
PART I: SECTION 37C-3

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Revised 12-18-18 (eff 12-1-18); Resolution 2018-167
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Revised 1-15-19 (eff 1-15-19); Resolution 2019-09
Revised 10-15-19 (eff 11-2-19); Resolution 2019-128
Revised 3-10-20 (eff 2-11-20); Resolution 2020-30
Revised 5-4-21 (eff 5-4-21); Resolution 2021-XXX

**COUNTY OF NAPA
MANAGEMENT COMPENSATION PLAN – MANAGEMENT NON-CLASSIFIED
(OTHER)**

Scope

The following sets forth the respective supplemental fringe benefits accorded to Management Non-Classified (Other) positions. Only those County Employee positions that have been designated as Management Non-Classified (Other) by formal action of the Board of Supervisors are eligible to receive these respective supplemental fringe benefits. A current listing of those Employee positions are set forth in Attachment 1, Part A and incorporated herein by reference. The supplemental fringe benefits are in addition to any benefits afforded in accordance with the current Memorandum of Understanding between the County and the Napa Association of Public Employees, SEIU, Local 1021 – Public Services Employee Supervisory Unit.

I. Definitions

For purposes of this policy, the following definitions shall apply:

- A. Employee: Any person employed by the County, except an elected Officer, as reflected in the Departmental Allocation List.
- B. Retired Employee: An Employee who has separated from active, permanent service for the purpose of retiring. It is presumed an Officer or Employee has retired if an application has been filed pursuant to a defined benefit plan such as the California Public Employees' Retirement Law, the County Employees Retirement Law of 1937, or any other similar private or public defined benefit program. In all other cases, documentation that demonstrates to the satisfaction of the Director of Human Resources that the Officer or Employee has separated from active employment for the purposes of retirement must be provided.
- C. Management Non-Classified (Other): Those management positions designated by the Board of Supervisors as serving at the will of the appointing authority (Department Head or Officer or appointing board/commission) as listed in Attachment 1, Part A, Sections 1 and 2.
- D. Dependents: Refers to only the following: (a) the Employee, (b) the spouse of the Employee and (c) Employee's registered domestic partner as defined under California law and (d) the children of the Employee, provided they are considered dependents for purposes of the Internal Revenue Code. For purposes of health, vision, or dental care, dependents are also children who are not considered dependents for purposes of the Internal Revenue Code but are dependents as defined in the health, vision, or dental plan the Officer or Employee has selected. "Child" or "Children" means a biological, adopted

or foster child, a stepchild, a legal ward, or a dependent adult. A dependent adult is a person who is over 18 years of age and is incapable of self-care because of a mental or physical disability. A grandchild of an Employee does not qualify as a dependent unless they are adopted, a foster child, a legal ward, or dependent adult of the Employee.

- E. Years of Service: Date of hire through separation date.
- F. Memorandum of Understanding (MOU): The collective bargaining agreement between the County and NAPE/SEIU Local 1021 – Public Services Employee Supervisory Unit, which establishes the terms and conditions of employment for the represented positions identified within said agreement.
- G. County: County of Napa.
- H. Plan: The Management Compensation Plan – Management Non-Classified (Other) of Napa County as it may be amended from time to time.
- I. Comparable Jurisdictions: The counties of Solano, Sonoma, Marin, Contra Costa, Santa Cruz, and the City of Napa.

II. Management Non-Classified (Other) Employees

- A. Management Non-Classified (Other) Employees of the County who are not retired shall be accorded the following:
 - 1. Eighty (80) hours of management leave credited at the beginning of each year (for purposes of this paragraph year is defined as fiscal year, provided, however, the Director of Human Resources is authorized to implement a change to calendar year to be in compliance with IRS guidelines). Should the initial appointment of an employee to a Management Non-Classified (Other) position occur after the beginning of the year the Employee shall receive this benefit prorated in proportion to the number of months remaining in that year from the time of appointment.
 - 2. The right to surrender up to sixty (60) hours of management leave each year, as defined in paragraph 1 of Part II. A., and be paid for same in cash at their current hourly rate; provided, however, that a minimum of eighty (80) hours of vacation leave must be used during the fiscal year in which the surrender of the management leave occurs before the Auditor is authorized to process the surrender request. This provision, including the eligibility requirements, is independent and separate from any other leave cash-outs afforded to an Employee.
 - 3. Accrual of vacation leave beginning at the rate of 4.8 hours per bi-weekly pay period, or accrual of vacation leave at the rate determined in accordance with paragraph 4 of Part II.

