

COUNTY RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY
OF SANTA BARBARA AUTHORIZING PAID LEAVE TIME REQUIRED
BY CALIFORNIA SB 95 TO COUNTY EMPLOYEES DIRECTLY
IMPACTED BY THE COVID-19 EMERGENCY**

WHEREAS, on March 19, 2021, Governor Newsom signed California Senate Bill 95 (SB 95), which requires California employers to provide Supplemental Paid Sick Leave (SPSL) for use by employees who are unable to work or telework for qualifying reasons related to COVID-19; and

WHEREAS, SB 95 went into effect on March 29, 2021, applied retroactively to January 1, 2021, and is effective through September 30, 2021; and

WHEREAS, Staff from the offices of the Auditor Controller, County Executive Office, County Counsel, and Human Resources collaborated to establish protocols to implement the requirements of SB 95 in a timely way; and

WHEREAS, Implementation of SB 95 provides for leaves of absence with pay not charged to other leave balances available to County employees; 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 actions taken to implement the requirements of SB 95 to provide a bank of 80 hours of Supplemental Paid Sick Leave (SPSL), prorated for part-time employees and adjusted up to 112 hours for Fire Department employees in 112 hour per pay-period shift assignments, for use by employees who are unable to work or telework for qualifying reasons related to COVID-19; and
2. The Board of Supervisors 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 January 1, 2021, 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 80 hours of additional County paid leave (prorated for part-time employees and adjusted up to 112 hours for Fire Department employees in 112 hour per pay-period shift assignments); and
4. Any hours of this additional SPSL paid leave used by employees will be applied to satisfy the County's obligations under SB 95, but without the income restrictions of the State law. County employees will still receive their full pay for all SPSL hours up to the 80/112 hour prorated caps; and

5. The additional County paid leave hours will not be available after September 30, 2021. 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. In accordance with the implementation guidelines established by the Auditor Controller, County Executive Office, County Counsel, and Human Resources departments, 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
7. 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 _____ day of _____, 2021.

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Bob Nelson, Chair
Board of Supervisors

ATTEST:

Mona Miyasato,
Clerk of the Board of Supervisors

By: _____

APPROVED AS TO FORM:

Michael C. Ghizzoni
County Counsel

By: DocuSigned by:
Victoria Parks Tuttle

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Deputy County Counsel

**APPROVED AS TO ACCOUNTING
FORM:**

Betsy M. Schaffer, CPA
Auditor-Controller

By: DocuSigned by:
Betsy M. Schaffer

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Deputy