

RESOLUTION NUMBER R- 311128

DATE OF FINAL PASSAGE JUN 06 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO IN ACCORDANCE WITH THE FISCAL YEAR 2018 SALARY ORDINANCE, APPROVING THE JOB CLASSIFICATIONS IN THE CITY OF SAN DIEGO THAT ARE ELIGIBLE FOR PREMIUM OR REGULAR RATE OVERTIME, EFFECTIVE JULY 1, 2017 THROUGH JUNE 30, 2018.

WHEREAS, in *Garcia v. San Antonio Metropolitan Transit Authority*, 469 U.S. 528 (1985), the United States Supreme Court concluded that the Fair Labor Standards Act (FLSA), at 29 U.S.C. §§ 201-219 (2016), which sets forth federal minimum wage and overtime provisions, is applicable to states, cities, and local agencies, including the City of San Diego (City); and

WHEREAS, it is necessary to ensure compliance with the FLSA and the regulations and case law interpreting it, including the regulations set forth at 29 C.F.R. Parts 541, 553, 778, and 785 (2016); and

WHEREAS, section 10.1 of the Fiscal Year 2018 Salary Ordinance (San Diego Ordinance O-20817 (Apr. 25, 2017))(Salary Ordinance) requires that the San Diego City Council (Council) approve the job classifications for employees in the Classified Service that are eligible for overtime compensation, based upon designations made by the San Diego Civil Service Commission (Commission), and the Mayor or applicable non-mayoral department head; and

WHEREAS, the Council wishes to approve the job classifications in the Classified Service that are eligible for overtime compensation, in accordance with the FLSA and related federal regulatory provisions, as well as applicable local procedures; and

WHEREAS, the classifications now recommended to the Council for approval have been determined to be eligible for overtime compensation by the Commission, and the Mayor or applicable non-mayoral department head; and

WHEREAS, the Council also intends to ensure that the City complies with the FLSA in compensating employees in the Unclassified Service; and

WHEREAS, the FLSA provides a number of exemptions from the requirement to pay an employee overtime when the employee works more than 40 hours in a work week; and

WHEREAS, in accordance with 29 C.F.R. §§ 541.600, 541.607 (2016), and other regulatory provisions promulgated by the United States Department of Labor, certain employees are designated as exempt from overtime pay if they meet minimum requirements related to their primary job duties and they are paid on a salary basis of not less than the minimum amounts as specified in the regulations; and

WHEREAS, the minimum salary to be exempt from overtime is presently \$455 a week or \$23,660 a year; and

WHEREAS, in May 2016, the United States Department of Labor finalized a regulation that updated the salary level required for the exemption for executive, administrative, and professional employees, which increased the minimum wage for exemption from overtime from no less than \$455 per week to no less than \$913 per week (\$22.83 an hour) or \$47,476 per year; and

WHEREAS, this updated regulation was to take effect on December 1, 2016; however, on November 22, 2016, a United States District Court judge, in the Eastern District of Texas, enjoined the United States Department of Labor from implementing and enforcing the final rule, in *State of Nevada et al v. United States Department of Labor* (Case No. 4:16-CV-00731); and

WHEREAS, the United States Department of Justice on behalf of the United States Department of Labor has filed a notice of appeal to the preliminary injunction to the United States Court of Appeals for the Fifth Circuit; and

WHEREAS, given the litigation pending related to this regulation and its uncertainty, the Council authorizes the Mayor, in consultation with the Personnel Director, Comptroller, and City Attorney, to make any necessary adjustments to overtime calculations in Fiscal Year 2018 to ensure compliance with the FLSA, including applicable regulations and case law interpreting the statute; and

WHEREAS, section 4 of the Salary Ordinance states, in part, that employees in the classifications listed in the Personnel Manual Index Code H-4, Addendum A, Group F are exempt under the FLSA and are not eligible for overtime pay; and

WHEREAS, section 4 of the Fiscal Year 2018 Salary Ordinance also states that unclassified, salaried employees are exempt under the FLSA and are not eligible for overtime pay, provided they are paid the minimum salary each week to satisfy the salary basis requirements as defined in 29 C.F.R. § 541.600; and

