

CHAPTER 27 – PERSONNEL

Article I. - In General

Comments

~~Sec. 27-1. -- Definitions.~~

~~For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:~~

*27-1
words defined
are either in
common usage
or not used, so
definitions are
not necessary*

~~Appointive Officers. Those persons, not county or judicial district officers, who are appointed or employed by the board of supervisors or otherwise, as the principal employee of a department or for the discharge of duties expressly provided by law or particular delegated functions, and their deputies and assistant officers.~~

~~Basic Compensation. The salary paid to an employee as designated in the basic biweekly salary schedule for his assigned classification in the current salary ordinance. Such compensation does not include additional allowances which may be prescribed or allowed in such current ordinance.~~

~~Biweekly Pay Period. A fourteen calendar-day interval of time; each fixed interval used to compute compensation paid to employees and officers. The date of the first time interval shall be established by the board of supervisors and continue thereafter on a regular basis.~~

~~Calendar Month. Any of the twelve months starting on the first day thereof and terminating at the close of the last day thereof.~~

~~Calendar Year. A year starting on January 1 and terminating on the close of the following December 31.~~

~~Column. When preceded or followed by the letters A, B, C, D or E, the list of figures set forth under the indicated letters in the basic pay plan.~~

~~County. The County of Santa Barbara and, unless otherwise indicated, includes the various judicial and road districts thereof.~~

~~County Officers. Those officers now or in the future designated as such by the laws of the state and their deputies and assistant officers.~~

~~Daily Employee, Person Employed by the Day or Person Working by the Day. Persons employed by the day, hour or on a piece work basis.~~

~~Department. Includes "office," and "office" includes department.~~

~~Department Head. The head of an established office or department having supervision over such department and office, and also includes all elected officers.~~

~~Employees. All persons employed by the county other than officers, whether by the day, month, year, week, hour or on a piece-work basis.~~

~~Judicial District Officers. Those officers enumerated in the Municipal and Justices Court Act of 1949, as amended, and their deputies and assistant officers.~~

~~Major Fraction. Over fifty percent of the unit of time referred to.~~

~~Month. A period of thirty consecutive days.~~

~~No. Number.~~

~~No. Pos. All. The total number of positions actually allowed, under ordinance, or resolution of the board of supervisors.~~

~~No. Pos. Est. The maximum total number of positions established under ordinance, or resolution without an amendment thereto.~~

~~Officers. Includes judicial, district, county and appointive officers.~~

~~Pay Period Year. A period of three hundred sixty four consecutive days.~~

~~Pay Status. The status of an employee who receives any regular basic compensation during a biweekly pay period.~~

~~P.T. Part time work for an employee employed for less than full time on a specified regularly scheduled basis which has been established by the board of supervisors.~~

~~Range Number. An arabic numeral or numerals in a column headed range number and opposite a position or positions, indicates that the salary range bearing that number establishes the compensation for such position or positions in the amounts specified in such range.~~

~~Shift or Workshift. A period of work to which an employee is assigned, of a duration specified in an approved departmental work schedule, which is immediately preceded or followed by another period of work of the same or different duration to which another employee is assigned.~~

~~Shift Employee. An employee assigned to a shift.~~

~~Sick. Includes "injured" and "sickness" includes injury.~~

~~Temporary Employee. One so designated by the board of supervisors.~~

Sec. 27-2. -- Applicability of chapter.

~~The general provisions of this chapter, except where they are otherwise expressly or impliedly inapplicable, shall apply to all officers and employees of the county even though their respective compensations may not be set out in this chapter; provided that deputies and assistant officers who receive no compensation from the county (other than traveling expenses), temporary employees, superior court, municipal court and justice court phonographic reports shall receive none of the benefits conferred by this chapter except as specifically set out herein.~~

27-2
eliminated as unnecessary

~~The provisions of this chapter relating to compensation and travel expense, except as otherwise expressly provided herein, or by state law, shall apply to all officers, employees and attaches of the superior court, the municipal and justice courts, and to all elective county officers. No other provisions of this chapter shall apply to the foregoing named officers and employees except as otherwise expressly provided herein or by state law.~~

Sec. 27-3. -- Office hours—Generally.

~~Except as herein provided, all county offices and judicial districts subject to regulation by the board of supervisors shall be open to the public continuously from 9:00 a.m. to 5:00 p.m. on every day of the week except Saturdays, Sundays and holidays, unless an officer or employee has no deputy or employee, in which event his office may be closed for one hour from noon until 1:00 p.m.~~

27-3 to 27-4A
moved to resolution that is being presented concurrently (by law, hours of operation must be recorded either in ordinance or by resolution)

~~In the event the head of a department deems it necessary for the transaction of official business, he may open his office and keep it open on holidays when not prohibited by law from so doing.~~

~~Notwithstanding other provisions of this chapter, the board of supervisors may specify and adopt by resolution temporary reduced office hours when in the best interest of the county.~~

Sec. 27-4. -- Same—County treasurer’s office.

~~The county treasurer’s office shall be open to the public continuously from 9:00 A.M. to 4:00 P.M. on every day of the week except Saturdays, Sundays and holidays.~~

Sec. 27-4.1. -- Same—County clerk-recorder.

- ~~(a) —The following offices of the county clerk-recorder shall be open to the public continuously from 9:00 A.M. to 4:45 P.M. on every day of the week except Saturday, Sunday and holidays:~~

~~(1) — Santa Barbara Superior Court Division office.~~

~~(2) — Santa Maria Branch office.~~

~~(b) — The recorder’s division of the county clerk-recorder shall be open to the public continuously from 9:00 A.M. to 4:30 P.M. on every day of the week except Saturday, Sunday and holidays.~~

~~**Sec. 27-4.2. — Same — County planning department.**~~

~~The county planning department shall be open to the public continuously from 10:00 A.M. to 3:00 P.M. on every day of the week except Saturdays, Sundays, and holidays.~~

~~**Sec. 27-4.3. — Same — Agricultural commissioner/ sealer of weights and measures.**~~

~~The office of the agricultural commissioner/sealer of weights and measures shall be open to the public continuously from 9:00 A.M. to 4:00 P.M. on every day of the week except Saturdays, Sundays, and holidays.~~

~~**Sec. 27-4A. — Same — County personnel department.**~~

~~The county personnel department shall be open to the public continuously from 10:00 A.M. to Noon and from 1:00 P.M. to 3:00 P.M. on every day of the week except Saturdays, Sundays, and holidays.~~

~~**Sec. 27-5. — Same — Holidays.**~~

~~If January 1, February 12, July 4, September 9 or December 25 falls upon a Saturday, the Friday preceding is a holiday and in that event, the Saturday shall not be considered a holiday for the purposes of this section.~~

~~Good Friday from 12:00 Noon until 3:00 P.M. is not a holiday for county employees for the purpose of determining holiday compensation, nor for determining office hours during such period of time, within the meaning of section 27-3.~~

~~**Sec. 27-6. — Work week established; overtime work.**~~

~~Except for elected officers, the salaries provided for in this chapter are based upon the number of hours normally worked as required to be worked in any pay period by any employee in his particular position; provided, that, except as otherwise provided by resolution of the board of supervisors, compensation for every full time position is paid for a biweekly pay period of at least eighty hours. The compensation schedule~~

*27-5
eliminated here as
these are identified
in MOUs* and in
the management
resolution*

*27-6
specified in
statute and in
policy manual 502*

**memorandum of
understanding*

~~has been adjusted in each instance so that it is compensation in full for the work schedule thus established. Any change in an employee's biweekly work schedule which involves a deviation from the eight hour day or forty hour week must be approved in advance by the administrative officer in writing. A copy of such written approval shall be immediately filed with the auditor-controller.~~

~~The board of supervisors will specify by resolution the types, requirements, rates and limits of approved overtime compensation, that compensation in excess of the regular biweekly work schedule, as well as those classes of personnel excluded from overtime compensation eligibility.~~

~~Nothing in this section shall prevent a department head from permitting an employee time off, at a rate and under the circumstances approved by resolution of the board of supervisors, in lieu of compensation for overtime work.~~

