

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. _____

RESOLUTION AMENDING RESOLUTION 2020-32 OF THE COUNTY OF LAKE BOARD OF SUPERVISORS RELATING TO WORKPLACE SAFETY, EMPLOYEE LEAVE AND REMOTE WORK IN RESPONSE TO COVID-19

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19; and

WHEREAS, on March 9, 2020, the Lake County Public Health Officer declared a local emergency due to the threat of COVID-19, and this Board ratified said declaration March 10, 2020; and

WHEREAS, on March 13, 2020, the Lake County Sheriff/Coroner/OES Director declared a local emergency, recognizing the imminent threat of COVID-19 and this Board ratified said declaration on March 17, 2020; and

WHEREAS, on March 16, 2020, Governor Gavin Newsom began urging adults over age 65, and those at elevated risk of serious illness from COVID-19, take immediate steps to reduce their risk, including staying home as much as possible and practicing social distancing; and

WHEREAS, as of March 19, 2020, all Lake County K-12 schools closed and the Lake County Public Health Officer issued a Shelter in Place order to all of Lake County due to the imminent threat of COVID-19; and

WHEREAS, County employees exposed to COVID-19 may be or become temporarily unable to work due to illness caused by COVID-19 or quarantines related to COVID-19; and

WHEREAS, certain County employees may be at greater risk of acquiring COVID-19, due to their high number of interactions with members of the public, their own compromised immune systems or personal vulnerabilities to the effects of COVID-19, and/or exposure to co-workers who may show symptoms associated with the virus; and

WHEREAS, under the California Occupational Safety and Health Act (Cal-OSHA), employers, including County departments, are required to maintain safe and healthy working conditions for employees. Such conditions obligate departments to require an employee to go home if the employee is showing symptoms of a communicable disease (such as fever, coughing and/or shortness of breath); and

WHEREAS, the County of Lake is committed to providing its essential services to the community under all circumstances and hazards, with each department responsible to develop Continuity of Operations Plans identifying essential functions, personnel and mission critical systems, among other aspects, in order to continue carrying out critical functions; and

WHEREAS, the Board of Supervisors of the County of Lake is committed to ensuring a safe, healthy workforce and community, especially during times of emergency.

NOW, THEREFORE, BE IT RESOLVED that:

1. Effective April 1, 2020 through December 31, 2020, permanent County employees are entitled up to 80 hours of Emergency Paid Sick Leave (EPSL) pursuant to H.R. 6201 Families First Coronavirus Response Act. Employees requesting EPSL must complete and submit an EPSL request form to the Auditor-Controller's office after obtaining the approval and signature of their department head. Part-time permanent employees shall be entitled to a prorated number of EPSL hours.
2. While the local emergency related to COVID-19 is in effect, County employees may use any portion of their benefit time, including vacation, sick leave, comp-time and administrative leave, or may request and be approved for leave without pay, provided they are on paid time at least 50% of each pay period, to take off from work for issues related to COVID-19 including, but not limited to, school and/or daycare closures, contracting COVID-19 or caring for loved ones who have contracted the virus.
3. County employees are designated under Government Code Section 3100 as Disaster Service Workers (DSW), and any time there is a declared local emergency shall be required to return to work or remain at work for a disaster or emergency-related assignment. As DSWs, employees may be deployed to different work sites than usual, or be asked to perform work duties or tasks that are different from their regular work responsibilities. No employee will be assigned duties they are not qualified or trained to perform.
4. In order to facilitate alternative work arrangements during the current local health emergency, the Interim Policy for Working Remotely, attached hereto as Exhibit A, is hereby adopted.

