

COMPENSATION PLAN
FOR
CITY OF LOMPOC
MANAGEMENT, SUPERVISORY, AND
CONFIDENTIAL EMPLOYEES



Effective July 1, 2024

**COMPENSATION PLAN FOR CITY OF LOMPOC
MANAGEMENT, SUPERVISORY, AND
CONFIDENTIAL EMPLOYEES**

This updated Compensation Plan for Management, Supervisory, and Confidential (MS&C) Classifications supersedes and replaces any and all previously adopted Compensation Plans for MS&C classifications, including but not limited to the Classification Plan for MS&C Employees adopted by resolution on February 6, 2024.

ARTICLE 1

SALARIES AND COMPENSATION

1-1 Cost of Living Adjustments (COLA):

- a. FY 2024-25: Effective July 1, 2024 (payroll period 6/29/2024 – 7/12/2024), the City shall provide MS&C classifications, excluding the City Manager classification, still on payroll as of the effective date a five percent (5%) base salary increase.
- b. FY 2025-26: Effective July 1, 2025 (payroll period 6/28/2025 – 7/11/2025), the City shall provide MS&C classifications, excluding the City Manager classification, still on payroll as of the effective date a four percent (4%) base salary increase.

1-2 Bilingual Pay: Individuals determined to be qualified by the City will be eligible for \$150 per month bilingual pay. Employees with both oral and written bilingual skills shall receive \$190 per month bilingual pay. Qualifications for this pay shall be based on regular use of bilingual language skills in their capacity as an employee. Further, employees will be required to pass a City-administered proficiency exam to qualify and may be retested annually. The City will determine which positions will qualify and which languages will be included in this program.

1-3 ATO Time: An eligible employee may, at his/her option, be compensated at the end of the payroll period in which it is earned for overtime either in the form of pay or compensatory time off for overtime earned and accrued up to a maximum of sixty-four (64) hours. Overtime in excess of sixty-four (64) hours will be compensated for in pay.

Eligible employees may be paid for a maximum of forty (40) hours of accrued compensatory time off by providing notice to the Human Resources Office on the form provided by the City for this purpose.

If an employee is promoted from a non-supervisory or non-exempt classification to a supervisory exempt classification then any accumulated compensatory time shall be taken prior to appointment if possible. If this is not possible, then the

compensatory time shall be paid out during the first pay period following promotion or transfer.

1-4 Educational Incentive: Battalion Chiefs who hold a Master’s Degree from an accredited college or university with a major in Fire Technology, Business Administration, Management and Supervision, or a related field as approved by the Fire Chief shall receive a 5% educational incentive.

Battalion Chiefs who hold a Bachelor’s Degree from an accredited college or university with a major in Fire Technology, Business Administration, Management and Supervision, or a related field as approved by the Fire Chief shall receive a 2.5% educational incentive.

ARTICLE 2

HEALTH AND WELFARE BENEFITS

2-1 Effective beginning of the 2026 Plan Year, the City shall provide employees represented by this Compensation Plan medical and dental premium contributions as follows:

	CITY COSTS HEALTH Effective 1/1/2026		COSTS DENTAL Effective 1/1/2024
	Flex Credit Contribution	Total City Contribution	Total City Contribution
One Party	\$835.70	\$835.70*	\$14.64
Two Party	\$1,531.76	\$1,531.76*	\$27.47
Family	\$1,986.13	\$1,986.13*	\$43.23
Employee/Children	N/A	N/A	\$29.39

*Includes vision plan costs

The City of Lompoc participates in the Public Risk Innovation, Solutions and Management (PRISM) Health program (*previously California State Associations of Counties-Excess Insurance Authority*) effective January 1, 2019.

PRISM Health program provides Blue Shield Exclusive Provider Organization (EPO) coverage, Blue Shield Choice Preferred Provider Organization (PPO), a large network, Blue Shield Safety PPO, Blue Shield Tandem PPO, a narrow

network, and various Blue Shield Medicare Supplement Plans. All health plans include out-of-state coverage.

