

22. Under advisement from November 7, 2023 (Item No. 17): Introduce and preliminarily adopt Salary Ordinance No. NS-20.23.08, an Ordinance amending Santa Clara County Executive Leadership Salary Ordinance No. NS-20.23, amending Section 2 - Positions, Salary Range, Transfers, and Inplacement, adding subsection (f) providing a one-time payment up to 10% of the salary upon satisfactory completion of the 18-month probationary period for specialized, difficult to fill positions. (ID# 24-4317)

ORDINANCE NO. NS-20.23.08

AN ORDINANCE AMENDING SANTA CLARA COUNTY ORDINANCE
NO. NS-20.23 RELATING TO THE COMPENSATION OF EMPLOYEES

Summary

This Ordinance amends the Executive Leadership Salary Ordinance to amend the compensation and benefits for executive leadership and elected officials.

The Board of Supervisors of the County of Santa Clara ordains as follows:

SECTION 1:

In Exhibit A to Ordinance No. NS-20.23, under the **SECTION 2. POSITIONS, SALARY RANGES, TRANSFERS AND INPLACEMENT**, the following:

SECTION 2. POSITIONS, SALARY RANGES, TRANSFERS AND INPLACEMENT

- (a) The salary range for persons in leadership positions (except members of the Board of Supervisors) designated in Exhibit A shall be as set forth in the schedule of bi-weekly salaries as stated in Exhibit A, as adopted, and as may be subsequently amended, by the Board of Supervisors.
- (b) If employees in leadership positions designated in Exhibit A qualify for transfer or demotion and the only prohibition is the salary of the new class, it shall be deemed to be a lateral transfer if the entry salary of the new salary range is not more than ten percent (10%) above the top of the former salary range.
- (c) For promotion into leadership positions, employees shall have their pay adjusted within the new range which provides for a ten (10%) percent increase in salary. In addition, the in-placement provisions that apply to other employees in the County shall also apply to the employees in leadership positions. Notwithstanding the foregoing, the County Executive shall have the discretion to provide for appropriate placement within the approved salary range.
- (d) Employees appointed to an acting leadership position shall have their pay adjusted within the new range that provides for an increase up to 10% in salary. Acting salary shall not exceed the maximum pay of the salary range. The duration of Work Out of Class and Acting assignments is at the discretion of the County Executive and pursuant to CalPERS guidelines and limits.
- (e) Persons appointed to leadership positions are required to satisfactorily complete an eighteen (18) month probationary period. This does not apply to unclassified executive leadership positions as these are at-will.

Shall be amended to read:

SECTION 2. POSITIONS, SALARY RANGES, TRANSFERS AND INPLACEMENT

- (a) The salary range for persons in leadership positions (except members of the Board of Supervisors) designated in Exhibit A shall be as set forth in the schedule of bi-weekly salaries as stated in Exhibit A, as adopted, and as may be subsequently amended, by the Board of Supervisors.
- (b) If employees in leadership positions designated in Exhibit A qualify for transfer or demotion and the only prohibition is the salary of the new class, it shall be deemed to be a lateral transfer if the entry salary of the new salary range is not more than ten percent (10%) above the top of the former salary range.
- (c) For promotion into leadership positions, employees shall have their pay adjusted within the new range which provides for a ten (10%) percent increase in salary. In addition, the in-placement provisions that apply to other employees in the County shall also apply to the employees in leadership positions. Notwithstanding the foregoing, the County Executive shall have the discretion to provide for appropriate placement within the approved salary range.
- (d) Employees appointed to an acting leadership position shall have their pay adjusted within the new range that provides for an increase up to 10% in salary. Acting salary shall not exceed the maximum pay of the salary range. The duration of Work Out of Class and Acting assignments is at the discretion of the County Executive and pursuant to CalPERS guidelines and limits.
- (e) Persons appointed to leadership positions are required to satisfactorily complete an eighteen (18) month probationary period. This does not apply to unclassified executive leadership positions as these are at-will.
- (f) For positions determined to be specialized or difficult to recruit, the County Executive may authorize a one-time incentive payment of up to 10% of the employee's salary, with such incentive to accrue after satisfactory completion of the employee's probationary period or eighteen (18) months of service for those in an unclassified position.

SECTION 2:

This Ordinance shall take effect February 27, 2024. This Ordinance shall be implemented on March 18, 2024.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on _____ by the following vote:

AYES:

NOES:

ABSENT:

SUSAN ELLENBERG, PRESIDENT
Board of Supervisors

Signed and Certified that a copy of this document has been delivered by electronic or other means to the President, Board of Supervisors.

