

# CITY OF MILPITAS



## UNREPRESENTED EMPLOYEE BENEFIT HANDBOOK

**This handbook is for use as a reference guide only. The contents herein are not binding and may be changed at any time without prior notice.**

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**MISCELLANEOUS UNREPRESENTED EMPLOYEES**  
**MISCELLANEOUS EXEMPT CLASSIFICATIONS**

**Executive Staff**

Assistant City Attorney  
Assistant City Manager  
City Clerk  
Director of Economic Development and Strategic Initiatives  
Finance Director  
Human Resources Director  
Information Technology Director  
Planning Director  
Public Information Officer  
Public Works Director  
Recreation and Community Services Director  
Senior City Manager Analyst

**Unrepresented Staff**

Assistant Director Recreation & Community Services \*  
Assistant Finance Director \*  
Building Official \*  
City Engineer  
Deputy Information Technology Director \*  
Deputy Public Works Director \*  
Finance Manager  
Housing Official\*  
Human Resources Manager\*  
Legal Assistant  
Planning Manager \*  
Plan Review Manager  
Police Support Services Manager  
Public Works Manager  
Public Works Division Manager – Engineering  
Public Works Division Manager – Operations  
Public Works Division Manager - Utilities

**POLICE UNREPRESENTED EMPLOYEES**  
**POLICE EXEMPT CLASSIFICATIONS**

**Executive Staff**

Police Chief

**Unrepresented Staff**

Assistant Police Chief \*  
Police Captain

**FIRE UNREPRESENTED EMPLOYEES**  
**FIRE EXEMPT CLASSIFICATIONS**

**Executive Staff**

Fire Chief

**Unrepresented Staff**

Deputy Fire Chief \*  
Assistant Fire Marshal

\* *Unrepresented Staff – 2<sup>nd</sup> in charge*

## **Vacation Leave**

## **Miscellaneous Unrepresented**

### **Accruals:**

<u>Years of Service</u>	<u>Annual Accruals</u>
0 - 4	16 Days
5 - 9	21 Days
10 - 14	26 Days
15 - 19	31 Days
20 +	36 Days

### **Eligibility:**

Unrepresented employees who have prior public (paid) service employment will be able to use that time towards their accrual rate as Years of Service for the purpose of calculating their Vacation Annual Accruals per the chart above. Unrepresented employees must submit proof of prior years of service to receive the updated accrual rate. The updated accrual rate will be applied prospectively on the pay period immediately following when documentation is received. No minimum waiting period for use of accrued vacation hours.

### **Carryover:**

Maximum number of vacation hours that can be carried over is 260. The monetary value of accruals in excess of 260 hours at the end of the pay period that includes June 1 will be deposited into the employee's 401A account (Executive Staff only). Accruals in excess of 260 hours at the end of the pay period that includes June 1 will be cashed out by Payroll.

### **Cash Out:**

**IRS Constructive Receipt:** Unrepresented Employees can choose to cash out up to 80 hours of accrued vacation time each calendar year. An employee must have used at least one day of paid vacation in the calendar year they are cashing out from. Per Constructive Receipt, a request to cash out vacation hours must be made the year prior to the cash-out date and the vacation hours to be cashed out must have already been accrued in the year that the hours are being cashed out before the hours can be cashed out. For example: In 2023 if a deduction of 24 hours is requested to be cashed out, per the IRS, the request must be made in 2022 and the 24 hours cannot be received until the employee accrues 24 hours in 2023 prior to being cashed out. This is referred to as Constructive Receipt. Please complete the Vacation Cash-Out "Election Form" and submit to HR no later than December 23<sup>rd</sup> of the year prior to cashing out. The employee is required to identify the date(s) they would like to have their vacation cashed out which shall be set forth on the Vacation Cash-Out Election Form provided by the City.

## **MANAGEMENT INCENTIVE PAY – Executive Staff and 2<sup>nd</sup> in charge only**

### **Accruals:**

Eligible employees will accrue 5 hours of Management Incentive Paid Leave for each full pay period worked.

### **Eligibility:**

Executive Staff and 2<sup>nd</sup> in charge shall be eligible for Management Incentive Paid Leave as soon as the hours have been accrued. Prior approval must be received from the City Manager in order to utilize.

### **Carryover:**

Maximum number of Management Incentive hours that can be carried over is 260. Accruals in excess of 260 hours at the end of the pay period that includes December 31 will be removed by Payroll.

### **Cash Out:**

Employees cannot cash out Management Incentive hours. The remaining balance will not be available for cashing out during termination, resignation, or retirement.

## **Miscellaneous Unrepresented**

### **MANAGEMENT LEAVE –Unrepresented Staff only (not applicable to Executive Staff and 2<sup>nd</sup> in charge)**

<b>Accruals</b>	Eligible employees will receive 40 hours of Management Leave added to their floating Holiday Bank on the pay period following December 31. Employees appointed to an eligible classification mid-year will have the hours prorated based on the date of hire or promotion. Hours can be taken in any increments, a full 8-hour day is not required.
<b>Eligibility:</b>	All employees shall be eligible for Management Leave beginning with their date of appointment. Prior approval must be received from the City Manager and/or Department Head in order to utilize.
<b>Carryover:</b>	All hours must be used by the end of the pay period that includes December 31 or they will be removed by Payroll.
<b>Cash Out:</b>	Employees cannot cash out Management Leave hours. The remaining balance will not be available for cashing out during termination, resignation, or retirement.
<b>Additional Leave:</b>	An additional 40 hours of Management Leave can be earned with Department Head recommendation and City Manager approval upon annual evaluation for past performance. Employees that receive MIP are not eligible for Management Leave.

### **SICK LEAVE:**

<b>Accruals:</b>	12 work days annually (8 hours = 1 work day)
<b>Cash Out:</b>	<b>IRS Constructive Receipt:</b> Employees <u>hired before July 17, 1999</u> , with 5 or more years of service may choose to cash out a portion of their accrued sick leave each calendar year. Payout shall be in accordance with appropriate payout formulas and per IRS Laws. Request to cash out must be made by December 23 <sup>rd</sup> of each year for the following calendar year. Hours cashed out must have been accrued in the year that the hours are being cashed out. The maximum annual amount shall not exceed 50% of the employee's sick leave balance. Employees eligible for this benefit shall at all times maintain a sick leave balance of at least 240 hours.
<b>Pay Off:</b>	Employees <u>hired before July 18, 1999</u> , with five years of service, separating in "good standing" as determined by the City Manager, may elect to cash in sick leave using this formula: 2.5% * Yrs. of Service * highest hourly rate * sick leave hours accrued.
<b>Sick Leave Credit:</b>	Upon retirement with PERS, all employees shall be eligible for the PERS Credit for Unused Sick Leave provision (20965). Employees hired prior to July 17, 1999, may choose a cash-out or Credit for Unused Sick Leave.
<b>Family Sick Leave:</b>	Each employee shall be allowed to use a maximum of eighty (80) hours of sick leave per calendar year for this purpose.

Eligible family members include: mother, father, spouse, brother, sister, son/daughter, grandparents, or domestic partner, whether the immediate family member is of the employee's or spouse's family, including step or adopted relatives. It also includes concurrent use of sick leave accruals for self or other accruals for eligible family members under the FMLA or CFRA, Refer to: "**Type of Leaves**."

**Birth/Adoption:** Refer to: "**Type of Leaves**" section.

## **HOLIDAYS:**

### **City Holidays:**

#### **THE CITY OBSERVES 12 HOLIDAYS:**

January 1 (New Year's Day)  
Third Monday in January (Observance of Martin Luther King's Birthday)  
March 31 (Cesar Chavez Day)  
Third Monday in February (Observance of President's Day)  
Last Monday in May (Observance of Memorial Day)  
July 4 (Independence Day)  
First Monday in September (Observance of Labor Day)  
November 11 (Veteran's Day)  
Thanksgiving Day  
Day after Thanksgiving  
Christmas Eve (to be observed last working day prior to Christmas)  
Christmas Day

### **Floating Holiday:**

Each calendar year 8 hours of floating holiday is to be used by December 31 of each year otherwise it will be lost.

