count); PSA; urinalysis; colonoscopy; and mammogram or other tests as recommended by the City Physician.]
- 5.2 PP employees may schedule a physical examination annually. Cost of the examination, not to exceed ONE HUNDRED FIFTY DOLLARS (\$150), will be paid by the City of Stockton.
- 5.3 SP employees may schedule a physical examination annually. Cost of the examination, not to exceed ONE HUNDRED FIFTY DOLLARS (\$150.00), will be paid by the City of Stockton.

### Section 6. Health and Dental Insurance

- 6.1 The City will provide EP, PP, and SP employees with a comprehensive health, dental/orthodontic, vision and prescription insurance program, as designated by the City of Stockton. The premiums for these insurance benefits for employees and their eligible dependents shall be paid by the City.
- 6.2 The medical deductible is ONE HUNDRED FIFTY DOLLARS (\$150) per person with a maximum of three (3) deductibles required per family per calendar year.
- 6.3 The maximum coverage per year for dental insurance shall be ONE THOUSAND DOLLARS (\$1,000).

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Effective January 1, 2005, the maximum per year will be increased to ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200). Effective January 1, 2008, the maximum per year will be increased to ONE THOUSAND FOUR HUNDRED DOLLARS (\$1,400).

- 6.4 Effective January 1, 1997, the orthodontic benefits coverage will increase from ONE THOUSAND DOLLARS (\$1,000) to TWO THOUSAND DOLLARS (\$2,000).
- 6.4 The City will provide EP, PP, and SP employees with a modified medical plan effective January 1, 1993, the provisions of which are summarized in Appendix "A," attached hereto.
- 6.5 Effective January 1, 1997, the City will continue the above-stated medical coverage benefits for spouse and eligible dependents upon the death of an employee while employed with the City of Stockton. At age sixty-five (65), the spouse's City medical coverage shall be secondary coverage and supplemental to Medicare.
- 6.6 Health and Welfare Benefits During Layoff

Employees who are laid off will have an option of maintaining their existing health and welfare benefits for thirty-six (36) months from the date of layoff, provided timely payments of the premiums by the employee are made to the City, according to City regulations, and provided the employee otherwise meets the requirements of federal and state regulations.

## Section 7. Retirement Medical Allowance

### 7.1 Maintenance of Benefits for Retirees

The City will contribute all premiums necessary for the purpose of providing hospital-medical and prescription benefits for each City employee who has retired. In addition, EP employees will be provided dental coverage. Such coverage shall include one (1) dependent and

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shall be determined by the eligible date noted below.

(a) Normal Service Retirement

Eligibility for the allowance provided by this section is limited to employees who have retired subsequent to April 1, 1983, and who have retired at age fifty (50) or later. Such allowance shall terminate at age sixty-five (65).

(b) Disability Retirement

Eligibility for the allowance provided by this section is limited to employees who have retired subsequent to April 1, 1983, and such allowance shall be limited to a maximum of fifteen (15) years or the attainment of age sixty-five (65), whichever occurs first.

### 7.2 Medical Deductible

The medical deductible is ONE HUNDRED FIFTY DOLLARS (\$150) per person for employees who retire after January 1, 1993.

### 7.3 Prescription Coverage

Prescription coverage will be provided for retirees.

### 7.4 Supplemental Medical Coverage

At age sixty-five (65) the retiree medical allowance terminates and the employee is covered by Medicare. At age sixty-five (65), the retiree medical coverage shall be continued on a coordinated basis reduced by any amounts paid by Medicare.

7.5 The City will provide a modified medical plan to EP, PP, and SP employees who retire after January 1, 1993, the provisions of which are summarized in Appendix "A," attached hereto.

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### Section 8. Holidays

EP, PP, and SP employees will receive the same holiday benefits accorded other employees through negotiated Memoranda of Understanding or other Council-approved compensation plans.

### Section 9. Vacation

- 9.1 The vacation plan for Law Department employees shall provide for a flat annual allowance, a maximum carry-over limit and a sell-back provision.
- 9.2 EP employees shall receive twenty-five (25) days.
- 9.3 PP employees shall receive twenty (20) days and an additional five (5) days for City service after fifteen (15) years and up to twenty-five (25) years.
- 9.4 SP employees with five (5) years or less service on July 1, each year, shall receive fifteen (15) days and an additional five (5) days for City service after five (5) years of service, and an additional five (5) days for service after fifteen (15) years and up to twenty-five (25) years.
- 9.5 All Law Department employees shall receive one (1) additional day vacation allowance per year for each year of service beyond twenty-five (25) years of service.
- 9.6 EP employees shall be granted unlimited vacation carryover.
- 9.7 PP and SP employees shall be granted a maximum carryover of one (1) previous year's vacation allowance plus fifteen (15) days as of June 30, of any year. Vacation hours that exceed the maximum carryover allowance shall be automatically credited and forwarded to the employee's sick leave accumulation balance at the end of the fiscal year.