Employees shall have the right to inform the City of an increase in their dependents at any time and have the amount contributed be adjusted accordingly, in accordance with the insurance carrier's rules. Employees shall be required to inform the City of any reduction in dependents and a corresponding reduction in premium amounts contributed by the City shall be made. Said monthly payments shall be for insurance premium coverage only and any amount in excess of the actual cost of medical premium coverage shall not be refunded to the employee.

- 2-2** The City will contribute the benefit amount identified above. The flexible credit amount will be used within a flexible benefit (“cafeteria”) plan in which employees will enroll. Employees will pay a monthly processing fee for the cafeteria plan administrator’s services. An additional fee will be charged to those employees who also elect to have a medical reimbursement account or a dependent care reimbursement account. Increases in such fees shall be the employee’s responsibility.
- 2-3** Eligible regular status part-time employees (“job share” / part-time employees in permanent budgeted positions working less than full-time) shall receive a prorated City contribution for health and dental based on the proportional hours worked per week in relation to a full-time 40-hour work schedule. For example, regular status part-time employee working a 20-hour per week work schedule will receive one-half of the City premium contribution provided to full-time regular status employees.
- 2-4** Employees on a leave of absence without pay due to a work related injury or illness will have their health insurance premiums paid subject to the following:
 - a.** During the first three (3) months, the City will pay 100% of the total City group health insurance premium, including employee’s share.
 - b.** During months four (4) through six (6), the City will pay 50% of the City group health insurance premium and the employee will pay 50%.
 - c.** During the seventh (7th) month and thereafter, the employee will pay 100% of the City group health insurance premium.
 - d.** The City will continue to provide dental and employee assistance program premium contributions at the active employee rate for current level of coverage when the employee meets eligibility criteria for the federal Family and Medical Leave Act.
- 2-5** Employees on a leave of absence without pay due to a non-job related illness or injury, who meet eligibility criteria under the federal Family and Medical Leave Act, will continue to have their health, dental, and the employee assistance program

premiums paid by the City at the active employee rate for 12 weeks or 3 months, whichever is greater. This benefit may be used once every 12 months measured forward from date leave is first used. The employee must have completed a minimum of one year of regular status service and 1,250 hours the preceding year in a permanent position to qualify.

2-6 The City will provide optional continuation of health insurance benefits to eligible employees separating from City service according to the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA).

2-7 Retiree Health and Dental Insurance – The City will offer extended health and dental insurance coverage to retirees who meet the current eligibility standard and retired after December 15, 1990.

The amount of City participation will be based upon the City's primary health/dental provider.

Criteria:

Current standards for eligibility for retiree health and dental benefits are as follows:

- a. Employee must be covered by the City group health insurance program at the time of retirement.
- b. Employee must have a minimum of ten consecutive years of full-time permanent service with the City of Lompoc and be at least 50 years of age.
- c. Employees eligible for a PERS Disability Retirement with a minimum of 20 consecutive years of full-time permanent service with the City of Lompoc, regardless of age.
- d. Benefits will be as similar as possible to those offered under the active employee plan.
- e. Coverage for retired employees and dependents will cease when the employee reaches age 65 or becomes eligible for Medicare. Coverage for dependents will also cease when the retiree becomes ineligible for continued coverage or the dependent reaches age 65 or becomes eligible for Medicare.
- f. In the event of the death of a retired City employee who is covered under this program or other qualifying event, any dependent will be allowed to continue existing coverage for 18 or 36 months payable at 102% of the full premium in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA) regulations.