WHEREAS, the FLSA, at 29 U.S.C. § 203 (2016), expressly excludes those City employees, who are not subject to the City's civil service provisions, and who (1) hold City elective office, (2) are selected by the elected officer to be a member of his or her personal staff, (3) are appointed by a City elective officer to serve on a policymaking level, (4) serve as an immediate advisor to the elective officer on constitutional or legal powers of the office, or (5) are employees in the legislative branch or body of the City; and

WHEREAS, in accordance with this definition, the Council acknowledges that the following classifications are excluded from the FLSA and its regulatory provisions, including those defining overtime eligibility, and are not entitled to overtime under any circumstances:

Assistant to Mayor (UC 2120)

Mayor Representative I (UC 2165)

Principal Assistant to Mayor (UC 2174)

Mayor Representative II (UC 2178)

Principal Assistant to City Attorney (UC 2182)

Council Representative I (UC 2211)

Council Representative II (UC 2212)

Council Representative II (UC 2213)

Assistant Executive Services Director (UC 2128)

Confidential Secretary to City Attorney (UC 2205)

Confidential Secretary to City Council (UC 2206)

Confidential Secretary to Mayor (UC 2208)

Council Committee Consultant (UC 2210)

Senior Council Committee Consultant (UC 2223); NOW THEREFORE,

BE IT RESOLVED, pursuant to section 10.1 of the Salary Ordinance, the Council approves the job classifications in the City's Classified Service that are eligible for premium or regular rate overtime compensation for Fiscal Year 2018, set forth in Personnel Manual Index Code H-4, Addendum A: Overtime Compensation, and as Attachment A to this Resolution.

BE IT FURTHER RESOLVED, that the Council acknowledges that, under 29 U.S.C. § 203 (2016), the following classifications are excluded from the FLSA and not entitled to overtime under any circumstances:

Assistant to Mayor (UC 2120)

Mayor Representative I (UC 2165)

Principal Assistant to Mayor (UC 2174)

Mayor Representative II (UC 2178)

Principal Assistant to City Attorney (UC 2182)

Council Representative I (UC 2211)

Council Representative II (UC 2212)

Council Representative II (UC 2213)

Assistant Executive Services Director (UC 2128)

Confidential Secretary to City Attorney (UC 2205)

Confidential Secretary to City Council (UC 2206)


Confidential Secretary to Mayor (UC 2208)

Council Committee Consultant (UC 2210)

Senior Council Committee Consultant (UC 2223).

BE IT FURTHER RESOLVED, that the Council authorizes the Mayor, in consultation with the Personnel Director, Comptroller, and City Attorney, to make any necessary adjustments to overtime calculations in Fiscal Year 2018 to ensure compliance with the FLSA, including applicable regulations and case law interpreting the statute.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Joan F. Dawson
Deputy City Attorney

JFD:cm

4/5/2017

Or.Dept: Human Resources

Doc. No.: 1478228

I certify that this Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 23 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 6/15/17
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

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PERSONNEL MANUAL

ADDENDUM A: OVERTIME COMPENSATION

GROUP A - Classes which are eligible for premium rate overtime.

Account Audit Clerk
Account Clerk
Accountant Trainee
Administrative Aide I
Administrative Aide II
Airport Operations Assistant
Apprentice
Aquatics Technician I
Aquatics Technician II
Asbestos and Lead Program Inspector
Assistant Fleet Technician
Assistant Laboratory Technician
Assistant Park Designer
Assistant Recreation Center Director
Assistant Reservoir Keeper
Assistant Wastewater Plant Operator
Assistant Water Distribution Operator
Assistant Water Plant Operator
Auto Messenger I
Auto Messenger II
Benefits Representative I
Benefits Representative II
Biologist I
Boat Operator
Body and Fender Mechanic
Bookmobile Driver
Building Service Technician
Business Systems Aide
Buyer's Aide I
Buyer's Aide II
Cal-ID Technician
Carpenter
Cashier
Cement Finisher
Cement Gun Operator
City Attorney Investigator
Claims Aide
Claims Clerk
Claims Representative I
Claims Representative II
Clerical Assistant I
Clerical Assistant II
Code Compliance Officer
Collections Investigator I
Collections Investigator II

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ADDENDUM A: OVERTIME COMPENSATION

