

Date: July 27, 2011
W.I.: 1153
Referred by: Administration

ABSTRACT

Resolution No. 4024

This resolution sets forth the employment benefits and salary schedule for specific executive employees from August 1, 2011 through and including June 30, 2014.

Date: July 27, 2011
W.I.: 1153
Referred By: Administration

Re: Employment Benefits and Salary Schedule from August 1, 2011 through June 30, 2014 for Specific Executive Employees

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4024

WHEREAS, MTC Resolution No. 3764, adopted June 28, 2006, established employment benefits and a salary schedule for specific executive employees of the Metropolitan Transportation Commission (MTC) for the period beginning July 1, 2006 through June 30, 2011; and

WHEREAS, MTC Resolution No. 4021, adopted June 22, 2011, extended MTC Resolution No. 3576 for the period July 1, 2011 through July 31, 2011; and

WHEREAS, the Meyers-Milias-Brown Act (Government Code § 3500 *et seq.*) allows MTC and its employees to agree to self-representation which requires MTC and its employees to then meet and confer before MTC considers a new resolution to establish employment benefits and salary adjustments; and

WHEREAS, representatives of the Executive employees have met and conferred with the appointed management negotiator; and

WHEREAS, the Executive Director has presented the results of the meet-and-confer process to the Administration Committee together with his recommendations for employment benefits and salary adjustments for specific employees; and

WHEREAS, the Administration Committee has reviewed all employment benefits and salary adjustment proposals and has referred them to the Metropolitan Transportation Commission with a recommendation for approval; now, therefore, be it

RESOLVED, that the employment benefits and salary schedule for Executive employees effective August 1, 2011 through June 30, 2014 shall be as set forth in Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length; and be it further

RESOLVED, that the Executive Director shall update the applicable salary schedule set forth in Attachment A as necessary to reflect the adjustments authorized therein; and be it further

RESOLVED, that MTC's agency operating budget for FYs 2011-2012, 2012-2013, and 2013-2014, , when adopted, shall include sufficient funds to cover the costs for such employment benefits, salaries, and adjustments.

METROPOLITAN TRANSPORTATION COMMISSION

Adrienne J. Tissier, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on July 27, 2011.

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Attachment A
Resolution No. 4024
Page 1 of 15

METROPOLITAN TRANSPORTATION COMMISSION
Oakland, California

SUMMARY OF BENEFITS FOR INCUMBENT EXECUTIVE EMPLOYEE
POSITIONS

Fiscal Years 2011-2012, 2012-2013, and 2013-2014

SALARY TABLES

Salary administration is regulated per EDMM No. 225 and the MTC Employee Handbook.

Salary Adjustments

The January 1, 2011 salary tables shall be adjusted 2% annually for cost-of-living effective August 1, 2011, July 1, 2012, and July 1, 2013.

Merit Program

Pay step adjustments within range subject to policy guidelines.

PAID LEAVE BENEFITS

Use of all paid leave benefits is regulated per EDMM No. 297 Leave Policy and the MTC Employee Handbook.

Holidays

Eleven (11) days per year for full time employees. No minimum service required for eligibility.

Funeral Leave

Up to three 3 days (24 hours), on the basis of need, in the case of the death of a defined family member or member of employee's household. No minimum service required for eligibility. This benefit has no cash value and is not payable upon employment separation.

Personal Leave Days

Up to 3 personal leave days (24 hours) are granted at the beginning of each calendar year. The number of personal leave days granted to new employees is prorated as follows:

January through April – 3 days
May through August – 2 days
September through November – 1 day
December – 0 days

In the event that Personal Leave Days are accrued but unused at the end of a calendar year, the employee will receive an amount to start the new calendar year at a maximum of three days. Personal Leave Days are not payable upon employment separation.

Vacation Leave Benefits

Accrual of Vacation Leave Benefits

- One day (8 hours) per month worked starting with the first day of employment. Prorated for new hires based on first working day of employment within the month.
- Addition of one more day (8 more hours) each additional year worked up to a maximum of 13 additional days (104 hours) for a total annual benefit of 25 days (200 hours) a year is reached.
- Accrued to a cap of 62.5 days (500 hours). Once the cap (500 hours) is reached, all vacation accrual stops until such time that the vacation balance falls below the cap (500 hours). If the vacation accrual is larger than the difference between the vacation balance and the 500 hour cap, individuals will receive only a fraction of their bi-weekly vacation accrual for that pay period bringing their vacation balance to 500 hours.
- Employees working an average of 40 hours over a two-week pay period, but less than 72 hours over a two-week pay period will receive prorated benefits.
- All vacation leave benefits are accrued and available for use with each bi-weekly pay period.