- g. If a retired employee is ineligible for Medicare benefits because the City of Lompoc did not participate in the Social Security system, the retired employee will be removed from the City health plan at age 65 and he/she will be reimbursed for the cost of part A Medicare premiums.
- h. City participation towards the cost of the coverage will be computed based upon the following formula:

Percentage	Years of Service
50%	15
52.5%	16
55%	17
57.5%	18
60%	19
62.5%	20
65%	21
67.5%	22
70%	23
72.5%	24
75%	25

- i. After 10 years' service with the City of Lompoc, employees will receive 50% credit for prior service with another qualifying public agency toward the City's current requirement for retiree health and dental benefits.

Example:

City of Lompoc Service	10 Years
City Santa Maria Service	<u>15 Years</u>
Total credit for the purpose of current retiree health and dental benefits	17.5 Years

- j. **City of Lompoc Service Credit.** For the purpose of vacation and retiree health vision, and dental insurance, employees shall receive City of Lompoc Service credit if they return to City employment after a separation of less than two (2) years.

Employees shall receive credit for temporary employment with the City toward service years for vacation accrual and retiree health and dental. Vacation entitlement would be applied retroactively to the 1st of the year.

Retirees who meet current MS&C Compensation Plan eligibility standards for City health contribution (retired after December 15, 1990, and at least 50 years of age) shall be eligible to receive a benefit contribution under the City's current health plan until age 65. Such retirees shall receive a 50% contribution with 15 years of service, increasing by two and one-half percent (2½%) for each year of service up to the maximum 75% contribution at 25 years (as detailed above).

The flexible credit allocation will be adjusted to provide a total contribution not to exceed the contribution specified in this Compensation Plan. Retirees will pay a monthly processing fee for the flexible benefit administration.

Employees who retire on or after July 1, 1990, with a minimum of 15 years of continuous service with the City, and retired employees, who on or after July 1, 1990, are members of the City's Health Insurance Plan, will be reimbursed up to \$100 per month for Medicare Supplement Insurance when eligible for Medicare coverage. Reimbursement may be made for a spouse's Medicare supplement, however, the total reimbursement for retiree and spouse may not exceed \$100.00 per month.

- 2-8 Life Insurance:** Effective July 1, 2022, or after approval by Voya Insurance, whichever is later, the City agrees to provide at its cost basic life insurance coverage equivalent to two (2) times the employee's annual salary up to a maximum of \$300,000 for all regular full-time employees and job share or regular part-time employees in permanent budgeted positions covered by this compensation plan.

The City reserves its right to determine the provider of life insurance.

- 2-9 Long-Term Disability Insurance:** The City agrees to provide at its cost a long-term disability plan, with a maximum benefit of \$3,000 based on maximum insured salary of \$4,500 per month for regular full-time employees and job share or regular part-time employees in permanent budgeted positions.

The City reserves its right to determine the provider of long-term disability insurance.

- 2-10 Flexible Spending Account:** The City will provide a Flexible Spending Account program (tax deferred employee contribution) that can be applied to specific expenses, e.g. childcare, medical expenses not covered by insurance plan, and orthodontic work).

ARTICLE 3

UNIFORM ALLOWANCE

These classifications will receive the following annual uniform allowance for replacement of worn and damaged uniforms:

Police Captain	\$815
Battalion Fire Chief	\$750
Police Chief	\$650
Fire Chief	\$650

ARTICLE 4

COMPENSATION FOR UNUSED VACATION/MANAGEMENT LEAVE

Employee classifications exempt from the overtime requirements under the Fair Labor Standards Act (“FLSA”) will be credited with 5.334 hours additional vacation hours per month (64 hours per year). This additional vacation time shall be in lieu of equivalent time off for overtime worked as provided in Rule IV, Section 4 of the Personnel Rules for Management, Supervisory, and Confidential employees. Employees may elect to cash-out up to eight (8) days of unused vacation time per year. Such election by the employee shall be irrevocable. Payment may be made in February of the subsequent year to address IRS constructive receipt rules under 26. C.F.R. section 1.451-2.

