

COUNTY RESOLUTION NO. 20-69

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY
OF SANTA BARBARA AUTHORIZING PAID LEAVE TIME TO COUNTY
EMPLOYEES DIRECTLY IMPACTED BY THE COVID-19 EMERGENCY**

WHEREAS, on March 4, 2020, Governor Newsom declared a state of emergency for conditions caused by the coronavirus COVID-19, and on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic; and

WHEREAS, on March 12, 2020, the Health Officer of the County of Santa Barbara determined that there is an imminent and proximate threat to public health from the introduction of COVID-19 in the County of Santa Barbara, and declared a Local Health Emergency as a result; and

WHEREAS, on March 12, 2020, when the Board of Supervisors was not in session, pursuant to Government Code Sections 8558 and 8630, et. seq., and Chapter 12 of the Santa Barbara County Code, the Director of Emergency Services of the County of Santa Barbara proclaimed the existence of a local emergency within Santa Barbara County as a result of COVID-19; and

WHEREAS, on March 17, 2020, the Board of Supervisors adopted Resolution No. 20-51 ratifying the proclamation of the existence of a local emergency caused by COVID-19; and

WHEREAS, on March 19, 2020, as a result of the threat of COVID-19, to protect public health, Governor Newsom issued an order for all individuals living in the State of California to stay home except as needed to maintain continuity of operations of the federal critical infrastructure sectors; and

WHEREAS, many County employees are unable to work (or telework) due to direct COVID-19 related medical conditions, the need to care for a family member who is self-isolating due to COVID-19, or to care for children whose schools have been closed due to the COVID-19 emergency; and

WHEREAS, effective pay period 2020-08 which began March 23, 2020, the County Executive Officer approved additional County paid leave of up to 160 hours to regular and extra help employees (up to 224 hours to Fire Department employees in 112 hour per pay-period shifts assignments) for employees unable to work (or telework) because of the COVID-19 emergency; and

WHEREAS, the Federal "Families First Coronavirus Response Act" (H.R. 6201) was signed into law on March 18, 2020, became operative on April 1, 2020, and established paid sick leave benefits, with income restrictions, that would be available to County employees to address COVID-19 related issues; and

WHEREAS, Section 27-12, subdivision (i) of the Santa Barbara County Code authorizes the Board of Supervisors, by four-fifths vote, to grant a leave of absence with pay when the Board finds that doing so is in the best interest of the County and does not amount to a gift of public funds prohibited by the California Constitution;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Santa Barbara, as follows:

1. The Board of Supervisors ratifies the action taken to provide the additional County paid leave for employees absent from work because of the COVID-19 emergency; and

2. The Board of Supervisor finds that the benefits granted by this Resolution are in the best interest of the County, and do not amount to a gift of public funds prohibited by the California Constitution, because the benefits serve public purposes which include retaining qualified and competent public employees; and
3. Effective March 23, 2020, regular and extra help employees who are unable to work (or telework) for certain specified reasons due to the COVID-19 emergency shall be eligible for up to 160 hours of additional County paid leave (up to 224 hours to Fire Department employees in 112 hour per pay-period shifts assignments); and
4. Any hours of this additional paid leave used by employees will be applied to satisfy the County's obligations under H.R. 6201, but without the income restrictions of the Federal law. County employees will still receive their full pay for all these hours up to the 160/224 hour caps; and
5. The additional County paid leave hours will not be available after December 31, 2020. If any employees separate before that date, there will be no cash value for these paid leave hours and these hours will not be added to service credit for purposes of retirement; and
6. Unless otherwise directed by the Board of Supervisors, the Human Resources Director will, following legal review by County Counsel and fiscal review by the Auditor-Controller, establish implementation guidelines and post them on the HR website; and
7. In accordance with the implementation guidelines enumerated above, eligibility and qualification for the benefits granted by this Resolution are to be determined by each employee's appointing authority, in consultation with the County Human Resources Department or County Executive Office; and
8. Except as expressly provided in this Resolution, all other County policies, rules, and procedures remain in effect and unchanged.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, the 21st day of April, 2020.

AYES: Supervisors Williams, Hart, Hartmann, Adam and Lavagnino

NOES: NONE

ABSENT: NONE

ABSTENTIONS: NONE



Gregg Hart
Chair of the Board of Supervisors

ATTEST:

Mona Miyasato,
Clerk of the Board of Supervisors

By: *Shirley LaBuerria*

APPROVED AS TO FORM:

Michael C. Ghizzoni
County Counsel

By: *Victoria Parks Tuttle*
Deputy County Counsel

**APPROVED AS TO ACCOUNTING
FORM:**

Betsy M. Schaffer, CPA
Auditor-Controller

By: *Betsy M. Schaffer*
Deputy