

AGENDA

REMOTE MEETING NOTICE

This meeting will be accessible by remote video conferencing. The public may observe and participate in this meeting remotely via Zoom as set forth below.

INSTRUCTIONS FOR USING ZOOM

- Join the meeting using the link below.
- You must have audio and microphone capabilities on the device you are using to join the meeting.
- When you join the meeting make sure that you join the meeting with audio and follow the prompts to test your speaker & microphone prior to joining the meeting.

TO SPEAK DURING PUBLIC COMMENT USING ZOOM

- The Board President will announce when it is time for Public Comment.
- Click on the Raise Hand icon if you would like to speak during Public Comment.
- Your name will be called on when it's your turn to speak.
- When your name is called, you will be prompted to unmute yourself.
- You will have three (3) minutes to speak. When your time is up, you will be muted.

TO SPEAK ON AN ITEM USING ZOOM

- The Board President will call the item and staff will begin the staff report.
- Click on the Raise Hand icon if you would like to speak on the item.
- Your name will be called on when it's your turn to speak.
- When your name is called, you will be prompted to unmute yourself.
- You will have three (3) minutes to speak. When your time is up, you will be muted.
- You will repeat this process for each item you want to speak on.

FOR OPEN SESSION PARTICIPATION

Join Meeting Electronically at:

Join Zoom Meeting

<https://us02web.zoom.us/j/85476765367?pwd=UGtiVUZjU1BFWmQ1Z2NGQjJYSIRXQT09>

Meeting ID: 854 7676 5367

Passcode: 176410

A G E N D A
REGULAR MEETING OF THE GOVERNING BOARD
OF THE GOLETA SANITARY DISTRICT
A PUBLIC AGENCY

One William Moffett Place
Goleta, California 93117

December 18, 2023

CALL TO ORDER: 6:30 p.m.

ROLL CALL OF MEMBERS

BOARD MEMBERS: Sharon Rose
Edward Fuller
Jerry D. Smith
Steven T. Majoewsky
Dean Nevins

CONSIDERATION OF THE MINUTES OF THE BOARD MEETING

The Board will consider approval of the Minutes of the Regular Meeting of December 4, 2023.

PUBLIC COMMENTS - Members of the public may address the Board on items within the jurisdiction of the Board. Under provisions of the Brown Act, the Board is prohibited from taking action on items not listed on the agenda. Please limit your remarks to three (3) minutes and if you wish, state your name and address for the record.

POSTING OF AGENDA – The agenda notice for this meeting was posted at the main gate of the Goleta Sanitary District and on the District’s web site 72 hours in advance of the meeting.

BUSINESS:

1. DISCUSSION AND ACTION RELATED TO DIRECTOR PARTICIPATION ON THE EXECUTIVE BOARD OF THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION’S SANTA BARBARA CHAPTER
(Board may take action on this item.)
2. CONSIDERATION OF RESOLUTION NO. 23-709 AUTHORIZING ANNUAL CONTRIBUTION TO CASA EDUCATION FOUNDATION
(Board may take action on this item.)

3. CONSIDERATION AND POSSIBLE ACTION REGARDING ADOPTION OF RESOLUTION NO. 23-710 AMENDING HUMAN RESOURCE POLICIES #303 A AND #303 B
(Board may take action on this item.)
4. CONSIDERATION OF PROPOSED ORGANIZATIONAL CHANGES FOR SUCCESSION PLANNING PURPOSES
(Board may take action on this item.)
5. GENERAL MANAGER'S REPORT
6. LEGAL COUNSEL'S REPORT
7. COMMITTEE/DIRECTOR'S REPORTS AND APPROVAL/RATIFICATION OF DIRECTOR'S ACTIVITIES
8. PRESIDENT'S REPORT
9. ITEMS FOR FUTURE MEETINGS
10. CORRESPONDENCE
(The Board will consider correspondence received by and sent by the District since the last Board Meeting.)