Employees in classifications subject to the overtime provisions under FLSA (“non-exempt” classifications) will be credited with four (4) additional vacation hours per month (48 hours per year). Employees may elect to cash-out up to six (6) days of unused vacation time per year. Such election by the employee shall be irrevocable. Payment may be made in February of the subsequent year to address IRS constructive receipt rules under 26 C.F.R. section 1.451-2.

ARTICLE 5

SICK LEAVE

- 5-1** Twelve days sick leave per year with unlimited accumulation is provided for the employees.
- 5-2** All employees working in positions covered by this Compensation Plan who have a period of full-time service with the City equal to ten years or more shall, at termination, be paid 50% of the current balance of sick leave accumulated between 30 and 120 days (i.e. up to a maximum of 360 sick leave hours) unless the employee elects to use sick leave balance to supplement EMPLOYEE’s CalPERS service.
- 5-3** Effective December 15, 1990, regular full-time employees will be eligible to use four (4) days per year of their accumulated sick leave when dependent children are ill. This policy will also apply when a spouse or parent is ill. [NOTE: State law (Labor Code §233(a)) provides that 50% of annual sick leave accrual may be used for family sick leave to attend to illness of child, parent, or spouse.]
- 5-4** Full-time employees shall accumulate 3.692 hours of sick leave credit for every completed bi-weekly payroll period. Job share and regular status part-time employees who occupy a budgeted position will accrue sick leave on a pro-rated basis determined by the number of hours worked.

- 5-5 Sick leave, except for pre-approved doctor's appointments that require a partial day's absence, shall not be counted as time worked for the purpose of overtime calculation.
- 5-6 A Catastrophic Leave Donation Policy provides for the transfer of vacation leave or holiday leave time, from one employee to an employee with a serious catastrophic illness who has exhausted all leave balances, subject to a maximum credit of 520 hours.

A serious or catastrophic illness or injury is defined as an adverse medical condition in which a physician has verified that an employee will be absent from work for more than 20 consecutive work days.

- 5-7 **Family Sick Leave:** In accordance with the requirements of Labor Code § 233(a), regular full-time employees will be eligible to use up to 50% of their annual sick leave accrual to care for a dependent child, spouse or parent due to illness or for an employee who is a victim of domestic violence, sexual assault, or stalking, the purposes described in Labor Code § 230(c) and § 230.1(a).

If an employee has an accrued balance of 24 days (192 hours) of sick leave, he/she shall be eligible to use one additional day (for a total of 7 days) for family sick leave. The accrued balance will be evaluated based on the pay period prior to the family sick leave use.

Eligibility for family sick leave use based on accrued sick leave balance will be as follows:

Sick Leave Balance		Family Sick Leave Eligibility	
6+Days	48 Hours	6+ Days	48 Hours
24	192	7	56
36	200	8	64
48	384	9	72
60	480	10	80
72	576	11	88
84	672	12	96

- 5-8 **Sick Leave Incentive:** Employees with a minimum of one (1) year full-time or part-time budgeted regular, and job share status employment shall be eligible for an annual payment of \$300, if their sick leave utilization for the calendar year (prior 12 months) is three equivalent regular work days or less. The payment shall be calculated after the first pay period ending in December. It will be paid on the second pay period ending in December. Employees who have five (5) years consecutive sick leave incentive eligibility shall be entitled to a \$200 increased sick leave incentive for a total sick leave incentive of \$500 annually to be calculated

after the first pay period ending in December and paid on the second pay period ending in December.