GROUP A (Continued)

Collections Investigator Trainee
Combination Inspector I
Combination Inspector II
Communications Technician
Construction Estimator
Contracts Processing Clerk
Council Secretary
Court Support Clerk I
Court Support Clerk II
Crime Scene Specialist
Criminalist I
Custodian I
Custodian II
Custodian III
Customer Services Representative
Deputy City Clerk I
Dispatcher I
Dispatcher II
Disposal Site Representative
Dispute Resolution Officer
Document Examiner I
Document Examiner II
Document Examiner III
Drafting Aide
Editor/Proofreader
Electrical Inspector I
Electrical Inspector II
Electrician
Electronic Publishing Specialist
Electronics Technician
Emergency Medical Technician
Engineering Trainee
Equipment Operator I
Equipment Operator II
Equipment Operator III
Equipment Painter
Equipment Technician I
Equipment Technician II
Equipment Technician III
Field Representative
Fire Dispatcher
Firearms Technician
Fleet Attendant
Fleet Team Leader
Fleet Technician

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ADDENDUM A: OVERTIME COMPENSATION

GROUP A (Continued)

Forensic Alcohol Analyst
Generator Technician
Golf Starter
Greenskeeper
Grounds Maintenance Worker I
Grounds Maintenance Worker II
Grounds Maintenance Worker III
Hazardous Materials Inspector I
Hazardous Materials Inspector II
Hazardous Material/Pretreatment Trainee
Heating Technician (Terminal)
Heavy Truck Driver I
Heavy Truck Driver II
Helicopter Mechanic
Housing Inspector I
Housing Inspector II
HVACR Technician
Hydrography Aide
Information Systems Technician
Instrumentation and Control Technician
Interview and Interrogation Specialist I
Interview and Interrogation Specialist II
Interview and Interrogation Specialist III
Irrigation Specialist
Junior Chemist
Junior Engineer - Civil
Junior Engineer - Electrical
Junior Engineer - Mechanical
Junior Engineering Aide
Junior Planner
Junior Property Agent
Laboratory Assistant
Laboratory Technician
Laborer
Lake Aide I
Lake Aide II
Lake Ranger
Landfill Equipment Operator
Latent Print Examiner I
Latent Print Examiner II
Lead Cemetery Groundskeeper
Legal Secretary I
Legal Secretary II
Legislative Recorder I
Legislative Recorder II

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ADDENDUM A: OVERTIME COMPENSATION

GROUP A (Continued)

Librarian I
Library Aide
Library Assistant
Library Clerk
Library Technician
Lifeguard I
Lifeguard II
Lifeguard III
Light Equipment Operator
Locksmith
Machinist
Management Trainee
Marine Biologist I
Marine Mechanic
Master Fleet Technician
Mechanical Inspector I
Mechanical Inspector II
Micrographics Clerk
Millwright
Motive Service Technician
Motive Service Trainee
Motor Sweeper Operator
Nursery Gardener
Offset Press Operator
Painter
Paralegal
Paramedic I
Paramedic II
Parking Enforcement Officer I
Parking Enforcement Officer II
Parking Meter Technician
Payroll Audit Specialist I
Payroll Audit Specialist II
Payroll Specialist I
Payroll Specialist II
Personnel Assistant I
Personnel Assistant II
Pesticide Applicator
Plan Review Specialist I
Plan Review Specialist II
Plan Review Specialist III
Plan Review Specialist IV
Planning Technician I
Planning Technician II
Planning Technician III

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ADDENDUM A: OVERTIME COMPENSATION

GROUP A (Continued)