A. (below) of this Plan, or for existing employees promoting to a management position, accrual of vacation leave at the Employee's current vacation leave accrual rate, whichever is higher. This vacation leave accrual rate will be effective on the date of the appointment, reclassification or promotion. Thereafter, the accrual rate will be adjusted as set forth below.

VACATION LEAVE ACCRUAL SCHEDULE	
Years of Continuous County Services	Hours of Vacation Accrued Per Pay Period
Date of Hire through Year 9	4.8 hours
Years 10 through 14	6.2 hours
Years 15 through 19	7.2 hours
Years 20 through 29	8.0 hours
30 years or more	9.0 hours

4. In the case of Management Non-Classified (Other) Employees who are not employed by Napa County at the time of their appointment, but were previously employed by a city, county (other than Napa County), special district, state or federal government agency, the vacation accrual rate shall be the rate of vacation leave approved by the County Executive Officer in accordance with the Vacation Leave Accrual Schedule set forth in paragraph 3 of Part II. A. (above), based upon the new Employee's total prior years of public service. Proof of prior public service will be required within two weeks of employment. Work performed for a public agency as a consultant or independent contractor, rather than as an employee, shall not be taken into account by the County Executive Officer in approving a vacation leave accrual rate exceeding 4.8 hours per bi-weekly pay period.
5. Effective July 21, 2012, any current Management Non-Classified (Other) Employee, who would have qualified for this benefit at the time of their employment, will from this date forward, be afforded the appropriate level of accrual under this section.

The right to accumulate a maximum of 536 hours of vacation leave; the Employee may not earn any further vacation time while accrued, unused vacation remains at this maximum.

6. The right, upon separation, to receive payment of a sum equal to the number of hours of vacation leave the Employee has accrued times the Employee's current hourly rate of pay.
7. Reimbursement of the actual cost of meals if, during the course of their regular duties, the Employee attends a meeting at which a meal is served.
8. Short Term and Long Term Disability:

- a. The Employee is entitled to Short Term and Long Term Disability Coverage under this section whenever the employee due to health reasons is unable to perform the essential duties of their position. This insurance is paid for by the County on behalf of employees. The following is a summary of the benefits, however for a complete list of benefits and eligibility requirements, please refer to the plan documents:
 - i. Short Term Disability insurance with a maximum weekly payment of 66.67% of the Employee's current salary up to a maximum of \$2,000 per week with a 7 day waiting period and coverage for up to 13 weeks.
 - ii. Long Term Disability insurance with a maximum monthly payment of 66.67% of the Officer or Employee's current salary up to a maximum of \$10,000 per month with a 90 day waiting period and coverage for 24 months; any disability coverage beyond 24 months would be in accordance with the certificate of coverage.
 - iii. Employees must use available sick leave to coordinate with this benefit. When their available sick leave is exhausted, an employee may use other available leave balances to coordinate with this benefit. Employees may coordinate available leave time (sick, vacation, etc.) for up to one year (26 pay periods). The gross salary of an employee using accrued sick leave, or other paid time off, shall be reduced by the Disability benefits received. Human Resources shall coordinate this leave usage in accordance with its rules and procedures for all employees.
 - iv. An employee shall earn sick leave and vacation benefits and service credit for seniority and merit/step increases during any full bi-weekly pay period in which they receive Disability benefits in proportion to the time an employee is in a County paid status. The paid status of an employee is determined by worked time as well as any accrued sick leave, or other paid time off the employee is using to coordinate with the Disability benefits received. The sick leave and vacation accrual rates and adjustments for service credit for seniority and merit increases shall be provided in accordance with Human Resources rules and procedures for all employees.
- 9. Effective January 1, 2005, Basic Term Life insurance and Accidental Death and Dismemberment group life insurance each in an amount equal to a one-time payment of the Employee's current annual salary with the premiums paid by the County.
- 10. The option to enroll in the group Supplemental Life and Accidental Death and Dismemberment insurance plan ("Supplemental Life insurance") and elect coverage in

increments of \$10,000 up to a maximum of the lesser of five (5) times the Employee's salary or \$200,000. An Employee may purchase Supplemental Life insurance for their spouse/domestic partner and/or dependent children. Spouse/domestic partner – Supplemental Life insurance can be purchased in increments of \$10,000 up to \$100,000. Dependent children – Supplemental Life insurance can be purchased for \$1,000 (birth to six months) or for \$10,000 (six months to age 19).

