

**PERSONNEL RULES
OF THE
IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY**

I. COVERAGE OF THE PERSONNEL RULES

- 1.1 The following Personnel Rules of the In-Home Supportive Services Public Authority (“IHSS PA”) apply to all IHSS PA employees. Any of these Personnel Rules may be suspended, deleted, or modified as deemed necessary by the IHSS PA Governing Board.
- 1.2 The IHSS PA is a public entity separate from the County of Contra Costa, and therefore IHSS PA employees are not County employees for any purpose and are not governed by any County personnel rules or regulations, except as otherwise specifically provided.
- 1.3 These Personnel Rules do not apply to IHSS Individual Providers.

II. EMPLOYEES

- 2.1 At-Will Employment Policy. Employment with the IHSS PA is at-will. IHSS PA employees are at-will employees. Employees can terminate their employment at any time, and the IHSS PA can terminate an employee’s employment at any time, with or without cause and with or without notice. Any prior agreements or understandings are superceded by this policy. The at-will nature of any employee’s employment cannot be changed without the express written consent of the IHSS PA Governing Board. Only the IHSS PA’s Governing Board can change the at-will nature of the Executive Director’s employment.
- 2.2 Employee Evaluations. Employees will be evaluated by the Executive Director or designee annually. The Executive Director or designee will review each evaluation with the subject employee. Employees will be entitled to a copy of the evaluation.

The Executive Director’s performance will be evaluated annually by the Contra Costa County Employment and Human Services Department’s Aging and Adult Services Director or designee.

III. WORK SCHEDULE AND WORK WEEK

- 3.1 Regular Work Schedule: The regular work schedule is eight (8) hours per day, Monday through Friday, inclusive, for a total of forty (40) hours per week.

- 3.2 Flexible Work Schedule: A flexible work schedule is when the employee is regularly scheduled to work other than eight (8) hours per day between Monday and Friday, inclusive.
- 3.3 4/10 Work Schedule: A 4/10 work schedule is four (4) ten hour days in a seven (7) day period, for a total of forty (40) hours per week.
- 3.4 9/80 Work Schedule: A 9/80 work schedule is where an employee works a recurring schedule of thirty six (36) hours in one calendar week and forty four (44) hours in the next calendar week, but only forty (40) hours in the designated work week. In the thirty six (36) hour calendar week, the employee works four (4) nine (9) hour days and has the same day of the week off that is worked for eight (8) hours in the forty four (44) hour calendar week. In the forty four (44) hour calendar week, the employee works four (4) nine (9) hour days and one eight (8) hour day.
- 3.5 Work week for Employees on Regular, Flexible, and 4/10 Work Schedules: For employees on regular, flexible, and 4/10 work schedules, the work week begins at 12:01 a.m. on Monday and ends at 12 midnight on Sunday.
- 3.6 Work week for Employees on 9/80 Work Schedule: The 9/80 work week begins on the same day of the week as the employee's eight (8) hour work day and regularly scheduled 9/80 day off. The start time of the work week is four (4) hours and one (1) minute after the start time of the eight (8) hour work day. The end time of the work week is four (4) hours after the eight (8) hour work day start time. The result is a work week that is a fixed and regularly recurring period of seven (7) consecutive twenty four (24) hour periods (168 hours).

IV. 4.1 Holidays: The IHSS PA will observe the following holidays:

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| New Year's Day | Labor Day |
| Martin Luther King Jr. Day | Veterans' Day |
| Presidents' Day | Thanksgiving Day |
| Memorial Day | Day after Thanksgiving |
| Independence Day | Christmas Day |

- 4.2 Employees on regular, flexible, 9/80, and 4/10 schedules are entitled to observe a holiday (day off work), without a reduction in pay, whenever a holiday is observed by the IHSS PA. Any holiday observed by the IHSS PA that falls on a Saturday is observed on the preceding Friday and any holiday that falls on a Sunday is observed on the following Monday.
- 4.3 Holidays - Flexible, 9/80 and 4/10 Work Schedules: When a holiday falls on the regularly scheduled day off of any employee who is on a flexible, 9/80, or 4/10

work schedule, the employee is entitled to take the day off, without a reduction in pay, in recognition of the holiday. These employees are entitled to request another day off in recognition of their regularly scheduled day off. The requested day off must be within the same month and workweek as the holiday and it must be pre-approved by the employee's supervisor. If the day off is not approved by the supervisor, it is lost. If the approved day off is a nine (9) hour workday, the employee must use one (1) hour of non-sick-leave accruals. If the approved day off is a ten (10) hour workday, the employee must use two (2) hours of non-sick-leave accruals. If the employee does not have any non-sick-leave accrual balances, leave without pay (AWOP) will be authorized.

- 4.4 Holidays - Part-Time Employees: Part-time employees are entitled to observe a holiday (day off work) in the same ratio as the number of hours in the part time employee's weekly schedule bears to forty (40) hours.

V. VACATION POLICY

- 5.1 The use of vacation leave is governed by these Personnel Rules and the policies of the Executive Director.
- 5.2 Employees will not be able to use accrued vacation time during the first six months of employment.
- 5.3 The timing of vacations will be subject to the approval of the Executive Director, depending on the needs of the IHSS PA.

VI. SICK LEAVE POLICY

- 6.1 The primary purpose of paid sick leave is to help employees protect against loss of pay for temporary absences from work due to illness or injury. It may only be used as authorized, and is not intended for paid time off that employees may primarily use for personal activities.
- 6.2 Accumulated sick leave may be used, subject to the Executive Director's approval, by an employee in pay status, but only in the following instances:
- a. When the employee is off work because of a temporary illness or injury.
 - b. When the employee receives medical or dental care or consultation.
 - c. When the employee attends to a member of his or her immediate family who is ill or injured.
 - d. When the employee attends a funeral or memorial service for a member of

his or her immediate family. Use of sick leave for this purpose may not exceed three working days, plus up to two (2) additional work days for necessary travel.

- e. When the employee attends to the birth of a child or the arrival of an adopted child.

For purposes of this section, immediate family means spouse, son, stepson, daughter, stepdaughter, father, stepfather, mother, stepmother, brother, sister, grandparent, grandchild, niece, nephew, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, foster children, aunt, uncle, cousin, stepbrother, stepsister, domestic partner of an employee, any other person for whom the employee is the legal guardian or conservator, or any person who is claimed as a dependent for IRS reporting purposes by the employee.

6.3 Employees have the following responsibilities in the administration of sick leave:

- a. The employee must notify the Executive Director or the employee's direct supervisor of an absence before the start of the work day or as soon thereafter as possible.
- b. The employee must keep the Executive Director or the employee's direct supervisor informed on a continuing basis of the probable date of return to work.
- c. The employee must complete and sign a form prescribed by the IHSS PA that states the dates and hours of absence and the reason for the absence.

The use of sick leave may be denied if the employee does not carry out these responsibilities.

- 6.4 The IHSS PA may make reasonable inquiries about employee absences. The IHSS PA may require written verification from a physician for employee absences of three (3) or more working days. With cause, the IHSS PA may require written verification from a physician for employee absences of one (1) or more working days.

XII. LEAVES OF ABSENCE

- 7.1 Except as required by law, employees are not entitled to leaves of absence.
- 7.2 To request a leave of absence without pay, an employee must submit a written request to the Executive Director stating the reasons for the request, the date when it is desired to begin the leave, and the probable date of return to work.