Annual Vacation Cash Out Option

Once a twelve month period, employees may cash-out accrued but unused vacation leave over 360 hours up to cap of 500 hours. Payment will be made at the employee's current hourly rate and is considered taxable earnings. Payment is subject to any and all applicable deductions.

Payment Upon Separation

Accrued but unused vacation time off benefits up to the maximum accrual of 62.50 days or 500 hours are payable upon employment separation at the hourly rate earned by the employee at the time of employment separation. Payment will be in one lump sum and is subject to any and all applicable deductions.

Sick Leave Benefits

Accrual of Sick Time Off Benefits

- One day (8 hours) per month worked starting with the first day of employment. Prorated for new hires based on first working day of employment within the month.
- Employees working an average of 40 hours over a two-week pay period, but less than 72 hours over a two-week pay period will receive prorated benefits.
- Sick time off benefit is accrued without a cap.

Payment Upon Separation

Accrued but unused sick time off benefits up to a maximum of 30 days or 240 hours are payable upon employment separation at the hourly rate paid the employee at the time of employment separation. Payment will be in one lump sum and is subject to any and all applicable deductions.

PROBATION

The Probation period is regulated per EDMM No. 210 and the MTC Employee Handbook. Use of leave time during probation is regulated by EDMM No. 297.

The initial twelve months of service is considered to be a probationary period during which time a new employee's work and conduct are observed and evaluated. The Executive Director may terminate a person on probation at any time during the probationary period for failure to meet reasonable performance standards.

INSURANCE

Scope, limitations, and annual insurance premium costs are set forth in actual insurance company policies and provided each year during open enrollment.

Group Dental Insurance	Agency pays total premium for employee's coverage. The cost to Employees for coverage for one dependent is \$6.30 per month, and \$19.13 per month for two or more dependents. The Agency contributes the remainder of the premium. MTC will deduct employee dependent premium payments from earned wages pre-tax as allowable by law.
Group Dental Insurance Cash-in-Lieu	Employees have the option of receiving the equivalent dollar amount of the Employee Only premium in cash upon signing a waiver of coverage and providing proof of being covered under a comparable dental plan. The amount is subject to federal and state tax withholding.
Group Medical Insurance	Employees agree to contribute towards medical premiums as shown in the cost-share Appendix 1. MTC will deduct employee medical insurance premium payments from earned wages pre-tax as allowable by law.
Group Medical Insurance Cash-in-Lieu	Employees have the option of receiving cash in lieu instead of enrolling in the health insurance plan upon the signing of a waiver of coverage and providing proof of being covered under a comparable medical plan. The amount of cash in lieu will be equal to the second most costly Employee Only premium total minus the Employee contribution amount for that premium. Cash in lieu payments are subject to federal and state tax withholding.
Vision Care Insurance	Agency pays total premium for Employee Only coverage. Employees may enroll dependents at their sole cost. MTC will deduct dependent premium payments from earned wages pre-tax as allowable by law.
Domestic Partner Coverage	MTC provides group medical insurance, group dental insurance, and group vision coverage for an eligible domestic partner and dependents subject to CalPERS regulations regarding domestic partner coverage. The maximum amount of the Agency contributions shall be the same as that specified under "Group Dental Insurance" and "Group Medical Insurance" provisions referenced above.

Life and Related Insurance	Agency pays premiums for Employee life insurance policy; life insurance benefit is equal to two times annual salary or a minimum of \$100,000, whichever is greater. Agency pays additional premium for employee for Accidental Death and Dismemberment policy equal to the group term life insurance coverage. Agency pays premium for qualified dependents (as defined in current policy) for \$2,000 life coverage per dependent.
Group Voluntary Life and Related Insurance	In addition, Employee may elect to purchase, at his/her expense, supplemental Group Voluntary Life Insurance.
Short-Term and Long-Term Disability	Agency pays monthly premium for each \$100 of benefit, up to a maximum of \$6,000 benefit per month or 66 2/3% monthly salary, whichever is the lesser, for disability, after a 15-day waiting period from initial disability.
Travel Insurance	Agency pays annual premium. Each employee is covered with a policy of \$100,000 for loss of life while traveling on MTC business.

