

**RESOLUTION NO. 24:1**  
**Hartnell Community College District**

**SUNSET OF MANAGEMENT EMPLOYEE WORKING CONDITIONS**  
**MEMORANDUM**

**WHEREAS**, Education Code section 72411 provides that management employees may be employed by way of employment contracts; and

**WHEREAS**, employment of management employees by way of employment contracts provides greater flexibility and increased certainty for both management employees and the District; and

**WHEREAS**, the current Board-approved memorandum entitled “Management Employee Working Conditions” (“Working Conditions”) attached hereto as Exhibit A does not provide for employment contracts consistent with the provisions of Education Code 72411; and

**WHEREAS**, the Superintendent/President has recommended that the Working Conditions be withdrawn and replaced by management employment contracts, consistent with the provisions of Education Code section 72411, effective July 1, 2024;

**NOW, THEREFORE, BE IT RESOLVED**, that it shall be necessary, pursuant to the recitals above incorporated by this reference, to eliminate and withdraw the Working Conditions effective June 30, 2024, until all current management employment contracts established pursuant to the Working Conditions expire or are replaced with an employment contract. The Superintendent/ President or his authorized designee is directed to take all appropriate action needed pursuant to the applicable provisions of the Education Code.

**PASSED AND ADOPTED** by the Board of Trustees of the Hartnell Community College District, Salinas, California at a public meeting thereof duly called and held on **January 16, 2024**.

AYES:

NAYS:

ABSENT:

ABSTAIN:

I, **Irma C. Lopez**, Board President of the Hartnell Community College District Governing Board, do hereby certify that the foregoing is a full and correct copy of a Resolution adopted by the Board at a duly called and conducted meeting held on **January 16, 2024**.

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Irma. C. Lopez  
President, Board of Trustees

ATTEST:

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Michael Gutierrez  
Secretary of the Board of Trustees

## **Exhibit A**

**HARTNELL COMMUNITY COLLEGE DISTRICT  
MANAGEMENT EMPLOYEE WORKING CONDITIONS  
effective 7/1/07  
\*health and welfare benefits updated 1/1/13**

1. Managers in positions other than those which are categorically, grant or privately funded will receive one-year contracts each year for the first three years and three-year contracts thereafter.
2. A manager's work-week consists of Monday through Friday, exclusive of paid holidays. Required weekend or Holiday work, directed in writing by the District, may be credited as a leave day to be used in the same fiscal year as earned.

3. Leaves:

Management employees shall be credited with 26 days of vacation (prorated for less than a full year of service) at the beginning of each contract year. On October 1 of each year, any vacation days accrued in excess of 26 days will be forfeited.

On July 1, 2007, a manager's 2006/07 'non-work days' earned but not taken during 2006/07 shall be converted into vacation days.

Management employees shall receive paid holidays in accordance with the District Holiday schedule afforded other employee groups.

Management employees shall accrue one day of sick leave per month worked.

Management employees are entitled to any leaves outlined in the education code, and the conditions therein, that apply to both the classified staff and to the academic employees, including but not limited to: judicial leave, personal necessity, bereavement leave, industrial accident/illness leave, and medical/family care leave.

The Superintendent/President is authorized to grant not more than ten (10) days of administrative leave annually in addition to any other leave upon request of a management employee.

After three (3) years (and every 3 years thereafter) of employment in an administrative position, management employees are eligible for administrative leave. This leave is for professional development and may be granted for two (2) months at full pay or one semester at three-fourths base pay. All requests for this leave must be submitted to the president through the appropriate supervisor prior to submission to the Governing Board.

4. Health and Welfare:

Management employees will receive health and welfare benefits as follows: medical, vision care, dental for employee and dependents, and life insurance for employee, accidental death for employee while on district business, and long term disability as

Board approved 12/5/06; effective 7/1/07

HARTNELL COMMUNITY COLLEGE DISTRICT  
MANAGEMENT EMPLOYEE WORKING CONDITIONS

provided other employees of the District, effective the first day of the month following employment. The District shall pay for these benefits up to the maximum cap provided to all other employee groups.

Upon the death of the management employee, dependent medical coverage paid for by the District up to the cap, established at the time of the manager's retirement, shall continue for 90 days.

**\*The following provision was nullified by law on January 1, 2013. See new provision described in February 26, 2018 letter, below.**

The management employee who is eligible for retirement through PERS or STRS, whichever is appropriate, shall be granted ten (10) years of district paid medical, vision, and dental coverage equal to the current district "cap" in place for the retiree and dependents. To be eligible, the management employee must have served in the management category of employment for a minimum of 5 years. Benefit ends on the management employee's 65th birthday.

5. Salary Placement

The Superintendent may recommend placement on the management salary schedule for new employees based upon years of experience and training, as may be in the District's best interest.

Future placement on the salary schedule shall be dependent upon satisfactory work performance as determined by the Superintendent/President and the Governing Board.

The anniversary date for a salary step increase will be on the date of hire or reclassification date. All increases will be processed as of the first of the month of the anniversary/reclass date, whichever is most recent.

Management employees who have earned a doctoral degree shall receive an annual stipend of \$1500 in addition to their annual salary.



Terri Pyer &lt;tpyer@hartnell.edu&gt;

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## Important message about post-retirement health benefits

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Terri Pyer &lt;tpyer@hartnell.edu&gt;

Mon, Feb 26, 2018 at 1:46 PM

Bcc: Administrators &lt;administrators@hartnell.edu&gt;

Dear Colleague,

The working conditions for administrators are being revised through a meet and confer process, but all administrators should be aware of changes to public employees' retirement brought about by the Public Employees' Pension Reform Act, or PEPRA, that impact post-retirement health benefits regardless of changes to the working conditions document.

PEPRA, which took effect on January 1, 2013, was a broad-based reform to the state's public retirement systems and benefits whose purposes were to contain costs and to stop retirements benefit abuse.

One target of this legislation was the treatment of post-retirement health benefits. After PEPRA, public employers are not allowed to provide either a vesting schedule or a benefit amount to elected officials, management, or other unrepresented employees, that is more generous than it provides to its represented employees.

Administrators who were hired by contract into an administrator position before January 1, 2013, still can be covered by the post-retirement health benefits vesting schedule and amount in effect at that time (reflected in our current working conditions). Employees hired into an administrative position on or after January 1, 2013, though, will be bound by PEPRA's prohibitions. For Hartnell, our most generous vesting schedule and amount of post-retirement health benefits for represented employees is that an employee becomes eligible for post-retirement health benefits after working at the District for 10 years. And, employees earn one year of District-paid contributions to health benefits for every two years of service, up to a maximum of seven years of benefits (after 14 years of service).

To see how this looks, please see pages 5 and 6 of the recently ratified [working conditions for the confidential employee group](#), which reflect the changes necessitated by PEPRA.

Please let me know if you would like to discuss this or how it impacts you.

Sincerely,  
Terri

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**Terri-Jean Pyer**

Associate Vice President | Human Resources &amp; Equal Employment Opportunity

**HARTNELL COLLEGE**

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