

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



**ITEM: 3.39
(ID # 23654)**

MEETING DATE:
Tuesday, December 12, 2023

FROM : HUMAN RESOURCES:

SUBJECT: HUMAN RESOURCES: Approval of revisions to the Health Families, Healthy Workplaces Policy C-36, to meet the revised Senate Bill 616, which includes additional sick hours provided to employees, and cost associated with the revision. [Total Cost: \$953,680 (with an ongoing cost of \$635,787) - 100% Department Budget]

RECOMMENDED MOTION: That the Board of Supervisors:

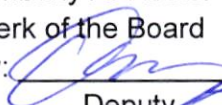
1. Approve revisions to Board Policy C-36, Healthy Families, Healthy Workplaces; and
2. Approve the cost associated with the revised Senate Bill 616 (Attachment A) for additional sick hours provided to employees. There is an additional cost associated of \$317,893 for the current fiscal year.

ACTION:Policy

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Gutierrez, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: December 12, 2023
xc: HR, COB/AB

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 317,893	\$ 635,787	\$ 953,680	\$ 635,787
NET COUNTY COST	\$0	\$0	\$ 0	\$ 0
SOURCE OF FUNDS: Departmental Budgets			Budget Adjustment:	No
			For Fiscal Year:	24/25

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On October 4, 2023, Governor Newsom signed Senate Bill 616, which guarantees employees five (5) sick days per year, which is an increase from three (3) days previously under the Healthy Families, Healthy Workplaces Act. Senate Bill 616 will take effect on January 1, 2024, and the Act requires that all employees who have worked more than 30 days for an employer be provided with the minimum of five (5) sick days or 40 hours of paid sick leave within the first 200 calendar days of employment.

The revisions to the current Board Policy C-36, Healthy Families, Healthy Workplaces satisfies the requirements of Senate Bill 616.

We are recommending the Board approve the policy revisions and the cost associated with the revised Senate Bill 616.

Impact on Residents and Businesses

None.

Additional Fiscal Information

All financial data cost information is estimated based on the number of current, temporary, and per-diem employees as of November 16, 2023. The estimated costs include salary only. These costs are subject to change due to the fluctuation of temporary and per-diem employees during any given pay period and utilization of paid sick leave.

ATTACHMENTS:

- Strikeout Board Policy C-36, Healthy Families, Healthy Workplaces (Attachment A)
- Proposed Board Policy C-36, Healthy Families, Healthy Workplaces (Attachment B)

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

Subject:	<u>Policy Number</u>	<u>Page</u>
HEALTHY FAMILIES, HEALTHY WORKPLACES POLICY	C- 36	1 of 3

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, and regular~~ 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, and regular~~ County employees. ~~not covered by a current collective bargaining agreement.~~ This policy also applies to the County of Riverside employees subject to a Memorandum of Understanding ("MOU") or a resolution setting forth terms and conditions of employment ("resolution") to the extent that this policy provides greater protections for the employees than the MOU or the resolution. No County employee shall be entitled to sick leave accruals under both the MOU or the resolution, and also under this policy.

POLICY

Effective ~~January 1, 2024, July 1, 2015,~~ California's Paid Sick Leave law ~~amendment~~ requires the County of Riverside to provide a minimum of ~~five (5)3~~ days or ~~240~~ hours of paid sick leave (whichever is greater) in each year of employment, calendar year, or 12-month period 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, after which day the employee may use paid sick days as they are accrued.

The County of Riverside will provide each temporary, part-time, per-diem, seasonal and regular employees. The County will provide each temporary, part-time, per-diem, and seasonal and regular employees 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.

An employee will accrue paid sick days at the rate of not less than one hour per every 30 hours worked, beginning at the commencement of employment or the operative date of this policy, whichever is later, subject to the use and accrual limitations set forth in this policy.

An employee who is exempt from overtime requirements as an administrative, executive, or professional employee under law is deemed to work 40 hours per workweek for the purposes of this policy, unless the employee's normal workweek is less than 40 hours, in which case the employee shall accrue paid sick days based upon that normal workweek.

All temporary, part-time, per-diem, seasonal, and regular employees will have no less than 24 hours of accrued sick leave or paid time off by the 120th calendar day of employment or each calendar year, or in each 12-month period, and no less than 40 hours of accrued sick leave or paid time off by the 200th calendar day of employment or each calendar year, or in each 12-month period.

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*

 - *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.

Reference:
Minute Order 3-30 of 06/30/2015

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

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HEALTHY FAMILIES, HEALTHY WORKPLACES POLICY	C- 36	1 of 3

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, seasonal, and regular employees of the County of Riverside.

SCOPE

This policy applies to all temporary, part-time, per-diem, seasonal, and regular County employees. This policy also applies to the County of Riverside employees subject to a Memorandum of Understanding ("MOU") or a resolution setting forth terms and conditions of employment ("resolution") to the extent that this policy provides greater protections for the employees than the MOU or the resolution. No County employee shall be entitled to sick leave accruals under both the MOU or the resolution, and also under this policy.

POLICY

Effective January 1, 2024, California's Paid Sick Leave law amendment requires the County of Riverside to provide a minimum of five (5) days or 40 hours of paid sick leave (whichever is greater) in each year of employment, calendar year, or 12-month period 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, after which day the employee may use paid sick days as they are accrued.

The County of Riverside will provide each temporary, part-time, per-diem, seasonal and regular employees 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.

An employee will accrue paid sick days at the rate of not less than one hour per every 30 hours worked, beginning at the commencement of employment or the operative date of this policy, whichever is later, subject to the use and accrual limitations set forth in this policy.

An employee who is exempt from overtime requirements as an administrative, executive, or professional employee under law is deemed to work 40 hours per workweek for the purposes of this policy, unless the employee's normal workweek is less than 40 hours, in which case the employee shall accrue paid sick days based upon that normal workweek.

All temporary, part-time, per-diem, seasonal, and regular employees will have no less than 24 hours of accrued sick leave or paid time off by the 120th calendar day of employment or each calendar year, or in each 12-month period, and no less than 40 hours of accrued sick leave or paid time off by the 200th calendar day of employment or each calendar year, or in each 12-month period.

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

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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*
 - *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.*

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

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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.

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.

Reference:
Minute Order 3-30 of 06/30/2015