



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: CEO
Department No.: 012
For Agenda Of: October 20, 2015
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Jeri Muth, Human Resources Director, 568-2816
Director(s)
Contact Info: Joseph Pisano, Employee Relations Manager, 568-2839
SUBJECT: Revision to Implementation of Healthy Workplaces, Healthy Families Act of 2014

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: Select_Concurrence

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A. Approve the changes in the Resolution in Attachment A excluding extra help retirees from the provisions of the California Healthy Workplaces, Healthy Families Act of 2014 as per clarifying legislation enacted on July 13, 2015 (tracked changes are found on Attachment B); and
- B. Determine that these actions are exempt from the California Environmental Quality Act (CEQA) review as it is not a project pursuant to CEQA Guidelines section 15378 (b) (2).

Summary Text: The recommended actions will result in extra help retirees who were provided with paid sick leave effective July 1, 2015 per the California Healthy Workplaces, Healthy Families Act of 2014 (Act) from receiving additional paid sick leave beginning January 1, 2016. This change is possible due to clarifying legislation that removed this group of employees from eligibility of the provisions of the Act.

Background:

In 2014, the California legislature enacted the Healthy Workplaces, Healthy Families Act of 2014 (AB1522). Effective July 1, 2015, the Act entitled eligible employees to receive paid sick leave and allowed for expanded sick leave usage criteria. Initially the Act entitled any employee in California working on or after July 1, 2015 for a single employer for 30 or more calendar days within a year to paid sick leave. At the time the Act was implemented extra help

retirees were not excluded from the provisions and the County provided these employees with the required pay sick leave on July 1, 2015 with the intention of conferring 24 hours of paid sick leave to all covered employees on January 1 of each year.

On July 13, 2015, the State of California enacted clarifying legislation that excludes extra help retirees from the provisions of the Act. At the time the clarifying legislation was enacted, the County of Santa Barbara had already conferred 24 hours of paid sick leave to all extra help retirees. The resolutions before the Board will exclude extra help retirees from receiving paid sick leave beginning January 1, 2016 and into the future. Approximately 17% (163) of the active extra help employees on payroll are retirees.

Fiscal and Facilities Impacts: .

Budgeted: Yes

Fiscal Analysis:

Though it is not possible to predict how many of the hours awarded to extra help employees would have been used beginning January 1, 2016 and into the future, there will be an overall reduced fiscal impact from that previously reported when the Board approved the legislative changes. When the implementation of the Act was presented to the Board in June 2015, the maximum estimated cost was projected to be \$497,000 in the first year for all employees initially covered by the Act. With the exclusion of extra help retirees, this cost will be less.

Key Contract Risks: N/A

Staffing Impacts:

Legal Positions:

N/A

FTEs:

N/A

Special Instructions: Return one copy each of the signed resolution to Joe Pisano and Maya Barraza in Human Resources.

Attachments:

Attachment A: Revised Extra Help Employee Resolution

Attachment B: Revised Extra Help Employee Resolution (tracked)

cc: Mona H. Miyasato, County Executive Officer
Michael C. Ghizzoni, County Counsel
Robert W. Geis Auditor-Controller
County Department Heads
Human Resources Leadership Team