RETIREMENT

1 st Tier Retirement Formula	<p>The retirement benefit formula is calculated, pursuant to contract with PERS, at 2.5% at age 55.</p> <p>The Agency and employee agree to equally share in the future annual PERS employer rate changes up to an employee total contribution capped at 8%.</p> <p>Effective, July 1, 2010, the Agency Baseline rate is 21.098% and the shared contribution is:</p> <ul style="list-style-type: none">(a) Employee pays 3.553% of salary(b) Agency pays 17.545% of salary <p>Effective August 1, 2011, the revised total rate is 24.362% and the shared contribution is:</p> <ul style="list-style-type: none">(c) Employee pays 5.184% of salary(d) Agency pays 19.178% of salary <p>Effective July 1, 2012 and July 1, 2013, the shared contribution rates will change based on the increase in the Employer contribution rate shown in the Annual PERS Actuarial Valuation Reports for period ending June 2010 and June 2011.</p>
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Other Contracted Benefits

In accordance with Agency's PERS contract amendment effective August 1, 2000, Agency has contracted for the following optional provisions:

3% Maximum Cost-of-Living Allowance; Section 21573 – Third Level 1959 Survivor Benefits; Section 21583 – Second Election 1959 Survivor Benefits; Section 21548 – Pre-retirement Optional Settlement 2 Death Benefit; and Section 20903 – Two years Additional Service Credit.

2nd Tier Retirement Formula

MTC will implement a 2nd Tier Retirement plan for employees hired on July 1, 2012 or upon adoption of the new CalPERS 2nd tier retirement formula agreement (whichever is later). The plan will include a pension formula of 2% at age 60 with Employees paying the full Employee contribution rate (currently at 7%). This new plan will include all other Agency optional contracted benefits included in the 2.5% @ 55 plan.

Retiree Medical

Retiree and eligible dependents are entitled to the same medical benefits provided to regular MTC employees and at the same co-pay amounts. If eligible, a retired MTC employee must apply for Medicare. His/her PERS health coverage would be provided as a supplement.

TRANSIT/PARKING BENEFITS

MTC shall provide a Transit/Parking Program providing commuting benefits as follows:

Public Transit Option

MTC provides a subsidy in accordance with IRS Fringe Benefit regulation for employees for legitimate and applicable transit ticket purchases. Purchases must be made through authorized MTC provided third-party transit administrator(s) only and must be for a monthly amount needed and used by each employee each month, per IRS regulation.

MTC's monthly subsidy for the remainder of Calendar year 2011 is up to \$119. Effective January 1, 2012, MTC's monthly subsidy will increase to up to \$160.

Employees may make additional monthly pre-tax deductions to purchase eligible transit, up to the IRS monthly allowable non-taxable maximum currently at \$280.

Employer Provided Parking Option

Employees may select to contribute \$18.50 per month pre-tax for parking in the MTC leased employee parking lot in lieu of receiving the monthly transit subsidy. This option is based on availability of parking spaces in the lot.

Carpool Option

Employees in a verified carpool with two or more persons will receive one parking space in the MTC leased employee parking lot in lieu of the monthly transit/parking subsidy. This option is based on availability of parking spaces in the lot.

Cash-in-Lieu Option

Employees may elect to receive \$18.00 per month cash-in-lieu if not selecting another Transit/Parking Program. Cash-in-lieu payments are subject to federal and state tax withholding.

OTHER ELECTIVE
DEDUCTIONS

Dependent Care Assistant Plan (DCAP)

MTC's Dependent Care Assistance Plan (DCAP) is a totally employee-funded program, except for the costs incurred by Agency to administer the program. Employees may elect pre-tax payroll deductions up to the limits set by the Internal Revenue Service for the reimbursement of eligible childcare and dependent care expenses, in accordance with IRS regulations. See actual plan for details and limitations.

Health Care Flexible Spending Account

MTC's Health Care Flexible Spending Account is a totally employee-funded program, except for the costs incurred by the agency to administer the program. Employees may elect pre-tax payroll deductions up to a limit equivalent to the Federal Health Care Flexible Spending Account for the reimbursement of eligible healthcare costs that are not covered under the employee's health insurance. See actual plan for details and limitations.

