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## *Administration and Projects Committee* **STAFF REPORT**

**Meeting Date:** June 01, 2023

<b>Subject</b>	<b>Adoption of a Publicly Available Pay Schedule for Fiscal Year (FY) 2023-24, Approval of Changes to Authorized Positions, and Approval to Amend the Authority's Salaries, Benefits, and Compensation Plan for July 1, 2021 through June 30, 2024</b>
<b>Summary of Issues</b>	<p>On June 16, 2021, the Authority Board approved Resolution 21-35-A, which amended the Authority's Salaries, Benefits, and Compensation Plan for July 1, 2021 through June 30, 2024.</p> <p>On April 20, 2022, the Authority Board approved Resolution 21-35-A (Rev 1), which: 1) adjusted the salary ranges for inflation by the percent change in the Consumer Price Index (CPI) capped at 3.5% effective July 1, 2022; 2) established a new Director, Mobility Programs classification; 3) approved the associated salary range and classification specification; 4) added 1.0 Fulltime Equivalent (FTE) position; and 5) reclassified 2.0 FTE Senior Engineer positions to an Engineering Manager and Finance Manager. This action resulted in an increase of 1.0 FTE position for the Director, Mobility Programs classification taking the total FTE positions from 20 to 21 for FY 2022-23.</p> <p>In December 2022, the Authority Board approved a framework to establish an Office of Accessibility and Equity (OAE) Advisory Committee, and Coordinating Entity, which resulted in the need for additional staff.</p> <p>In December 2022, the Director, Programs, retired, which allowed this classification to be removed and the 1.0 FTE to be re-classified to a Programs Manager for the OAE within the</p>

Programs section.

In March 2023, the Authority Board further amended the Authority's Salaries, Benefits, and Compensation Plan, which: 1) added two new classifications of a Programs Manager and a Contracts Manager; 2) assigned 2.0 FTEs to the two new classifications; 3) added 1.0 FTE to the Administrative Assistant classification; and 4) increased the overall FTE positions from 21 to 23 for FY 2022-23.

Staff seeks to further amend the Salaries, Benefits, and Compensation Plan effective July 1, 2023, to: 1) remove the 3.5% CPI cap; 2) adjust the salary ranges by 4.9% for inflation by the average 12-month December ended percent change in the CPI for all wage earners of the San Francisco – Oakland – San Jose, California region; 3) add 1.0 FTE position to the Associate Engineer classification and 1.0 FTE position to the Senior Engineer classification, which results in an increase of FTE positions from 23 to 25 for FY 2023-24; 4) recognize Juneteenth as a state holiday and re-assign the floating holiday in February to Juneteenth; 5) change the bereavement leave from three (3) to five (5) days for eligible employees; and 6) approve other administrative changes as noted in the Compensation Plan.

### Recommendations

Staff seeks approval of Resolution 21-35-A (Rev 3), which will amend the Authority's Salaries, Benefits, and Compensation Plan for July 1, 2021 through June 30, 2024, to: 1) remove the 3.5% Consumer Price Index (CPI) cap; 2) adjust the salary ranges effective July 1, 2023 by 4.9% for inflation by the average 12-month December ended percent change in the CPI for all wage earners of the San Francisco – Oakland – San Jose, California region; 3) add 1.0 Fulltime Equivalent (FTE) position to the Associate Engineer classification and 1.0 FTE position to the Senior Engineer classification, which results in an increase

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	<p>of FTE positions from 23 to 25 for FY 2023-24; 4) recognize Juneteenth as a state holiday and re-assign the floating holiday in February to Juneteenth; 5) change the bereavement leave from three to five days for eligible employees; and 6) approve other administrative changes as noted in the Compensation Plan.</p>
<b>Staff Contact</b>	Tarienne Grover
<b>Financial Implications</b>	<p>The Associate Engineer classification will have a proposed salary range of \$10,580.62 to \$14,288.20 per month plus benefits for a total annual salary and benefits cost of \$208,852. The Senior Engineer classification will have a proposed salary range of \$12,259.55 to \$16,550.62 per month plus benefits for a total annual salary and benefits cost of \$269,536. Actual salary will be determined by the Executive Director within the context of the recruitment and annual performance review process or other factors such as job skills and experience, job growth, additional duties, etc., but within the salary range approved by the Authority Board for this position. This fiscal year budget will account for 19 filled positions and six (6) unfilled positions at a total cost of \$6.5 million. Sufficient budget is included in the FY 2023-24 budget, as well as future fiscal year budgets. The mid-year budget will reflect the additional positions once they have been filled. Any required adjustments in the Authority's budget not anticipated in the above analysis will be brought back to the Authority Board during the budget process, or sooner should a matter require earlier attention. This report shall serve as the Authority's report summarizing the final action on salary pursuant to the Ralph M. Brown Act.</p>
<b>Options</b>	The Authority Board may provide other direction.
<b>Attachments (See APC</b>	<b>A.</b> Resolution 21-35-A (Rev 3)