Attest:

Curtis Boone
Acting Clerk of the Board of Supervisors

PC-02/06/2024

Form Approved by County Counsel 08/23

ORDINANCE NO. NS-20.23.08

AN ORDINANCE AMENDING SANTA CLARA COUNTY ORDINANCE
NO. NS-20.23 RELATING TO THE COMPENSATION OF EMPLOYEES

Summary

This Ordinance amends the Executive Leadership Salary Ordinance to amend the compensation and benefits for executive leadership and elected officials.

The Board of Supervisors of the County of Santa Clara ordains as follows:

SECTION 1:

Section 2. POSITIONS, SALARY RANGES, TRANSFERS AND IMPLACEMENT, of Executive Leadership Master Salary Ordinance No. NS-20.23, which states:

SECTION 2. POSITIONS, SALARY RANGES, TRANSFERS AND IMPLACEMENT

- (a) The salary range for persons in leadership positions (except members of the Board of Supervisors) designated in Exhibit A shall be as set forth in the schedule of bi-weekly salaries as stated in Exhibit A, as adopted, and as may be subsequently amended, by the Board of Supervisors.
- (b) If employees in leadership positions designated in Exhibit A qualify for transfer or demotion and the only prohibition is the salary of the new class, it shall be deemed to be a lateral transfer if the entry salary of the new salary range is not more than ten percent (10%) above the top of the former salary range. In the event of a transfer to a class with a lower salary range than the incumbent's former class, the County Executive shall have the discretion to authorize the incumbent to maintain their rate of pay from their prior class for a period not to exceed two years from the effective date of the transfer.
- (c) For promotion into leadership positions, employees shall have their pay adjusted within the new range which provides for a ten (10%) percent increase in salary. In addition, the in-placement provisions that apply to other employees in the County shall also apply to the employees in leadership positions. Notwithstanding the foregoing, the County Executive shall have the discretion to provide for appropriate placement within the approved salary range.
- (d) Employees appointed to an acting leadership position shall have their pay adjusted within the new range that provides for an increase up to 10% in salary. Acting salary shall not exceed the maximum pay of the salary range. The duration of Work Out

of Class and Acting assignments is at the discretion of the County Executive and pursuant to CalPERS guidelines and limits.

- (e) Persons appointed to leadership positions are required to satisfactorily complete an eighteen (18) month probationary period. This does not apply to unclassified executive leadership positions as these are at-will.

Shall be amended to read:

SECTION 2. POSITIONS, SALARY RANGES, TRANSFERS AND IMPLACEMENT

- (a) The salary range for persons in leadership positions (except members of the Board of Supervisors) designated in Exhibit A shall be as set forth in the schedule of bi-weekly salaries as stated in Exhibit A, as adopted, and as may be subsequently amended, by the Board of Supervisors.
- (b) If employees in leadership positions designated in Exhibit A qualify for transfer or demotion and the only prohibition is the salary of the new class, it shall be deemed to be a lateral transfer if the entry salary of the new salary range is not more than ten percent (10%) above the top of the former salary range. In the event of a transfer to a class with a lower salary range than the incumbent's former class, the County Executive shall have the discretion to authorize the incumbent to maintain their rate of pay from their prior class for a period not to exceed two years from the effective date of the transfer.
- (c) For promotion into leadership positions, employees shall have their pay adjusted within the new range which provides for a ten (10%) percent increase in salary. In addition, the in-placement provisions that apply to other employees in the County shall also apply to the employees in leadership positions. Notwithstanding the foregoing, the County Executive shall have the discretion to provide for appropriate placement within the approved salary range.
- (d) Employees appointed to an acting leadership position shall have their pay adjusted within the new range that provides for an increase up to 10% in salary. Acting salary shall not exceed the maximum pay of the salary range. The duration of Work Out of Class and Acting assignments is at the discretion of the County Executive and pursuant to CalPERS guidelines and limits.
- (e) Persons appointed to leadership positions are required to satisfactorily complete an eighteen (18) month probationary period. This does not apply to unclassified executive leadership positions as these are at-will.
- (f) For positions determined to be specialized or difficult to recruit, the County Executive may authorize a one-time incentive payment of up to 10% of the employee's salary, with such incentive to accrue after satisfactory completion of

the employee's probationary period or eighteen (18) months of service for those in an unclassified position.

SECTION 2:

This Ordinance shall take effect February 27, 2024. This Ordinance shall be implemented on March 18, 2024.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on _____ by the following vote:

AYES:

NOES:

ABSENT:

SUSAN ELLENBERG, PRESIDENT
Board of Supervisors

Signed and Certified that a copy of this document has been delivered by electronic or other means to the President, Board of Supervisors.
ATTEST:

Curtis Boone
Acting Clerk of the Board of Supervisors

Approved as to form and legality:



ROB COELHO
Assistant County Counsel