### **Holiday Break:**

Employees may use vacation leave, MIP, management leave, or unpaid leave on dates that are not designated as City observed holidays.

## **TYPE OF LEAVES:**

All leaves must be approved.

### **Compassionate:**

City will provide up to 40 hours of paid leave in the event of the death of an eligible family member (as defined in Family Sick Leave).

### **Military:**

Paid military leave is provided for active and temporary duty in accordance with City policy and provisions of the State and Federal Laws.

### **Jury Duty:**

City provides paid time upon jury summons if called to duty.

### **Unpaid Leave:**

Unpaid personal leave is available upon approval of the City Manager.

### **Workers' Comp:**

First 80 hours of lost work time are covered at 100% pay. Next 240 hours at 80% pay.

### **Birth/Adoption:**

Each employee may use 14 days of accrued sick leave (without a medical note) for the birth or adoption of a child.

### **FMLA/CFRA**

May take up to 12 weeks of paid/unpaid family or medical leave within a 12-month period for the following: birth, adoption, or serious illness of a child; self, parent, or spouse of an employee under FMLA or CFRA.

Available leave balances must be exhausted prior to taking leave without pay.

The City will provide benefits coverage for all time paid/unpaid covered under FMLA or CFRA.

**HEALTH BENEFITS:****Miscellaneous Unrepresented**

**Health Plans:** The City provides CalPERS medical insurance. City-paid premium is capped at the Kaiser rates for each level of coverage. Only active employees who have eligible dependents enrolled in the plan are eligible for City-paid premium above the single plan rate.

**Health Plan Waiver:** Employees who are covered as an eligible dependent under another health insurance plan may waive health coverage and receive a total of \$250 per month in lieu of medical plan coverage with appropriate documentation.

**Dental Insurance:** The City provides a self-funded dental plan administered through Delta Dental with graduated benefits based on years of service, including preventative, routine, major, and orthodontia.

**Vision Insurance:** The City provides a vision plan for eye examination, lenses, and frames.

**Life Insurance:** The City provides \$50,000 for full-time employees. Supplemental employee-paid life insurance is available up to \$500,000, based on carrier acceptance.

**Short-Term Disability:** City provides a plan similar to State Disability Insurance coverage.

**Long-Term Disability:** After the first 60 days, coverage at 60% of base salary up to \$1,500/mo. Additional buy-up is available.

**Flexible Spending:** City offers employees who wish to participate in a pre-tax deduction for an IRS Section 125 plan for medical expenses, premiums that are currently not pre-taxed; child or elder care expenses; or traffic and vanpooling.

**Employee Assistance:** The City provides 3 face-to-face clinical consultations per incident per calendar year to a confidential employee assistance program.

**Medicare:** Both City and employee contribute if hired after March 31, 1986.

**MISCELLANEOUS PROGRAMS/BENEFITS:**

**Safety Equipment:** The City provides the appropriate safety equipment needed to perform the job. The employee is responsible for maintaining the equipment in good order.

**Eyeglass Reimbursement:** Reimbursement up to \$175 per fiscal year for eyeglasses and \$200 for bifocals when prescribed by a physician for use at a video display terminal, provided the glasses are not covered by a health or vision plan.

**Tuition & Training:** City provides reimbursement for educational expenses (tuition and books) up to \$3000 per fiscal year. This can also cover work-related training costs outside of the department budget.

**Car Allowance:** Executive Staff will receive \$550 per month, not eligible if assigned a City Vehicle.

**Mileage Reimbursement:** Use of personal vehicle for City business will be reimbursed at the IRS established rate. Employees receiving Car Allowance are not eligible to receive mileage reimbursement.

**Fitness Program:** Employees are offered free access to City-sponsored sports and fitness programs.

**RETIREMENT PLANS:****Miscellaneous Unrepresented****CalPERS Retirement:****1. Classic Tier 1 employees (Employees hired before October 9, 2011):**

2.7% at 55 Retirement Plan including the average 12 highest months compensation amendment. (Employee pays 8% contribution rate)

**2. Classic Tier 2 employees (Employees hired on or after October 9, 2011, and before January 1, 2013, or who qualify for CalPERS pension reciprocity):**

2% @ 60 Retirement Plan including highest average 36 months compensation period (Employee pays 7% contribution rate)

**3. Public Employee Pension Reform Act (PEPRA) employees hired on or after January 1, 2013:**

2% @ 62 Retirement Plan including highest average 36 months final average compensation period (Employee contribution rate as stated in annual CalPERS actuarial report)

**PERS Enhancements:**

Military Service Buy-back (GC 21024)

PERS Credit for Unused Sick Leave (GC 20965)

Death Benefit (GC 21620)

Prior Service Credit (GC 20055)

1959 Survivor's Benefit (GC 21573)

**Deferred Compensation:** City contributes \$900 per year to the deferred compensation account (not applicable to Executive Staff). Employees can defer additional amounts up to IRS annual maximum.

**401(a) Exec Staff only:** City contributes \$900 per year to the 401(a) Plan. Effective July 3, 2022, employees are required to contribute 1%, with increasing contributions of .25% each July thereafter up to a maximum of 5%.

**VEBA:** Discuss future options

**RETIREMENT BENEFITS:**

Eligibility for retiree benefits is based upon retirement from the PERS Retirement System.

**Sick Leave Credit:**

Upon retiring with PERS, all employees are eligible for the PERS Credit for Unused Sick Leave provision (20965). Employees hired prior to July 18, 1999, may choose a payout (below) or Credit for Unused Sick Leave.

**Sick Leave Payout:**

Employees hired before July 18, 1999, the City will pay the retiree or estate for unused accrued sick leave using this formula: 2.5% \* Yrs. Of Service \* highest hourly rate \* sick leave hours accrued.

**Health Insurance:**

Employees hired before July 1, 1995, are eligible for City-paid medical premiums up to the single premium rate (at a rate no higher than any single plan paid for by the City for active employees), as long as the retiree maintains enrollment in one of the City's eligible health plans.

Employees hired after July 1, 1995, are eligible for City-paid medical premiums up to the single premium rate (at a rate no higher than any single plan paid for by the City for active employees), as long as the retiree maintains enrollment in one of the City's eligible health plans, based on the following schedule.

<u>Years of Service</u>	<u>% of Premium</u>
Less than 5 years	PEMHCA Minimum Only
5 but less than 10	Up to 25% of the Benefit Cap
10 but less than 15	Up to 50% of the Benefit Cap
15 but less than 20	Up to 75% of the Benefit Cap
20+	Up to 100% of the Benefit Cap

**Dental Insurance:** Benefits may be continued at the retiree's expense at 50% of the premium.

**Vision Insurance:** Benefits may be continued at the retiree's expense.

**Spousal/Dependent:** Effective June 5, 2018, City contributes 1% of payroll plus benefits contributed to a specific fund to assist in paying for spousal/dependent medical premiums for the Miscellaneous Unrepresented employees. If the fund is depleted, reimbursement will end in that specific Fiscal Year and the retiree is responsible for the remaining cost. Retirees will then be eligible for Spousal/Dependent reimbursement the following fiscal year until depleted, etc...

<u>Years of Service</u>	<u>% of Premium</u>
5 but less than 9	Up to 25% of the family/dependent premium
9 but less than 14	Up to 50% of the family/dependent premium
14 but less than 19	Up to 75% of the family/dependent premium
At least 19	Up to 100% of the family/dependent premium

\*\*Fire Chief is included in the Miscellaneous Unrepresented Retirement Spousal/Dependent Benefit.

## Police Unrepresented

### VACATION LEAVE

**Accruals:**

<u>Years of Service</u>	<u>Annual Accruals</u>
0 - 4	16 Days
5 - 9	21 Days
10 - 14	26 Days
15 - 19	31 Days
20 +	36 Days

**Eligibility:**

Unrepresented police employees who have prior public (paid) service employment will be able to use that time towards their accrual rate as Years of Service for the purpose of calculating their Vacation Annual Accruals per the chart above. No minimum waiting period for use of accrued vacation hours.