ADJOURNMENT

Persons with a disability who require any disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the meeting are asked to contact the District's Finance & H.R. Manager at least 3 hours prior to the meeting by telephone at (805) 967-4519 or by email at info@goletasanitary.org.

Any public records which are distributed less than 72 hours prior to this meeting to all, or a majority of all, of the District's Board members in connection with any agenda item (other than closed sessions) will be available for public inspection at the time of such distribution at the District's office located at One William Moffett Place, Goleta, California 93117.

MINUTES

MINUTES
REGULAR MEETING OF THE GOVERNING BOARD
GOLETA SANITARY DISTRICT
A PUBLIC AGENCY
DISTRICT OFFICE CONFERENCE ROOM
ONE WILLIAM MOFFETT PLACE
GOLETA, CALIFORNIA 93117

December 4, 2023

CALL TO ORDER: President Rose called the meeting to order at 6:30 p.m.

BOARD MEMBERS PRESENT: Sharon Rose, Edward Fuller, Jerry Smith, Steven T. Majoewsky, Dean Nevins

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Steve Wagner, General Manager/District Engineer, Rob Mangus, Finance Director/Board Secretary and Reese Wilson, Senior Project Engineer, Ryan Guiboa, General Counsel (via Zoom)

OTHERS PRESENT: Tom Evans, Director, Goleta Water District (via Zoom)
Craig Geyer, Director, Goleta West Sanitary District (via Zoom)

APPROVAL OF MINUTES: Director Smith made a motion, seconded by Director Fuller, to approve the minutes of the Regular Board meeting of 11/20/2023. The motion carried by the following vote:

(23/12/2283)

AYES:	5	Rose, Fuller, Smith, Majoewsky, Nevins
NOES:		None
ABSENT:		None
ABSTAIN:		None

POSTING OF AGENDA: The agenda notice for this meeting was posted at the main gate of the Goleta Sanitary District and on the District's website 72 hours in advance of the meeting.

PUBLIC COMMENTS: None

BUSINESS:

1. **STATUS REPORT ON ANNUAL PRE-WINTER STORM EMERGENCY PREPAREDNESS ACTIVITIES**
Mr. Wagner gave the staff report on this annual update, no Board action was taken.

2. CONSIDERATION OF ANNUAL CONFERENCE AND EVENTS CALENDAR FOR 2023
Mr. Wagner reviewed the calendar with the Board on this informational item, no Board action was taken.

3. CONSIDERATION OF CONTINUING CONTRIBUTION TO CASA EDUCATION FOUNDATION
Mr. Wagner gave the staff report.

Consensus of the Board was to direct staff to return with a resolution to renew the pledge for another five years at \$1,000 per year.

4. GENERAL MANAGER'S REPORT
Mr. Wagner gave the report.

5. LEGAL COUNSEL'S REPORT
No Report.

6. COMMITTEE/DIRECTORS' REPORTS AND APPROVAL/RATIFICATION OF DIRECTORS' ACTIVITIES

Director Smith – No report.

Director Fuller – No report.

Director Nevins – No report.

Director Majoewsky – Reported on 2023 Innovative Tech Seminar he attended.

7. PRESIDENT'S REPORT
President Rose – No report.

8. ITEMS FOR FUTURE MEETINGS
No Board action was taken to return with an item.

9. CORRESPONDENCE
The Board reviewed and discussed the list of correspondence to and from the District in the agenda.

10. APPROVAL OF BOARD COMPENSATION AND EXPENSES AND RATIFICATION OF CLAIMS PAID BY THE DISTRICT

Director Smith made a motion, seconded by Director Fuller, to ratify and approve the claims, for the period 11/07/2023 to 12/04/2023 as follows:

Running Expense Fund #4640	\$	527,852.73
Capital Reserve Fund #4650	\$	661,752.43
Depreciation Replacement Reserve Fund #4655	\$	92,440.00
Retiree Health Insurance Sinking Fund #4660	\$	12,006.22

The motion carried by the following vote:

(23/12/2284)

AYES: 5 Rose, Fuller, Smith, Majoewsky, Nevins
NOES: None
ABSENT: None
ABSTAIN: None

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:19 p.m.