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- 9.8 Law Department employees may carryover vacation time in excess of the maximum vacation allowance mentioned above when such vacation remains because of being in a pay status during a period of illness or injury which precluded liquidating vacation credits earned in excess of the maximum allowed.
- 9.9 EP employees shall be granted unlimited vacation sell-back not to exceed the designated unused vacation per year.
- 9.10 PP and SP employees are allowed a maximum vacation sell-back not to exceed designated unused vacation per year. PP and SP employees may sell-back ten (10) days per year. To qualify for this sell-back benefit, an employee must have used, either in the preceding or current fiscal year, an equivalent number of vacation days to the number of sell-back days.

## Section 10. Mileage Reimbursement for Private Vehicle Use

Employees who are currently assigned a City vehicle to take home on a regular and permanent basis as a condition of employment may, at their own option, turn in their City vehicle for a monthly allowance to be established by the City Attorney. In addition to the monthly allowance, a mileage reimbursement for out of the City area travel (30 or more mile radius) will be paid to the employee.

Allowances for use of personal vehicle in-lieu of a City vehicle will vary based on usage and vehicle type necessary to carry out the functions of the position. The amounts may be adjusted by the City Attorney each year based on the average Consumer Price Index (CPI) during the preceding twelve (12) month period and the functional need of the position for vehicle usage.

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Mileage reimbursement for use of personal vehicle unless otherwise provided herein shall be compensated at the current Internal Revenue Service (IRS) rate. Flat rate reimbursement for use of personal vehicle unless otherwise provided herein is:

0	to	250 miles/month	\$ 60.00	per month
251	to	350 miles/month	\$ 85.00	per month
351	to	450 miles/month	\$126.00	per month
451	to	550 miles/month	\$154.00	per month
551	to	700 miles/month	\$196.00	per month
701	to	850 miles/month	\$238.00	per month
851	to	1000 miles/month	\$280.00	per month

Reimbursement for average mileage on City business greater than 1000 miles per month will be determined by the City Attorney, provided no such reimbursement shall exceed IRS mileage reimbursement rate then in effect.

All rates will be adjusted based on per cent change of IRS mileage rate changes.

The City Attorney may authorize that the private vehicle mileage or flat rate reimbursement be paid to employees who are specifically directed to use their private vehicle for City business travel within the City or out of the City limit. Such usage must be documentable. Employees who receive flat monthly car allowances are eligible for mileage travel beyond a 30 mile radius of the City.

### Section 11. Payment for Unused Sick Leave

Upon separation with ten (10) years or more of employment, or upon termination of employment by reasons of death, service or disability retirement, the employee or the employee's estate will be paid fifty percent (50%) of the total unused sick leave at its current value.

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### Section 12. Educational Incentive Pay

Effective March 1, 2000, Educational Incentive Pay shall be available only to those employees who have completed twelve (12) months of continuous employment.

Employees with degrees/diplomas above and beyond that which is required of their position shall be provided three percent (3%) of the top step of the position. Employees are limited to no more than three percent (3%) regardless of the number of degrees/diplomas above that required of the position. If the employee promotes to a position which matches his/her diploma degree, the three percent (3%) will no longer be paid. Experience may not substitute for education. Other formal education/training programs may substitute for the actual degree/diploma as the City Attorney shall determine.

### Section 13 . Other Benefits/Conflict of Benefits

- 13.1 Other benefits such as sick leave accrual rates, family sick leave, bereavement leave, court appearance, etc., afforded other employees through negotiated Memoranda of Understanding or other Council-approved compensation plans and not specified herein, shall be provided employees on an equal basis.
- 13.2 If a conflict exists in benefits, the City Attorney may designate the appropriate schedule. If a conflict exists in salary for a classification that is the same as one in another unit, whether represented or unrepresented, the City Attorney may designate the appropriate salary.
- 13.3 Salary Step Plan. Effective January 1, 1997, January 1, 1998, January 1, 1999, January 1, 2000, January 1, 2001, January 1, 2002, January 1, 2003, January 1, 2004, January 1, 2005, January 1, 2006, January 1, 2007, and January 1, 2008, salary increases for all employees in the aforementioned Law Department Compensation Plan as set forth in Appendix "B," which is attached hereto and made a part hereof, shall equal eighty percent (80%) of the Consumer Price Index for Urban

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Wage Earners and Clerical Workers' United States City Average (CPI-W), for the twelve (12) month period concluding with the November index of each preceding year. The salary increase shall be a minimum of two and one-half percent (2 1/2%) but not to exceed six percent (6%) (e.g. CPI-W increase of nine percent (9%) would still result in a six percent (6%) salary increase).

- 13.4 Professional Growth. Effective January 1, 2002, the City shall pay each employee who completes twelve (12) continuous years of service with the City, two and one-half percent (2.5%) of the top salary step of the employee's pay range to the employee as a professional growth allowance.

### Section 14. Work Schedule

- 14.1 EP and PP employees shall not be eligible for overtime for extra hours worked to perform duties of their assigned positions.
- 14.2 SP employees shall be entitled to overtime as required by state and/or federal law.

### Section 15. Term

This Law Department Compensation Plan is in effect from January 1, 1997, through December 31, 2008, and will remain in effect beyond December 31, 2002, until amended by action of the Stockton City Council.