EXHIBIT A

PAID SICK LEAVE POLICY FOR EXTRA-HELP EMPLOYEES

This Paid Sick Leave Policy applies only to part-time, temporary, and seasonal Extra-Help employees, hereinafter referred to as Employee or Employees.

Effective July 1, 2015, California's Paid Sick Leave law requires the County of Mariposa to provide paid sick leave to Employees under the following conditions:

- An Employee begins to accrue paid sick leave at the rate of one (1) hour of paid sick leave for every thirty (30) hours worked beginning on the first day of employment. An Employee is not eligible to begin using any accrued paid sick leave until after ninety (90) days of employment with the County.

- An Employee is only allowed to use up to a maximum of three (3) days or twenty-four (24) hours, whichever is greater, of paid sick leave in a twelve (12) month period.

- An employee can only accrue paid sick leave up to a cap of six (6) days or forty-eight (48) hours ongoing. Any unused accrued paid sick leave does carryover year-to-year while continuously employed.

In accordance with California's Paid Sick Leave law, an Employee may use three (3) days or twenty-four (24) hours of accrued paid sick leave in a twelve (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 child).*

    - *Grandparent.*

    - *Grandchild.*

    - *Sibling.*

- To obtain any relief or services related to being a victim of domestic violence, sexual

EXHIBIT B

THIS POSTER MUST BE DISPLAYED WHERE EMPLOYEES CAN EASILY READ IT

(Poster may be printed on 8 ½" x 11" letter size paper)

HEALTHY WORKPLACES/HEALTHY FAMILIES ACT OF 2014
PAID SICK LEAVE

Entitlement:

- An employee who, on or after July 1, 2015, works in California for 30 or more days within a year from the beginning of employment is entitled to paid sick leave.
- Paid sick leave accrues at the rate of one hour per every 30 hours worked, paid at the employee's regular wage rate. Accrual shall begin on the first day of employment or July 1, 2015, whichever is later.
- Accrued paid sick leave shall carry over to the following year of employment and may be capped at 48 hours or 6 days. However, subject to specified conditions, if an employer has a paid sick leave, paid leave or paid time off policy (PTO) that provides no less than 24 hours or three days of paid leave or paid time off, no accrual or carry over is required if the full amount of leave is received at the beginning of each year in accordance with the policy.

Usage:

- An employee may use accrued paid sick days beginning on the 90th day of employment.
- An employer shall provide paid sick days upon the oral or written request of an employee for themselves or a family member for the diagnosis, care or treatment of an existing health condition or preventive care, or specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking.
- An employer may limit the use of paid sick days to 24 hours or three days in each year of employment.

Retaliation or discrimination against an employee who requests paid sick days or uses paid sick days or both is prohibited. An employee can file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against the employee.

For additional information you may contact your employer or the local office of the Labor Commissioner. Locate the office by looking at the list of offices on our website http://www.dir.ca.gov/dlse/DistrictOffices.htm using the alphabetical listing of cities, locations, and communities. Staff is available in person and by telephone.

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.

Employees may use accrued sick leave in increments of time they determine to be necessary for the illness or preventative care or medical appointments. However, the County will apply a minimum increment of two (2) hours of sick leave for each absence.

An employee will only receive paid sick time for the number of hours they would have worked during their scheduled shift. For example, if the Employee was scheduled for a four hour shift, they will be compensated with four hours of paid sick time only.

Sick leave in day or hour increments will be paid at the employee's regular rate of pay and is payable in the next payroll period.

If an Employee separates from County employment and is re-hired by the County within one (1) year of the date of separation, previously accrued and unused paid sick leave hours shall be reinstated to the extent required by law. However, if a rehired Employee had not yet worked the requisite ninety (90) days of employment to use paid sick leave at the time of separation, the Employee must still satisfy the ninety (90) days of employment requirement collectively over the periods of employment with the County before any paid sick leave can be used.

MARIPOSA COUNTY

Auditor ·

RESOLUTION - ACTION REQUESTED 2015-293

MEETING: June 23, 2015

TO: The Board of Supervisors

FROM: Debbie Isaacs, Auditor

RE: Extra-Help Paid Sick Leave Policy

RECOMMENDATION AND JUSTIFICATION:
Adopt a Resolution approving a Paid Sick Leave Policy for Mariposa County Extra-Help employees effective July 1, 2015. Assembly Bill 1522 - Healthy Workplaces/Health Families Act of 2014, that was signed by the Governor on September 10, 2014, requires that employees who on or after July 1, 2015, work in California for 30 or more days within a year, will earn at least one-hour of paid sick leave for every 30 hours worked. An employer may limit the amount of paid sick leave an employee can use in one year to 24 hours or three days. Accrued paid sick leave may be carried over to the next year, but it may be capped at 48 hours or six days. Please see the attached Policy for additional information on the criteria for accruing and using paid sick leave.

Currently Extra-Help employees do not earn vacation or sick leave, but are simply unpaid when taking time off from work. Permanent Part-Time and Full Time county employees accrue vacation and sick leave per the conditions contained in the respective Memorandums of Understanding. Department Heads and Elected Officials do not accrue vacation or sick leave, but are not covered by this law.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board has approved various policies/procedures that adhere to State and Federal labor laws.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not adopt the Resolution approving Paid Sick Leave Policy for Mariposa County Extra-Help employees. Mariposa County would be out of compliance with California HEALTHY WORKPLACES/HEALTHY FAMILIES ACT OF 2014.

FINANCIAL IMPACT:
The County will now owe extra-help employees 1 hour of paid sick leave per 30 hours worked, not to exceed 24 hours paid in a 12 month period.

ATTACHMENTS:
RESOLUTION TO ADOPT PAID SICK LEAVE POLICY (DOC)
Paid Sick Leave Policy (DOCX)

MARIPOSA COUNTY RESOLUTION NO. 15-293

PAID SICK LEAVE POLICY FOR MARIPOSA COUNTY EXTRA-HELP EMPLOYEES

WHEREAS, implementation of a new Mariposa County policy regarding paid sick leave for part-time, temporary, and seasonal Extra-Help employees is needed effective July 1, 2015, according to California's Paid Sick Leave law requirements; and

WHEREAS, a copy of the new policy is attached hereto as Exhibit A; and

WHEREAS, a copy of the new poster explaining Healthy Workplaces/Healthy Families Act of 2014 to display in each Mariposa County department location, is attached hereto as Exhibit B.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of the County of Mariposa hereby establishes the Paid Sick Leave Policy for Extra-Help employees, a copy of which is attached hereto as Exhibit A.

PASSED AND ADOPTED this 23rd day of June, 2015, by the following vote:

AYES: **Smallcombe, Jones, Long, Cann, Carrier**
NOES: **None**
ABSTAINED: **None**
EXCUSED: **None**

Merlin Jones

Merlin Jones, Chair

ATTEST:

Rene' LaRoche

Rene' LaRoche, Clerk of the Board

APPROVED AS TO FORM:

Steven W. Dahlem

Steven W. Dahlem, County Counsel

Resolution - Action Requested 2015-293

Poster **(PDF)**

CAO RECOMMENDATION
Requested Action Recommended

Mary Hodson
Mary Hodson, CAO 6/18/2015

RESULT: **ADOPTED BY CONSENT VOTE [UNANIMOUS]**
MOVER: Marshall Long, District III Supervisor
SECONDER: Rosemarie Smallcombe, District I Supervisor
AYES: Smallcombe, Jones, Long, Cann, Carrier