

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. _____

RESOLUTION AUTHORIZING SICK LEAVE ADVANCE AND COVERAGE OF EMPLOYEE-ONLY SHARE OF COUNTY HEALTH BENEFIT FOR NON-ESSENTIAL EMPLOYEES, AND CASH OUT OF VACATION TIME SUBJECT TO LOSS DURING DISASTER RESPONSE AND HAZARD LEAVE FOR ESSENTIAL EMPLOYEES, TO REDUCE COVID-19 IMPACTS

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

WHEREAS, on March 24, 2020, in support of the County workforce, this Board adopted Resolution No. 2020-32 approving an Interim Policy for Working Remotely; and authorizing flexible use of accrued vacation, sick leave, comp-time and administrative leave during the COVID-19 crisis; and

WHEREAS, on March 27, 2020, this Board set forth its commitments to ensure the safety of County employees and compliance with shelter in place order, with as many employees as possible working productively from home while also recognizing that certain non-essential employees cannot work remotely during the crisis due to the nature or availability of work; and

WHEREAS, on March 29, 2020, the federal government announced that COVID-19 social distancing guidelines would be extended to April 30, 2020 and state and local governments are expected to follow with extended shelter in place (SIP) orders; 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 interactions with members of the public while providing critical, essential services, their own compromised immune systems or personal vulnerabilities to

the effects of COVID-19; and

WHEREAS, during this unprecedented time of crisis, this Board desires to provide additional benefits to its workforce, to supplement new leave programs, including Emergency Paid Sick Leave (EPSL) and Paid Public Health Emergency Leave (PHEL) authorized by the federal government to lessen the impacts of the COVID-19 disaster

NOW, THEREFORE, BE IT RESOLVED that:

1. Separate and apart from EPSL and PHEL, effective April, 21, 2020, after exhausting all other paid leave, permanent full-time County employees shall receive an advance of 80 hours of sick leave for use during the COVID-19 crisis, with permanent part-time employees receiving prorated advances of sick leave. This advanced sick leave will be repaid over the next 10 pay periods with no further accruals during the repayment period. If an employee terminates prior to repayment, the repayment shall occur with their last pay check. Employees requesting sick leave advance must complete a Sick Leave Advance form, to be submitted to the Auditor-Controller's office.
2. For the pay periods, March 21, 2020 to April 20, 2020, April 21, 2020 to May 20, 2020 and May 21, 2020 to June 20, 2020, the County will continue to pay the employer share of the County health insurance program for permanent employees whose paid status is less than 50% due to the COVID-19 crisis. Employees will continue to be responsible for their share of additional insurance selections they have chosen above the County contribution, to be billed and paid on a monthly basis to the Payroll Division. This provision shall supersede earlier conflicting language included in Resolutions No. 2020-32 and 2020-33.
3. Effective March 19, 2020 (the date the Lake County Public Health Officer's SIP order became effective), essential employees, as defined for COVID-19 disaster response, who are within 30 hours of their maximum accrual for vacation time and are at risk of losing future accruals due to their continuing need to work during the disaster while the SIP order is in effect, may cash out up to three months of their vacation accrual rate. Cash out requests must be submitted to the Auditor-Controller's office on the COVID-19 Vacation Cash Out form no later than May 1, 2020, to be paid on June 1, 2020.
4. When the SIP order is lifted, eligible full-time permanent County employees shall be provided 40 hours of Hazardous Duty Leave to offset COVID-19 impacts.

Employee eligibility for Hazardous Duty Leave shall be contingent on the following:

Employee is defined as essential under the Sectors of Healthcare/Public

Health, Emergency Services, Food and Agriculture, Energy, Water and Wastewater, Transportation and Logistics, Communications and Information Technology, Critical Manufacturing, Hazardous Materials, Financial Services, Chemical and Defense Industrial Base, and Other Community-Based Government Operations and Essential Functions.

Employee was required, in the course of his or her work, to have close, personal interaction with the public or carry out duties related to sanitation.

Employee did not use EPSL or PHEL during the COVID-19 disaster.

Employee was not able to SIP due to the nature of his or her duties.

Employee must complete a Hazardous Duty Leave Form signed by the department head to verify eligibility.

Hazardous Duty Leave will be prorated for permanent part-time employees.

Hazardous Duty Leave must be used by June 30, 2021 or by the date the employee terminates employment with the County, whichever is sooner, at which time any unused balance shall be paid out at the employee rate of pay at the time the SIP order was lifted.

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:

/S/
Anita L. Grant, County Counsel