County of San Diego

DEPARTMENT OF HUMAN RESOURCES

LABOR RELATIONS DIVISION

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LETTER OF UNDERSTANDING BETWEEN THE COUNTY OF SAN DIEGO AND THE DEPUTY SHERIFFS' ASSOCIATION OF SAN DIEGO COUNTY (DS UNIT)

401(a) TERMINATION PAY PLAN

This attests to and records the agreement of the parties regarding the 401(a) Termination Pay Plan:

ARTICLE 6. PAID LEAVES

Section 2. G. Vacation Credits at Separation from County Service

At the time an employee is separated from the County service, the monetary value of all vacation entitlement shall be paid. An employee retiring from County service may be granted a terminal vacation in lieu of being paid its monetary value. An employee on terminal vacation shall not earn any vacation credit.

When an employee is to be paid the monetary value of vacation, such compensation shall be made on the basis of the employee's basic rate of pay on the date of separation which shall include those premiums or bonuses which are being paid as part of the employee's hourly rate at the time of separation exclusive of any biweekly fixed dollar amount premiums and any other premiums specifically identified as excluded from terminal payout.

Vacation Credits

All employees shall participate in the County's Terminal Pay Plan (Plan). However, only the terminal paychecks (including unused vacation) of those employees who have reached the age of 55 shall be placed into the Plan. These terminal paychecks shall be placed into the Plan on a pre-tax basis in accordance with the Plan, all applicable laws and all rules and regulations applicable to the Plan.

Section 4. G. Compensation for Unused Sick Leave

1. Employees, who enter County service after June 25, 1981, shall not be eligible for compensation for any of their unused sick leave credits.

2. An employee with ten (10) or more years of continuous service during that employee's present employment who retires, voluntarily terminates, dies, discontinues earning sick leave credits by reason of that employee changing from being paid at a biweekly rate, is elected to County office, or is laid off, shall be paid twenty-five percent (25%) of that employee's accumulated sick leave credits. An employee who received such compensation shall have no right to restoration of any sick leave credit upon return to County service.

3. Employees who earned County service prior to June 25, 1981, and in accordance with the above provisions, shall be compensated for their unused sick leave credits as determined by the following payout ranges:

$ 11,001	to	$ 12,000
10,001	to	11,000
9,001	to	10,000
8,001	to	9,000
7,001	to	8,000
6,001	to	7,000
-0-	to	6,000

Cash payout for unused sick leave credits shall not exceed the upper limit of the range at which the employee's unused credits lie as of June 24, 1981.

4. Sick Leave

All employees shall participate in the County's Terminal Pay Plan (Plan). However, only the terminal paychecks (including sick leave, if applicable) of those employees who have reached the age of 55 shall be placed into the Plan. These terminal paychecks shall be placed into the Plan on a pre-tax basis in accordance with the Plan, all applicable laws and all rules and regulations applicable to the Plan.

The 401(a) Termination Pay Plan is contingent upon adoption of an ordinance by the Board of Supervisors. We are proposing to have this matter before the Board of Supervisors in August 2002 for its consideration and introduction. The Compensation Ordinance authorizing this provision would follow at a later date.

FOR THE COUNTY OF SAN DIEGO:

Michael T. Kolb

MICHAEL T. KOLB
Labor Relations Manager

Dated: 11-8-02

FOR THE DEPUTY SHERIFFS' ASSOCIATION OF SAN DIEGO COUNTY (DS UNIT):

Fern Steiner

FERN STEINER
Attorney

Dated: 9/24/03