Plant Operator Trainee
Plant Process Control Electrician
Plant Technician I
Plant Technician II
Plant Technician III
Plasterer
Plumber
Police Code Compliance Officer
Police Dispatcher
Police Investigative Service Officer I
Police Investigative Service Officer II
Police Lead Dispatcher
Police Property and Evidence Lead Specialist
~~Police Property and Evidence Clerk~~ **Police Property and Evidence Specialist**
Police Records Clerk
Police Records Data Specialist
Police Service Officer I
Police Service Officer II
Pool Guard I
Pool Guard II
Power Plant Operator
Power Plant Supervisor
Principal Backflow and Cross Connection Specialist
Principal Corrosion Engineering Aide
Principal Drafting Aide
Principal Engineering Aide
Principal Paralegal
Principal Survey Aide
Principal Traffic Engineering Aide
Procurement Contracting Trainee
Procurement Trainee (Terminal)
Programmer Analyst I
Public Information Clerk
Public Information Officer
Public Information Specialist
Public Service Career Trainee
Public Works Dispatcher
Publishing Specialist I
Publishing Specialist II
Pump Station Operations Supervisor
Pump Station Operator
Pump Station Operator Trainee
Ranger/Diver I
Ranger/Diver II
Recreation Aide

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ADDENDUM A: OVERTIME COMPENSATION

GROUP A (Continued)

Recreation Leader I
Recreation Leader II
Reservoir Keeper
Retirement Assistant
Roofer
Safety Representative I
Safety Representative II
Sanitation Driver I
Sanitation Driver II
Sanitation Driver III
Sanitation Driver Trainee
Senior Account Audit Clerk
Senior Account Clerk
Senior Airport Operations Assistant
Senior Backflow and Cross Connection Specialist
Senior Boat Operator
Senior Cashier
Senior Corrosion Engineering Aide
Senior Drafting Aide
Senior Engineering Aide
Senior HVACR Technician
Senior Locksmith
Senior Offset Press Operator
Senior Parking Meter Technician
Senior Police Records Data Specialist
Senior Publishing Specialist
Senior Stable Attendant
Senior Stadium Groundskeeper
Senior Survey Aide
Senior Wastewater Plant Operator
Senior Zoning Investigator
Seven-Gang Mower Operator
Sign Painter
Sign Shop Supervisor
Special Events Traffic Controller I
Special Events Traffic Controller II
Stable Attendant
Stadium Groundskeeper
Stadium Maintenance Technician
Stock Clerk
Storekeeper I
Stores Operations Supervisor
Storm Water Inspector I
Storm Water Inspector II
Structural Inspector I

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ADDENDUM A: OVERTIME COMPENSATION

GROUP A (Continued)

Structural Inspector II
Student Engineer
Student Worker
Swimming Pool Manager I
Swimming Pool Manager II
Swimming Pool Manager III
Tank Service Technician I
Tank Service Technician II
Test Administration Specialist
Test Monitor I
Test Monitor II
Therapeutic Recreation Leader
Traffic Signal Technician I
Traffic Signal Technician II
Traffic Striper Operator
Tree Maintenance Crewleader
Tree Trimmer
Utility Supervisor
Utility Worker I
Utility Worker II
Vehicle and Fuel Clerk
Victim Services Coordinator
Wastewater Operations Supervisor
Wastewater Plant Operator
Wastewater Pretreatment Inspector I
Wastewater Pretreatment Inspector II
Water Distribution Operations Supervisor
Water Distribution Operator
Water Distribution Operator Trainee
Water Operations Supervisor
Water Plant Operator
Water Systems District Manager
Water Systems Technician I
Water Systems Technician II
Water Systems Technician III
Water Systems Technician IV
Water Systems Technician Supervisor
Water Utility Supervisor
Water Utility Worker
Welder
Word Processing Operator
Work Service Aide
Workers' Compensation Claims Aide
Workers' Compensation Claims Representative I
Workers' Compensation Claims Representative II

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ADDENDUM A: OVERTIME COMPENSATION

GROUP A (Continued)

Zoning Investigator I
Zoning Investigator II

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PERSONNEL MANUAL

ADDENDUM A: OVERTIME COMPENSATION

GROUP B - Classes which are eligible for premium rate overtime.