~~**Sec. 27-7. -- Extra help appointments of regular employees.**~~

~~An officer or employee holding a regular appointment may also be appointed to a part-time, extra help position, provided the extra help appointment is not in the same classification, classification series or a related series in the same department as the regular appointment. No more than one such extra help appointment may be held at the same time as a regular appointment, and the extra help appointment may not be performed during the working hours of the regular appointment or while on sick leave or medical leave of absence from the regular appointment. Such an officer or employee shall be paid for both such positions and the compensation designated in the salary resolution in effect at the time work is performed. However, no benefits in addition to those accruing on account of the regular appointment, including, but not limited to, vacation, sick leave, retirement pay, or computation of retirement service credit, shall accrue to such officer or employee on account of such extra help appointment. Time worked in one position shall not be taken into account in determining entitlement, if any, to overtime compensation in the other position. No such extra help appointment shall be made unless approved in advance by the administrative officer in accordance with such procedure as he or she may establish. Nothing contained herein is intended to supersede any prohibition of statute, ordinance, rule or regulation against incompatible or conflicting employment.~~

~~**Sec. 27-7.1. -- Election officers; deputy clerk for voter registration.**~~

- ~~(a) -- Necessary positions for election officers may be established by the board of supervisors by order, anything in any other county ordinance to the contrary notwithstanding. Election officers shall be paid amounts determined by order of the board of supervisors and shall be paid by direct warrant~~

*27-7
move to civil
service rules and
add more detail to
policy manual
(now covered in
policy 801.3,
204.4, 702.2(c))*

*27-7.1
ddd to revised
civil service rules*

~~issued by the auditor-controller based on duly verified statements of the county clerk on such forms as the auditor-controller may prescribe. The auditor-controller's authority and mandate to draw warrants for election officers without further action of the board of supervisors shall be as provided in this Code.~~

~~(b) — The clerk shall appoint as many deputy clerks as he deems necessary for the purposes of voters' registration. Such deputies shall receive twenty-five cents for each valid registration taken outside the clerk's office; provided, that no payment shall be made unless twenty-five valid registrations are taken by any such deputy within a six month period commencing on January 1 or July 1.~~

~~Sec. 27-8.— Establishment of offices generally; authorized employees.~~

~~The various officerships, deputyships, employeeships, assistantships and clerkships hereinafter referred to are those established for such offices, officers and departments of the county by salary ordinances or resolutions of the county now or hereafter in force and effect.~~

~~In addition to such positions, there are hereby authorized and established such additional deputyships, employeeships, assistantships and clerkships as may be established by resolution for such departments not specifically named, or as may be established pursuant to section 27-15.~~

~~The auditor and personnel director shall be immediately notified of any appointment, termination or change in status of any employee. The notice shall be furnished on forms prescribed by the auditor or personnel director and shall contain such pertinent information as the auditor or personnel director may require to complete the personnel transaction.~~

~~Sec. 27-9.— Hiring, appointing and discharging generally.~~

~~(a) — Except as otherwise provided by law, each officer and department head shall hire the employees of his department, and appoint his deputies and assistants, and promote, demote and discharge his employees, deputies and assistants in accordance with civil service system regulations set forth in article II of this chapter and any other applicable laws. Upon the appointment of any person to an office requiring an oath of office under the laws of the state, such appointment shall be made in writing and filed in the office of the clerk, and if the position is one with compensation, a copy shall also be filed with the auditor, and~~

*27-8
paragraph 1 & 2
are unnecessary;
add paragraph 3
to civil service
rules or policy
manual*

*27-9
move first sentence
of (b) and (e) and
all of (d) to civil
service rules;
other statements
are duplicative and
not necessary*

~~such appointment shall become effective only upon such person taking and subscribing the oath of office as set forth in section 1360 of the Government Code.~~

- ~~(b) — Positions allowed and marked “as needed” may be filled by the department head if necessary to properly fulfill the duties of his office. Department heads shall be limited to the amount allowed for such purposes by the board of supervisors in accordance with the statutes governing county budgets.~~
- ~~(c) — No person may be hired (except as otherwise herein allowed) unless the position to which he is appointed is established, allowed, and the salary thereof properly budgeted and appropriated and set forth in salary ordinances or resolutions of the county subsequently in force and effect.~~
- ~~(d) — No employee or officer shall be changed from one position to another by a department head for the sole purpose of changing compensation of the employee involved. Such a change shall be made only on the basis and for the purpose of the performance of the duties of the position to which appointed.~~
- ~~(e) — No regular, or regular part-time employee may hold a second or additional appointment to any other position within the county service, except as provided for in section 27-7.~~

Sec. 27-10. - Sick leave credit at retirement.

~~With the exception of elected officials, each officer and regular full-time and part-time employee shall be entitled to sick leave with pay subject to the following provisions:~~

- ~~(a) — Sick leave shall be accumulated at the rate of 3.70 working hours of sick leave each biweekly pay period in which an employee is in pay status and assigned to an eighty-hour biweekly pay schedule; shift personnel in the county fire department shall accumulate sick leave during each biweekly pay period in which the employee is in a pay status at a rate which bears the same ratio to one-half the number hours such employees are scheduled to work in a period of twenty-eight consecutive days as 3.70 bears to eighty hours. Regular part-time employees shall accumulate sick leave while in pay status on a pro rata basis of the employees assigned to an eighty-hour biweekly work schedule.~~

27-10
sick leaves is covered in law, MOUs, policy manual and civil service rules. Credit at retirement language must be in ordinance per CA Govt Code 31641.03

- ~~(b) — Unused sick leave shall be cumulative from year to year, with no cumulative limit.~~
- ~~(c) — Nothing herein contained shall be deemed to affect the right to any sick leave accumulated before the operative date of this section.~~
- ~~(d) — Legal holidays, Saturdays and Sundays shall not be counted as any part of such sick leave unless the officer or employee is obligated to work on such days.~~
- ~~(e) — A department head may require evidence in the form of a physician's certificate, or otherwise, of the adequacy of the reason for any employee's absence during the time for which sick leave was requested. Under no circumstances is sick leave to be used in lieu of or in addition to or as vacation. The auditor may require a physician's certificate from the department in order to determine correctness of payroll records.~~
- ~~(f) — Each department head shall keep complete records of attendance, including vacation, sick leave and leaves of absence, any including a physician's certificate when required by the auditor, and all such records shall be available to the auditor, administrative officer and board of supervisors for the purposes of ascertaining and preparing payrolls.~~
- ~~(g) — Where a member of his immediate family is seriously ill or injured and requires his presence and attendance, an officer or employee may be allowed by his appointing authority to use up to a maximum of five days of his accumulated sick leave to attend such family member; provided, that no more than five days per year may be allowed for the illness or injury of any one member of the officer's or employee's immediate family.~~
- ~~(h) — Up to a maximum of five days of his accumulated sick leave may be allowed by his appointing authority to an officer or employee for absence from duty because of any and each death in his immediate family.~~
- ~~(i) — "Immediate family" is defined as only husband, wife, parent, brother, sister, child, grandparent, grandchild, and mother-in-law or father-in-law of the employee.~~
- ~~(j) — The board of supervisors shall adopt, by resolution, regulations for the reporting of, and relating to, any special compensation for alleged or accepted industrial injuries or~~

~~illnesses of county officers and employees arising out of, and in the course of their employment with the county.~~

- ~~(k) Termination of an officer's or employee's employment or service shall abrogate all sick leave accrued to the time of such termination, regardless of whether such person subsequently enters county employment or service. Except as provided in subsections (m) and (n) of this section, no payment shall be made to any employee for unused sick leave accumulated to his credit at the time of his termination from county service.~~
- ~~(l) An employee may, when necessary and at the discretion of his department head, be granted up to two hours leave with pay to make voluntary nonremunerated blood donations to nonprofit blood banks in the county. Time off in excess of two hours and up to an additional two hours may be used for this purpose, but such additional time off shall be charged to accumulated sick leave. Leave for the purpose of donating blood shall not exceed five times in any one calendar year.~~
- ~~(m) A trial program of limited duration is hereby instituted as follows: This trial program is not to extend beyond pay period Number 15, 1975, unless extended as herein provided; during such trial program, upon honorable termination of employment from county service, eligible employees shall be paid for accumulated unused sick leave, the value of fifty percent thereof for all accumulated sick leave hours between two hundred forty hours and nine hundred sixty hours, at the employee's current hourly rate; in the case of shift personnel of the fire department the same provisions are to apply, however, all hour balances shall be adjusted to reflect a forty hour work week equivalent; any payment made under this subsection will be made only once to an employee in his work history with the county and upon termination of employment, if an employee is subsequently rehired in the service of the county, incentive payment for unused sick leave would not be applicable. If upon a comparison of the county wide sick leave usage of fiscal year 1971-72 and the twenty-six pay periods immediately preceding pay period Number 15, 1975, a reduction is determined in county wide average sick leave usage of one day or more, or its hourly equivalent, per person, this program may be continued.~~