11. Unlimited accrual of sick leave.

12. Deferred Compensation Plan (IRC 457)/Retirement Savings Account Plan (IRC 401(a)):

a) 457 Deferred Compensation Plan (pursuant to Internal Revenue Code Section 457). Eligible Employees and Officers may voluntarily defer an amount up to the maximum as defined by IRS guidelines on a pre-tax basis.

b) 401(a) Retirement Savings Account (pursuant to Internal Revenue Code Section 401(a)).

i. Employees and Officers must enroll in a 401(a) Retirement Savings Account Plan in order to become eligible for an employer match as set forth in paragraph 13(b)(ii) below.

ii. Eligible Employees and Officers, who enroll in the 457 deferred compensation plan as referenced in subparagraph 13(a) and also enroll in a 401(a) Retirement Savings Account Plan, will be eligible for an employer match of up to \$1,000 paid into a pre-tax sub-account of each eligible employee. This provision for an employer match is subject to the annual approval of the Board of Supervisors.

iii. In addition, within thirty (30) days of hire, an Employee or Officer, who is eligible as defined by IRS guidelines, may also voluntarily make an irrevocable election of salary contribution to a 401(a) Retirement Savings Account Plan on a pre-tax basis.

13. Auto Allowance/Mileage Reimbursement:

a) Auto Allowance. In the case of Management Non-Classified (Other) Employee positions listed in Part B of Attachment 1, a flat rate of \$220.00 twice monthly as reimbursement for all private vehicle mileage while on official County business. Permanent assignment of an automobile will only be available to new Management

Non-Classified Employees following a Board determination that such an assignment is specifically required by the emergency nature of the position.

- b) Mileage Reimbursement. In the case of Management Non-Classified (Other) positions listed in Part B of Attachment 1 who receive the flat rate reimbursement, the additional right to receive mileage reimbursement at the rate paid to County Employees generally for mileage driven outside of the boundaries of Napa County.

14. Severance Pay

- a) Management Non-Classified (Other) Employees listed in Attachment 1, Part A, Section 1, shall be afforded the following severance benefits:
 - i. An Employee may not be removed from their position during the first ninety days (90) following the appointment and commencement of the first date of service of the Department Head to whom the Employee reports to. This provision shall not apply to an Employee appointed by and serving at the pleasure of a board/commission.
 - ii. If one year of service has been completed in a Management Non-Classified (Other) position, the Employee will receive a sum equal to their salary for three (3) biweekly pay periods. In addition upon completion of not less than two years of service in a Management Non-Classified (Other) position, the Employee shall receive an additional sum equal to seven (7) biweekly pay periods of their respective biweekly salary.
 - iii. This subparagraph applies where separation occurs due to termination or resignation in lieu of termination. Such separation must occur for other than the following reasons: (a) death, (b) disability, (c) criminal malfeasance, (d) retirement, or (e) gross negligence or recklessness in the performance of their duties. A Management Non-Classified Employee who is terminated or resigns in lieu of termination, in accordance with the terms of this subsection, and elects to retire immediately following separation is eligible for severance pay provided herein
 - iv. Prior to the delivery of severance pay as described in subparagraph (a) ii. and as a condition to an Employee's receipt of such severance, such Employee shall execute and deliver to County a release (provided by the County Counsel or in a form and content acceptable to the County Counsel), effective as of the date of separation, releasing the County, Board of Supervisors, its Officers, Employees and agents

from all claims the Employee may have against the County, the Board, its Officers, Employees and agents, including, without limitation, claims arising out of alleged intentional acts or other misconduct committed by Board members and claims arising under California or Federal law pertaining to equal employment opportunity, discrimination on the basis of sex, race, color, ancestry, religion or religious creed, national origin or ethnic group identification, sexual orientation, marital status, age (over 40), mental disability, physical disability or medical condition.