**Carryover:**

Maximum number of vacation hours that can be carried over is 336 hours. Accruals in excess of 336 hours at the end of the pay period that includes June 1 will be cashed out by Payroll. The monetary value of accruals in excess of 336 hours at the end of the pay period that includes June 1 will be deposited into the employee's 401A account (Executive Staff only). Accruals in excess of 336 hours at the end of the pay period that includes June 1 will be cashed out by Payroll.

**Cash Out:**

**IRS Constructive Receipt:** Unrepresented Employees can choose to cash out up to 80 hours of accrued vacation time each calendar year. An employee must have used at least one day of paid vacation in the calendar year they are cashing out from. Per Constructive Receipt, a request to cash out vacation hours must be made the year prior to the cash-out date and the vacation hours to be cashed out must have already been accrued in the year that the hours are being cashed out before the hours can be cashed out. For example: In 2023 if a deduction of 24 hours is requested to be cashed out, per the IRS, the request must be made in 2022 and the 24 hours cannot be received until the employee accrues 24 hours in 2023 prior to being cashed out. This is referred to as Constructive Receipt. Please complete the Vacation Cash-Out "Election Form" and submit to HR no later than December 23<sup>rd</sup> of the year prior to cashing out. The employee is required to identify the date(s) they would like to have their vacation cashed out which shall be set forth on the Vacation Cash-Out Election Form provided by the City.

### MANAGEMENT INCENTIVE PAY – Executive Staff and 2<sup>nd</sup> in charge only

**Accruals:**

Eligible employees will accrue 5 hours of Management Incentive Paid Leave for each full pay period worked.

**Eligibility:**

All Executive Staff and 2<sup>nd</sup> in charge shall be eligible for Management Incentive Paid Leave as soon as the hours have been accrued. Prior approval must be received from the City Manager in order to utilize.

**Carryover:**

Maximum number of Management Leave hours that can be carried over is 260. Accruals in excess of 260 hours at the end of the pay period that includes December 31 will be removed by Payroll.

**Cash Out:**

Employees cannot cash out these hours. The remaining balance will not be available for cashing out during termination, resignation, or retirement.

## Police Unrepresented

### **MANAGEMENT LEAVE-Unrepresented Staff only (not applicable to Executive Staff and 2nd in charge)**

**Accruals:** Eligible employees will receive 40 hours of Management Leave added to their Floating Holiday Bank on the pay period following December 31.

Employees appointed to an eligible classification mid-year will have the hours prorated based on the date of hire or promotion.

Hours can be taken in any increments, a full 8-hour day is not required.

**Eligibility:** All Unrepresented employees shall be eligible for Management Leave beginning with their date of appointment. Prior approval must be received from the City Manager and/or Department Head in order to utilize.

**Carryover:** All Management Leave hours must be used by the end of the pay period that includes December 31 or they will be removed by Payroll.

**Cash Out:** Employees cannot cash out Management Leave hours. The remaining balance will not be available for cashing out during termination, resignation, or retirement.

**Additional Leave:** An additional 40 hours of Management Leave can be earned with Department Head recommendation and City Manager approval upon annual evaluation for past performance. Employees that receive MIP are not eligible for Management Leave.

**SICK LEAVE:**

**Accruals:** 12 work days annually (8 hours = 1 work day)

**Cash Out:** **IRS Constructive Receipt:** Employees hired before July 17, 1999, with 5 or more years of service may choose to cash out a portion of their accrued sick leave each calendar year. Payout shall be in accordance with appropriate payout formulas and per IRS Laws. Request to cash out must be made by December 23<sup>rd</sup> of each year for the following calendar year. Hours cashed out must have been accrued in the year that the hours are being cashed out. The maximum annual amount shall not exceed 50% of the employee's sick leave balance. Employees eligible for this benefit shall at all times maintain a sick leave balance of at least 240 hours.

**Pay Off:** Employees hired before July 18, 1999, with 5 years of service, separating in "good standing" as determined by the City Manager, may elect to cash in sick leave using this formula: 2.5% \* Yrs. of Service \* highest hourly rate \* sick leave hours accrued.

**Family Sick Leave:** Up to 80 hours of sick leave may be used to care for an eligible family member per calendar year for this purpose.

Eligible family members include: mother, father, spouse, brother, sister, son/daughter, grandparents, or domestic partner, whether the immediate family member is of the employee's or spouse's family, including step or adopted relatives. It also includes concurrent use of sick leave accruals for self or other accruals for eligible family members under FMLA or CFRA. Refer to: "Type of Leaves".

Birth/Adoption: Refer to: "Type of Leaves" section.

**HOLIDAYS:****Police Unrepresented****City Holidays:****THE CITY OBSERVES 12 HOLIDAYS:**

January 1 (New Year's Day)  
Third Monday in January (Observance of Martin Luther King's Birthday)  
March 31 (Cesar Chavez Day)  
Third Monday in February (Observance of President's Day)  
Last Monday in May (Observance of Memorial Day)  
July 4 (Independence Day)  
First Monday in September (Observance of Labor Day)  
November 11 (Veteran's Day)  
Thanksgiving Day  
Day after Thanksgiving  
Christmas Eve (to be observed last working day prior to Christmas)  
Christmas Day

**Floating Holiday:**

Each calendar year 8 hours of floating holiday is to be used by December 31 of each year otherwise it will be lost.

**Holiday Break:**

Employees may use vacation leave, compensatory time off or unpaid leave on dates that are not designated as City observed holidays.

**TYPE OF LEAVES:**

All leaves must be approved.

**Compassionate:**

City will provide up to 40 hours of paid leave in the event of the death of an eligible family member (as defined in Family Sick Leave).

**Military:**

Paid military leave is provided for active and temporary duty in accordance with City policy and provisions of the State and Federal Laws.

**Jury Duty:**

City provides paid time upon jury summons if called to duty.

**Unpaid Leave:**

Unpaid personal leave is available upon approval of the City Manager.

**Workers' Comp:**

Sworn Police and Fire employees are eligible for up to one year of paid workers' compensation leave per labor code 4850.

**Birth/Adoption:**

Each employee may use 15 days of accrued sick leave (without a medical note) for the birth or adoption of a child.

**FMLA/CFRA:**

May take up to 12 weeks of paid/unpaid family or medical leave within a 12-month period for the following: birth, adoption, or serious illness of a child; self, parent, or spouse of an employee under FMLA or CFRA.

Available leave balances must be exhausted prior to taking leave without pay.

The City will provide benefits coverage for all time paid/unpaid covered under FMLA or CFRA.

**HEALTH BENEFITS:****Police Unrepresented**

<b>Health Plans:</b>	The City provides CalPERS medical insurance. City-paid premium is capped at the Kaiser rates for each level of coverage. Only active employees who have eligible dependents enrolled in the plan are eligible for City-paid premiums above the single plan rate.
<b>Health Plan Waiver:</b>	Employees who are covered as an eligible dependent under another health insurance plan may waive health coverage and receive a total of \$250 per month in lieu of medical plan coverage with appropriate documentation.
<b>Dental Insurance:</b>	City provides Delta Dental coverage.
<b>Vision Insurance:</b>	The City provides a vision plan for eye examination, lenses, and frames.
<b>Life Insurance:</b>	\$50,000 for full-time employees. Supplemental employee-paid life insurance is available up to \$500,000, based on carrier acceptance.
<b>Short-Term Disability:</b>	Coverage is provided through MPOA Trust Fund, Police Captains only.
<b>Long-Term Disability:</b>	Coverage is provided through California Law Enforcement Association (CLEA).
<b>Flexible Spending:</b>	City offers employees who wish to participate a pre-tax deduction for an IRS Section 125 plan for medical expenses, premiums; child or elder care expenses; or traffic and vanpooling.
<b>Employee Assistance:</b>	The City provides 15 face-to-face clinical consultations per family unit per calendar year to a confidential employee assistance program.
<b>Medicare:</b>	Both the City and the employee contribute if hired after March 31, 1986.

