



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** HUMAN RESOURCES

**File #:** 22-010

Board Meeting Date: 1/4/2022

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** Rocio Kiryczun, Human Resources Director  
Michelle Kuka, Employee Relations Manager

**Subject:** Resolution Authorizing an Amendment to the County's COVID-19 Emergency Sick Leave Policy

### **RECOMMENDATION:**

Adopt a resolution authorizing an amendment to the County's COVID-19 Emergency Sick Leave Policy in order to extend the date of its application to July 9, 2022.

### **BACKGROUND:**

On March 19, 2021, California enacted a statewide law, SB 95, requiring most employers to provide up to two weeks of paid COVID-19 sick leave for employees who are unable to work or telework. The law provided for COVID-19 related sick leave from January 1, 2021 to September 30, 2021.

In May 2021, this Board approved a policy substantially in line with the new state law but that went beyond the minimum requirements of the California sick leave mandate.

In September 2021, this Board approved the extension of the County's COVID-19 Emergency Sick Leave Policy to the current expiration date of December 31, 2021.

### **DISCUSSION:**

As of the date of this memorandum, there is no federal or California legislation extending the required period of application of COVID-19 related sick leave. However, the COVID-19 pandemic continues; Governor Newsom has extended his emergency proclamation until at least March 31, 2022. County employees may still require leave due to specified COVID-19 related reasons such as obtaining a vaccination or a vaccine booster, complying with quarantine orders, testing after experiencing COVID-19 symptoms, recovering after contracting COVID-19, or caring for someone who has contracted COVID-19. To date, approximately 53% of employees have needed to utilize the Emergency Sick Leave hours.

As a result, the Human Resources Department is recommending an amendment extending the County's COVID-19 Emergency Sick Leave policy to July 9, 2022, which will allow employees to utilize any unused COVID-19 Emergency Sick Leave when needed. The extension will also allow the County additional time to evaluate the current circumstances as well as any potential federal or state legislation that might be passed.

These recommendations are in alignment with the County's goals of responding to the COVID-19 emergency while maintaining fiscal sustainability, equity, and competitiveness with the Bay Area workforce market.

A redlined copy containing the proposed amendment to the policy has been included for the Board's reference.

County Counsel has reviewed and approved the resolution as to form.

### **Financial Impact on County's Retirement System**

Government Code Section 31515.5 requires the County to provide the estimated financial impact that proposed benefit changes or salary increases would have on the funding status of SamCERA's retirement fund, the County's retirement system. There are no salary increases and the County's actuary has previously determined that the increased amounts of paid leave will not increase the unfunded liability.

### **FISCAL IMPACT:**

There is no additional fiscal impact for extending the policy. The cost estimates are already accounted for in department budgets.