- b) In addition, Management Non-Classified (Other) Employees listed in Attachment 1, Part A, Section 2, shall be afforded the following severance benefits:
- i. If one year of service has been completed in a Management Non-Classified (Other) position, the Employee will receive a sum equal to their salary for one (1) biweekly pay period. In addition upon completion of not less than two years of service in a Management Non-Classified (Other) position, the Employee shall receive an additional sum equal to one (1) biweekly pay period of their respective biweekly salary.
 - ii. This subparagraph applies where separation occurs due to termination or resignation in lieu of termination. Such separation must occur for other than the following reasons: (a) death, (b) disability, (c) criminal malfeasance, (d) retirement, or (e) gross negligence or recklessness in the performance of their duties. A Management Non-Classified Employee who is terminated or resigns in lieu of termination, in accordance with the terms of this subsection, and elects to retire immediately following separation is eligible for severance pay provided herein
 - iii. Prior to the delivery of severance pay as described in subparagraph (b) i. and as a condition to an Employee's receipt of such severance, such Employee shall execute and deliver to County a release (provided by the County Counsel or in a form and content acceptable to the County Counsel), effective as of the date of separation, releasing the County, Board of Supervisors, its Officers, Employees and agents from all claims the Employee may have against the County, the Board, its Officers, Employees and agents, including, without limitation, claims arising out of alleged intentional acts or other misconduct committed by Board members and claims arising under California or Federal law pertaining to equal employment opportunity, discrimination on the basis of sex, race, color, ancestry, religion or religious creed, national origin or ethnic group identification, sexual orientation, marital status, age (over 40), mental disability, physical disability or medical condition.

15. Safety/Hazard Premium Pay. PERS eligible safety employees, as defined in California Public Employees Retirement Law, Code Section 20438 in the classification of Chief Deputy Probation Officer shall receive five percent (5%) hazard premium pay.
16. Engineering Registration Pay. All Management Non-Classified (Other) Employees in the classification of Deputy Director of Public Works – Flood Control and Water or Engineering Manager – Planning, Building and Environmental Services are entitled to a five percent (5%) premium pay if they have taken and passed a California Engineering Proficiency Exam and are registered with the State of California.
17. Board Certified Physician. A Management Non-Classified (Other) Employee in a classification that requires the incumbent to be a licensed physician, and who is currently board certified by the American Board of Medical Specialties, shall receive five percent (5%) premium pay.
18. Safety Uniform Allowance. A Management Non-Classified (Other) Employee in the classification of Undersheriff shall receive Uniform Allowance in the amount specified in the Memorandum of Understanding between the County and the Deputy Sheriffs' Association Law Enforcement Unit.
19. Correctional Uniform Allowance. A Management Non-Classified (Other) Employee in the class of Assistant Director of Corrections or Correctional Lieutenant shall receive Uniform Allowance in the amount specified for Correctional Officers in the Memorandum of Understanding between the County and the Public Services Employee Unit.
20. CPA Premium Pay. A Management Non-Classified (Other) Employee in the classification of Assistant Auditor-Controller or Chief Fiscal Officer - HHSA who have a current California Certified Public Accountant Certificate shall receive five (5) percent more than their standard hourly rate, retroactive to July 11, 2009.
21. POST Educational Incentive Pay. A Management Classified Employee in the classification of Undersheriff shall be eligible for POST Educational Incentive Pay in the amount specified in the Memorandum of Understanding between the County and the Deputy Sheriffs' Association Law Enforcement Unit.
22. Detention Services Premium. Effective the pay period which includes January 1, 2018, the Correctional Lieutenant and Assistant Director of Corrections classifications shall receive a 5% Detention Services Premium.
23. CEQA and Land Use Expertise Management Incentive Pay. A Deputy County Counsel IV with more than twenty (20) years of experience with Napa County providing legal advice and expertise on complex land use ordinances, projects, California Environmental Quality

Act (CEQA) law, and has served as Counsel to the Napa County Planning Commission for at least 10 years shall receive five percent (5%) premium pay.