~~(n)~~ Pursuant to Government Code section 31641.03, ~~individuals who are active or deferred~~ members of the Santa Barbara County Employees' Retirement System ~~on or after July 1, 1989, shall have accumulated sick leave credit of~~ be credited for up to two thousand eighty-eight hours ~~added of sick leave accumulated as of the date of their~~

~~retirement, and that sick leave credit shall be in addition to their term of service credit. for purposes of calculating retirement benefits. In the case The accumulated sick leave of shift personnel of the fire department, the same provisions shall apply; however, all hour balances shall be adjusted to reflect the equivalent of a forty-hour work week equivalent., and tThe equivalent calculation cannot resulting sick leave credit shall not exceed two thousand eighty-eight hours of sick leave credit.~~

~~Members who also qualify under subsection (m) of this section may elect coverage under subsection (m) and/or subsection (n). However, no portion of accumulated sick leave may be accounted for simultaneously under subsections (m) and (n).~~

~~(b) Any district covered under This section shall not apply to members of the Santa Barbara County Employees' Retirement System may, by resolution of who are employed by an independent district, unless the governing board of the district, elect to have this subsection provides by resolution that this section shall apply to its members.~~

~~Sec. 27-11. -- Repealed by Ordinance No. 2856, § 1.~~

27-11
already repealed

~~Sec. 27-12. -- Leaves of absence.~~

- ~~(a) Military leaves of absence shall be granted in accordance with the provisions of the Military and Veterans Code of the state.~~
- ~~(b) A department head may authorize a leave of absence without pay for any permanent or probationary employee for a period of not to exceed thirty calendar days.~~
- ~~(c) A leave of absence without pay in excess of thirty calendar days must be approved by the administrative officer.~~
- ~~(d) A leave of absence with pay shall be granted to a county employee who serves on a jury or as a witness for the federal government, state or a political subdivision thereof. In such cases, the employee shall be paid his regular salary, any compensation he may receive from the court shall be remitted to the county in accordance with the procedures prescribed by the auditor.~~
- ~~(e) Permanent and probationary employees shall be entitled to necessary time off with pay for the purpose of taking examinations required during working hours for the purpose of determining eligibility for movement to another class or for qualifying for similar examinations in the county service.~~
- ~~(f) Authorized leave of absence shall not be construed as a~~

27-12
covered in law, civil service rules and policy manual

~~break in service or employment, and rights accrued at the time the leave is granted shall be retained by the employee; however, vacation credits, sick leave credits, increases in salary, and other similar benefits shall not accrue to a person granted such leave during the period of absence. Time spent on such leave without pay shall not count toward service for increase within the salary range, and the employee's salary anniversary date shall be postponed one calendar month for each month or major fraction thereof of leave taken.~~

- ~~(g) — An employee of the county who is absent from duty for any reason shall report the reason therefor to his supervisor immediately on the day of absence, or before if possible, and in any case at the earliest practicable time.~~
- ~~(h) — Any employee absent from his position for more than five working days without prior permission from his department head may be considered to have automatically terminated his employment with the county. Such termination shall be final unless said employee furnishes satisfactory reason upon his return for not having obtained prior permission.~~
- ~~(i) — The board of supervisors, by a four fifths vote, may grant a leave of absence with pay, when it first expressly finds that leave of absence with pay is in the best interest of the county, and does not amount to a gift of public funds prohibited by the Constitution of the state.~~
- ~~(j) — Upon depletion of accumulated sick leave and compensatory time off and not being able to return to work because of illness, injury, pregnancy, childbirth or related medical conditions, a permanent or probationary employee shall be deemed to be on a medical leave of absence without pay for a period not to exceed four months, upon presentation of satisfactory medical evidence to the department head concerned. If the employee is unable to return to work at the end of this period, the employee may request additional medical leave from the department head which will be subject to the approval of the administrative officer. Such additional leave, when approved, may not exceed sixty calendar days per request. Additional medical leave may be requested for additional periods up to sixty days per request subject to the approval of the administrative officer. If any request for further leave is not granted or not approved, the employee's services with the county shall be considered terminated upon such denial without right of appeal. A department head may require medical evidence from a physician that such leave is necessary during any period of medical leave of absence. This section shall have no effect~~

~~on an employee's right to request disability retirement at any time and may not be combined with leave of absence provisions granted under subsection (b) of this section.~~

- ~~(k) The provisions of this section shall not be interpreted to conflict with the state laws relating to leave of absence.~~

~~Sec. 27-13. Travel expense.~~

- ~~(a) Except as otherwise provided by ordinance, all officers and employees in addition to their regular compensation shall be entitled to their reasonable, actual and necessary traveling expenses, as set forth in this section, while traveling on official business or duty away from their regularly established official headquarters.~~
- ~~(b) All claims for expenses, except meals, shall be itemized and verified as to each item.~~
- ~~(c) For travel outside the county and including Cuyama Valley, officers, employees and full-time police officers, from any police departments in the county who are assigned to work under the direction of the commander of the county narcotics task force, shall be reimbursed for their reasonable and necessary actual expenses incurred for meals. For travel within the county (excluding Cuyama Valley) officers, employees, and full-time police officers, from any police departments in the county who are assigned to work under the direction of the commander of the county narcotics task force, shall be reimbursed for the actual expenses of meals only if working away from their regular established headquarters for extended periods of time, usually involving overnight accommodations, or if reimbursement is otherwise provided for and authorized by this chapter or any other law.~~
- ~~(d) Employees shall use county-owned automobiles for all official travel unless authorized by their department head or the board of supervisors to use a different mode of transportation. When an officer or an employee is authorized to use a private automobile for official travel, he shall be paid the mileage allowance as established by resolution of the board of supervisors, unless the board of supervisors shall provide for payment of a monthly travel allowance by resolution.~~
- ~~(e) When any officer or employee is required by a member of the board of supervisors or his department head to attend any dinner or luncheon meeting, or convention banquet, which attendance in the judgment of a member of the board~~

*27-13
in auditor-
controller policies;
add to HR policies
and MOUs*

~~of supervisors or department head is required because it bears a reasonable relation to matters concerning the affairs and business of the county, the officer or employee shall be entitled to the actual price paid by him for his meal and for actual and necessary traveling expenses, if any, incurred in attending.~~

- ~~(f) Deputies, assistants, employees, and other persons, who, without pay, are serving the county or performing functions for or representing the county shall be entitled to their reasonable, actual, and necessary traveling expenses for travel authorized by the department heads or the board of supervisors and done in the line of official duty and business.~~
- ~~(g) This section shall not prevent payment to elected officials of actual and necessary traveling expenses when otherwise authorized by law.~~

Sec. 27-13.1. – Advance travel revolving fund.

