



EAST BAY DISCHARGERS AUTHORITY
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A Joint Powers Public Agency

ITEM NO. 13

PERSONNEL COMMITTEE AGENDA

**Tuesday, December 19, 2023
4:00 p.m.**

East Bay Dischargers Authority, 2651 Grant Avenue, San Lorenzo, CA

Committee Members: Azevedo (Chair), Simon

- P1. Call to Order**
- P2. Roll Call**
- P3. Public Forum**
- P4. Personnel Policy Review**
(The Committee will review the personnel policy.)
- P5. Adjournment**

Any member of the public may address the Commission at the commencement of the meeting on any matter within the jurisdiction of the Commission. This should not relate to any item on the agenda. It is the policy of the Authority that each person addressing the Commission limit their presentation to three minutes. Non-English speakers using a translator will have a time limit of six minutes. Any member of the public desiring to provide comments to the Commission on an agenda item should do so at the time the item is considered. It is the policy of the Authority that oral comments be limited to three minutes per individual or ten minutes for an organization. Speaker's cards will be available in the Boardroom and are to be completed prior to speaking.

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in an Authority meeting, or you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact Juanita Villasenor at juanita@ebda.org or (510) 278-5910. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the Authority staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

In compliance with SB 343, related writings of open session items are available for public inspection at East Bay Dischargers Authority, 2651 Grant Avenue, San Lorenzo, CA 94580. For your convenience, agenda items are posted on the East Bay Dischargers Authority website located at <http://www.ebda.org>.

**Next Scheduled Personnel Committee meeting is
February 13, 2024 at 4:00 p.m.**

ITEM NO. P4 PERSONNEL POLICY REVIEW

Recommendation

Review and provide direction to staff.

Background

The Authority's Personnel Policy was last revised in June 2023. The following changes were made at that time:

- Cost-of-living-adjustment range was updated.
- Table summarizing employment types and relevant status and benefits was updated to correct benefits currently provided to Regular Part-time staff.
- Pronouns were updated and simplified, where appropriate.
- Sick Leave and Bereavement Leave sections were updated to conform to current law.
- Revisions to the Family Leave section were made to clarify the applicability of Family Medical Leave Act (FMLA) and California Family Rights Act (CFRA) to EBDA and its employees.
- California Public Records Act was recodified effective January 1, 2023; reference to the code has been updated.

Staff periodically reviews the Personnel Policy to ensure consistency with current applicable laws and industry best practices.

Discussion

Following a performance review and negotiation process, the EBDA General Manager (GM)'s Employment Agreement was updated earlier this year. At that time, the Commission recommended that the GM consider opportunities to provide incentives to EBDA staff to ensure their continued positive performance and alignment with GM benefits and compensation. To that end, the GM recommends that the Commission consider addition of administrative leave to flexibility and benefits afforded to staff through EBDA's Personnel Policy.

The provision of administrative leave is a common practice at public agencies to acknowledge that unrepresented, exempt, and/or managerial staff often are required to work extra time beyond their scheduled work hours in service of the agency without receiving compensation for that time. The administrative leave hours do not have a direct financial cost to the agency, but provide an element of fairness and benefit to the employee.

A summary of administrative leave provided by EBDA member and contract agencies is provided in the following table:

Agenda Explanation
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	Vacation Max (days)	Administrative Leave (days)	Total Leave (days)
EBDA	20	0	20
Castro Valley Sanitary District	21.5	7.5	29
Dublin San Ramon Services District	25	10	35
City of Hayward	25	10	35
City of Livermore	24	10	34
Oro Loma Sanitary District*	25	0	25
City of San Leandro	25	10	35
Union Sanitary District	25	8	33
Mean (excluding EBDA)	24	8	32

*Oro Loma managers are eligible to receive comp time at a rate of 1/2 hour for each extra hour worked.

Based on this information, 10 days (80 hours) of paid administrative leave was added to the GM Employment Agreement. Staff recommends amending the Personnel Policy to add this same benefit for EBDA's Operations and Maintenance Manager and Administration Manager.

Governor Newsom signed Senate Bill 616 (SB616) into law in October. SB616 amends the Healthy Workplaces, Healthy Families Act of 2014 (Act) to increase the minimum number of paid sick days to which employees are entitled. The new law does not change the accrual rate set forth under the existing law. However, SB616 requires employers to provide employees a minimum of five days (40 hours) of paid sick leave by the employees' 200th day of employment. Staff has reviewed the Authority's sick leave policy and notes that it complies with the law. Staff is not recommending any additional revisions to the Personnel Policy at this time. Following Committee input, staff will bring a proposed revised Personnel Policy to the Commission for approval.