Deferred Compensation Plan

Employee may elect to participate in the 457 Deferred compensation program(s) and make pre-tax contributions subject to IRS regulations and program limitations. The Agency will administer the pre-tax deductions and submittal of employee contributions.

PROFESSIONAL
DEVELOPMENT

Professional Development Subject to approval by the Section Director and appropriations in the annual training and travel budget, employees may participate in Agency sponsored Professional Development, defined as any training, materials, testing, licensing, membership, conferences, classes, tuition, etc. that are determined to be appropriate to the employee's professional development. (Refer to EDMM No. 270.)

Computer Purchase Program MTC will assist in the purchase of a personal computer and peripheral equipment, up to a maximum of \$5,000 for regular fulltime employees who have completed their probation and are scheduled to work 72 hours or more per pay period. The total cost of each purchase shall be repaid by participating employee through bi-weekly payroll deduction, up to a maximum of a 2-yr period or 52 pay periods. See actual plan for details and limitations.

MANDATORY PROVISIONS

As required by statute.

Workers' Compensation Standard

Unemployment Insurance Standard

I

**CLASSIFIED EXECUTIVE MANAGEMENT/ADMINISTRATIVE
 GRADES X/A, X/B and L/1-3, effective January 1, 2011**

Title	Grade	Minimum	Maximum
Executive Management	X/A	\$127,612.93	\$176,704.68
Executive Administrative	X/B	\$104,498.76	\$136,448.97
Executive Legal	L/1	\$104,494.37	\$136,448.97
	L/2	\$124,317.6	\$153,675.26
	L/3	\$140,082.77	\$176,704.68
Chief Financial Officer	X/4		\$209,327.83
Deputy Executive Director	X/3		\$209,327.83

II

Unclassified Executives

Title

Executive Director Salary established by the Commission by employment agreement.

General Counsel Salary established by the Commission by employment agreement.

Classified Executive Management ranges X/A, X/B, L/1-3, Deputy Executive Director, and Chief Financial Officer shall be adjusted in FYs 2011-2012 through FY 2013-2014 in a manner consistent with the adjustments to the salary schedule in MTC Resolution No. 4024.

METROPOLITAN TRANSPORTATION COMMISSION
Oakland, California
Effective 1/1/2011

CLASSIFIED EXECUTIVE MANAGEMENT/ADMINISTRATIVE
GRADES X/A and X/B

<u>Title</u>	<u>Grade</u>		<u>Minimum</u>	<u>Maximum</u>
Executive Management (Section Directors)	X/A	Hourly	\$61.3524	\$84.9542 (1)
		Bi-weekly	\$4,908.19	\$6,796.33 (2)
		Monthly	\$10,634.41	\$14,725.39 (3)
		Annual	\$127,612.93	\$176,704.68 (4)
Executive Administrative	X/B	Hourly	\$50.2398	\$65.6005 (1)
		Bi-weekly	\$4,019.18	\$5,248.04 (2)
		Monthly	\$8,708.23	\$11,370.75 (3)
		Annual	\$104,498.76	\$136,448.97 (4)

Semi-Annual Review, 0%; effective 1/1/11
No Change

Approved: 
Steve Heminger, Executive Director

Date: 2/3/11

- (1) Hourly is Previous Salary * Current Increase
- (2) Bi-Weekly is Hourly * 80
- (3) Monthly is Yearly / 12
- (4) Yearly is BiWeekly *26

METROPOLITAN TRANSPORTATION COMMISSION
Oakland, California
 Effective 1/1/2011

**CLASSIFIED EXECUTIVE MANAGEMENT/ADMINISTRATIVE
 GRADE L**

<u>Title</u>	<u>Grade</u>		<u>Minimum</u>	<u>Maximum</u>
ASSOCIATE COUNSEL I	L/1	Hourly	\$50.2377	\$65.6005 (1)
		Bi-weekly	\$4,019.01	\$5,248.04 (2)
		Monthly	\$8,707.86	\$11,370.75 (3)
		Annual	\$104,494.37	\$136,448.97 (4)
ASSOCIATE COUNSEL II	L/2	Hourly	\$59.7681	\$73.8823 (1)
		Bi-weekly	\$4,781.45	\$5,910.59 (2)
		Monthly	\$10,359.80	\$12,806.27 (3)
		Annual	\$124,317.60	\$153,675.26 (4)
DEPUTY GENERAL COUNSEL	L/3	Hourly	\$67.3475	\$84.9542 (1)
		Bi-weekly	\$5,387.80	\$6,796.33 (2)
		Monthly	\$11,673.56	\$14,725.39 (3)
		Annual	\$140,082.77	\$176,704.68 (4)