- ~~(a) The board of supervisors hereby declares that its intent in the passage of this section is to minimize financial hardship which might be caused officers, and employees, of the county, the county water agency, and the county flood control and water conservation district, whose official duties require them to travel beyond the boundaries of the county, and pay their expenses as they are incurred. The expenses herein referred to are only those which are legally reimbursable by the agency employing the officer or employee. In establishing this fund, the county will be able to advance public funds upon application of the officer or employee, in a minimum amount of his approved estimated expenditures, and the officer or employee will thus not have had to wait one to two weeks before reimbursement can be made through legally established channels.~~
- ~~(b) Immediately upon the effective date of this section, the auditor shall transfer the sum of four thousand dollars from the county general fund into the advance travel revolving fund, which fund is hereby created and established. This section constitutes the full mandate and authority of the auditor to make minimum advances from this fund, subject to the rules and regulations contained herein.~~
- ~~(c) No advances shall be made from this fund wherein the total travel is within the county and no advance shall be made wherein the estimated cost of travel is less than twenty five dollars exclusive of all transportation costs. Requested advances for amounts in excess of one hundred fifty dollars~~

*27-13.1
unnecessary due
to rare usage;
handled in policy
manuals at
department level*

~~exclusive of transportation costs shall be approved by the county auditor-controller.~~

- ~~(d) — No advances shall be made from the advance travel revolving fund, or any other revolving fund which is now, or may hereafter be authorized by a county officer for travel purposes, before the second working day prior to the scheduled commencement of the out-of-county trip. Settlement in full for such advances shall be made to the officer advancing the county funds, not later than the close of business of the second working day after the officer's or employee's return to the county. In the event such trip is cancelled after an advance has been made, refund and settlement shall be made immediately.~~
- ~~(e) — If settlement with the officer advancing the money is not made prior to the fifth working day after return to the county, a penalty of five dollars or ten percent of the amount advanced, whichever is greater, will accrue and be paid by the officer or employee involved. Penalties accruing by virtue of this section shall be deposited into the county general fund and shall be used to help defray the added administrative expense occasioned by the officer's or employee's failure to settle promptly as required by the terms of this section. The penalty imposed by this section may be waived by the board of supervisors upon finding that delay in settlement or other cause for such penalty was occasioned by no neglect or fault on the part of the person involved.~~
- ~~(f) — If settlement with the officer advancing the money is not made prior to the eleventh working day after return to the county, the officer advancing the money shall notify the board of supervisors, the administrative officer, the district attorney and the auditor, if the auditor is not the official who advanced the money. In such a situation, the auditor is hereby authorized and directed to withhold any further payments of salary or other moneys due to the person involved until full and complete settlement is made, including any applicable penalties.~~
- ~~(g) — The administration of the advance travel revolving fund shall be under control of the auditor-controller who shall prescribe necessary forms for its use, as well as the use of any other revolving funds for this purpose which have been, or may hereafter be, established. In administering travel revolving funds, the auditor-controller shall make and publish such additional rules and regulations as may be necessary which are not inconsistent with the provisions of this section.~~

~~(h) — Any violation of any provision of this section is a misdemeanor and is punishable as such as prescribed by law.~~

~~(i) — Subsections (d), (e), (f), (g) and (h) of this section are hereby made specifically applicable to all other presently existing revolving funds used for out of county travel advances or those which hereafter may be authorized or established.~~

Sec. 27-~~13~~.2. - Funds for training and orientation of supervisors-elect.

*27-13
keep as written*

When any person elected to but not yet having assumed office as a member of the board of supervisors requests the payment of course fees, travel, per diem expenses, course materials and consultant services for training and orientation in connection with exercise of supervisory duties, the board may as it deems proper and beneficial expend such funds.

~~**Sec. 27-13.3. — Business expenses.**~~

*27-13.3
move to policy manual*

~~If a county officer or employee incurs expenses in connection with a meeting with a person or persons who are not county officers or employees, he or she may be reimbursed for such expenses; provided, that such reimbursement is authorized by the head of the department in which he or she is employed. Such expenses must be necessary, reasonable and actual, and be incurred while attending to the business of the county. The county auditor and administrative officer shall adopt administrative procedures and regulations to implement the provisions of this section.~~

Sec. 27-~~14~~3. - Additional compensation during emergencies.

*27-14
rewritten for clarity; in MOUs; add to policy manual for more details*

~~In the event of During an emergency duly declared in writing by the board of supervisors, or by the administrative county executive officer or assistant administrative officer designee, and emergencies in other jurisdictions in the state approved in writing as an emergency by the administrative officer or assistant administrative officer of the county, full-time employees and officers of the county, (except other than elected officials, appointed department heads and assistant department heads), whose compensation is fixed by this chapter and salary ordinances and resolutions thereunder of the county, shall be paid additional compensation for overtime work in connection with the emergency. such emergencies, subject to the following express conditions:~~

~~(a) — The work for which additional compensation is made shall be “overtime” work as the same shall then be established and defined by the board of supervisors of the county.~~

(b) — The rate of the additional compensation and the amount and manner of its payment ~~thereof for such emergency overtime work~~ shall be as provided by the board of supervisors through resolution or in any applicable memorandum of understanding.

~~Sec. 27-15. — How compensation rates established; temporary payments.~~

27-15
in state law;
deleted as
unnecessary

~~The compensation and salaries of members of the board of supervisors shall be established by ordinance. The compensation and salaries of all other officers and employees shall be established by resolution.~~

~~Notwithstanding anything in this chapter to the contrary, the board of supervisors shall have the power to allow payment temporarily by claim, of an employee for whom no provision is made by ordinance or resolution, subject to the following limitation:~~

~~An employee may be so paid only for services rendered prior to the repeal or reenactment of the then currently effective salary ordinance or resolution or in no event more than one year from the date of first employment.~~

~~Sec. 27-15.1. — Intermittent and hourly employment.~~

27-15.1
unnecessary;
covered in state
law

~~In those cases where a person is employed on an intermittent basis, the employee shall be paid in accordance with the daily, hourly and part-time schedules in the salary ordinance in effect at the time.~~

~~Sec. 27-16.4. - Time and compensation of Payment of compensationsalaries.~~

27-16
rewritten for
simplicity; in civil
service rules and
policy manual.
Tracks with CA
Govt Code
28003(a), 28004

~~Except as otherwise provided by law, the compensation salaries of all county officers and employees, ~~except as by law otherwise provided,~~ shall be fixed and determined by ordinance of the board of supervisors, such ordinance being generally referred to as the “Salary Ordinance of the County of Santa Barbara.” The compensation shall be full compensation for the services normally authorized and required of them by law and by virtue of their respective offices or employment. Such compensation shall be paid in equal biweekly installments ~~at such time as it is directed by the board of supervisors out of the general fund of the county~~ treasury (unless otherwise provided) ~~by on~~ warrants drawn by the auditor upon the treasurer. ~~(Each employee may authorize the auditor to pay his net earnings to a bank designated by the board of supervisors for credit to his account.)~~~~

~~Payment of final compensation due at the time county employment terminates shall coincide with the regularly scheduled payday for the~~

~~biweekly pay period in which county employment ceases. The auditor shall have the power, right, authority, and mandate to draw such warrants without further order or approval of the board of supervisors.~~

27-5
added for clarity

Sec. 27-5. - Filling vacant positions excluded from civil service.

Vacancies in positions excluded from the civil service system by section 27-25 of this Code shall be filled based on the relative qualifications of the candidates, including their relevant knowledge, experience, skills, and abilities, as ascertained through competitive examinations that comply with standards and procedures the human resources director shall establish.

~~Sec. 27-17. -- Change in compensation or in total number of positions established.~~

27-17
paraphrases
existing law

~~(a) — Any change in compensation within the limits of the compensation for any position or employment fixed and determined by this chapter, and salary ordinances of the county subsequently in force and effect, shall be by resolution of the board of supervisors. Upon the adoption of any such resolution, a copy thereof shall be forwarded immediately by the clerk of the board of supervisors to the auditor and to the officer concerned. Any change outside of the aforesaid limits shall be by amendment to this chapter and salary ordinances of the county.~~

~~(b) — Changes by way of addition to the total number of positions established under this chapter and salary ordinances of the county subsequently in force and effect, shall be by amendments to such chapter or ordinances except as provided in section 27-8.~~

~~(c) — Any change in the number of positions allowed within the total number of positions established shall be by resolution of the board of supervisors.~~

~~(d) — Any change in compensation for a position shall be only to such amount as specified in the various columns of the particular basic pay plan applicable to such position, except as otherwise herein provided.~~

~~Sec. 27-18. -- Separate maintenance for employees.~~

27-18
rarely pertinent;
can be handled in
department
policies if
necessary

~~(a) — Full or partial maintenance when provided to any officer or employee for the benefit of the county shall be in addition to his monetary compensation. Maintenance furnished to any employee of the county is hereby declared to be furnished for the convenience of the employee and not for the convenience of the county unless provided otherwise by ordinance or resolution of the board of supervisors.~~

~~(b) — Maintenance shall be furnished only upon a monthly basis. Each employee desiring maintenance shall request such in the amount~~

~~desired on blanks prescribed by the auditor. Maintenance agreements signed by employees remain in effect until notice of cancellation or amendment is filed in the office of the auditor on property forms prescribed by him. An employee who does not use all of the maintenance agreed to be furnished him by the county shall not be entitled to any reduction in the amount of maintenance deducted from his compensation; provided, however, that maintenance shall be apportioned when an employee leaves the county employ, and the portion of such maintenance not used because of such leaving shall not be deducted from the employee's compensation. Maintenance furnished for the convenience of the employee shall be deducted from the compensation of such employee.~~

~~Maintenance shall be valued as follows:~~

One meal per day	\$10.00 per month
Two meals per day	20.00 per month
Three meals per day	30.00 per month
Room	10.00 per month
Laundry—office workers	3.00 per month
Laundry—other employees	5.00 per month
Full maintenance	45.00 per month
Gachuma House	20.00 per month
Guyama House	20.00 per month
Lompoc House	20.00 per month
Goleta House, including utilities	25.00 per month

Sec. 27-196. - Authority and duties of auditor; ~~c~~Certification of time sheets.