**MISCELLANEOUS PROGRAMS/BENEFITS:**

<b>Safety Equipment:</b>	The City provides the appropriate safety equipment needed to perform the job. The employee is responsible for maintaining the equipment in good order.
<b>Eyeglass Reimbursement:</b>	Reimbursement up to \$175 per fiscal year for eyeglasses and \$200 for bifocals when prescribed by a physician for use at a video display terminal, provided the glasses are not covered by a health or vision plan first.
<b>Tuition &amp; Training:</b>	City provides reimbursement for educational expenses (tuition and books) up to \$3000 per fiscal year. This can also cover work-related training costs outside of the department budget.
<b>Car Allowance:</b>	Executive Staff will receive \$550 per month, not eligible if assigned a City Vehicle.
<b>Mileage Reimbursement:</b>	Use of personal vehicle for City business will be reimbursed at the IRS established rate. Employees receiving Car Allowance are not eligible to receive mileage reimbursement.
<b>Fitness Program:</b>	Employees are offered free access to City-sponsored sports and fitness programs.
<b>Uniform Allowance:</b>	\$1350 per year for 40-hour employees

**Trust Fund:** City contributes \$50 per month to the MPOA Trust Fund for spousal/dependent coverage and Short-Term Disability coverage.

## **RETIREMENT PLANS:**

**Police PERS Retirement:** **1. Classic Tier 1 employees (Employees hired before April 8, 2012):** 3% @ 50 Retirement Plan including the highest average 12 months compensation amendment. (Employee pays 9% contribution rate)

**2. Classic Tier 2 employees (Employees hired on or after April 8, 2012, and before January 1, 2013, or who qualify for CalPERS pension reciprocity):**

3% @ 55 Retirement Plan including highest average 36-month compensation (Employee pays 9% contribution rate)

**3. Public Employee Pension Reform Act (PEPRA) employees hired on or after January 1, 2013:**

2.7 % @ 57 Retirement Plan including highest average 36 months compensation period (Employee pays half of the normal cost, July 2018 at 10% contribution rate)

**PERS Enhancements:**  
Military Service Buy-back (GC 21024)  
PERS Credit for Unused Sick Leave (GC 20965)  
Death Benefit (GC 21620)  
Prior Service Credit (GC 20055)  
1959 Survivor's Benefit (GC 21573)  
Non-Industrial Disability Plan (GC 21427)

**Deferred Compensation:** City contributes \$900 per year to a deferred compensation account (not applicable to Executive Staff). Employees can defer additional amounts up to IRS annual maximum.

**401(a) Exec Staff only:** City contributes \$900 per year to the 401(a) Plan. Effective July 3, 2022, employees are required to contribute 1%, with increasing contributions of .25% each July thereafter up to a maximum of 5%.

**VEBA:** Discuss future options

## **RETIREMENT BENEFITS:**

Eligibility for retiree benefits is based upon retirement from the PERS Retirement System.

**Sick Leave Credit:** Upon retiring with PERS, all employees are eligible for the PERS Credit for Unused Sick Leave provision (20965). Employees hired prior to July 18, 1999, may choose a payout (below) or Credit for Unused Sick Leave.

**Sick Leave Payout:** Employees hired before July 18, 1999, the City will pay the retiree or estate for unused accrued sick leave using this formula: 2.5% \* Yrs. of Service \* highest hourly rate \* sick leave hours accrued.

**Health Insurance:**

Employees hired before July 1, 1995, with a minimum of 5 years of service credit is eligible for City-paid medical premiums up to the single premium rate (at a rate no higher than any single plan paid for by the City for active employees), as long as the retiree maintains enrollment in one of the City's eligible health plans.

Employees hired after July 1, 1995, are eligible for City-paid medical premiums up to the single premium rate (at a rate no higher than any single plan paid for by the City for active employees), as long as the retiree maintains enrollment in one of the City's eligible health plans, subject to the following provisions:

<b><u>Years of Service</u></b>	<b><u>% of Premium</u></b>
Less than 5 years	PEMHCA Minimum Only
5 but less than 10	Up to 25% of the Retiree Cap
10 but less than 15	Up to 50% of the Retiree Cap
15 but less than 20	Up to 75% of the Retiree Cap
20+	Up to 100% of the Retiree Cap

Employees hired before January 1, 1996, and retired after July 1, 2003, the City agrees to contribute up to 15% more than the cap on the City's single, medical premium contribution for active employees (hereafter, "retiree cap amount"), so long as the retiree is enrolled in an eligible health plan.

For permanent employees hired on or after January 1, 1996, the City agrees to contribute up to the following percentages of the "retiree cap amount" so long as the retiree is enrolled in an eligible health plan:

- a) Upon PERS retirement, the City shall pay up to a maximum of 25% of the "retiree cap amount" on behalf of employees who completed less than nine full years of service, so long as the retiree remains in one of the eligible health care plans. [Example: If the current employee cap is \$210, the cap for a retiree with less than nine full years of service is \$60.38  $[(\$210 + 15\%) \times 25\% = \$60.38]$ .]
- b) Upon PERS retirement, the City shall pay up to a maximum of 50% of the "retiree cap amount" on behalf of employees who completed nine full years of service but less than fourteen full years of service, so long as the retiree remains in one of the eligible health care plans. [Example: Use the formula in "a" above using 50%.]
- c) Upon PERS retirement, the City shall pay up to a maximum of 75% of the "retiree cap amount" on behalf of employees who completed fourteen full years of service but less than nineteen full years of service, so long as the retiree remains in one of the eligible health care plans. [Example: Use the formula in "a" above using 75%.]
- d) Upon PERS retirement, the City shall pay up to a maximum of 100% of the "retiree cap amount" on behalf of employees who completed nineteen full years of service, so long as the retiree remains in one of the eligible health care plans.

**Disability Retirement:** For Medical Coverage: employees on disability retirement who had at least 5 years of full-time or equivalent service with the City and retired after June 30, 2003, the City agrees to contribute up to “the retiree cap amount” or until the retiree is re-employed.

**Dental Insurance:** Benefits may be continued at the retiree’s expense. (Contact MPOA for details)

**Vision Insurance:** Benefits may be continued at the retiree’s expense. (Contact MPOA for details)

**Spousal/Dependent:** City contributes 1% of payroll plus benefits to a Police Command Fund to assist in paying for spousal/dependent medical premiums. If the fund is depleted, then the retiree is responsible for the remaining cost.

Employees hired before January 1, 1996, and retired after June 30, 2003, 100% of funds available for family/dependent premiums.

Employees hired after December 31, 1995, and retired after June 30, 2003, who have at least 5 years of full-time or equivalent service with the City:

<b>Years of Service</b>	<b>% of Premium</b>
5 but less than 9	Up to 25% of the family/dependent premium
9 but less than 14	Up to 50% of the family/dependent premium
14 but less than 19	Up to 75% of the family/dependent premium
At least 19	Up to 100% of the family/dependent premium

**Safety Equipment:** Upon retirement, the city shall give a command officer his/her service weapon and holsters without charge if either (1) the Milpitas Police Chief endorses an identification certificate approving the officer carrying a concealed and loaded firearm or (2) a hearing board determines that, under Penal Code section 12027.1, at the time the officer retired from the Milpitas Police Department, the employee had a right to a certificate permitting the carrying of a concealed and loaded firearm.

## VACATION LEAVE

### Fire Unrepresented

#### Accruals:

<u>Years of Service</u>	<u>Annual Accruals</u>
1-4	16 Days
5-9	21 Days
10-14	26 Days
15-19	31 Days
20+	36 Days

#### Eligibility:

Unrepresented fire employees who have prior public (paid) service employment will be able to use that time towards their accrual rate as Years of Service for the purpose of calculating their Vacation Annual Accruals per the chart above. No minimum waiting period for use of accrued vacation hours.

