

- **Board of Directors**
Organization and Personnel Committee

February 14, 2006 Board Meeting

7-8

Subject

Approve extension of military leave for Oscar Yanez

Description

According to Metropolitan Water District Administrative Code Section 6246, employees who serve in the National Guard or Naval Militia, or are members of the reserve corps, or in the U.S. military forces, are entitled to military leave pay for a period not exceeding 30 calendar days per fiscal year, in accordance with the Military and Veterans Code of the State of California. Eligible employees must have at least one year of service with Metropolitan.

In January 2005, the Board authorized Metropolitan to compensate employees who are active military reservists called to serve because of the current conflict in Iraq for the difference between their full-time Metropolitan salary and their military pay and to continue to pay the employer portion of their medical, dental, vision, life insurance, and long-term disability benefits for the duration of their non-voluntary active duty service, not to exceed 365 days.

From November 2004 to May 2005, Oscar Yanez was on active military duty. During this time he received military leave pay according to the approved board action in January 2005. Mr. Yanez returned to work on May 23, 2005, and was ordered to active duty again on November 21, 2005. He has been on military leave since this date and is receiving the difference between his full-time Metropolitan salary and his military pay. Metropolitan continues to pay the employer portion of his medical, dental, vision, life insurance and long-term disability benefits.

His period of active duty is scheduled for 598 days, which would keep Mr. Yanez in military service until July 11, 2007. Because the current board authority limits Metropolitan-provided salary and benefits to 365 days, we are requesting that Mr. Yanez be granted continued salary and benefits, as described in the January 2005 board action, until his current period of active duty is complete.

Policy

Metropolitan Water District Administrative Code Section 6246: Military Leave

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA because it involves continuing administrative activities, such as personnel-related actions and general policy and procedure making (Section 15378(b)(2) of the State CEQA Guidelines). In addition, the proposed action is not subject to CEQA because it involves other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment (Section 15378(b)(4) of the State CEQA Guidelines).

The CEQA determination is: Determine that the proposed action is not subject to CEQA pursuant to Sections 15378(b)(2) and 15378(b)(4) of the State CEQA Guidelines.

CEQA determination for Option #2:

None required

Board Options/Fiscal Impacts

Option #1

Adopt the CEQA determination and approve payment of compensation for Mr. Oscar Yanez of the difference between his full-time Metropolitan salary and his military pay, and the employer portion of his medical, dental, vision, life insurance and long-term disability benefits for the duration of his current period of active duty.

Fiscal Impact: \$65,049

Option #2

Do not approve compensation and benefits for Mr. Oscar Yanez and limit his current leave to a total of 365 days.

Fiscal Impact: \$19,620

Staff Recommendation

Option #1


Lynndy Kennedy
Manager, Human Resources

1/20/2006

Date


Debra C. Man
Interim CEO/General Manager

1/20/2006

Date