~~(a) This chapter shall constitute the power, right, authority, directions and mandate of the auditor to draw compensation warrants as aforesaid without further order or approval of the board of supervisors.~~

~~(b) Where employees are compensated and employed by the day, the head of the department employing them, or his assistant or deputy, or any other person authorized by him, or the supervisor in charge of that department (or in charge of non-departmental employees) shall furnish the auditor at the close of the last day of each month a time sheet or employment record in such detail and form and furnishing such information concerning the employment, wages, and compensation of such employees as the auditor shall prescribe and require. The correctness of such record employee time sheets shall be certified ~~to~~ by the employee and the department head, or his assistant or deputy, or supervisor, provided that such the department head's designee or supervisor may designate in writing to the auditor a person who has~~

27-19 simplified; A-C authority & duties are in statute

~~authority to certify such record, and thereafter until the auditor is notified in writing to the contrary, such person so designated shall have the power and right to certify to the correctness of such record.~~

~~Sec. 27-20. - Fees to be paid to county.~~

~~Except as otherwise provided in this chapter, and salary ordinances of the county subsequently in force and effect, all commissions, fees and prerequisites (other than salary from the county) collected by any officer or employee for services rendered in his official capacity, shall become the property of the county and shall be paid into the county treasury within the time and in the manner provided by law.~~

27-20

in statute; policy 705.2.1 covers witness fees only; include in policy manual

~~Sec. 27-20.17. - Incompatible activities of officers and employees.~~

County officers and employees shall comply with:

(a) All ethics ~~laws~~standards applicable to their county service, and

(b) All county rules, regulations, and written policies applicable to incompatible activities, including, but not limited to, those applicable to outside employment.

~~(a) — Prohibition of. No officer or employee shall engage in any employment, activity, or enterprise which is inconsistent, incompatible or in conflict with his duties as a county employee, or with the duties, functions, and responsibilities of the department by which he is employed.~~

~~(b) — Type of Incompatible Activities. Activities that shall be considered inconsistent, incompatible, or in conflict with county employment are, among others, and without limitation, those activities, enterprises, or employments which:~~

~~(1) — Involve the use for private gain or advantage of the county's time, facilities, equipment, or supplies; or the badge, uniform prestige, or influence of a county office or employment, except that sheriff's deputies, at the discretion of the sheriff, may serve as law enforcement officers in deputies' uniform with badge for other governmental agencies during their off-duty hours, for compensation.~~

~~(2) — Involve the receipt or acceptance from anyone other than the county for the performance of an act which the employee would be required or expected to render in the regular course of his county employment or a part of his duties as a county employee.~~

~~(3) — Involve the performance of an act in other than his capacity as a county officer or employee which may later be subject, directly or indirectly, to the control, inspection, review, audit, or enforcement by such officer or employee or the department by which he is employed. Where~~

27-20

simplify language (also in policy manual 1102.3)

~~property or proceedings of a county employee are involved they shall be inspected, reviewed, audited or enforced by a county officer or employee other than himself.~~

Sec. 27-8. - Political activities of officers and employees.

County officers and employees shall not:

(a) Infringe upon the rights of any person holding or applying for county employment to register and vote as they choose, or to express their opinions on political subjects;

(b) Attempt to coerce, command, or require any person holding or applying for county employment to give money, influence, service, or other valuable thing to aid, promote, or defeat any political committee or the nomination or election of any person to public office; or

(c) Engage in political activity of any kind during their working hours.

Subject to the foregoing, county officers and employees may seek appointment or election to any public position, office, or employment for which they are qualified.

~~The board of supervisors may by resolution determine different valuations for maintenance herein mentioned, and may by resolution establish the value of any maintenance not herein mentioned. On the first day of each month department heads shall furnish the auditor a complete list of employees to whom maintenance was furnished during the preceding month and the detailed amount thereof verified by the department head or his duly authorized representative.~~

~~(c) The board of supervisors by resolution from time to time, or by ordinance, shall designate which portions are entitled to maintenance for the benefit of the county and amounts of such maintenance. Employees entitled to maintenance for the benefit of the county shall not on that score be entitled to remuneration in lieu thereof in the event no maintenance is available or in the event the board of supervisors desire not to furnish it.~~

~~(d) The board of supervisors may by resolution provide for the furnishing of meals for any person who is not an employee of the county during such time as such person is providing services to the county.~~

Sec. 27-9. - Equal employment opportunity.

All persons holding or applying for county employment shall be afforded equal employment opportunity under the law.

27-8
moved from Article II, Section 27-29 since it applies to non-civil service employees also

These three paragraphs beginning with "The board of supervisors" were in the original ordinance in Sec 27-18 (separate maintenance for employees) and has been transposed to this document area though an automatic program formatting choice that humans have been unable to override

27-9
moved from Article II, Section 27-30 and restated

Article II. - Civil Service System of Santa Barbara County

Sec. 27-21. - Adoption; purposes.

27-21
clean up language

~~This amendment to article II is adopted in order to extend to the employees of the county and of the judicial districts in the county, generally, the benefits of the civil service system formerly covering only the sheriff's office of the county, with certain amendments thereto and exclusions therefrom. This amendment is adopted pursuant to the provisions of part 2 of division 4 of title 30 of the Government Code of the state (sections 31100 to 31115) and any amendments and successors thereto.~~

The Santa Barbara County civil service system was adopted pursuant to the County Civil Service Enabling Law (Gov. Code, § 31100 et seq.), and is implemented through this article and civil service rules adopted by the board of supervisors in accordance with this article.

~~The basic purpose of the civil service system established hereby is to establish and maintain a fair and equitable employment relationship between the county and its employees which will promote and increase efficiency and economy in county service.~~

~~The primary objective is to fill each position with the best qualified person available and to ensure that fair, equitable and competent promotion procedures are an essential part thereof. The political fortunes of elective officers shall not affect the continuance in employment of county civil service employees nor their promotions. Promotions to a higher position shall be made promptly as vacancies occur, and as employees qualify for such promotions by merit, fitness and capable performance.~~

~~Tenure of employment is subject to good behavior, efficiency, necessity for performance of particular public work and appropriations of public funds. Arbitrary or capricious dismissals or other disciplinary actions affecting county civil service employees are prohibited. All suspensions, demotions and dismissals shall be subject to such reviews and hearings as shall guarantee due process to all employees concerned.~~

~~Positions shall be filled (except as otherwise provided) on the basis of merit and fitness ascertained through practical, competitive examinations. Positions involving comparable duties and responsibilities shall be similarly classified and compensated. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, or any other personnel action will be prohibited. The regulations will include appropriate provisions for appeals in cases of alleged discrimination.~~

The basic principles and objectives of the civil service system are to maintain a fair and equitable employment relationship between the county and its employees, and to promote and increase economy and efficiency in county service, including by:

- (a) Recruiting, selecting, and advancing employees based on merit and their ~~relative~~ qualifications, including their relevant knowledge, experience, skills, and abilities, as ascertained through competitive examinations;
- (b) Making county service an attractive career by providing for security of tenure and advancement, ~~consistent with the best interests of the county and~~ subject to good behavior, capable performance, public need for particular work, ~~and~~ appropriation of sufficient funds, and consistent with the best interests of the county;
- (c) Providing that positions involving comparable duties and responsibilities are similarly classified and compensated;
- (d) Training employees, as needed, to assure high quality performance;
- (e) Correcting inadequate employee performance, and separating employees who cannot or will not improve their performance to meet established standards;
- (a) All dismissals, suspensions, demotions, or reductions in compensation shall be for just cause and subject to such reviews and hearings as shall guarantee due process to all employees concerned;
- (b) Protecting employees from arbitrary or capricious personnel actions, personal favoritism, and coercion for partisan political purposes;
- (c) Prohibiting employees from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office; and
- (d) Treating applicants and employees fairly and equitably in all aspects of personnel administration, and ensuring no discrimination in personnel administration in compliance with all applicable federal, state, and local legal requirements for due process and equal employment opportunity.

