

RESOLUTION NO. 20-27

**RESOLUTION OF THE HUMBOLDT COUNTY BOARD OF SUPERVISORS RELATING TO UPDATED EMPLOYEE PROCEDURES AND LEAVE ACCRUALS IN RESPONSE TO COVID-19 AND THE FAMILY FIRST CORONAVIRUS RESPONSE ACT**

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

**WHEREAS**, on March 11, the Humboldt County Health Officer declared a local emergency as a result of the threat of COVID-19 which the Board of Supervisors ratified on March 17; and

**WHEREAS**, On March 16, the Board of Supervisors adopted Resolution 20-20, implementing new employee procedures and leave accruals in response to COVID-19; and

**WHEREAS**, on March 19, the County Health Officer and the Governor issued shelter in place orders; and

**WHEREAS**, On March 24, the Board of Supervisors adopted Resolution 20-25, implementing further employee procedures and leave accruals in response to COVID-19; and

**WHEREAS**, On March 30, the Health Officer issued a revised Shelter in Place Order effective until rescinded, based on evidence of increasing occurrence of COVID-19 throughout the County of Humboldt; and

**WHEREAS** On March 30, 2020, the Director of Emergency Services for the County of Humboldt proclaimed a Local Emergency, which was ratified by the Board of Supervisors on April 6, 2020; and

**WHEREAS**, on April 1, 2020, the Families First Coronavirus Response Act (“FFCRA”) became effective; and

**WHEREAS**, the County of Humboldt, in collaboration with the State of California and the Federal government, continue sustained efforts to minimize the spread and mitigate the effects of COVID-19; and

**WHEREAS**, the Humboldt County Board of Supervisors is committed to ensuring a safe, healthy workforce and community, especially during times of emergency; and

**WHEREAS**, due to the current local and state emergency, these actions are taken in accord with Government Code Section 3504.5 and the County’s adopted employee employer relations policy; and

**WHEREAS**, the Board of Supervisors now wishes to enact further guidelines regarding employee procedures and leave accruals consistent with the Emergency Family and Medical Leave Expansion Act and Emergency Paid Sick Leave Act, both enacted as part of the Families First Coronavirus Response Act.

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**NOW, THEREFORE, BE IT RESOLVED that:**

1. Until rescinded by further action of the Board of Supervisors, all caps on vacation accruals are lifted, as are currently applicable time limits for use or lose accrued holiday pay, administrative leave, or wellness benefits.
2. For the duration of the locally declared emergency an emergency response pay premium of five (5) percent shall be provided to any county employee working directly on emergency response in the emergency operation center or joint information center (or providing direct services thereto), deployed to field operations that interact with members of the public, custodial operations, or transportation related to the emergency. The emergency response pay premium shall not apply to any county employee that works in a setting that does not interact with the general public, or works remotely. The Director of Human Resources, in conjunction with the County Administrative Officer are delegated authority to make individualized determinations of applicability of emergency response pay consistent with this provision.
3. The county shall provide eligible employees with 80 hours of emergency paid sick leave, which shall not be subject to the monetary caps of the Emergency Paid Sick Leave Act.
4. The emergency paid sick leave shall apply to all part time active employees, regardless of code status, when used for COVID-19 related absences. Part-time and Extra Help employees shall not be permitted to use more emergency paid sick leave than their normally scheduled hours during any pay period. Pursuant to California law, retired annuitants are not eligible for paid leave.
5. The 80 hours of advance sick leave authorized pursuant to Resolution No. 20-20 is hereby converted to additional sick leave, and regular sick leave shall accrue according to the established accrual schedule. Accrued hours already diverted will be reinstated into regular leave. These 80 hours, which are in addition to the 80 hours provided under the Emergency Paid Sick Leave Act, may be applied to offset any unpaid or benefit time utilized by an employee sent home from a work location due to the COVID-19 emergency prior to this action.
6. Qualifying leave for county employees under the Emergency Family and Medical Leave Expansion Act (after the statutory waiting period) shall be at the employee's base rate of pay.
7. Pursuant to the authority granted in the FFCRA, the county reserves the right to exclude county employees from the Emergency Family and Medical Leave Expansion Act that work as a health care provider or emergency responder as those terms are defined by the Department of Labor.
8. The removal of the caps under the Emergency Paid Sick Leave Act found in section 3 and the use of base rate of pay under the Emergency Family and Medical Leave Expansion Act found in section 6 are subject to future review and revision dependent upon the capabilities of the county payroll system.
9. Except as specifically modified herein, all provisions of Resolution No. 20-20 and 20-25 remain in full force and effect.
10. This resolution is to take effect immediately upon passage by the Board of Supervisors.

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of April 14, 2020

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Dated: April 14, 2020



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Estelle Fennell, Chair  
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Wilson, seconded by Supervisor Madrone, and the following vote:

AYES:	Supervisors	Bohn, Fennell, Madrone, Wilson, Bass
NAYS:	Supervisors	--
ABSENT:	Supervisors	--
ABSTAIN:	Supervisors	--

STATE OF CALIFORNIA )  
County of Humboldt )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



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Ryan Sharp  
Deputy Clerk of the Board of Supervisors of the  
County of Humboldt, State of California