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***Packet dated 6/1/23)*****Changes from Committee***None*

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**Background**

On June 16, 2021, the Authority Board approved Resolution 21-35-A, which amended the Authority's Salaries, Benefits, and Compensation Plan for July 1, 2021 through June 30, 2024.

On April 20, 2022, the Authority Board approved Resolution 21-35-A (Rev 1), which: 1) adjusted the salary ranges for inflation by the percent change in the CPI capped at 3.5% effective July 1, 2022; 2) established a new Director, Mobility Programs classification; 3) approved the associated salary range and classification specification; 4) added 1.0 FTE position; and 5) reclassified 2.0 FTE Senior Engineer positions to an Engineering Manager and Finance Manager. This action resulted in an increase of 1.0 FTE position for the Director, Mobility Programs classification taking the total FTE positions from 20 to 21 for FY 2022-23.

In December 2022, the Authority Board approved a framework to establish an OAE, Advisory Committee, and Coordinating Entity, which required additional staff. Additional staff included a Programs Manager, a Contracts Manager, and an Administrative Assistant.

In December 2022, the Director, Programs, retired, allowing this classification to be removed from the Publicly Available Pay Schedule and the FTE to be reclassified to a Programs Manager. This action had no impact on the total FTEs but added a Programs Manager classification to the Publicly Available Pay Schedule.

In March 2023, to begin implementation, the Authority Board amended the Authority's Salaries, Benefits, and Compensation Plan for July 1, 2021 through June 30, 2024, which 1) added two new classifications of a Programs Manager and a Contracts Manager; 2) assigned 2.0 FTEs to the two new classifications; 3) added 1.0 FTE to the Administrative Assistant classification; and 4) increased the overall FTE positions from 21 to 23 for Fiscal Year 2022-23.

Staff further seeks to amend the Authority's Salaries, Benefits, and Compensation Plan for July 1, 2021 through June 30, 2024, which will 1) remove the 3.5% CPI cap; 2) adjust the salary ranges effective July 1, 2023 by 4.9% for inflation by the average 12-month December ended percent change in the CPI for all wage earners of the San Francisco – Oakland – San Jose, California region; 3) add 1.0 FTE position to the Associate Engineer classification and 1.0

FTE position to the Senior Engineer classification, which results in an increase of FTE positions from 23 to 25 for FY 2023-24; 4) recognize Juneteenth as a state holiday and re-assign the floating holiday in February to Juneteenth; 5) change the bereavement leave from three (3) to five (5) days for eligible employees; and 6) approve other administrative changes as noted in the Compensation Plan.

An Associate Engineer and Senior Engineer are needed to support the Projects Department to support additional grant funded projects, Regional Measure 3 grant funded projects, and local agency support, including succession planning for funding and programming requirements to continue the success of the Authority. This will increase the total FTEs from 23 to 25 for FY 2023-24.

The expected classification changes are shown in the table below.

<b>CLASSIFICATIONS</b>	<b>Current Positions</b>	<b>Add/Delete Positions</b>	<b>Resulting Positions</b>
Senior Engineer	0	+1	1
Associate Engineer	0	+1	1
<b>NET CHANGE IN FULLTIME POSITIONS:</b>	0	<b>+2</b>	2

#### **ADDITIONAL CHANGES**

Staff is requesting the Authority Board remove the 3.5% CPI cap and adjust the salary ranges by 4.9% effective July 1, 2023 for inflation by the average 12-month December ended percent change in the CPI for all wage earners of the San Francisco – Oakland – San Jose, California region.

Staff also request to recognize Juneteenth as a state holiday and re-assign the floating holiday in February to Juneteenth. This was a result of Assembly Bill (AB) 1655 (Jones-Sawyer) and is defined as June 19th. There will be no increase to the approved number of holidays.

