



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 CEO
Name:
Department 012
No.:
For Agenda Of: November 4, 2014
Set hearing:
December 2, 2014
Placement: Departmental – 10 minutes
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Ray Aromatorio, Risk Manager, 884-6865
Jeri Muth, Human Resources Director, 568-2816

SUBJECT: ***Set Hearing: Amendments to Santa Barbara County Code:
Occupational Health Ordinance***

County Counsel Concurrence

As to form: Yes

Other Concurrence: Select_Other

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- 1) Set a hearing for December 2, 2014 to consider the introduction (first reading) of the attached Ordinance amending Santa Barbara County Code, Chapter 2, Article XVI ("Occupational Health").
- 2) Set a hearing for January 6, 2015 on the Administrative Agenda to consider recommendations as follows:

- a. Consider the adoption (second reading) of an Ordinance amending Santa Barbara County Code, Chapter 2, Article XVI;
- b. Read the title of the Ordinance and waive the reading of the Ordinance in full; and
- c. Determine that the above actions are organizational and administrative activities of government that are not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b) (5) of the CEQA Guidelines.

Summary Text:

On June 1, 1993, the Board of Supervisors adopted Ordinance Number 4103, which added Article XVI (“Occupational Health”) to Chapter 2 (“Administration”) of the Santa Barbara County Code. Without making significant substantive changes, this Ordinance will amend Article XVI to simplify and clarify its provisions, and make other revisions including:

- Changing the title of Article XVI to “Disability Management”;
- Changing the title of the County’s Occupational Health Council to “Disability Management Council”; and,
- Changing the composition of the Council and updating the titles of its members to the following: “representatives from the County Executive Office (including Human Resources, Risk Management, and the Equal Employment Opportunity Office) and County Counsel.”

Background:

The Occupational Health Ordinance was adopted in 1993 to formalize a multi-department group that had been advising the County Executive Officer (then known as the County Administrator) on occupational health issues and assisting departments in providing equal employment opportunities to qualified applicants and employees with disabilities. It is codified in Sections 2-102 through 2-105 of Article XVI of Chapter 2 of the County Code.

In the twenty years since its adoption, the Occupational Health Ordinance has fostered further development and success of the County’s disability management program. Centralized oversight and management of occupational health issues have contributed to consistency in the management of disability issues throughout the County, which is important in part because Equal Employment Opportunity laws regard the County as a single employer. This approach has also helped the County control the rising costs of employee injuries and illnesses, while keeping pace with expanding legal protections for qualified individuals with disabilities.

These amendments clarify the respective roles of the departments and divisions responsible for implementing the County’s disability management program, and reflect more precisely the

County's current disability management process. The amendments also change the Council's composition by omitting the Treasurer and Public Health Director, for the following reasons:

- One of the Council's functions is to assist in coordinating the County's disability management process with the disability retirement process employed by the Santa Barbara County Employees' Retirement System (SBCERS). When the Occupational Health Ordinance was adopted in 1993, the Treasurer was the Retirement Administrator for SBCERS, and was included on the Occupational Health Council in that role. Because SBCERS is now independently administered, its appropriate relationship with this intra-County committee is as a consultant rather than as a member.
- Under these amendments, the Public Health Director will also be a consultant rather than a member of the Council. This will allow the Council to continue accessing the Public Health Department's medical expertise as needed, while minimizing the amount of time required from the Department's staff.

cc: Mona Miyasato, CEO
Michael Ghizzoni, County Counsel
Martin McKenzie, County Counsel
Deborah Wells, Risk Management
Greg Levin, Interim CEO, SBCERS