Airport Manager
Aquatics Technician Supervisor
Area Refuse Collection Supervisor
Building Services Supervisor
Building Supervisor
Carpenter Supervisor
Code Compliance Supervisor
Collections Investigator III
Communications Technician Supervisor
Deputy City Clerk II
Development Project Manager I
Development Project Manager II
Development Project Manager III
Disposal Site Supervisor
District Refuse Collection Supervisor
Electrician Supervisor
Electronics Technician Supervisor
Equipment Repair Supervisor
Equipment Service Supervisor
Equipment Trainer
Executive Secretary
Fire Dispatch Administrator
Fire Dispatch Supervisor
Fleet Repair Supervisor
Golf Course Superintendent
Golf Starter Supervisor
Graphic Designer
Graphic Design Supervisor
Greenskeeper Supervisor
Grounds Maintenance Supervisor
Heating, Ventilating, and Air Conditioning Supervisor
Instrumentation and Control Supervisor
Lifeguard Sergeant
Metal Fabrication Services Supervisor
Metal Fabrication Supervisor
Motor Sweeper Supervisor
Multimedia Production Coordinator
Multimedia Production Specialist

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PERSONNEL MANUAL

ADDENDUM A: OVERTIME COMPENSATION

GROUP B (Continued)

Nursery Supervisor
Offset Press Supervisor
Painter Supervisor
Parking Enforcement Supervisor
Parking Meter Supervisor
Payroll Audit Supervisor
Payroll Supervisor
Pesticide Supervisor
Photographer
Plant Process Control Supervisor
Plant Technician Supervisor
Plumber Supervisor
Police Code Compliance Supervisor
Police Dispatch Administrator
Police Dispatch Supervisor
Police Records Data Specialist Supervisor
Principal Clerk
Principal Customer Services Representative
Principal Legal Secretary
Principal Plan Review Specialist
Principal Plant Technician Supervisor
Principal Police Records Clerk
Principal Test Administration Specialist
Print Shop Supervisor
~~Property and Evidence Supervisor~~ **Police Property and Evidence Supervisor**
Public Information Supervisor
Public Works Dispatch Supervisor
Roofing Supervisor
Senior Accounts Payable Audit Clerk
Senior Benefits Representative
Senior Claims Representative
Senior Clerk/Typist
Senior Communications Technician
Senior Customer Services Representative
Senior Disposal Site Representative
Senior Legal Secretary
Senior Legislative Recorder
Senior Library Technician
Senior Paralegal
Senior Parking Enforcement Supervisor
Senior Plant Technician Supervisor
Senior Police Records Clerk
Senior Power Plant Supervisor
Senior Test Administration Specialist
Senior Utility Supervisor

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PERSONNEL MANUAL

ADDENDUM A: OVERTIME COMPENSATION

GROUP B (Continued)

Senior Wastewater Operations Supervisor
Senior Water Distribution Operations Supervisor
Senior Water Operations Supervisor
Senior Water Utility Supervisor
Senior Workers' Compensation Claims Representative
Special Events Traffic Control Supervisor
Stadium Maintenance Supervisor
Storekeeper II
Storekeeper III
Supervising Cal-ID Technician
Supervising Crime Scene Specialist
Supervising Custodian
Supervising Disposal Site Representative
Supervising Field Representative
Supervising Latent Print Examiner
Supervising Meter Reader
Supervising Plan Review Specialist
Traffic Signal Supervisor
Tree Maintenance Supervisor

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PERSONNEL MANUAL

ADDENDUM A: OVERTIME COMPENSATION

GROUP C - Classes which are eligible for premium rate overtime.

Accountant I
Accountant II
Accountant III
Agricultural Lease Manager
Airport Noise Abatement Officer
Area Manager I
Area Manager II
Asbestos Program Manager
Assistant Budget Development Analyst
Assistant Chemist
Assistant Customer Services Supervisor
Assistant Dispute Resolution Officer
Assistant Economist
Assistant Engineer - Civil
Assistant Engineer - Corrosion
Assistant Engineer - Electrical
Assistant Engineer - Mechanical
Assistant Engineer - Traffic
Assistant Facility Manager
Assistant Management Analyst
Assistant Planner
Assistant Procurement Contracting Officer
Assistant Property Agent
Assistant Rate Analyst
Assistant Trainer
Associate Budget Development Analyst
Associate Chemist
Associate Communications Engineer
Associate Economist
Associate Engineer - Civil
Associate Engineer - Corrosion
Associate Engineer - Electrical
Associate Engineer - Mechanical
Associate Engineer - Traffic
Associate Management Analyst
Associate Planner
Associate Procurement Contracting Officer
Associate Property Agent
Biologist II
Biologist III
Building Maintenance Supervisor
Cemetery Manager
Community Development Specialist I
Community Development Specialist II
Community Development Specialist III