Elected officers, county employees occupying ~~supervisory~~ supervisory positions, and the civil service commission shall perform their duties and carry out their responsibilities according to the spirit and the

letter of this article, so as to give the general public of the county good, honest, efficient, and economical government.

Sec. 27-22. - Civil service commission—~~Created; e~~Composition; appointment, qualifications, etc., of members.

27-22
clean up language

~~There is hereby created a~~ The civil service commission shall consist of five members. ~~Such members shall be~~ appointed by the board of supervisors ~~of the county~~, one from each of the five supervisorial districts. The term of office ~~of a civil service commissioner~~ shall be ~~for a period of~~ four years and until ~~his a~~ successor is appointed and qualified. ~~The terms of office of two members of the first civil service commission shall be one year. The terms of office of the other members of the first commission shall be two, three and four years respectively. The members shall at their first meeting determine by lot the relative order of the expiration of their terms. Members~~ Commissioners shall be selected from among the qualified electors of the county. ~~To qualify for appointment, a person must not have~~ A person shall not be appointed if, within the preceding twelve months, they held any county office or position employment with the County of Santa Barbara within one year prior to his appointment. In addition, such prospective appointee must not have been an officer of or any political party within one year of his appointment. Vacancies occurring during the term of office of any appointee shall be filled by appointment by the board of supervisors for the remainder of the unexpired term only. The commission shall perform the duties and exercise the powers provided for in this article, and no member of the civil service commission A commissioner shall not hold any other county such office or employment whatsoever during their term his tenure as a commissioner. ~~._~~ The board of supervisors may, by a four-fifths vote of all its members, and with good cause, ~~remove any member of the commissioner during his term of office, but such removal may only be accomplished by the same procedure and in the same manner as the dismissal of any members of the classified service under the provisions of this article. The board of supervisors shall fill commission vacancies by appointment for the remainder of the unexpired term only.~~

~~Amendment of this article to cover additional employees besides those in the office of the county sheriff shall not affect the terms of office of the members of the former sheriff's civil service commission, who shall automatically become the members of the county civil service commission and continue to serve as such pursuant to the terms hereof, as though this article had not been so amended.~~

Sec. 27-23. - Same—Officers; meetings; duties and powers; confidential secretary.

27-23
clean up language;
requires "good cause" for investigations

The commission shall perform the duties and exercise the powers provided for in the County Civil Service Enabling Law, and the additional

powers and duties delegated to the commission by the board of supervisors in this article and civil service rules.

(a) At the first meeting of the civil service commission each calendar year, the commission shall elect from one of its members a chairman and a another vice-chairman, and thereafter a chairman and vice-chairman shall be elected at the first meeting of each calendar year and shall each to hold office until a successor shall be elected and qualified.

(b) The commission shall keep minutes of its proceedings.

(c) The commission shall hold at least one regular meeting each month on a specified date and time, and at a designated place, and special meetings when necessary. All meetings shall comply with the Ralph M. Brown Act (Gov. Code, § 54950 et. seq.).

(d) The commission shall make an annual report to the board of supervisors.

~~The commission shall advise the board of supervisors and the director of personnel on problems concerning personnel policy and administration.~~

(e) The commission may, with good cause, investigate ~~make any investigation which it may consider desirable concerning~~ the administration of personnel or conditions of employment in the county service, and following such investigation shall report to the board of supervisors and county administrator executive officer its findings, conclusions, and recommendations.

(f) The commission shall hear appeals ~~of any person in the classified service relative to any suspension, demotion or dismissal in conformity with~~ pursuant to sections ~~27-27. The commission shall also provide, by rules, for the hearing of alleged violations of section and 27-3029~~ of this article.

(g) The ~~civil service~~ commission may ~~appoint~~, with the concurrence of the board of supervisors, appoint a confidential secretary to serve at the pleasure of the commission. The secretary who shall not, ~~as such secretary,~~ perform the duties of the ~~personnel human resources director or personnel officer. He shall serve at the pleasure of the commission.~~

Sec. 27-24. - Duties of ~~personnel~~ human resources director.

27-24
clean up language;
acknowledges HR
Director role in
proposing civil
service rules

~~The civil service system established by this article, shall be administered by the personnel director appointed in the same manner as other nonelected department heads of the county.~~

The ~~personnel~~ human resources director shall, among other duties:

- (a) Administer the civil service system ~~provisions of this article and of all the rules and regulations established under its authority~~;
- (b) ~~Prepare~~ Propose civil service ~~system~~ rules and ~~regulations~~ rule revisions as needed; ~~in consultation with the administrative officer for consideration by~~ provide them to the civil service commission ~~for comment~~; and present them to the board of supervisors for approval;
- (c) ~~Prepare, install and m~~ Maintain a classification plan ~~for approval by the administrative officer. The classification plan shall be~~ based upon the duties, authority, and responsibilities of each classified ~~positions in the county service. The administrative officer shall have the power to delegate his authority to approve the classification plan to any officer or employee of the county. The classification plan shall be subject to review by the civil service commission~~;
- (d) Maintain compensation plans approved by the board of supervisors; ~~Make wage periodically surveys at least annually to determine salaries compensation paid by other employers for comparable work by organizations and agencies other than the county~~; and ~~assist the administrative officer in making~~ make recommendations to the board of supervisors regarding ~~salaries and wages in the county service and administer potential revisions to~~ compensation plans as needed ~~when approved by the board of supervisors~~;
- (e) ~~Establish~~ Maintain and administer procedures for merit-based recruitment, selection, and evaluation of employees ~~a service rating system~~;
- (f) Maintain a roster of all employees; ~~a record of his official acts~~, the employment records of every employee; and, for a period of at least two years, the examination records of every candidate; and
- (g) ~~Certify to the auditor that appointment of any person to any position in the competitive service was in compliance with the applicable provisions of the civil service system~~;

- ~~(h) — Cooperate and coordinate the work of the personnel department with, and give technical assistance to, the civil service commission;~~
- ~~(i) — With the approval of the administrative officer, recommend to the board of supervisors the allocation of all positions in the classified service to an appropriate class in the classification plan.~~

27-25 specifies that some enterprise leader positions are exempt from civil service; deletes references to court positions and positions no longer used

Sec. 27-25. - Persons deemed exempt from provisions of this article.