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RESOLUTION NO. _____

PASSED AND ADOPTED this _____ day of _____, 2020 by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

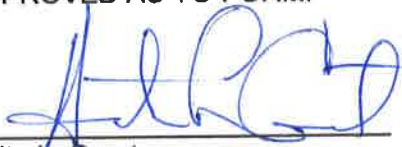
ATTEST: Carol J. Huchingson
Clerk of the Board of Supervisors

COUNTY OF LAKE

By: _____
Deputy

Chair, Board of Supervisors

APPROVED AS TO FORM:



Anita L. Grant
County Counsel

Exhibit A

COUNTY OF LAKE COVID-19 INTERIM POLICY FOR WORKING REMOTELY

The County of Lake continues to closely monitor the ongoing Novel Coronavirus 2019 (COVID-19) outbreak. In response to the COVID-19 outbreak and for the next 90 days, unless terminated earlier, the County Board of Supervisors is enacting the following interim policy:

- Employees unable to come to work due to public health or County-required quarantine or self-isolation measures may work remotely if, as determined by the department head, it is operationally feasible to do so.
- Employees unable to come to work due to a COVID-19 school closure that requires them to be home with their child may work remotely if, as determined by the department head, it is operationally feasible.
- The County may designate certain employees to work from home. If employees are designated to work from home, it will be considered paid work status.

These measures are subject to change as the situation evolves and the County Administrative Officer, in consultation with Human Resources and the Office of County Counsel, the Office of the Auditor-Controller and the Office of Information Technology is authorized to make administrative changes to this interim policy consistent with these directives.

Applicability

This Interim Policy for Working Remotely is applicable only during the COVID-19 outbreak, as defined and communicated by the County.

At the discretion of their Department Head, employees may be granted flexibility to work remotely for legitimate COVID-19-connected reasons, including, but not limited to:

- Self-isolation due to travel;
- Caring for children during school closures;
- Caring for elderly family members or others at risk (for example, those with weakened immune systems);
- Self-care if the employee is at risk.

Eligibility

Department Heads, at their own discretion, may allow employees to work remotely on a short-term basis during a COVID-19 outbreak, using a County-provided computer or tablet.

Department Heads are responsible to ensure their departments perform critical work and maintain operations to the appropriate extent communicated by the County, and as described in their Continuity of Operations Plan; flexibility may be granted when such an arrangement will not compromise essential functions. Department Heads must consistently communicate with their staff regarding the fluidity of such situations, as well as changing needs.

Employees approved to work remotely must first re-review and sign to affirm their compliance with the County's Information Security Policies and Electronic Information Security Procedures.

Employees approved to work remotely must use County-provided computers, only.

Requirements for Employees

An employee approved to work remotely is responsible to fulfill the requirements set by the immediate supervisor regarding the scope of their assignment:

- Duties and responsibilities
- Hours of work (rest and meal breaks, overtime, and other wage and hour requirements still apply)
- Hours of availability to communicate regarding County business
- Communication of work assignments, projects and reports
- Communications regarding personal needs, including reporting inability or unavailability to work due to injury, illness, or caring for a family member
- The use of County equipment and materials.
- Completion of electronic timecard, including existing clock in/out requirements.
- Maintaining a safe environment in which to work.

Data Security

County employees are required to protect County and confidential information by:

- Following all applicable policies, rules and regulations governing information security, software licensing, and data protection;
- Ensuring unauthorized individuals do not access data;
- Electronically accessing restricted-level information only when protected through use of County servers and/or appropriate physical controls.

At all times, County records, sensitive information, and other private, confidential or proprietary data must be maintained in a secure manner.

Requirements for Immediate Supervisors

Supervisors shall communicate specific requirements to individual employees based on each person's employment position, the needs of the unit and the employee's personal circumstances. To ensure any remote work assignment is mutually beneficial to the County and staff member, planning and communicating expectations in advance is crucial. Ongoing communication and meetings regarding the status of assignments, projects and department initiatives must be part of the routine during this time of emergency.

General Requirements

Employees must comply with County rules, policies, practices and instructions, and understand violation of same may result in termination of remote working privileges and/or discipline.

Short-term remote work in extraordinary circumstances does not change the basic terms and conditions of employment with the County. Remote work assignments do not change a staff member's classification, compensation, or benefits. The accrual and charging of leave time is subject to the same policies and procedures applicable employees who are not working remotely.