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ADDENDUM A: OVERTIME COMPENSATION

GROUP C (Continued)

Criminalist II
Customer Services Supervisor
Deputy Noise Abatement Officer
District Manager
DNA Technical Manager
Economist
Fitness Specialist
Fleet Parts Buyer
Fleet Parts Buyer Supervisor
General Utility Supervisor
General Water Utility Supervisor
Golf Course Manager
Graphic Communications Manager
Grounds Maintenance Manager
Hazardous Materials Inspector III
Hazardous Materials Program Manager
Horticulturist
Investigation Support Manager
Lakes Program Manager
Land Surveying Assistant
Land Surveying Associate
Librarian II
Librarian III
Librarian IV
Marine Biologist II
Marine Biologist III
Marine Safety Lieutenant
Noise Abatement Officer
Park Designer
Park Ranger
Park Ranger Aide
Power Plant Superintendent
Principal City Attorney Investigator
Principal Procurement Specialist (Terminal)
Principal Utility Supervisor
Principal Water Utility Supervisor
Procurement Specialist (Terminal)
Programmer Analyst II
Programmer Analyst III
Project Assistant
Project Officer I
Project Officer II
Property Agent
Public Works Superintendent
Public Works Supervisor

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ADDENDUM A: OVERTIME COMPENSATION

GROUP C (Continued)

Ranger/Diver Supervisor
Rate Analyst
Recreation Center Director I
Recreation Center Director II
Recreation Center Director III
Recreation Specialist
Recycling Specialist I
Recycling Specialist II
Recycling Specialist III
Refuse Collection Manager
Safety and Training Manager
Safety Officer
Senior Biologist
Senior Budget Development Analyst
Senior Building Maintenance Supervisor
Senior Chemist
Senior City Attorney Investigator
Senior Civil Engineer
Senior Code Compliance Supervisor
Senior Combination Inspector
Senior Communications Engineer
Senior Communications Technician Supervisor
Senior Corrosion Specialist
Senior Disposal Site Supervisor
Senior Electrical Engineer
Senior Electrical Inspector
Senior Electrical Supervisor
Senior Engineer Fire Protection
Senior Engineering Geologist
Senior Housing Inspector
Senior Land Surveyor
Senior Management Analyst
Senior Marine Biologist
Senior Mechanical Engineer
Senior Mechanical Inspector
Senior Park Ranger
Senior Planner
Senior Procurement Contracting Officer
Senior Procurement Specialist (Terminal)
~~Senior Property and Evidence Supervisor~~ **Senior Police Property and Evidence Supervisor**
Senior Public Information Officer
Senior Structural Inspector
Senior Systems Analyst
Senior Traffic Engineer
Stadium/Field Manager

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ADDENDUM A: OVERTIME COMPENSATION

GROUP C (Continued)

Stadium Turf Manager
Storm Water Environmental Specialist
Storm Water Inspection Manager
Storm Water Inspector III
Structural Engineering Assistant
Structural Engineering Associate
Structural Engineering Senior
Supervising Academy Instructor
Supervising Criminalist
Supervising Hazardous Materials Inspector
Supervising Librarian
Supervising Procurement Contracting Officer
Supervising Property Agent
Supervising Public Information Officer
Supervising Recreation Specialist
Supervising Storm Water Inspector
Supervising Therapeutic Recreation Specialist
Supervising Wastewater Pretreatment Inspector
Therapeutic Recreation Specialist
Trainer
Training Supervisor
Wastewater Pretreatment Inspector III
Wastewater Pretreatment Program Manager
Wastewater Treatment Superintendent
Water Production Superintendent
Work Control Manager

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PERSONNEL MANUAL

ADDENDUM A: OVERTIME COMPENSATION

GROUP D - Police classes which are eligible for premium rate overtime.

Community Relations Assistant to the Police Chief

Police Detective

Police Officer I

Police Officer II

Police Officer III

Police Recruit

Police Sergeant

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ADDENDUM A: OVERTIME COMPENSATION

GROUP E - Fire classes which are eligible for premium rate overtime under specific conditions.

