

**SANTA BARBARA COUNTY  
BOARD AGENDA LETTER**



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

**Agenda Number:**  
**Prepared on:** 3/20/03  
**Department Name:** Human Resources  
**Department No.:** 064  
**Agenda Date:** 4/1/03  
**Placement:** Administrative  
**Estimate Time:**  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** Ann Goodrich, Human Resources Director  
Ron Cortez, General Services Director

**STAFF CONTACT:** Lila Deeds  
568-2819

**SUBJECT:** Amended Back to Work Policy and Related Agreements with Recognized Employee Organizations

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**Recommendation(s):**

That the Board of Supervisors:

- A. Pursuant to tentative agreements with recognized employee organizations, approve Back to Work Program policy as amended effective March 31, 2003.
- B. Approve agreements with all recognized employee organizations for paid time off to attend medical appointments directly related to a Worker's Compensation illness or injury.

**Alignment with Board Strategic Plan:**

The recommendation(s) are primarily aligned with Goal No. 3. A Strong, Professionally Managed County Organization.

**Executive Summary and Discussion:**

In 1997, the County began an effort to establish a Back to Work Program to reduce costs associated with lost time and for the various other benefits afforded by such a program. The basic concept of the Back to Work Program is that when an employee is temporarily unable to perform his/her regular job duties due to illness or injury, the County will work with the employee's physician to identify a temporary work assignment which the employee can perform until he/she is able to resume regular duties. When the physician releases the employee for the temporary assignment, the employee is paid at his/her regular rate of pay for the assignment, which may continue up to six months as necessary.

The Back to Work Program was implemented on a voluntary basis for all employees on June 1, 2000 (with the exception of sworn fire personnel who are covered by a mandatory program administered by the Fire Department). The stated goal of the Program was "100% participation by eligible employees with work-related injuries/illnesses who are offered Temporary Duty Assignments." In evaluating data from the voluntary-only program from June 2000 through May 2002, the County found that the voluntary program was falling short of the goal of 100% participation by eligible employees with work-related injuries/illnesses.

Representatives of the County and employee organizations have met, conferred and reached agreement with all employee organizations (with the exception of the Fire Union which is covered by its own program) on an amended "voluntary with consequences" program. The primary modification to the policy is that if an employee with a work-related illness or injury is offered a Back to Work assignment and declines, the County may take action to terminate the employee's Workers Compensation benefits with the approval of a Workers Compensation Appeals Board hearing officer.

In the course of negotiations with employee organizations, the County agreed to a new provision for County-provided paid leave not chargeable to an employee's accrued leave for the purpose of attending medical appointments directly related to a work-related injury/illness. This provision will apply to all County employees who have returned to work from a work-related injury or illness in either the Back to Work program or to their regular position.

#### **Fiscal and Facilities Impacts:**

In addition to the benefit of the productivity gained from employees placed in Back to Work assignments, the Program provides savings to the County in Workers Compensation, sick leave and medical costs. The recommended amendment to the program may result in minor additional savings to the extent that employees with work-related injuries/illnesses decline to participate.

Currently, ongoing Workers Compensation appointments are typically paid from an employee's accrued sick leave. Substituting paid leave not chargeable to sick leave will slightly increase the County's costs, only to the extent that an employee does not have sick leave balances or there is a minor increase in unused sick leave credit toward retirement.

/LD

Attachments

cc: All Department Heads  
All Recognized Employee Organizations