ARTICLE 6

VACATION LEAVE ACCRUAL

Full-time regular status employees who have served more than six months in the City service shall be eligible for vacation leave with pay. Vacation credits will be granted to such employees who have worked less than six months upon receiving a permanent appointment. Job share or regular part-time employees occupying a budgeted position will be credited vacation on a pro-rated basis determined by the number of hours worked. Other eligible employees who work less than full-time, but more than 1040 hours during a fiscal year shall be credited vacation on a prorated basis on hours in excess of 1040. Vacation Leave Benefits will accrue to full-time, regular status employees on the following schedule:

Years of Service:	Days/Year accrual:**
1-5	10
6	11
7	12
8	13
9	14
10	15
11	16
12	17
13	18
14	19
15	20
16-24	21
25 & Over	22

** Does not reflect management leave days for exempt or non-exempt employees. (See Article 4)

Part-time, temporary service in an established classification shall be credited on prorated basis toward service time for vacation accrual rate, as long as no break in service. Employees reinstated within 24 months after resigning from City service shall be credited with their prior service time for determining their vacation accrual rate.

Vacation leave accrual shall not exceed the maximum specified in Chapter 21 of the Personnel Procedures Manual (Section IV(D)), which is the equivalent of vacation leave for two years' continuous service.

ARTICLE 7

PERS RETIREMENT BENEFITS

- 7-1** For those Miscellaneous member employees hired prior to November 19, 2011, the City provides the **One Year Final Compensation (Section 20042)** PERS retirement benefit to miscellaneous PERS classifications represented by this compensation plan.

Miscellaneous employees hired on or after November 19, 2011, shall have their retirement base calculation based upon their final or highest consecutive three year average of compensation (**Section 7522.32**).

- 7-2** The City provides the following PERS benefits to miscellaneous classifications:

- a. Credit for Unused Sick Leave (Section 20965).
- b. Military Service Credit As Public Service (Section 21024).
- c. Post-Retirement Survivors' Allowance to Continue After Re-marriage (Section 21635)
- d. 1959 Survivor's Benefit – Third Level (Section 21573) increases maximum monthly benefit from \$430 to \$840 per month. This benefit applies to pre-retirement survivor's (spouse and dependent children).

7-3 PERS Member Contributions:

- a. **PERS Miscellaneous Members:** The employee is responsible for paying the entire employee contribution related to the PERS retirement formula for which they are eligible. The City of Lompoc will pay no portion of the employee contribution for any of the contracted PERS retirement formulas.

Miscellaneous member employees hired prior to November 19, 2011, shall receive the "2.7% at age 55 Full Formula" (Government Code Section 21354.5) benefit.

Miscellaneous member employees hired prior to November 19, 2011, shall be required to pay the entire employee contribution that is currently at eight percent (8%), subject to Section 7-3 above regarding employee pension cost sharing, and will have the option to have a salary adjustment in the form of a deferred income payment for their member contribution.

Miscellaneous member employees hired on or after November 19, 2011, and prior to January 1, 2013, shall receive the "2% at age 60 Full Formula" (Government Code Section 21353) benefit. Likewise, they shall have their

retirement base calculation based upon their final or highest consecutive three year average of compensation and pay the entire employee contribution in an amount defined by statute (currently seven percent (7%)), subject to Section 7-3 above regarding employee pension cost sharing.

As defined under the Public Employees' Pension Reform Act (PEPRA), all new Miscellaneous "Non-Classic" PERS member employees covered under this Compensation Plan and hired on or after January 1, 2013, shall receive the "2% at age 62 PERS plan" benefit with their final compensation calculated based upon the average full-time monthly pay rate for the highest thirty-six (36) consecutive months. In conjunction with this retirement formula, these employees will pay fifty-percent (50%) of the normal cost of the plan as determined by PERS.

As defined under PEPRA and determined by PERS, all new Miscellaneous "Classic" PERS members, hired on or after January 1, 2013, shall receive the PERS plan benefit formula that they would have been eligible for had they been hired on December 31, 2012, the "2% at age 60 Full Formula" (Government Code Section 21353) benefit. These employees shall pay the entire PERS employee contribution, currently at eight percent (8%), subject to Section 7-3 above regarding employee pension cost sharing.