Semi-Annual Review, 0%; effective 1/1/11
 No Change

Approved: 
 Steve Heminger, Executive Director

Date: 2/3/11

- (1) Hourly is Previous Salary * Current Increase
- (2) Bi-Weekly is Hourly * 80
- (3) Monthly is Yearly / 12
- (4) Yearly is BiWeekly *26

METROPOLITAN TRANSPORTATION COMMISSION
Oakland, California
Effective 1/1/2011

CLASSIFIED EXECUTIVE MANAGEMENT/ADMINISTRATIVE
GRADE X/3

<u>Title</u>	<u>Hourly</u>	<u>Biweekly</u>	<u>Monthly</u>	<u>Annual*</u>
Deputy Executive Director	\$100.6384	\$8,051.07	\$17,443.99	\$209,327.83

Semi-Annual Review, 0%; effective 1/1/11
No Change

Approved: 
Steve Heminger, Executive Director

Date: 2/3/14

- (1) Hourly is Previous Salary * Current Increase
- (2) Bi-Weekly is Hourly * 80
- (3) Monthly is Yearly / 12
- (4) Yearly is BiWeekly *26

METROPOLITAN TRANSPORTATION COMMISSION
Oakland, California
Effective 1/1/2011

CLASSIFIED EXECUTIVE MANAGEMENT/ADMINISTRATIVE
GRADE X/4

<u>Title</u>	<u>Hourly</u>	<u>Biweekly</u>	<u>Monthly</u>	<u>Annual*</u>
Chief Financial Officer	\$100.6384	\$8,051.07	\$17,443.99	\$209,327.83

Semi-Annual Review, 0%; effective 1/1/11
No Change

Approved: 
Steve Heminger, Executive Director
Date: 2/3/11

- (1) Hourly is Previous Salary * Current Increase
- (2) Bi-Weekly is Hourly * 80
- (3) Monthly is Yearly / 12
- (4) Yearly is BiWeekly *26

Appendix 1

EXECUTIVE EMPLOYEES - MEDICAL PREMIUM COST-SHARE TABLE

<u>Plan & Coverage</u>	Employee Total Monthly Cost 2011	Employee Total Monthly Cost 2012 (1/1/12)	Employee Total Monthly Cost 2013 (1/1/13)	Employee Total Monthly Cost 2014 (1/1/14)
<u>Blue Shield HMO</u>				
Employee	\$0.00	\$6.76	\$20.27	\$40.53
Employee + 1 Dependent	\$0.00	\$150.00	\$180.00	\$216.00
Employee + 2 or More Dep.	\$0.00	\$150.00	\$180.00	\$216.00
<u>Kaiser HMO</u>				
Employee	\$0.00	\$5.69	\$17.07	\$34.14
Employee + 1 Dependent	\$0.00	\$11.38	\$34.14	\$68.28
Employee + 2 or More Dep.	\$0.00	\$29.32	\$58.91	\$103.29
<u>PERS Choice PPO</u>				
Employee	\$0.00	\$5.63	\$16.90	\$33.80
Employee + 1 Dependent	\$0.00	\$11.27	\$33.80	\$67.61
Employee + 2 or More Dep.	\$0.00	\$14.65	\$43.95	\$87.89
<u>PERSCare PPO</u>				
Employee	\$0.00	\$150.00	\$180.00	\$216.00
Employee + 1 Dependent	\$0.00	\$150.00	\$180.00	\$216.00
Employee + 2 or More Dep.	\$0.00	\$150.00	\$180.00	\$216.00
<u>Blue Shield NetValue HMO</u>				
Employee	\$0.00	\$5.81	\$17.44	\$34.87
Employee + 1 Dependent	\$0.00	\$36.12	\$59.37	\$94.25
Employee + 2 or More Dep.	\$0.00	\$61.49	\$91.72	\$137.05
<u>PERS Select PPO</u>				
Employee	\$0.00	\$4.93	\$14.78	\$29.56
Employee + 1 Dependent	\$0.00	\$9.85	\$29.56	\$59.12
Employee + 2 or More Dep.	\$0.00	\$12.81	\$38.43	\$76.86