

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

380



FROM: Human Resources Department

SUBMITTAL DATE:
June 18, 2015

SUBJECT: Establish and Approve Board Policy C-36, Healthy Families, Healthy Workplaces [District-All] [Total Cost - \$4,780,581] [\$1,593,527 annually] [SOURCE OF FUNDS-Departmental Budgets]

RECOMMENDED MOTION: That the Board of Supervisors:
1. Approve Board Policy C-36, Healthy Families, Healthy Workplaces (Attachment A)

BACKGROUND:

Summary

On September 10, 2014, Governor Brown signed into law the Healthy Families, Healthy Workplaces Act of 2014 (California law ("AB 1522")), which requires California employers to provide to nearly all employees paid sick leave effective July 1, 2015. The Act requires that all employees who have worked for more than 30 days for an employer be provided paid sick leave at a minimum of 3 days or 24 hours of paid sick leave to be provided in a 12-month period.

The Healthy Families, Healthy Workplaces Act of 2014 recommends the establishment of a policy to satisfy the requirements of the new law. The proposed Board Policy C-36, establishes the criteria and guidelines for providing paid sick leave to employees who are unrepresented by a union and therefore do not currently receive sick leave.

Michael T. Stock
Asst. County Executive Officer/
Human Resources Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 2,549,644	\$ 1,274,822	\$ 3,824,466	\$ 1,274,822	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 637,410	\$ 318,705	\$ 956,115	\$ 318,705	

SOURCE OF FUNDS: Departmental Budgets	Budget Adjustment: No
	For Fiscal Year: 2015/2016

C.E.O. RECOMMENDATION:

APPROVE

BY:
Lani Sioson

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

Departmental Concurrence

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: N/A

District: ALL

Agenda Number:

3-30

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

**FORM 11: Establish Board Policy C-36, Healthy Families, Healthy Workplaces [Total Cost - \$4,780,581]
[\$1,593,527 annually] [SOURCE OF FUNDS-Department Budgets]**

DATE: June 18, 2015

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BACKGROUND:

Summary (continued)

The law exempts employees subject to a collective bargaining agreement which would exclude most County employees because they are covered by a valid collective bargaining agreement that expressly provides for paid sick days and other requirements. This policy will apply only to temporary, per-diem, and seasonal employees who are not currently subject to a collective bargaining agreement.

We are recommending the Board approve the policy.

Impact on Residents and Businesses

None

SUPPLEMENTAL:

Additional Fiscal Information

All Financial Data cost information are estimates based on the number of current temporary, per-diem, and seasonal employees as of pay period 13 of payroll calendar 2015 who were not covered by a current collective bargaining agreement. The estimated cost includes salary only. These costs are subject to change due to the fluctuation of temporary, per-diem, and seasonal employees employed during any given pay period and utilization of paid sick leave.

ATTACHMENTS (if needed, in this order):

- A. Board Policy C-36, Healthy Families, Healthy Workplaces**

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

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PURPOSE

The purpose of this policy is to establish guidelines and criteria for providing paid sick leave and the usage of such sick leave for temporary, part-time, per-diem, and seasonal employees of the County of Riverside that are not currently covered by a collective bargaining agreement.

SCOPE

This policy applies to all temporary, part-time, per-diem, and seasonal employees not covered by a current collective bargaining agreement.

POLICY

Effective July 1, 2015, California's Paid Sick Leave law requires the County of Riverside to provide a minimum of 3 days or 24 hours of paid sick leave (whichever is greater) to eligible employees.

Employees covered by this policy become eligible for paid sick leave after being employed with the County of Riverside for at least 30 days within a calendar year. However, an employee is not entitled to begin using any accrued paid sick leave until 90 calendar days of employment with the County.

The County will provide each temporary, part-time, per-diem, and seasonal employee not covered by a current collective bargaining agreement with paid sick leave according to the provisions of the law. Employees will be credited with sick leave hours on January 1st of each calendar year according to the provisions of the law. There will be no carry-over of unused sick leave hours from one calendar year to the next.

In accordance with California's Paid Sick Leave law, employees covered by this policy may use accrued paid sick leave in a 12-month period for one of the following reasons:

- For the employee's own diagnosis, care, or treatment of an existing health condition or preventative care.
- For the diagnosis, care, or treatment of an existing health condition or preventative care for an employee's family member, including:
 - *Child (including a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis.)*
 - *Spouse or Registered Domestic Partner*

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

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- *Parent (including biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor)*
- *Grandparent*
- *Grandchild*
- *Sibling*
- To obtain any relief or services related to being a victim of domestic violence, sexual assault, or stalking including the following with appropriate certification of the need for such services:
 - *A temporary restraining order or restraining order.*
 - *Other injunctive relief to help ensure the health, safety or welfare of themselves or their children.*
 - *To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.*
 - *To obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking.*
 - *To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking.*
 - *To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.*

An employee shall provide reasonable advance notification of their need to use accrued paid sick leave to their supervisor if the need for paid sick leave use is foreseeable (e.g., doctor's appointment scheduled in advance). If the need for paid sick leave use is unforeseeable, the employee shall provide notice of the need for the leave to their supervisor as soon as is practicable.

Paid sick leave will not be considered hours worked for purposes of overtime calculation. An employee will not receive compensation for unused accrued paid sick leave upon termination, resignation, retirement or for any other separation from employment from the County.

**COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

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If an employee separates from County employment and is rehired by the County within one year of the date of separation, previously credited and unused paid sick leave hours shall be reinstated according to the provisions of the law. If a rehired employee had not yet completed the requisite 90 days of employment to use paid sick leave at the time of separation, the employee must first satisfy the 90 days of employment requirement collectively over the periods of employment with the County before any paid sick leave can be used.

In accordance with California's Paid Sick Leave law, the County shall not deny eligible employees the right to use accrued paid sick leave days, nor shall the County discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for using or attempting to use accrued sick days, filing an internal or external complaint or alleging a violation of these regulations, cooperating in an investigation or prosecution of an alleged violation, or opposing any policy or practice or act that is prohibited by regulations.