B. Retired Management Non-Classified (Other) Employees shall be accorded the following:

1. The right, upon separation from county service for purposes of retirement, to receive payment of a sum equal to the number of hours of vacation leave the Employee has accrued times the Employee's current hourly rate of pay. This is in addition to any severance that may be payable pursuant to paragraph 15 of Part II. A. of the Plan.
2. The right to continued coverage, at their own expense, upon retirement with eight (8) or more years of County service, of the following:
 - (a) Inclusion in the group term life insurance policy maintained by the County with a face amount of \$5,000 decreasing to \$2,500 at age 65. At age 70, the face amount of said term life insurance decreases to \$1,500.
 - (b) Dental and vision coverage for the retired member and dependents.
 - (c) Payment for these life insurance, dental and vision coverages shall be made to the Treasurer's office monthly in advance of receipt of benefits.
3. Retiree Health Benefits – General Provisions

C. Benefits elected by eligible Management Non-Classified (Other) Employees under paragraphs 4 and 5 of Part II. B. of this Plan are subject to the following provisions:

1. The County's reimbursement for health coverage shall be deemed to include the County contribution for such retirees as mandated under the California Public Employees Medical & Hospital Care Act ("PEMHCA").
2. The County shall initially reimburse for coverage only in the health or dental plan in which the Employee was enrolled on their last day of active permanent service with the County; with the exception that the Employee if eligible must enroll in a Medicare supplemental plan; provided, however, that any health plan currently available to active county employees may be selected by said retired Management Non-Classified (Other) Employee during any county open enrollment period. If the health or dental plan of said Employee has been abandoned or replaced, then the Retired Employee may select another health plan offered by the County in whatever manner the County determines will result in continual coverage.

3. Reimbursement provided under paragraphs 4 or 5 of Part II. B. may be applied to the Employee's Medicare Part B premium, so long as it meets the other requirements of the applicable paragraph.
4. Notwithstanding the provisions of paragraph 3(b) above, a Retired Employee is subject to all laws and regulations and rules that govern their participation in a carrier's health plan, including, but not limited to, requirements under PEMHCA, the federal Medicare Act and the carrier's health plan.
5. Retirement for the purposes of the benefits afforded under paragraphs 4 or 5 of Part II. B., means that an Employee has both separated from active permanent service with the County and has filed documents with the California Public Employees' Retirement System ("PERS") to begin receiving monthly benefits within the time period specified under PERS law (e.g. currently one hundred and twenty (120) days).
6. To the extent that any provision of this paragraph 3 is inconsistent with or in conflict with provisions under paragraphs 4 or 5 of Part II. B. of this Plan, the provisions of the latter paragraphs shall prevail.

D. Use of Sick Leave for Health or Dental Benefits

1. A Management Non-Classified (Other) Employee may elect at retirement to apply accumulated sick leave, up to a maximum of one thousand eight hundred (1,800) hours, towards either health or dental coverage. To be eligible for this benefit Employee must have at least 120 hours of sick leave at retirement. An Employee may elect either of the following:
 - a) For each eight (8) hours of accumulated sick leave, County reimbursement toward the cost of one (1) month single-party coverage (in an amount up to the then current single-party rate for the health or dental plan most commonly enrolled in by active employees); or
 - b) For each sixteen (16) hours of accumulated sick leave, County reimbursement toward the cost of one (1) month of single-party-plus-one-dependent health coverage (in an amount up to the then current single-party-plus-one rate for health or dental plan most commonly enrolled in by active employees).

This paragraph 4 shall not apply to eligible Employees who elect the health benefits provided in paragraph 5 of Part II. B. of this Plan.

E. Health Benefits for Long-Term County Service

1. A Management Classified Employee may elect County reimbursement for the cost of single party health coverage to age 65 (in an amount up to the then current single-party rate for the health plan most commonly enrolled in by active employees) if retiring with the equivalent of twenty (20) years or more of continuous full-time service with the County (including time employed in other than a Management Non-Classified (Other) position).
2. This paragraph 5 shall not apply to eligible Employees who elect the health benefits provided in paragraph 4 of Part II. B. of this Plan.