Staff further requests to authorize eligible employees to take up to five (5) days upon the death of a family member, as defined. This request is a result of AB1949 (Low). This would change the three (3) consecutive scheduled work days of bereavement leave and five (5) consecutive scheduled work days of bereavement leave if the funeral were located outside the State of California, to five (5) days, regardless of the funeral location. This bill would

require that leave to be completed within three (3) months of the date of death. The following additional administrative changes as noted in the Compensation Plan include:

- Add a compensated rest period for all overtime-eligible employees for each four-hour period of service. The rest period will be taken at a time designated by the employee's supervisor. Rest periods may not be combined to shorten the workday or to extend the meal period.
- Add a meal period for all overtime eligible employees who work at least an eight-hour workday are provided a 30-minute unpaid meal break to be taken approximately in the middle of the workday. Employees are normally relieved of all active responsibilities and restrictions during their 30-minute meal periods. They are not compensated for that time. A 30-minute non-compensated meal period will be provided to all overtime-eligible full-time employees who work more than five (5) hours, but less than eight (8) hours during the workday. Overtime-eligible employees are responsible for taking their meal period at a time designated by the supervisor.
- Add "Region 1" to Section 6.2 for health insurance to define the region in which the health insurance cost is calculated defined as 95% of the Kaiser Bay Area Region 1 basic rates.
- Change the telecommunications stipend from \$65 to \$100 monthly to reimburse employees for the use of their smartphones for the Zoom phone application.
- Update other non-substantive language.

#### **FISCAL ANALYSIS**

- The Associate Engineer classification will have a proposed salary range of \$10,580.62 to \$14,288.20 per month plus benefits for a total annual salary and benefits cost of \$208,852.
- The Senior Engineer classification will have a proposed salary range of \$12,259.55 to \$16,550.62 per month plus benefits for a total annual salary and benefits cost of \$269,536.

This fiscal year budget will account for 19 filled positions and six (6) unfilled positions at a

total cost of \$6.5 million. The proposed changes to salaries and benefits will be included in the FY 2023-24 budget, mid-year budget to account for positions that will be filled, and future fiscal year budgets. Any required adjustments in the Authority's budget not anticipated in the above analysis will be brought back to the Authority Board during the annual budget process, or sooner should a matter require earlier attention.

There are no automatic or step increases within the salary ranges with the exception of the annual Cost of Living Adjustments after approval by the Authority Board. Actual salary will be determined by the Executive Director within the context of the recruitment and annual performance review process or other factors such as job skills and experience, job growth, additional duties, etc. but within the salary range approved by the Authority Board for this position.

Recruitments will need to be conducted to fill these positions and is anticipated to happen in the upcoming fiscal year. The recruitments will be handled in-house by Authority staff.

Pursuant to Government Code Section 20636, base salary reported as payrate on behalf of classic members, generally employees that established membership in the California Public Employees' Retirement System, or a reciprocal system with less than a six-month break in service prior to January 1, 2013, must be included in a salary schedule meeting the requirements of a Publicly Available Pay Schedule as set forth in the California Code of Regulations (CCR), Title 2, Section 570.5. The same requirement applies to new members, employees other than classic members, under Government Code, Section 7522.34(a) as applied to pensionable compensation. The criteria for a Publicly Available Pay Schedule applicable to new members is set forth in Title 2, Section 571.1 of the CCR.

Staff seeks approval of Resolution 21-35-A (Rev 3), which will amend the Authority's Salaries, Benefits, and Compensation Plan for July 1, 2021 through June 30, 2024, to: 1) remove the 3.5% CPI cap; 2) adjust the salary ranges effective July 1, 2023 by 4.9% for inflation by the average 12-month December ended percent change in the CPI for all wage earners of the San Francisco – Oakland – San Jose, California region; 3) add 1.0 FTE position to the Associate Engineer classification and 1.0 FTE position to the Senior Engineer classification, which results in an increase of FTE positions from 23 to 25 for FY 2023-24; 4) recognize Juneteenth as a state holiday and re-assign the floating holiday in February to Juneteenth; 5) change the bereavement leave from three (3) to five (5) days for eligible employees; and 6) approve other administrative changes as noted in the Compensation Plan.

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