



San Bernardino County

Legislation Text

File #: 3684, Agenda Item #: 77

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
SITTING AS THE GOVERNING BOARD OF THE FOLLOWING:
COUNTY OF SAN BERNARDINO
BOARD GOVERNED COUNTY SERVICE AREAS
SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT
AND RECORD OF ACTION**

**REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS
OF THE FOLLOWING:
BIG BEAR VALLEY RECREATION AND PARK DISTRICT
BLOOMINGTON RECREATION AND PARK DISTRICT
IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY
INLAND COUNTIES EMERGENCY MEDICAL AGENCY
SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT
AND RECORD OF ACTION**

February 9, 2021

FROM

LEONARD X. HERNANDEZ, Chief Executive Officer, County Administrative Office

SUBJECT

Actions Related to COVID-19 Pandemic

RECOMMENDATION(S)

Acting as the governing body of the County of San Bernardino, Board Governed County Service Areas, San Bernardino County Flood Control District, Big Bear Valley Recreation and Park District, Bloomington Recreation and Park District, In-Home Supportive Services Public Authority, Inland Counties Emergency Medical Agency, and the San Bernardino County Fire Protection District, extend paid sick leave and emergency family medical leave for certain reasons related to COVID-19.

(Presenter: Bob Windle, County Labor Relations Chief, 387-3101 and Diane Rundles, HR Director, 387-5570)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote the Countywide Vision.

Improve County Government Operations.

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies.

FINANCIAL IMPACT

In general, additional paid leave related to COVID-19 does not result in new costs to the County unless the

employee on leave is required to be backfilled with additional staff in order to maintain continuity of services. The number of employees required to be backfilled are unknown at this time and therefore additional costs associated with this action are not fully determined. This action could potentially require the use of additional Discretionary General Funding if County departments are unable to cover the cost of backfilling employees within their existing budget authority or if eligible reimbursement from the County's Federal Coronavirus Aid Relief, and Economic Security (CARES) Act Funds is not available. The use of Discretionary General Funding and budget adjustments are not required at this time, but would be included in a future quarterly budget report, if determined necessary.

BACKGROUND INFORMATION

On March 4, 2020, the State of California declared a state of emergency as a result of the COVID-19 pandemic due to the rising number of confirmed cases and anticipated complications for those infected, including potential deaths. On March 10, 2020, the County Public Health Officer declared a local health emergency to help ensure county government and the public were prepared for the possibility that COVID-19 will appear within the County. On March 10, 2020 (Item No. 75), the County proclaimed the existence of a local emergency within San Bernardino County resulting from COVID-19.

On March 18, 2020, the Families First Coronavirus Response Act (FFCRA) was signed into law, requiring that effective April 1, 2020, the County provide certain employees with paid sick leave and emergency family medical leave for specified reasons related to COVID-19 through December 31, 2020.

The leave provisions of the FFCRA expired on December 31, 2020. On December 27, 2020 the Consolidated Appropriations Act was passed, allowing any employer who voluntarily extends the provisions of the FFCRA to continue to receive tax credits until March 31, 2021.

While the County, as a public entity, is not entitled to tax credits, the extent of this state of emergency is unprecedented and has continued to result in concerns related to employees who have, or are near, exhaustion of their available accrued paid leave balances. Therefore, the County proposes, consistent with other public and private employers, to extend the emergency paid sick leave and family medical leave benefits that were previously available to County employees under the terms of the FFCRA from January 1, 2021, through February 28, 2021, with the potential to extend the leaves through March 31, 2021, as determined by the County. The leaves will be available to those employees who had not previously exhausted these leaves.

Eligible employees who were on leave (paid or unpaid) during their regularly scheduled hours prior to the effective date of this extension (i.e., from January 1, 2021 through February 9, 2021) for a qualifying reason shall be compensated for such leave time consistent with the FFCRA. Employees who used accrued paid leave for such hours shall have such paid leave restored to their applicable leave balances, and such hours shall be replaced with County-paid leave not charged to the employee's current or future leave banks.

The County notified the unions whose members may be impacted by these proposed actions and the unions either expressed support or had no objection to the recommendation.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Cynthia O'Neill, Principal Assistant County Counsel, 387-5455) on February 2, 2021; Labor Relations (Bob Windle, County Labor Relations Chief, 387-3101) on January 29, 2021; Human Resources (Diane Rundles, Human Resources Director, 387-5570) on January 29, 2021; County Finance (Jessica Trillo, Administrative Analyst, 387-4222); and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on February 1, 2021.