- (a) All employees of the county shall be included in the civil service system ~~hereby adopted and also called the classified service~~ except that the following ~~are exempt from the provisions of this article.:~~
 - (1) ~~All eE~~lected county officers;
 - (2) ~~All pP~~ersons serving without compensation;
 - (3) ~~All pP~~ublic members of boards and commissions;
 - (4) The county executive officer, ~~and all persons appointed to a classification entitled~~ assistant county executive officers, ~~and of~~ deputy county executive officers;
 - (5) ~~Any aA~~ppointed department heads, ~~and all persons appointed to an assistant department head classification; provided, however, that all appointed department heads and all persons appointed to an assistant department head classification other than those specified in subdivision (a)(4) of this section; however, appointed department heads and assistant department heads shall remain subject to the provisions relative to recruiting and selection shall remain subject to the provisions relative to recruiting and selection;~~
 - (6) ~~Any pP~~ersons ~~paid from funds furnished under the provisions of performing work: (a) pursuant to Government Code section 25359, or any similar statute or ordinance section 29432 and section 29433 of the Government Code of the state; (b) in lieu of incarceration, or in exchange for a reduced period of incarceration; (c) pursuant to a sheriff's work release program; (d) pursuant to a post-conviction sentence or court order; or (e) as a condition of probation;~~

- (7) ~~Any persons~~ rendering professional, scientific, technical, or expert service of a temporary nature ~~to the county;~~
- (8) ~~Any persons~~ employed under contract;
- (9) ~~Such temporary, or seasonal, extra help, and limited term employees as may be provided for by the board of supervisors under civil service system rules;~~
- (10) ~~Any person employed as a supervisor's staff assistant~~ to ~~any members~~ of the board of supervisors;
- (11) Persons appointed to an enterprise leader position, unless the board of supervisors has determined the position should be included in the civil service system; and
- (12) In accordance with the intent and purposes of this article, Any other person appointed to a position which the board of supervisors has determined s should not be included in the civil service system exempt in accordance with the intent and purpose of this article.
- ~~(12) — Reserved.~~
- ~~(13) — Any person appointed to classifications entitled:

 - ~~(A) — Economic Development Manager I;~~
 - ~~(B) — Economic Development Manager II;~~
 - ~~(C) — Economic Development Manager III.~~~~
- ~~(14) — Any person appointed to classifications entitled:

 - ~~(A) — Project Manager, Community Relations I;~~
 - ~~(B) — Project Manager, Community Relations II;~~
 - ~~(C) — Project Manager, Community Relations III.~~~~
- ~~(b) — Insofar as it is permitted by law, attaches of the municipal courts and judicial districts and of the superior courts and members of the jury commissioner's staff shall be included in the civil service system hereby adopted except that the~~

~~following are exempt from the provisions of this article unless otherwise provided by state or federal laws or regulations:~~

- ~~(1) — All judges and elected officials;~~
- ~~(2) — All persons serving without compensation;~~
- ~~(3) — All public members of boards and commissions;~~
- ~~(4) — Any appointed department head and all persons appointed to an assistant department head classification; provided, however, that all department heads and all persons appointed to an assistant department head classification shall remain subject to the provisions relative to employment;~~
- ~~(5) — Any person rendering professional, scientific, technical or expert service of a temporary nature to the county;~~
- ~~(6) — Any persons employed under contract;~~
- ~~(7) — Temporary or seasonal employees;~~
- ~~(8) — Any other person appointed to a position which the governing body of the entity in question determines should be exempt in accordance with the intent and purpose of this article.~~

Sec. 27-26. - Recommendation of civil service rules ~~and regulations~~.

The commission ~~and the human resources director each may shall~~ recommend ~~to the board of supervisors civil service rules and regulations for the operation that support the basic principles~~ of the civil service system, ~~to the board of supervisors for adoption; such~~ The civil service rules shall have the force and effect of law, and shall among other things provide for:

- (a) ~~The c~~lassification of all positions in the civil service system;
- (b) ~~The minimum standards and qualifications for each classification to be met by all applicants for positions in the employ of the county~~ Recruitment, selection, and promotion procedures designed to achieve equal employment opportunity and merit-based employment decisions;
- (c) ~~A p~~ublic announcement of all examinations, with adequate publicity, ~~and allowing~~ a reasonable time for filing of applications ~~as set out in the rules;~~

*27-26
adds HR Director as a potential source of recommendations about civil service rules;
removes "rule of ten" on eligible lists (this is memorialized in the civil service rules, making this reference unnecessary);
notes that probationary period exceptions are listed in the civil service rules (which will also reference that there are exceptions granted in MOUs)*

- (d) ~~Admittance to e~~Examination of all applicants who meet the minimum standards and qualifications, and rejection or disqualification of any applicants who do not;
- (e) Open competitive examinations to test the relative fitness of applicants for entry into the classified service ~~of the county,~~ and competitive examinations for promotions. ~~The nature of all examinations is to be provided in the rules;~~
- (f) Filling of Vvacancies in the classified service ~~to be filled~~ by promotion whenever practicable;
- (g) ~~The e~~Establishment or abolition of eligible lists, including lists resulting from competitive, promotional, and open examinations, and from layoffs; and ~~the granting of~~ reemployment privileges. Such lists shall remain in force for not less than three months nor more than four years;
- (h) A veteran's preference credit program applicable to all eligible candidates who ~~shall~~ have earned the minimum qualifying score in a competitive, open examination, ~~eligibility for veteran's preference credits shall be provided in the rules;~~
- ~~(i) — Certification and appointment from the ten highest standings (including ties) on the eligible list or lists for the class whenever a position in the classified service is to be filled; provided, that eligibles on promotional lists for any particular class shall be certified before eligibles on open lists;~~
- (j) A probationary period ~~for each class not to exceed of at least~~ one year ~~for newly-hired employees in each class, to be fixed by the civil service commission, except as otherwise provided in the Civil Service Rules,~~ during which the ~~probationer shall serve "at will" and appointing authority may be rejectedreject (release) the appointee~~ without any right to hearing ~~on the part of the appointee or appeal~~. A rejected promotional probationer shall be reinstated to the position from which he or she was promoted;
- (k) ~~The w~~Written evaluation of employees' performance during the probationary period, and periodically thereafter;
- (l) Permanent status after completion of the probationary period, subject to dismissal, suspension, or demotion in accordance with this article, and the eCivil sService rRules, and just cause~~for cause;~~

~~(m)~~ Appointment to permanent positions on a provisional basis of persons who meet the minimum qualifications when there is no eligible list for the class, or when the list is exhausted; provided, that such provisional appointments shall be terminated at the end of one calendar year or within thirty calendar days after certification of eligibles, whichever first occurs;

~~(n)~~ Nonconsecutive appointments or temporary or limited-term positions of eligibles or persons who meet the minimum qualifications after appropriate qualifying examinations for periods not to exceed one day less than twelve months; provided, that acceptance or refusal to accept such appointment shall not bar an eligible from certification for permanent appointment;

~~(o)~~ Appointments in emergencies without reference to eligible lists for periods not to exceed sixty calendar days; provided, that each such appointment shall be reported in writing promptly to the civil service commission stating specifically the situation that exists. Upon request, the civil service commission may extend the appointment period for an additional sixty days;

~~(p)~~ Appointment to permanent positions on a provisional basis; temporary or limited-term positions appointments; and special procedures for appointments in emergency situations;

(m) Transfers, leaves of absences, separations, and reemployment privileges;

~~(qmn)~~ Layoff procedures to be followed whenever the board of supervisors in good faith finds it necessary and ~~and in good faith~~ for the welfare of the county to discontinue, temporarily or permanently, any position in the classified service; which procedures shall provide, among other things, for layoff eligibility and reinstatement of the laid-off employee when such position is reactivated;

~~(rno)~~ Open hearings on the approval of rules and ~~, regulations and~~ amendments to rules thereto, and on other matters as required by law; and

~~(eps)~~ Employee training;

~~(t)~~ Employer-employee relations.

Sec. 27-27. - Dismissal, suspension, demotion, or reduction in compensationrank.