Attachment 1

Part A

**MANAGEMENT COMPENSATION PLAN-MANAGEMENT NON-CLASSIFIED (OTHER)
ELIGIBILITY LIST**

MANAGEMENT NON-CLASSIFIED (OTHER) CLASSES

Section 1:

Acting Director of Corrections
Acting Deputy Director of HHSA/Mental Health Director
Acting Director of Health and Human Services
Acting Director of Human Resources
Assistant Auditor-Controller
Assistant Compliance and Privacy Officer
Assistant County Executive Officer
Assistant Director of HHSA
Assistant Chief Probation Officer
Assistant Director of Corrections
Assistant Director of Library Services and Community Outreach
Assistant Director of Planning, Building and Environmental Services
Assistant District Attorney

Compliance and Privacy Officer
Chief Fiscal Officer - HHSA

Deputy Director of Planning, Building, and Environmental Services – “At-Will”
Director of Housing and Homeless Services
Director of Human Resources****

LAFCO Executive Director*

Undersheriff

Section 2:

Administrative Manager/Clerk of the Board
Airport Manager ▲
Animal Shelter Manager
Assistant Agricultural Commissioner/Sealer of Weights and Measures ▲
Assistant County Counsel****
Assistant Director of Human Resources
Assistant Treasurer-Tax Collector***

Chief Appraiser ▲

Chief Building Official
Chief Deputy County Counsel**
Chief Deputy District Attorney ▲
Chief Deputy Probation Officer****
Chief Deputy Public Defender****
Chief District Attorney Investigator
Chief Fiscal Officer-HHSA
Chief Information Officer***
Code Compliance/Process Improvement Manager
Communications and PIO***
Communications Manager - "At Will"
Compliance and Privacy Officer
Correctional Lieutenant
County Surveyor
Criminal Justice Analyst****

Deputy Chief Information Officer – Applications and Development
Deputy Chief Information Officer – Infrastructure and Operations
Deputy County Counsel I*****
Deputy County Counsel II*****
Deputy County Counsel III*****
Deputy County Counsel IV*****
Deputy County Executive Officer
Deputy Director, Employment and Compensation
Deputy Director, Labor Relations
Deputy Director of HHSA – Administrative Services
Deputy Director of HHSA – Administrator of Alcohol and Drug Programs
Deputy Director of HHSA – Aging and Disability Services
Deputy Director of HHSA – Child Welfare Services Director
Deputy Director of HHSA – Mental Health Director
Deputy Director of HHSA – Public Health Officer
Deputy Director of HHSA – Self Sufficiency Services
Deputy Director of Public Works – County Engineering
Deputy Director of Public Works – Flood Control and Water Resources
Deputy Director of Public Works – General Services
Deputy Planning Director
Director of Housing and Intergovernmental Affairs

Elections Services Manager ▲
Emergency Services Officer
Engineering Manager
Engineering Manager – PBES

Fleet Manager - "At Will"

Information Systems Manager

Junior/Assistant/Associate Engineer**

Juvenile Hall Superintendent ▲

Management Analyst I**

Management Analyst II**

Park and Open Space Program Manager*****

Planning Manager

Principal Management Analyst**

Psychiatric Medical Director

Public Services Manager

Risk & Emergency Services Manager

Senior Human Resources Analyst

Senior Management Analyst**

Solid Waste Program Manager ▲

Staff Administration Manager-HHSA

Support Services Manager

Training and Organizational Development Officer ▲

Victim Witness Program Manager

Webmaster

* This position is appointed by and serves at the pleasure of a board/commission.

** Any Management I/II/Senior/Principal Analyst position filled on or after July 16, 2005, shall be designated Management Non-Classified (Other).

*** Vacant positions that are filled on or after February 27, 2007 will be designated as "At Will" Management Non-Classified (Other)

**** Positions filled on or after May 31, 2008 will be designated as "At-Will" Management Non-Classified (Other)

***** Positions filled prior to February 27, 2007, will remain Management Classified but positions filled on or after February 27, 2007, including internal promotions to the Deputy County Counsel IV, Chief Deputy County Counsel and Assistant County Counsel levels, will be designated as “at will” Management Non-Classified (Other).

▲ Positions filled on or after July 11, 2009 will be designated “at-will” Management Non-Classified (Other)

Positions filled on or after January 7, 2013 will be designated “at-will” Management Non-Classified (Other).

Positions are currently filled. The changes to the Management Compensation Plan will become effective for positions filled on or after March 28, 2015.

Attachment 1

Part B

Management Non-Classified (Other) Automobile Allowance

Acting Director of Human Resources

Assistant County Executive Officer

Chief Information Officer

Director of Human Resources

LAFCO Executive Director