



# COUNTY OF HUMBOLDT

## Legislation Details (With Text)

**File #:** 22-596      **Version:** 1      **Name:**  
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**File created:** 4/29/2022      **In control:** Human Resources  
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**Title:** Resolution Updating Employee Procedures and Leave Accruals in Response to the Termination of the Local Emergency as a Result of the COVID-19 Pandemic

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. COVID Resolution Final.pdf, 3. Resolution No. 22-109.pdf

Date	Ver.	Action By	Action	Result
9/20/2022	1	Board of Supervisors	approved	Pass

**To:** Board of Supervisors

**From:** Human Resources

**Agenda Section:** Departmental

### SUBJECT:

Resolution Updating Employee Procedures and Leave Accruals in Response to the Termination of the Local Emergency as a Result of the COVID-19 Pandemic

### RECOMMENDATION(S):

That the Board of Supervisors:

1. Adopt Resolution 22-\_\_\_\_ rescinding employee benefits that were modified as the result of the proclaimed local emergency in response to COVID-19.
2. Authorize the Director of Human Resources, or their designee, to implement and administer any future State or Federally required benefits, or extension of benefits, related to COVID-19 after consultation with County Counsel and the County Administrative Office.

### SOURCE OF FUNDING:

All county funds

### DISCUSSION:

On April 12, 2022 the local emergency declared in response to COVID-19 was terminated by the Humboldt County Board of Supervisors. Prior to this, Governor Newsom issued Executive Order N-4-

22 on February 25, 2022 to phase out provisions of COVID-19 related executive orders put in place by the State of California to facilitate a coordinated response to the pandemic. While a local health emergency remains in effect, the precautions, and additional needs of our workforce in response to COVID-19 no longer warrant waiving the established limits set forth in our county Memorandums of Understanding (MOUs), Compensation Plans, Salary Resolution and other binding agreements outlining employee benefits. As such, the following benefits will be modified as illustrated below:

#### VACATION BALANCES

Where county employees vacation benefit balances did not have a cap applied to them as the result of the Resolution 20-27 dated April 14, 2020, that cap will be restored to the limit defined in an employee's agreement (MOU, Compensation Plan or Salary Resolution) within 60 days of the date of approval of the attached resolution. Any employees who have vacation balances that are 80 hours below the regular maximum allowable accrual or more, will have those leave hours exceeding this amount transferred to their holiday leave bank to be used at their discretion (with department approval) or provided as cash upon separation.

#### ADMINISTRATIVE LEAVE BALANCES

Where eligible county employees administrative leave benefit balances did not have a cap applied to them as the result of the Resolution 20-27 dated April 14, 2020, that cap will be restored to the limit defined in an employee's agreement (MOU, Compensation Plan or Salary Resolution) on June 30, 2023. Employees who do not utilize administrative leave balances that exceed the normal 80 hour annual allotment will have the remaining leave above this amount removed from their accumulated leave bank at that time.

#### USE/LOSE HOLIDAY LEAVE BALANCES

Where county employees use/lose holiday benefit balances did not have a cap applied to them as the result of the Resolution 20-27 dated April 14, 2020, that cap will be restored to the limit defined in an employee's agreement (MOU, Compensation Plan or Salary Resolution) on June 30, 2023. Employees who do not utilize remaining use/lose holiday leave balances that exceed the normal amount defined in their employee agreement (MOU, Compensation Plan or Salary Resolution) will have the remaining leave above this amount removed from their accumulated leave bank at that time.

#### LEAVE TO BE USED FOR COVID-19 RELATED ABSENCES

Where SB-95 has expired as of March 6, 2022, SB-114 provides an additional 80 hours of leave time to be used for COVID-19 related absences and will be available until September 30, 2022, unless extended or modified by future board actions or executive orders. This leave may be used with either written or oral request by the employee. This leave may be retroactively applied to any COVID-19 related absences dating back to January 1, 2022 that was not covered by SB-95 before its expiration on March 6, 2022. Once SB-114 has been exhausted by an employee, they may use sick, vacation, or other available paid leave time for any additional COVID-19 related absences. This other available paid leave may also be used before SB-114 hours. If an employee has exhausted all of their available paid leave banks, they will be placed on an unpaid leave for the duration of their COVID-19 related absence. The county will continue to comply with current and future state and federal laws providing COVID related paid leave benefits.

#### PAID LEAVE PROVIDED IN RESPONSE TO SB-95

The 80 hours of paid leave previously provided under this senate bill will cease to be provided effective immediately as a result of the expiration of this leave as defined in SB-95 and Resolution #22-07, which voluntarily extended this leave through March 6, 2022.

#### PAID LEAVE PROVIDED IN RESPONSE TO SB-114

SB-114 became effective on February 14, 2022, is applied retroactively to January 1, 2022 and will expire on September 30, 2022. The two separate leave amounts of 40 hours as defined in this bill shall be provided to all employees and a memo will be sent to departments further outlining the parameters in which employees can receive this time.

#### OVERTIME COMPENSATION FOR EXEMPT EMPLOYEES

Paid overtime will no longer be provided to exempt employees effective April 12, 2022, as a result of the termination of the declared local emergency.

#### EMERGENCY SICK LEAVE

The 80 hours of emergency sick leave provided under FFCRA expired on December 31, 2020. This leave continued to be provided to employees of the County of Humboldt well beyond the required timeframe and will no longer be provided as of the date of this resolution. Any remaining leave will remain in the employee's leave bank until it is removed effective the date of the attached resolution.

#### FINANCIAL IMPACT:

An anticipated total expense of \$731,088.85 reflects the current value of vacation leave balances exceeding the normal allowable maximum balance that will be transferred to employee's holiday leave balances and will be compensable upon separation of employment.

#### STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by managing our resources to ensure sustainability of services .

#### OTHER AGENCY INVOLVEMENT:

N/A

#### ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your board could choose not to make the recommended modifications to employee benefits. This would result in increased long-term costs by allowing employee benefits to continue to accumulate, inflating long term liabilities.

#### ATTACHMENTS:

Resolution 22-

#### PREVIOUS ACTION/REFERRAL:

Board Order No.: Click or tap here to enter text.

Meeting of: Click or tap here to enter text.

File No.: Click or tap here to enter text.