

BOARD MEETING DATE: July 10, 2015

AGENDA NO. 14

PROPOSAL: Amend Salary Resolution to Provide Paid Sick Leave for SCAQMD Employees Not Currently Eligible to Receive Such Leave Benefits

SYNOPSIS: AB 1522 (Gonzalez) requires California employers to implement the Healthy Workplaces, Healthy Families Act of 2014. This Act provides that effective July 1, 2015, eligible employees not currently provided with a minimum level of paid sick leave benefits are entitled to receive such benefit for prescribed purposes. This action is to amend the Salary Resolution to implement the provisions of AB 1522 to provide paid sick leave for specific SCAQMD employees not currently covered by the Salary Resolution or an MOU.

COMMITTEE: Administrative, June 12, 2015; Recommended for Approval

RECOMMENDED ACTIONS:

1. Amend the Salary Resolution to provide for paid sick leave for eligible employees not currently provided with a minimum level of paid sick leave benefits and for these employees to be able to use the paid sick leave benefits for prescribed purposes. A new amendment to the Salary Resolution effects these changes.
2. Approve the attached Resolution to amend the Salary Resolution.

Barry R. Wallerstein, D.Env.
Executive Officer

WJ:tc

Background

AB 1522 (Gonzalez) enacts, effective July 1, 2015, the Healthy Workplaces, Healthy Families Act of 2014, to provide for employees working in California for 30 or more days within a year from the commencement of employment, are entitled to paid sick leave for prescribed purposes. The majority of SCAQMD employees are currently covered by an MOU or the Salary Resolution and are already provided with paid sick leave benefits in excess of the provisions of AB 1522.

Proposal

Paid sick leave provisions for unrepresented employees are currently contained in Section 43 of the Salary Resolution. Staff proposes to achieve compliance with AB 1522 by amending the Salary Resolution to add Section 43.a. for Board Member Assistants and Consultants engaged as SCAQMD employees, provisional employees, paid interns, and those employees not covered by an MOU or excluded from eligibility under Section 43. These SCAQMD employees, effective July 1, 2015 or upon commencement of employment, would be eligible to accrue paid sick leave at the rate of one hour for every 30 hours worked; be eligible to use sick leave for reasons set forth in Administrative Policies and Procedures No. 31 and/or any other reason(s) authorized by state or federal law; are eligible to use accrued sick leave immediately; may accumulate sick leave at full pay to a maximum of 60 hours including any hours carried over from the previous year; and, after separation of employment (either by termination, resignation or other separation), if the employee is rehired within one year of separation, SCAQMD will reinstate the employee's previously accrued, unused/unpaid sick leave days as required by law.

Resource Impacts

There is sufficient funding available in the FY 2015-16 Budget.

Attachments

- A. Amendment to Salary Resolution
- B. Resolution

ATTACHMENT A
SALARY RESOLUTION

ARTICLE 10
LEAVE OF ABSENCE

Section 43. LEAVE FOR SICKNESS OR INJURY

Section 43a. BOARD MEMBER ASSISTANTS AND CONSULTANTS, PROVISIONAL EMPLOYEES, AND PAID INTERNS

a. Eligibility for Sick Leave

- (1) Board Member Assistants and Consultants engaged as SCAQMD employees, provisional employees, paid interns, and those employees not covered by an MOU or excluded from eligibility under Section 43, are eligible for sick leave based on the terms and conditions set forth in this section.

b. Sick Leave at Full Pay – General Provisions

- (1) Effective July 1, 2015, upon commencement of hire, employees eligible for sick leave pursuant to this section shall accrue sick leave benefits at the rate of one hour for every 30 hours worked.
- (2) Sick leave may be used for reasons set forth in Administrative Policies and Procedures No. 31 and for any other reason authorized by state or federal law pertaining to sick leave.
- (3) Employees are eligible to use sick leave immediately.
- (4) Employees may accumulate sick leave at full pay to a maximum of 60 hours.
- (5) After separation of employment (either by termination, resignation or other separation), if the employee is rehired within one year of separation, SCAQMD will reinstate the employee's previously accrued, unused/unpaid sick leave days as required by law.

ATTACHMENT B

RESOLUTION NO. 15-_____

A Resolution of the South Coast Air Quality Management District Governing Board to amend SCAQMD's *Salary Resolution*, to provide for paid sick leave for Board Member Assistants and Consultants engaged as SCAQMD employees, provisional employees, paid interns, and those employees not covered by an MOU or excluded from eligibility under Section 43.

WHEREAS, the Governing Board of the South Coast Air Quality Management District exercises its duty to review and determine appropriate wages, hours, and other terms and conditions of employment provided to its employees.

THEREFORE, BE IT RESOLVED that the Board of the South Coast Air Quality Management District, in a regular session assembled on July 10, 2015, in Diamond Bar, California, does hereby amend SCAQMD's *Salary Resolution* to provide for paid sick leave for Board Member Assistants and Consultants engaged as SCAQMD employees, provisional employees, paid interns, and those employees not covered by an MOU or excluded from eligibility under Section 43.

AYES:

NOES:

ABSTAIN:

ABSENT:

Date

Clerk of the Board