#### Carryover:

Maximum number of hours that can be carried over is 260 hours. The monetary value of accruals in excess of 260 hours at the end of the pay period that includes June 1 will be deposited into the employee's 401A account (Executive Staff only). Accruals in excess of 260 hours at the end of the pay period that includes June 1 will be cashed out by Payroll.

#### Cash Out:

#### IRS Constructive Receipt:

Unrepresented fire employees can elect to cash out up to 80 hours of accrued vacation time each calendar year. An employee must have used at least one day of paid vacation in the calendar year they are cashing out from. Request to cash out vacation hours must be requested the year prior to the cash-out date and the vacation hours must have been accrued in the year that the hours are being cashed out. For example: In 2023 if a deduction of 24 hours is requested to be cashed out, per the IRS, the request must be made in 2022 and the 24 hours cannot be received until the employee accrues 24 hours in 2023 prior to being cashed out. This is referred to as Constructive Receipt. Please the Vacation Cash-Out "Election Form" and submit it to HR no later than December 23<sup>rd</sup> of the year prior to cashing out. The employee is required to identify the date(s) they would like to have their vacation cash-out which shall be set forth on the Vacation Cash-Out Election Form provided by the City.

## Management Incentive Pay – Executive Staff AND 2<sup>ND</sup> IN CHARGE ONLY

#### Accruals:

Eligible employees will accrue 5 hours of Management Incentive Paid Leave for each full pay period worked.

#### Eligibility:

All Executive Staff and 2<sup>nd</sup> in charge shall be eligible for Management Incentive Paid Leave as soon as the hours have been accrued. Prior approval must be received from the City Manager in order to utilize.

#### Carryover:

Maximum number of hours that can be carried over is 260. Accruals in excess of 260 hours at the end of the pay period that includes December 31 will be removed by Payroll.

#### Cash Out:

Employees cannot cash out these hours. The remaining balance will not be available for cashing out during termination, resignation, or retirement.

## Fire Unrepresented

### MANAGEMENT LEAVE - Unrepresented Staff only (not applicable to Executive Staff and 2<sup>nd</sup> in charge)

**Accruals:** Eligible employees will receive 40 hours of Management Leave added to their Floating Holiday Bank on the pay period following December 31.

Employees appointed to an eligible classification mid-year will have the hours pro-rated based on date of hire or promotion.

Hours can be taken in any increments; a full 8-hour day is not required.

**Eligibility:** All employees in the classifications listed above shall be eligible for Management Leave beginning with their date of appointment. Prior approval must be received from the City Manager and/or Department Head in order to utilize.

**Carryover:** All hours must be used by the end of the pay period that includes December 31 or they will be removed by Payroll.

**Cash Out:** Employees cannot cash out these hours. The remaining balance will not be available cashing cash out during termination, resignation, or retirement.

**Additional Leave:** An additional 40 hours of Management Leave can be earned with Department Head recommendation and City Manager approval upon annual evaluation for past performance. Employees that receive MIP are not eligible for Management Leave.

### SICK LEAVE:

**Accruals:** 12 work days annually (8 hours = 1 workday)

**Cash Out:** Each January, an employee with 5 years of service may elect to cash out a portion of their sick leave based on the appropriate Sick Leave Pay-Off formula, with a maximum of 50% of accruals leave a minimum balance of 240 hours.

**Pay Off:** Upon retirement, disability retirement, or death, for those employees who were hired on or before 01/1/1995, and who had at least 5 years of service, the City shall pay retiree or estate for unused accrued sick leave using this formula: 2.5% x years of service x highest hourly rate x sick leave hours.

Employees hired after January 1, 1995 with 5 years of service, separating in "good standing" as determined by the City Manager, may elect to cash in sick leave using this formula:

<b>Years of Service</b>	<b>Pay Off Formula</b>
5 - 9	0.25%/year * hourly rate * accrued sick leave
10 - 14	0.50%/year * hourly rate * accrued sick leave
15 - 19	0.75%/year * hourly rate * accrued sick leave
20 +	1.00%/year * hourly rate * accrued sick leave

**Family Sick Leave:** Up to 80 hours of sick leave may be used to care for an eligible family member per calendar year for this purpose.

Eligible family members include: mother, father, spouse, brother, sister, son/daughter, grandparents, or domestic partner, whether the immediate family member is of the employee's or spouse's family, including step or adopted relatives. It also includes concurrent use of sick leave accruals for self or other accruals for eligible family members under FMLA or CFRA. See "Types of Leaves".

**Birth/Adoption:** Refer to the Types of Leave section.

**HOLIDAYS:****Fire Unrepresented****City Holidays:****THE CITY OBSERVES 12 HOLIDAYS:**

January 1 (New Year's Day)  
Third Monday in January (Observance of Martin Luther King's Birthday)  
March 31 (Cesar Chavez Day)  
Third Monday in February (Observance of President's Day)  
Last Monday in May (Observance of Memorial Day)  
July 4 (Independence Day)  
First Monday in September (Observance of Labor Day)  
November 11 (Veteran's Day)  
Thanksgiving Day  
Day after Thanksgiving  
Christmas Eve (to be observed last working day prior to Christmas)  
Christmas Day

**Floating Holiday:**

Each calendar year 8 hours of floating holiday is to be used by December 31 of each year otherwise it will be lost.

**Holiday Break:**

Employees may use vacation leave, MIP, management leave, or unpaid leave on dates that are not designated as City observed holidays.

**TYPE OF LEAVES:**

All leaves must be approved.

**Compassionate:**

City will provide up to 40 hours of paid leave, for employees working a 40-hour schedule, in the event of the death of a family member (as defined in Family Sick Leave).

**Military:**

Paid military leave is provided for active and temporary duty in accordance with City policy and provisions of the State and Federal Laws.

**Jury Duty:**

City provides paid time upon jury summons if called to duty.

**Unpaid Leave:**

Unpaid personal leave is available upon approval of the City Manager.

**Workers' Comp:**

Sworn Police and Fire employees are eligible for up to one year of paid workers' compensation leave per labor code 4850.

**Birth/Adoption:**

Each employee may use 14 days of accrued sick leave (without a medical note) for the birth or adoption of a child.

**Family Medical:**

May take up to 12 weeks of paid/unpaid family or medical leave within a 12-month period for the following: birth, adoption, or serious illness of a child; self, parent, or spouse of an employee under FMLA or CFRA.

Available leave balances must be exhausted prior to taking leave without pay.

The City will provide benefits coverage for all time paid/unpaid covered under FMLA or CFRA.

**HEALTH BENEFITS:****Fire Unrepresented**

**Health Plans:** The City provides CalPERS medical insurance. City-paid premium is capped at the Kaiser rates for each level of coverage. Only active employees who have eligible dependents enrolled in the plan are eligible for City-paid premiums above the single plan rate.

**Health Plan Waiver:** Employees who are covered as an eligible dependent under another health insurance plan may waive health coverage and receive a total of \$250 per month in lieu of medical plan coverage with appropriate documentation.

**Dental Insurance:** The City provides a self-funded dental plan administered through Delta Dental with graduated benefits based on years of service, including preventative, routine, major, and orthodontia.

**Vision Insurance:** The City provides a vision plan for eye examination, lenses, and frames.

**Life Insurance:** \$50,000 for full-time employees. Supplemental employee-paid life insurance is available up to \$500,000, based on carrier acceptance.

**Long-Term Disability:** Coverage is provided through the California Association of Professional Firefighters (CAPFF).

**Flexible Spending:** City offers employees who wish to participate a pre-tax deduction for an IRS Section 125 plan for medical expenses, premiums; child or elder care expenses; or traffic and vanpooling.

**Employee Assistance:** The City provides 3 face-to-face consultations per incident per calendar year to a confidential employee assistance program.

**Medicare:** Both City and employee contribute if hired after March 31, 1986.

**MISCELLANEOUS PROGRAMS/BENEFITS:**

**Safety Equipment:** The City shall furnish appropriate safety equipment, the employee shall maintain in good order, and is the City property.