- (a) This section shall apply only to officers and employees who, by their permanent status in the classified civil service, have the right to appeal disciplinary action to the civil service commission.
- (ab) Any officer or employee ~~in the classified civil service~~ may be dismissed, suspended, demoted, or reduced in ~~rank or~~ compensation by the appointing authority for just cause, after appointment or promotion is complete, by a written order stating specifically the reasons for the action. The order shall be ~~immediately~~ filed with the county personnel human resources director and a copy thereof shall be served upon ~~furnished to the officer or employee~~ person to be dismissed, suspended or reduced.
- (bc) Within ten working days after receiving the order, the officer or employee may reply to it in writing. The reply shall be directed to the county human resources director. Such reply shall constitute an appeal to the order, and the county human resources director shall forthwith transmit the order and appeal to the civil service commission for hearing. The officer or employee may reply in writing to the order within ten days from the date of its filing with the county human resources personnel director. The officer or employee may, within seven five days after presentation to him of the order is served upon them, or such other time limit as may be prescribed by state Government Code section 31108, appeal through the county human resources personnel director, who from the order. Upon filing of the appeal the county personnel director shall forthwith transmit the order and appeal to the civil service commission for hearing.
- (ed) Within twenty days from the filing of the appeal the commission shall commence a hearing, and following the hearing shall either affirm, modify or revoke the order. The appellant may appear personally, produce evidence, and have counsel and a public hearing. Failure to commence a hearing within the time specified in this subsection shall not affect the jurisdiction of the commission.
- (de) ~~At any hearing or investigation conducted by t~~The commission, ~~it~~ shall have the power to issue subpoenas and ~~require the attendance of witnesses and the production thereby of books and papers pertinent to the hearing or investigation, and each commissioner shall have the power to administer oaths to such witnesses. subpoenas duces~~

27-27

clean up language; uses "demoted" instead of "reduced in rank," to conform to current usage; if, on appeal, the CSC determines that an employee should NOT have been terminated or put on unpaid leave, it mandates that the employee be awarded "appropriate back pay," rather than stating that the employee may NOT be awarded back pay UNLESS they are "innocent of all charges." New language reflects what has been historical practice.

tecum, and compensate persons subpoenaed. This power shall be exercised and enforced in the same manner as the similar power granted to the board of supervisors in Government Code sections 25170 et seq.; except that: (1) such power shall extend only to matters within the commission's lawful jurisdiction; (2) committees of the commission shall not have this power; and (3) civil service rules may provide for reasonable fees or expenses, or both, for any or all such witnesses, regardless of which party subpoenaed them. Subpoenas shall be signed by the commission chair or secretary. Any commissioner, or any person otherwise so empowered, may administer oaths to, or take affirmations from, witnesses before the commission.

- (f) The commission may employ a hearing officer to act as the presiding officer. The procedure and rules of evidence at the hearing shall be relatively informal, but shall conform to ~~insofar as the same are applicable,~~ the provisions of the Administrative Procedure Act (Government Code, section § 11370, et seq.) ~~shall govern the procedures, rules of evidence and rights of the parties at such hearings, except as when otherwise provided herein in this article or the civil service rules. The verdict by the commission shall state the evidence relied upon and detail the reasons for each finding. By specific decision the commission may affirm, revoke or modify the order of the appointing authority.~~
- (g) Following the hearing, the commission shall issue a written decision affirming, revoking, or modifying the order of the appointing authority. If the commission modifies the order, the modification shall not increase the disciplinary action ordered by the appointing authority. The decision shall state with specificity the evidence relied upon and the reasons for each finding.
- (h) If the commission ~~revokes or modifies~~ an order discharging, demoting, or reducing the pay grade of an appellant, the commission may direct the appointing authority to reinstate the appellant to the appellant's previous position and pay grade, and ~~may~~must award the appellant appropriate back pay. For purposes of this section, "back pay" has the same definition as in the regulations implementing the California State Civil Service Act (2 CCR 51.2, subd. (i)), ~~except that overtime pay may be included in a back pay award if the overtime pay is pensionable under current law. Notwithstanding anything herein to the contrary, the commission shall not award back pay to any appellant who is not found innocent of all charges, and shall not award any appellant compensation for increased tax liability.~~

- (e) ~~The findings and decision of the commission shall be certified to, the department head or officer whose action was the subject of the hearing and forthwith enforced and followed by, the appointing authorityhim. The decision of the commission shall be final, except as otherwise provided by law. If the employee is found innocent of the charges, then he must be restored forthwith to his previous position with all rights and privileges pertaining thereto and with full back pay for time lost. The decision of the commission shall be final.~~

~~Sec. 27-28. -- Status of present employees.~~

~~On the operative date of the ordinance amending this article all persons then covered by this article shall retain their current status as probationer, permanent, provisional or other, as fixed by this article prior to this amendment or by the merit system of the county, repealed hereby, or by the California County Merit System and are hereby confirmed in such position and status at the time this ordinance, as amended is enacted into law until completing any existing probationary period, promoted, demoted or dismissed in accordance with the provisions of this article.~~

~~Every other person coming under the scope and benefit of this ordinance:~~

- ~~(a) — Shall have permanent status if they have held their present position for at least six months immediately preceding the operative date of this ordinance; or,~~
- ~~(b) — Shall successfully complete a probationary period of six months before acquiring permanent status if they have held their position for less than six months immediately preceding the operative date of this ordinance. The probationary period shall be computed from the beginning of their current period of service.~~

~~(11-3-70, § 2)~~

~~Sec. 27-29. -- Political activities of officers and employees.~~

~~The rights of county officers and employees to register and vote as they choose shall not be infringed. County officers and employees may express their opinions on all political subjects without recourse against them. No county officer or employee shall engage in political activity of any kind during working hours. Such prohibited activity shall include, but is not limited to soliciting money, influence, service or any other valuable thing to aid, promote or defeat any political committee or the nomination or election of any person to public office, while on the job during working hours. No person shall attempt to coerce, command or require a person~~

*27-28
section removed
as it is historical
and no longer
meaningful*

*27-29
moved to Article I,
Section 27-7 as it
relates to all
employees, not just
those in the civil
service*

~~holding, or applying for, any position, office or employment with the county to influence or give money, service or other valuable thing to aid, promote or defeat any political committee or to aid, promote or defeat the nomination or election of any person to public office. Subject to all of the foregoing, any county employee or officer may seek appointment or election to any public position, office or employment for which he is qualified.~~

Sec. 27-~~30~~28. - NondiscriminationEqual employment opportunity.

~~No All persons in the classified service or seeking admission thereto shall be afforded equal employment opportunity under the law, discriminated against in violation of any applicable state or federal laws, rules or regulations which may now or hereafter specifically prohibit such discrimination on such grounds as race, creed, color, political affiliation, physical handicap when otherwise qualified, veterans status, age, marital status, cancer-related medical condition or sexual orientation. Persons alleging discrimination prohibited by this section Permanent employees in the classified service who allege unlawful employment discrimination, unlawful harassment, or unlawful retaliation may appeal to the civil service commission as provided by the civil service rules.~~

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also in Article I,
Section 27-8. Here,
the reference is to
special rights of civil
service employees

Sec. 27-~~31~~29. - Amendment and repeal.

No amendment repealing this article in its entirety, or nullifying any ~~the~~ basic principles or objectives of the civil service system ~~contemplated by stated in section 27-21 of this article, or as set out in part 2 of division 4 of title 3 of the California Government Code (sections 31100 to 31115) and any amendments or successors thereto~~ shall be effective unless such a proposition of its repeal or amendment shall first have been submitted to a vote of the qualified electors of the county at a general or special election and shall have received the affirmative vote of a majority of the electors voting on the proposition. In all other respects, this article may be amended from time to time by a four-fifths vote of the board of supervisors, provided, however that any amendment exempting a position or positions from the classified service shall be made only in connection with structural reorganization of county government or a department thereof undertaken in the interest of efficiency and economy.

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clean up language

Sec. 27-~~32.~~ - Severability.

~~If any section, subsection, clause or phrase of this article is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining sections of this article. It is hereby declared that each section, subsection, clause or phrase of this article would have been passed irrespective of the fact that any other portion of such article might be declared unconstitutional. It is further provided, that any other law or ordinances which affect the employees of the county are specifically~~

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not necessary
(stated in County
Code Chapter 1,
Section 1-5)

~~maintained as governing law, except insofar as such other law conflicts either directly or indirectly with the article herein.~~

Sec. 27-~~33~~30. - Compensation and expenses of ~~members~~commissioners.

~~The members of the commission~~For each commission meeting attended, a commissioner shall receive as compensation for attendance at meetings of the commission, the sum of thirty five one hundred dollars per day, for each meeting or hearing attended, whether regular or special, commencing July 1, 1974. In in addition, they shall be entitled to mileage reimbursement at a reasonable rate for traveling from their place of residence to the meeting and return, provided that mileage reimbursement shall not be paid for any meeting outside the county. their actual, reasonable and necessary traveling expenses for each such meeting or hearing attended. Compensation and expenses shall not be paid, however, for attendance at more than three meetings per calendar month; provided, that each member of the Commission shall receive thirty five dollars per day compensation and reasonable and necessary expenses for each day or portion thereof of hearing attended without such limitation. For purposes of this section, "meeting" includes commission hearings.

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commissioner
pay must be in
ordinance by
state law;
reflects current
practice