



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Human Resources  
**Department No.:** 064  
**For Agenda Of:** December 15, 2020  
**Placement:** Administrative  
**Estimated Time:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** 4/5

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**TO:** Board of Supervisors  
**FROM:** Department Maria Elena De Guevara, Human Resources Director,  
Director(s) 568-2816  
Contact Info: Joseph Pisano, Employee Relations Division Chief, 568-2839  
**SUBJECT:** **Extension to Use Previously Approved Paid Leave Time in Response to the COVID-19 Emergency**

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:**

As to form: N/A

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Approve the resolution in Attachment A extending the deadline for regular and extra help employees to use up to 160 hours of previously granted County paid leave (up to 224 hours to Fire Department employees in 112 hour per pay-period shifts assignments) if such employees are absent from work for reasons related to the COVID-19 emergency;
- b) Find, pursuant to County Code § 27-12 (i), that the action in recommendation a) is in the best interest of the County, and does not amount to a gift of public funds prohibited by the California Constitution, because it serves public purposes by retaining qualified and competent County employees; and
- c) Determine pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) that the above actions are 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, and therefore is not a project subject to environmental review.

**Summary Text:**

On April 21, 2020, the Board authorized and ratified emergency steps previously taken by the County Executive Officer to grant additional County paid leave to regular and extra help employees who had to be absent from work for reasons related to the COVID-19 emergency. This paid leave, also known as PTL, was separate from other paid time off then available to employees, and it satisfied the County's obligations under a subsequent statute passed by Congress and signed by the President known as HR 6201.

HR 6201 required employers to provide 80 hours of paid time off to employees affected by COVID-19. The requirements for time off under HR 6201 expire on December 31, 2020, which is also the date the County's PTL hours are set to expire under the resolution approved by the Board on April 21, 2020. The recommended actions do not provide any additional PTL hours; they merely extend the expiration date of any unused PTL hours until June 30, 2021 under the procedures currently in place for their use.

**Background:**

At the direction of the County Executive Officer, effective in the pay period that began on Monday, March 23, 2020, the County made available up to 160 additional hours of paid leave time (up to 224 hours for shift employees of the Fire Department) that employees could use if they were absent from work for reasons related to COVID-19.

Subsequently, procedures were put into place for the use and tracking of these hours. As of Pay Period 2020-23, 1,142 regular and extra help employees used 96,324 hours of a total of approximately 861,946 available PTL hours. That means 11.18% of available hours have been used. At this time, 88.82% or approximately 765,622 hours remain available. The recommended actions do not provide any additional hours of paid leave, but instead extend the expiration date for any unused hours from December 31, 2020 to June 30, 2021.

PTL hours were initially provided to assist employees who were required to take time off work for a variety of reasons including their own COVID-19 infection, quarantining to avoid potentially infecting others in the workplace, caring for sick family members, or supervising children whose schools or childcare providers were not available because of COVID-19. Unfortunately, the circumstances that gave rise to the need for PTL hours continue to exist; for example, the impacts of COVID-19 on schools and childcare, the need to prevent outbreaks in the workplace, and a surge in positive COVID-19 tests and hospitalizations in the community.

As in the original Board resolution, there is no cash value associated with PTL hours beyond paying employees for time they are not able to be at work as a result of the pandemic. Should employees separate before June 30, 2021, they will not receive any cash for unused PTL hours, and PTL hours will not be added to service credit for purposes of retirement. Approval of the PTL time off remains subject to the ability of individual departments and the County to maintain essential operations.

**Fiscal and Facilities Impacts:**

**Budgeted:** Yes.

**Fiscal Analysis:**

The recommended actions extend the time period within which employees can use previously granted but unused paid time off when they must be absent from work due to COVID-19. Although funds are available for all the hours employees are budgeted to work, any paid time off represents a loss of productivity. In addition, while creating an additional bank of paid leave time does not create an unfunded liability, and it will not be paid out on separation or included in retirement service credit, employees will be paid for time off without reducing their existing leave balances to the extent they use PTL in lieu of other earned accrued time off.

**Key Contract Risks:** N/A

**Staffing Impacts:**

**Legal Positions:**  
N/A

**FTEs:**  
N/A

**Special Instructions:**

**Attachments:**

- A. Resolution of the Board of Supervisors of the County of Santa Barbara Extending Unused Balances of Paid Leave Time to County Employees Directly Impacted by the COVID-19 Emergency

**Authored by:** Joseph Pisano

**cc:** Mona Miyasato, County Executive Officer  
Michael C. Ghizzoni, County Counsel  
Betsy Schaffer, Auditor Controller  
Assistant CEOs  
Department Heads