**Eyeglass Reimbursement:** Reimbursement up to \$175 per fiscal year for eyeglasses and \$200 for bifocals when prescribed by a physician for use at a video display terminal, provided the glasses are not covered by a health or vision plan first.

**Tuition & Training:** City provides reimbursement for educational expenses (tuition and books) up to \$3000 per fiscal year. This can also cover work-related training costs outside of the department budget.

**Car Allowance** Executive Staff will receive \$550 per month, not eligible if assigned a City Vehicle.

**Mileage Reimbursement:** Use of personal vehicle for City business will be reimbursed at the IRS established rate. Employees receiving Car Allowance are not eligible to receive mileage reimbursement.

**Fitness Program:** Employees are offered free access to City-sponsored sports and fitness programs.

**Uniform Allowance:** \$1000 annually to be paid on a bi-weekly basis and one pair of safety shoes every two years.

**RETIREMENT PLANS:****Fire Unrepresented****PERS Retirement:****1959. Classic Tier 1 employees (Employees hired before April 8, 2012):**

3% @ 50 Retirement Plan including the average highest 12 months compensation amendment. (Employee pays 9% contribution rate)

**2. Classic Tier 2 employees (Employees hired on or after April 8, 2012, and before January 1, 2013, or who qualify for CalPERS pension reciprocity):**

3% @ 55 Retirement Plan including average highest 36 months compensation (Employee pays 9% contribution rate)

**3. Public Employee Pension Reform Act (PEPRA) employees hired on or after January 1, 2013:**

2.7 % @ 57 Retirement Plan including average highest 36 months compensation period (Employee contribution rate as stated in CalPERS actuarial report.)

**PERS Enhancements:**

Military Service Buy-back (GC 21024)

PERS Credit for Unused Sick Leave (GC 20965)

Death Benefit (GC 21620)

Prior Service Credit (GC 20055)

1959 Survivor's Benefit (GC 21573)

**Deferred Compensation:** City contributes \$900 per year to a deferred compensation account (not applicable to Executive Staff). Employees can defer additional amounts up to IRS annual maximum.**401(a) Exec Staff only:** City contributes \$900 per year to the 401(a) Plan. Effective July 3, 2022, employees are required to contribute 1%, with increasing contributions of .25% each July thereafter up to a maximum of 5%.**VEBA:** Discuss future options**RETIREMENT BENEFITS:**

Eligibility for retiree benefits is based upon retirement from the PERS Retirement System.

**Sick Leave Credit:** Upon retiring with PERS, all employees are eligible for the PERS Credit for Unused Sick Leave provision (20965). Employees hired prior to July 18, 1999, may choose a payout (below) or Credit for Unused Sick Leave.**Sick Leave Cash Out:** See "Sick Leave"**Health Insurance:** Employees hired before July 1, 1995, are eligible for City-paid medical premiums up to the single premium rate (at a rate no higher than any single plan paid for by the City for active employees), as long as the retiree maintains enrollment in one of the City's eligible health plans.

Employees hired after July 1, 1995, are eligible for City-paid medical premiums up to the single premium rate (at a rate no higher than any single plan paid for by the City for active employees), as long as the retiree maintains enrollment in one of the City's eligible health plans, subject to the following provisions:

<b><u>Years of Service</u></b>	<b><u>% of Premium</u></b>
Less than 5 years	PEMHCA Minimum Only
5 but less than 10	Up to 25% of the Benefit Cap
10 but less than 15	Up to 50% of the Benefit Cap
15 but less than 20	Up to 75% of the Benefit Cap
20 +	Up to 100% of the Benefit Cap

**Dental Insurance:** Benefits may be continued at 50% of the City's Premium.

**Vision Insurance:** Benefits may be continued at the retiree's expense.

**Spousal/Dependent:** City contributes 1% of payroll plus benefits to a specific fund to assist in paying for spousal/dependent medical premiums for the Fire Unrepresented group. If the fund is depleted, reimbursement will end for that specific Fiscal Year and the retiree is responsible for the remaining cost.

. Employees hired before January 1, 1996, and retired after September 4, 2007, 100% of funds available of family/dependent premiums.

Employees hired on or after January 1, 1996, and retired after September 4, 2007, who have at least 5 years of full-time or equivalent service with the City:

<b><u>Years of Service</u></b>	<b><u>% of Premium</u></b>
5 but less than 9	Up to 25% of the family/dependent premium
9 but less than 14	Up to 50% of the family/dependent premium
14 but less than 19	Up to 75% of the family/dependent premium
At least 19	Up to 100% of the family/dependent premium

\*\*Fire Chief is not included in the Fire Unrepresented Spousal/Dependent Benefit

**UNREPRESENTED MANAGEMENT  
BENEFITS PACKAGE  
Effective July 1, 2025**

**MISCELLANEOUS EXEMPT CLASSIFICATIONS:**

**UNREPRESENTED EXECUTIVE STAFF** - Assistant City Attorney, Assistant City Manager, City Clerk, Director of Economic Development and Strategic Initiatives, Finance Director, Human Resources Director, Information Technology Director, Planning Director, Public Works Director, Public Information Officer, Recreation and Community Services Director, and Senior City Manager Analyst

**UNREPRESENTED MANAGEMENT STAFF** - Assistant Director Recreation and Community Services\*, Assistant Finance Director\*, Building Official\*, City Engineer\*, Deputy Information Technology Director\*, Deputy Public Works Director\*, Finance Manager, Housing Official\*, Human Resources Manager\*, Legal Assistant, Planning Manager\*, Plan Review Manager, Police Support Services Manager, Public Works Manager, Public Works Division Manager - Engineering, Public Works Division Manager - Operations, Public Works Division Manager - Utilities

**POLICE EXEMPT CLASSIFICATIONS:**

**UNREPRESENTED EXECUTIVE STAFF** - Police Chief **UNREPRESENTED MANAGEMENT STAFF** - Assistant Police Chief\* and Police Captain

**FIRE EXEMPT CLASSIFICATIONS:**

**UNREPRESENTED EXECUTIVE STAFF** - Fire Chief **UNREPRESENTED MANAGEMENT STAFF** - Deputy Fire Chief\*, Chief Fire Enforcement Officer, and Assistant Fire Marshal

**\*2nd in charge**

BENEFITS	DESCRIPTION	ELIGIBLE
MERIT INCREASES	Employees are eligible for merit-based salary increases annually, provided they are not at the maximum of their compensation range. The City manager will have the authority to recommend the amount of the merit increase.	All
HEALTH PLANS	The City provides CalPERS medical coverage. City paid premium is capped at the Kaiser rates for each level of coverage. Only active employees who have eligible dependents enrolled in the plan are eligible for City-paid premium above the single plan rate.	All
HEALTH PLAN WAIVER	Employees who are covered as an eligible dependent under another health insurance plan may waive health coverage and receive a total of \$250 per month in lieu of medical plan coverage with appropriate documentation. (no change since 1999)	All
LIFE INSURANCE	\$50,000 for full-time employees	All
SHORT TERM DISABILITY	City provides a plan similar to State Disability Insurance	Miscellaneous
	Police: Covered under the MPOA Trust Fund	Police Captains Only
	Fire: None (See Family Leave provision)	Fire
LONG TERM DISABILITY	After the first 60 days, coverage at 60% of base salary up to \$1,500 per month. Additional buy-up options are available.	Miscellaneous
	Coverage for Police is provided through California Law Enforcement Association (CLEA).	Police
	Coverage for Fire is provided through California Association of Professional Firefighters (CAPFF).	Fire
DENTAL--Misc and Fire	City provides a self-funded Delta Dental plan with graduated benefits based on years of service, including preventative, routine, major, and orthodontia.	Miscellaneous and Fire
DENTAL--Police	City provides Delta Dental coverage.	Police
VISION	City provides a vision plan for eye examination, lenses and frames.	All
TRUST FUND	\$50 per month contribution into the MPOA Trust Fund for spousal/dependent coverage and Short Term Disability coverage	Police Captains Only
DEFERRED COMPENSATION--SECTION 457 PLAN	City provides \$900 per year toward deferred compensation (no change since 1999), with contributions being pro-rated per pay period (approximately \$34.62 per pay period). Employees are eligible to voluntarily participate in the plan.	Unrepresented Management Staff