Air Operations Chief (7K exemption)
Assistant Fire Marshal (7K exemption)
Fire Battalion Chief (7K exemption)
Fire Captain (7K exemption)
Fire Engineer (7K exemption)
Fire Fighter I (7K exemption)
Fire Fighter II (7K exemption)
Fire Fighter III (7k exemption)
Fire Helicopter Pilot (7K exemption)
Fire Prevention Inspector I (7K exemption)
Fire Prevention Inspector II (7K exemption)
Fire Prevention Supervisor (7K exemption)
Fire Recruit (7K exemption)

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PERSONNEL MANUAL

ADDENDUM A: OVERTIME COMPENSATION

GROUP F - Classes in the No Representation Unit which are not eligible for overtime.

Accountant IV
Applications Programmer I
Applications Programmer II
Applications Programmer III
ARJIS Administrator
Assistant Department Human Resources Analyst¹
Assistant Personnel Analyst¹
Associate Department Human Resources Analyst
Associate Personnel Analyst
Building Code and Noise Abatement Supervisor
Business Systems Analyst I
Business Systems Analyst II
Business Systems Analyst III
Claims and Insurance Manager
Collections Manager
Community Development Coordinator
Community Development Specialist IV
Compliance and Metering Manager
Customer Information and Billing Manager
Employee Assistance Counselor
Employee Assistance Program Manager
Employee Benefits Administrator
Employee Benefits Specialist I¹
Employee Benefits Specialist II
Fleet Manager
Information Systems Administrator
Information Systems Analyst I¹
Information Systems Analyst II
Information Systems Analyst III
Information Systems Analyst IV
Information Systems Manager
Literacy Program Administrator
Marine Safety Captain
Organization Effectiveness Specialist I¹

¹ These employees may be eligible for overtime compensation, consistent with employees in Groups A, B, and C, under Personnel Manual Index Code H-4, depending on the outcome of litigation in State of Nevada et al v. United States Department of Labor, Case No. 4:16-CV-00731 (State of Nevada). In 2016, the United States Department of Labor (DOL) published a Final Rule, to update 29 C.F.R. §§ 541.600, 541.607 (2016), as set forth in DOL Regulatory Information Number (RIN) 1235-AA11 (May 23, 2016). The Final Rule was intended to update the minimum salary level required for exemption from overtime compensation from a weekly salary level of \$455 (\$23,660 a year) to a minimum of \$913 a week or \$47,476 a year, to take effect on December 1, 2016. On November 22, 2016, a judge in the United States District Court of the Eastern District of Texas enjoined the DOL from implementing and enforcing the Final Rule. On December 1, 2016, the United States Department of Justice on behalf of the DOL filed a notice to appeal the preliminary injunction to the U.S. Court of Appeals for the Fifth Circuit. If the injunction is vacated as a result of the pending litigation and the DOL Final Rule is enforceable, the City will comply by adjusting overtime computations for employees in these classifications.

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PERSONNEL MANUAL

ADDENDUM A: OVERTIME COMPENSATION

GROUP F (Continued)

Organization Effectiveness Specialist II
Organization Effectiveness Specialist III
Organization Effectiveness Supervisor
Police Captain²
Police Lieutenant²
Police Property and Records Administrator
Police Special Projects Manager
Public Art Program Administrator
Recycling Program Manager
Rehabilitation Coordinator
Senior Department Human Resources Analyst
Senior Personnel Analyst
Supervising Budget Development Analyst
Supervising Claims Representative
Supervising Department Human Resources Analyst
Supervising Economist
Supervising Management Analyst
Supervising Personnel Analyst
Supervising Recycling Specialist
Supervising Workers' Compensation Claims Representative
Systems Administrator I
Systems Administrator II
Systems Administrator III

² Represented by POA, but ineligible for overtime.

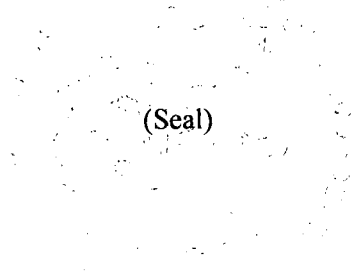
Passed by the Council of The City of San Diego on MAY 23 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 06 2017.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:



(Seal)

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California
311128
Resolution Number R-_____