- b. PERS Safety Members:** The employee is responsible for paying the entire employee contribution related to the PERS retirement formula for which they are eligible. The City of Lompoc will pay no portion of the employee contribution for any of the contracted PERS retirement formulas.

Safety employees under this Compensation Plan hired prior to September 24, 2011, for Fire Safety and November 19, 2011, for Police Safety shall be provided the "3% at age 50 Full Formula" (Government Code Section 21363.2) PERS plan benefit.

Safety employees under this Compensation Plan hired on or after September 24, 2011, for Fire Safety and November 19, 2011, for Police Safety and prior to January 1, 2013, shall be provided the "3% at age 55 Full Formula" (Government Code Section 21363.1) PERS plan benefit.

Employees in both tiers shall pay the full member contribution for their PERS retirement plan, currently at nine percent (9%), and will have the option to have a salary adjustment in the form of a deferred income payment for their member contribution. Likewise, both tiers will have their retirement base calculation based upon their final three year average of compensation.

As defined under PEPRRA, all new Safety "Non-Classic" PERS member employees covered under this Compensation Plan and hired on or after January 1, 2013, shall receive the "2.7% at age 57 PERS plan" benefit with their final compensation calculated based upon the average full-time monthly pay rate for the highest thirty-six (36) consecutive months. In conjunction with this retirement formula, these employees will pay fifty-percent (50%) of the normal cost of this plan as delineated by PERS.

As defined under PEPRRA and determined by PERS, all new Safety "Classic" PERS members, hired on or after January 1, 2013, shall receive the PERS plan benefit formula that they would have been eligible for had they been hired on December 31, 2012. These employees shall pay the entire PERS employee contribution, currently at nine percent (9%).

ARTICLE 8

HOLIDAYS

8-1 Regular full-time employees that have not elected to forfeit the ability to accrue holidays during the period of this Compensation Plan shall be eligible for the following paid holidays:

- January 1
- Third Monday in January (Martin Luther King Day)
- Third Monday in February
- Last Monday in May
- June 19 – Juneteenth
- July 4
- First Monday in September – Labor Day
- November 11
- Thanksgiving Day
- Friday following Thanksgiving Day
- December 24
- December 25
- One Floating Holiday

Any public holiday(s) which may be proclaimed by the President or Governor and City Council of the City of Lompoc.

When a holiday falls on a Saturday, the preceding Friday shall be observed. When a holiday falls on a Sunday, the following Monday shall be observed.

<u>If December 24th is on</u>	<u>Holiday Observed on</u>
Wednesday	Friday

Thursday
Friday
Saturday
Sunday
Monday
Tuesday

Thursday
Thursday
Friday
Tuesday
Monday
Tuesday

8-2 Floating Holiday: Regular full-time employees hired on or after January 1st but before June 30 of the calendar year shall be entitled to a full eight (8) hour “floating” holiday as listed above in 8-1. Regular full-time employees hired on or after July 1st but before December 1st of the calendar year shall be entitled to only a four (4) hour “floating” holiday as listed above in 8-1. Regular full-time employees hired on or after December 1st but before January 1st of the calendar year shall not be entitled to a “floating” holiday as listed above in 8-1 for that calendar year.

8-3 Holiday Accrual/Pay-Off: Holiday accrual in excess of 64 hours will be compensated for in pay. In addition, employees may be paid for a maximum of 30 hours accrued holiday time-off by providing notice to the Human Resources Office on appropriate forms. Such election by the employee shall be irrevocable. Compensation shall be determined by multiplying the number of hours for which compensation is requested by the employee’s regular hourly wage. The required notice by the employee must be given between October 1 and 15 of each year and will be paid in February of the subsequent year to address IRS constructive receipt rules under 26 C.F.R. section 1.451-2.

The first pay period in May of each year, Battalion Fire Chiefs shall have the option to sell back to the City any holiday accumulation between 120 hours and 216 hours. The status of the employee's accrual will be reported to the employee after the last payroll period in April of each year. If at any time an employee's holiday accumulation exceeds 216 hours, those holiday hours exceeding the maximum limit will be paid to the employee on the next payday.