BENEFITS	DESCRIPTION	ELIGIBLE												
<b>DEFERRED COMPENSATION--SECTION 457 PLAN</b>	Employees are eligible to voluntarily participate in the plan.	Unrepresented Executive Staff												
<b>401a</b>	The City provides a 401a plan with a 1% employee contribution upon initial enrollment, increasing by 0.25% each subsequent July 1, up to a maximum of 5% employee contribution. Enrolled participants shall have the value of vacation accruals over 260 hours put into their 401a effective the pay period including June 1 of each year. Upon separation enrolled participants shall have one-half of vacation pay put into the plan. City contributes \$900 per year into the 401a plan, with contributions being pro-rated per pay period (approximately \$34.62 per pay period).	Unrepresented Executive Staff												
<b>FLEXIBLE SPENDING PLAN</b>	City offers employees who wish to participate a pre-tax deduction for an IRS Section 125 plan for medical expenses, premiums; child or elder care expenses; or traffic and vanpooling.	All												
<b>EMPLOYEE ASSISTANCE PROGRAM (EAP)</b>	City offered plan: 5 visits per incident per calendar year for Unrepresented Miscellaneous & Fire employees.  City offered plan: 15 visits per calendar year for Unrepresented Police employees.	Miscellaneous & Fire  Police												
<b>VACATION LEAVE ACCRUALS</b>	40 hour employees: <table><thead><tr><th>Years of Service</th><th>Yearly Accruals</th></tr></thead><tbody><tr><td>0-4</td><td>16 Days</td></tr><tr><td>5-9</td><td>21 Days</td></tr><tr><td>10-14</td><td>26 Days</td></tr><tr><td>15-19</td><td>31 Days</td></tr><tr><td>20 +</td><td>36 Days</td></tr></tbody></table>	Years of Service	Yearly Accruals	0-4	16 Days	5-9	21 Days	10-14	26 Days	15-19	31 Days	20 +	36 Days	All
Years of Service	Yearly Accruals													
0-4	16 Days													
5-9	21 Days													
10-14	26 Days													
15-19	31 Days													
20 +	36 Days													
<b>VACATION CARRYOVER RATE</b>	Maximum number of hours that can be carried over is 260 hours for 40 -hour employees. Accruals in excess of maximum will be cashed out at the end of the pay period including June 1.  Maximum number of hours that can be carried over is 260 hours. Accruals in excess of the maximum will be cashed out effective the end of the pay period including June 1. The value of accruals in excess of the maximum will be deposited into the 401a plan effective the end of the pay period including June 1.  336 hours for Police Management employees. Hours over maximum will be cashed out at the end of the pay period including June 1.  City Manager may authorize approval to carry over vacation hours in excess of the maximum.	Unrepresented Management & Fire  Unrepresented Executive Staff  Police  Unrepresented Management												
<b>VACATION CASH-OUT PER IRS CONSTRUCTIVE RECEIPT</b>	Unrepresented Employees may elect to cash out up to 80 hours of accrued vacation hours each calendar year.	Unrepresented Management & Fire												
<b>VACATION CASH-OUT PER IRS CONSTRUCTIVE RECEIPT</b>	Unrepresented Executive Employees may elect to cash out any hours above 260 or up to 80 hours of accrued vacation hours each calendar year, whichever is greater.	Unrepresented Executive Staff												
<b>VACATION ACCRUAL</b>	Accrual tier will be based on total years of public service.	All												
<b>VACATION USE</b>	No minimum waiting period for use of accrued vacation.	All												
<b>MANAGEMENT INCENTIVE PAID (MIP) LEAVE</b>	Eligible employees will accrue 5 hours of Management Incentive Paid Leave (MIP) for each full pay period worked. Maximum carryover is 260 hours. Hours cannot be cashed out during employment, or at separation.	Executive Staff & 2nd in charge												
<b>MANAGEMENT LEAVE</b>	Eligible employees will receive 40 hours of Management Leave added to their Floating Holiday Bank on the pay period following December 31. Employees appointed mid-year will receive pro-rated amount based on date of hire/promotion. Hours can be taken in any increment. There is no annual carryover and hours cannot be cashed out during employment, or at separation. An additional 40 hours of Management Leave can be earned with Department Head recommendation and City Manager approval upon annual evaluation for past performance.	Unrepresented Staff Only (Staff that receive MIP are not eligible for Management Leave)												
<b>SICK LEAVE ACCRUALS</b>	12 work days per year. 8 hours = 1 work day	All												

BENEFITS	DESCRIPTION	ELIGIBLE
<b>SICK LEAVE PAY-OFF--Separating Employees (Not Retiring)</b>	<p>Employees hired prior to July 18, 1999, with 5 years of service, separating in "good standing" as determined by the City Manager may elect to cash in sick leave using this formula: <math>2.5\% \times \text{Yrs. of Service} \times \text{highest hourly rate} \times \text{ Sick leave hours accrued}</math>.</p> <p>Employees hired after January 1, 1995, with 5 years of service, separating in "good standing" as determined by the City Manager may use this formula:</p> <p>After 4th year: <math>.25\% \times \text{hourly rate} \times \text{accrued sick leave}</math>  After 9th year: <math>.50\% \times \text{hourly rate} \times \text{accrued sick leave}</math>  After 14th year: <math>.75\% \times \text{hourly rate} \times \text{accrued sick leave}</math>  After 19th year: <math>1.0\% \times \text{hourly rate} \times \text{accrued sick leave}</math></p> <p>Employees hired after July 18, 1999, with 5 years of service, separating in "good standing" as determined by the City Manager may use this formula:</p> <p>After 4th year: <math>.25\% \times \text{hourly rate} \times \text{accrued sick leave}</math>  After 9th year: <math>.50\% \times \text{hourly rate} \times \text{accrued sick leave}</math>  After 14th year: <math>.75\% \times \text{hourly rate} \times \text{accrued sick leave}</math>  After 19th year: <math>1.0\% \times \text{hourly rate} \times \text{accrued sick leave}</math></p>	Miscellaneous
		Fire
		Police
<b>SICK LEAVE CASH OUT PER IRS CONSTRUCTIVE RECEIPT</b>	<p>In January, an employee with 5 years of service may elect sick leave cash-out in accordance with the terms in Sick Leave Pay-Off above.</p> <p>For employees hired on or before 7/17/99, each November, an employee with 5 or more years of service may elect to cash out accrued sick leave. Payout shall be in accordance with appropriate pay out formulas. The maximum annual amount shall not exceed 50% of employees sick leave balance. Employees eligible for this benefit shall at all times maintain a sick leave balance of at least 240 hours .</p>	Fire  Miscellaneous & Police
<b>HOLIDAYS</b>	The City observes 12 holidays: January 1 (New Years), Third Monday in January (Dr. Martin Luther King's Birthday), Third Monday in February (Washington's Birthday), March 31, Cesar Chavez Day, Last Monday in May (Memorial Day), July 4, First Monday in September (Labor Day), November 11 (Veterans Day), Thanksgiving Day, Day After Thanksgiving, Christmas Eve, Christmas Day.	All
<b>FLOATING HOLIDAY</b>	Each calendar year 8 hours of floating holiday to be used by December 31 of each year otherwise it will be lost.	All
<b>FITNESS PROGRAM</b>	Offers employees free access to City-sponsored sports and fitness programs.	All
<b>TUITION &amp; TRAINING</b>	City provides reimbursement for education up to \$3,000 per year. Work related training costs including transportation and lodging expenses.	All
<b>MILEAGE REIMBURSEMENT</b>	Use of personal vehicle for City business will be reimbursed at the IRS established rate. Not eligible for Mileage Reimbursement if receiving a car allowance.	All
<b>CAR ALLOWANCE</b>	\$550 per month	Unrepresented Executive Staff
<b>CALPERS RETIREMENT</b>	<p>2.7% at 55 Retirement Plan including the final year compensation amendment for those employed before 10/9/2011. (Employee pays 8% contribution rate).</p> <p>Tier 2 (Classic): 2% at 60 Retirement Plan including the final three-year compensation average for those Classic employees hired on or after 10/9/2011. (Employee pays 7% contribution rate).</p> <p>Tier 3 (PEPRA): 2% at 62 Retirement Plan including the final three-year average compensation for employees hired on or after 01/01/2013. (Employee contribution rate as stated in CalPERS actuarial report).</p> <p>3.0% at 50 Plan, The 1959 Survivors Benefit in full force and effect. (Fire pays 12%; Police pays 9%).</p> <p>Tier 2 (Classic): 3.0% at 55 Plan, Effective 4/8/2012. Including three-year compensation average; The 1959 Survivors Benefit in full force and effect. (Police pays 9%; Fire pays 12%).</p> <p>Tier 3 (PEPRA): 2.7% at 57 Plan, Effective 1/1/2013. Including three-year compensation average; The 1959 Survivors Benefit in full force and effect. (Employee contribution rate as stated in CalPERS actuarial report).</p>	Miscellaneous  Miscellaneous  Miscellaneous  Police & Fire  Police & Fire  Police & Fire
<b>PERS ENHANCEMENTS</b>	<p>Military Service Buy-back (GC 21024)</p> <p>PERS Credit for Unused Sick Leave (GC 20965)</p>	All

