

RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

RESOLUTION AMENDING THE)
IMPLEMENTATION OF THE)
CALIFORNIA HEALTHY)
WORKPLACES, HEALTHY FAMILIES)
ACT OF 2014 FOR UNREPRESENTED)
EXTRA HELP EMPLOYEES AND FOR)
CERTAIN CONTRACTORS ON)
PAYROLL)

RESOLUTION NO. _____

WHEREAS, the Board of Supervisors retains the right at any time to change terms and conditions of employment for unrepresented employees in the County Service; and

WHEREAS, County Departments are authorized to appoint extra help employees to non-regular, non-permanent positions on a temporary basis to meet peak loads or unusual work situations, to perform seasonal and recurrent work, and to work in intermittent assignments or emergencies as defined in Civil Service Rule 905; and

WHEREAS, County Departments are authorized to employ Contractors on Payroll when: there is a need for specialized work to be performed, there is no County job classification appropriate for the work, the work cannot be performed by an independent contractor as determined by the IRS, there is a temporary funding source for the work, or the work is sporadic and does not warrant a full or part-time regular position; and

WHEREAS, the California Healthy Workplaces, Healthy Families Act of 2014 requires employers to provide all covered employees with a specified amount of paid sick leave hours each year, beginning July 1, 2015; and

WHEREAS, the California Healthy Workplaces, Healthy Families Act of 2014 expands the allowed use of sick leave to include absences related to domestic violence, sexual assault, and stalking; and

WHEREAS, the California Healthy Workplaces, Healthy Families Act of 2014 further requires employers to reinstate unused sick leave balances when an employee separates and returns to work for that employer within one year of separation; and

WHEREAS, on July 13, 2015 the State of California enacted clarifying legislation that excludes extra help retirees from the provisions of the California Healthy Workplaces, Health Families Act of 2014;

NOW, THEREFORE, BE IT RESOLVED, that the following provisions enacted by the Board of Supervisors on June 15, 2015 will no longer apply to Extra Help retirees beginning January 1, 2016:

1. Existing Extra Help employees and Contractors on Payroll who do not already receive higher sick leave accruals be provided with 24 hours (or three days) of sick leave at the beginning of Fiscal Year 2015-16 and at the beginning of each payroll year for Extra Help employees, or at the beginning of each fiscal year for Contractors on Payroll thereafter; and

2. Extra Help employees and Contractors on Payroll who are hired subsequent to the date this resolution is passed and adopted and who do not receive higher sick leave accruals shall be provided with 24 hours (or three days) of sick leave upon hire and annually thereafter as provided above; and

3. Extra Help employees and Contractors on Payroll are entitled to use these accrued sick leave hours once 90 days of employment have elapsed with no carryover of unused balances from year to year; and

4. Extra Help employees and Contractors on Payroll will not receive compensation for unused accrued paid sick leave upon termination, resignation, retirement or other separation from County service, unless otherwise specified.

5. An Extra Help employee or Contractor on Payroll who is rehired within one year of separation from County service shall be provided another 24 hours (3 days) of sick leave upon rehire; and

6. A Contractor on Payroll who receives more than 24 hours (3 days) of sick leave annually shall have any previously-accrued and unused sick days reinstated if the employee separates from County service and is rehired within one year; and

7. Extra Help employees and all Contractors on Payroll who are hired as Regular employees in the County service shall maintain any previously accrued sick leave balances remaining at the point of hire into a Regular position; and

8. Extra Help employees and all Contractors on Payroll may use paid sick leave for the employee or a specified family member for the diagnosis, care, or treatment of an existing health condition or preventive care, or for specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

ACCEPTED AND AGREED:
COUNTY OF SANTA BARBARA

By: _____
Deputy

By: _____
JANET WOLF
Chair, Board of Supervisors

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING
FORM:
ROBERT W. GEIS, CPA
AUDITOR-CONTROLLER

By: *victoria parks fittle*
Deputy

By: *[Signature]*
Deputy