Holiday hours paid to employees shall be paid at the regular hourly rate current during the time of payment.

ARTICLE 9

ACTING PAY

9-1 Qualifications:

- a. A completed Acting Pay form with the department head’s signature is required to receive acting pay. The department/division is responsible for completing and submitting the acting pay form to the Human Resources Department.

- b. Any person temporarily appointed to serve in a higher classification shall receive compensation at the initial rate (Step 0) of the salary range of the higher classification or an additional five percent (5%) above their current base salary (inclusive of incentive pay), whichever is greater.
- c. Employees on “Acting Pay” status shall be eligible to receive holiday and vacation payoffs at the compensation rate of their “Acting Pay” appointment.
- d. Employees absent (i.e. calls out sick, out on industrial injury/illness, vacation/management leave, ATO time off, FMLA/CFRA/PDL leaves, disability leave, or military leave) during their “Acting Pay” status shall receive leave pay at the rate of his/her regular classification and be removed from their “Acting Pay” for the duration of the absence. In the event the employee returns to work and upon approval from the department/division head, the employee shall be reinstated to their “Acting Pay” appointment, and no additional Acting Pay form shall be required.

ARTICLE 10

BEREAVEMENT LEAVE

Regular full-time employees are entitled to up to five (5) days paid leave to attend or arrange for the funeral of the following immediate family members (whether by kindred or affinity): spouse, son, daughter, father, mother, guardian, brother, sister, grandfather, grandmother and grandchild. The City Manager or his designee shall determine the length of such leave with due regard for the relationship of the deceased to the employee and necessary travel, if any. In no event shall such leave exceed five days.

ARTICLE 11

RECREATION FACILITIES

The City will allow employees represented by this compensation plan to use City recreation facilities during regular business hours at no charge to the employee. Employees will utilize these City facilities during their time off from work. Employees will comply with all registration requirements and rules and regulations of the facilities used. Included in this article is the use of recreation facilities at the Lompoc Aquatic Center (LAC). Employees desiring to utilize the LAC are directed to register for and use a single-person “Splash Pass” when utilizing the LAC. Employees may register for a higher level (multi-person) Splash Pass. The employee recognizes the incremental costs associated with the higher levels of Splash Passes or facility rental are the responsibility of the employee.

ARTICLE 12

DRUG AND ALCOHOL TESTING REQUIREMENTS

Effective January 1, 1995, employees in positions necessitating commercial driver's licenses are subject to the alcohol and drug testing rules published by the Federal Highway Administration and the U.S. Department of Transportation on February 15, 1994.

ARTICLE 13

TUITION REIMBURSEMENT

The City will provide tuition reimbursement for college courses in accordance with Personnel Procedures Manual Chapter 43 "Tuition Reimbursement for College/University Courses." In addition, the City will provide community college students up to 100% tuition reimbursement and 100% reimbursement for required course books per semester. (Course syllabus and receipts identifying books purchased are required for books).

ARTICLE 14

PRE-EMPTIVE LAWS

It is understood and agreed that this Compensation Plan for the City of Lompoc Management, Supervisory, and Confidential Employees is subject to all current and future applicable federal and state laws, city ordinances and federal and state regulations. If any part or provision of this Compensation Plan is in conflict or inconsistent with such above applicable laws, rules and regulations or is otherwise held to be invalid or unenforceable by any tribunal of competent jurisdiction, then such part or provision shall be suspended and superseded by any such applicable law or regulations and the remainder of the Compensation Plan shall not be affected thereby.

ARTICLE 15

TERM

It is understood that the terms and conditions contained in the Compensation Plan, and any subsequent amendments, are in effect until such time thereafter that the City Council shall adopt a new Compensation Plan for Management, Supervisory, and Confidential employees.