BENEFITS	DESCRIPTION	ELIGIBLE
	Death Benefit (GC 21620) Prior Service Credit (GC20055) 1959 Survivor's Benefit (GC21573)	All
EYEGLASS REIMBURSEMENT	Reimbursement up to \$175 per fiscal year for eyeglasses and \$200 for bifocals when prescribed by a physician for use at a video display terminal provided the glasses are not covered by health or vision plan first.	All
SAFETY EQUIPMENT	The City shall furnish appropriate safety equipment, the employee shall maintain in good order, and is the City's property.	Fire
UNIFORM ALLOWANCE	\$1,000 per year for 40 hour employees plus one pair of safety shoes every 2 years.  \$1,350 per year for 40 hour employees.	Fire  Police
FAMILY LEAVE	Up to 80 hours of sick leave to care for a family member including: mother, father, spouse, registered domestic partner, brother, sister, son/daughter, grandparents, or domestic partner, whether the immediate family member is of the employee's or spouse's family, including step or adopted relatives. It also includes concurrent use of sick leave accruals for self or other accruals for eligible family members under FMLA or CRFA.  Fire personnel may use 14 days of accrued sick leave (without medical note) for birth or adoption of a child.	All  Fire
FAMILY LEAVE (continued)	Fire Unrep may use available sick leave for family medical purposes including same members as above. The use of family leave shall be limited to 80 hours per calendar year. Family medical purposes shall mean illness, accident, medical appointments or other related occurrences. Fire Unrep may take up to four months unpaid family or medical leave within a 24 month period, unless they qualify for FMLA/CFRA and this benefit is <i>greater for the following:</i> Birth, adoption, or serious illness of a child; self, parent, spouse, or registered domestic partner of an employee.  City will provide benefit coverage for up to 4 months and employee may elect to continue benefits at his/her own expense for up to an additional 18 months.  Available leave balances must be exhausted first prior to leave without pay.	Fire
COMPASSIONATE LEAVE	City provides up to 40 hours of paid leave in the event of the death of an eligible family member (same family members as in Family Leave).	All
MILITARY LEAVE	Paid military leave is provided for active and temporary duty in accordance with City policy and provisions of the State and Federal Laws.	All
JURY LEAVE	City provides paid time upon jury summons if called to duty.	All
LEAVE OF ABSENCE	An unpaid personal leave of absence is available upon approval of the City Manager.	All
FMLA/CFRA	Employees may take up to 12 weeks paid/unpaid family or medical leave under Family Medical Leave Act (FMLA) or California Family Rights Act (CFRA) within a 12 month period for the following: birth or adoption; serious illness of a child, self, parent or spouse; or baby bonding. Employee must exhaust available leave balances to qualify for leave without pay. Benefits will be covered during FMLA/CFRA leave.	All
WORKERS COMPENSATION	First 80 hours of lost work time is covered at 100% pay; next 240 hours at 80% pay.  Sworn Police and Fire employees are eligible for up to one year paid workers' compensation leave per labor code 4850.	All  Sworn Police and Fire
MEDICARE	Both City and employee contribute, if hired after March 31, 1986.	All
SEVERANCE PAY	If employee is terminated for reasons other than "for cause" employee would be eligible for up to 16 weeks of salary plus benefits, depending on date of hire. For additional details, see Muni Code section VI-3-4.00 - Severance Payments for Specified At-Will Positions.	All
<b>RETIREMENT BENEFITS</b>		
ELIGIBILITY CRITERIA	Eligibility for retiree benefits is predicated upon retirement from CalPERS Retirement System.	All

BENEFITS	DESCRIPTION	ELIGIBLE
SICK LEAVE CASH-OUT	Upon retirement, disability retirement, or death, for those employees who were hired on or before 7/17/99, and who had at least 5 years of service, the City shall pay retiree or estate for unused accrued sick leave using this formula: 2.5% x years of service x highest hourly rate x sick leave hours.	Miscellaneous and Police
	Upon retirement, disability retirement, or death, for those employees who were hired on or before 1/1/95, and who had at least 5 years of service, the City shall pay retiree or estate for unused accrued sick leave using this formula: 2.5% x years of service x highest hourly rate x sick leave hours.	Fire
	Employees hired after January 1, 1995, with 5 years of service, separating in "good standing" as determined by the City Manager may use this formula:  After 4th year: .25%/year x hourly rate x accrued sick leave After 9th year: .50%/year x hourly rate x accrued sick leave After 14th year: .75%/year x hourly rate x accrued sick leave After 19th year: 1.0%/year x hourly rate x accrued sick leave	Fire
	Employees hired after July 18, 1999, with 5 years of service, separating in "good standing" as determined by the City Manager may use this formula:  After 4th year: .25%/year x hourly rate x accrued sick leave After 9th year: .50%/year x hourly rate x accrued sick leave After 14th year: .75%/year x hourly rate x accrued sick leave After 19th year: 1.0%/year x hourly rate x accrued sick leave	Police
SICK LEAVE CREDIT	Upon retiring with PERS, all employees shall be eligible for the PERS Credit for Unused Sick Leave provision (20965). Employees hired prior to July 17, 1999 may choose a cash out or Credit for Unused Sick Leave.	All
RETIREMENT MEDICAL COVERAGE	See Unrepresented Employee Benefit Handbook	All
DISABILITY RETIREMENT	For Medical Coverage: employees on disability retirement who had at least 5 years of full-time or equivalent service with the City and retired after June 30, 2003, the City agrees to contribute up to "the retiree cap amount" or until the retiree is re-employed.	Police
RETIREE DENTAL	Benefits may be continued at the retiree's expense 50% of City's Premium.	Miscellaneous and Fire
	Benefits may be continued at the retiree's expense.	Police
RETIREE VISION	Benefits may be continued at the retiree's expense.	All
RETIREE SPOUSAL/ DEPENDENT MEDICAL PLAN	1% of payroll plus benefits contributed to a specific fund to assist in paying for spousal/dependent medical premiums for each of the following groups: Miscellaneous Unrep, Police Unrep and Fire Unrep. If fund is depleted, reimbursement will end for FY.  See Dependent Benefits Grid	All
SAFETY EQUIPMENT	Upon retirement, the city shall give a command officer his/her service weapon and holsters without charge if either (1) the Milpitas Police Chief endorses an identification certificate approving the officer carrying a concealed and loaded firearm or (2) a hearing board determines that, under Penal Code section 12027.1, at the time the officer retired from the Milpitas Police Department, the employee had a right to a certificate permitting the carrying of a concealed and loaded firearm.	Police