ATTEST

Sharon Rose
Governing Board President

Robert O. Mangus, Jr.
Governing Board Secretary

AGENDA ITEM #1

AGENDA ITEM: 1

MEETING DATE: December 18, 2023

I. NATURE OF ITEM:

Discussion and Action Related to Director Participation on the Executive Board of the California Special Districts Association's Santa Barbara Chapter

II. BACKGROUND INFORMATION:

Articles 6 and 7 of the District's Administrative Code provides for Board member participation on various committees and Boards of District-supported organizations. Certain activities are identified and considered pre-approved in terms of compensation and/or expense reimbursement. For activities that are not considered pre-approved, the Board is authorized to approve such activities on a case-by-case basis.

While certain activities are considered pre-approved, individual Board members must obtain Board authorization before representing the District and/or participating in any activity that involves possible compensation and/or reimbursement of expenses.

Director Rose is interested in continuing to serve on the Executive Board of the California Special Districts Association's Santa Barbara (SBCSDA) chapter. As such, this request is being brought to the Board for consideration.

III. COMMENTS AND RECOMMENDATIONS:

Participation on the SBCSDA Executive Board is included in the District's list of pre-approved activities for both compensation and reimbursement of expenses. However, the Board must authorize this activity. As such, staff recommend the Board vote on Director Rose's participation on the SBCSDA Executive Board.

IV. REFERENCE MATERIALS:

None

AGENDA ITEM #2

AGENDA ITEM: 2

MEETING DATE: December 18, 2023

I. NATURE OF ITEM

Consideration of Resolution No. 23-709 Authorizing Annual Contribution to CASA Education Foundation

II. BACKGROUND INFORMATION

The California Association of Sanitation Agencies (CASA) represents the interests of local clean water agencies in California that treat wastewater and produce renewable resources such as recycled water, clean energy, and soil enhancements (biosolids). Recognizing the need to recruit new professionals into the industry, CASA members encouraged the association to establish the CASA Education Foundation (CEF), a non-profit 501(c)(3) organization committed to raising money and offering competitive scholarships to support undergraduate students seeking degrees connected to working at a local public wastewater facility.

Founded in 2013, the CEF was established to provide scholarships that contribute to a student's academic development and career potential in the wastewater field. Each year the CEF awards competitive scholarships to students pursuing higher education in engineering, environmental science, public administration, or other related fields, and who show an interest in serving the wastewater (clean water) industry.

To date, CEF has awarded over 27 scholarships totalling over \$147,500. Donations have come from agencies, consulting firms, service providers, and individuals in varying amounts. Many organizations, including the District, are finding it challenging to recruit staff as many long-term employees are at or near retirement age; therefore, it makes sense to encourage young people to pursue a career in local government through a variety of methods. The CASA Education Foundation recognizes and aids students who are pursuing careers in the wastewater field.

In October 2019, the Board of Directors adopted Resolution No. 19-650 approving annual contributions to the CEF and authorizing a \$5,000 pledge over five years at \$1,000 per year. The final installment of that pledge was made in August 2023, fulfilling our initial pledge of support.

On December 4, 2023, the Board of Directors considered the continuation of the District's financial support of the CEF and directed staff to return with a resolution authorizing another 5-year pledge of support of the CEF in the amount of \$1,000 per year for consideration and action.

III. COMMENTS AND RECOMMENDATIONS

The attached resolution authorizes the District's continued financial support of the CEF in the amount of \$1,000 per year for 5 years. Staff recommends the Board adopt the attached resolution subject to any changes desired.

IV. REFERENCE MATERIALS

Resolution No. 23-709

RESOLUTION NO. 23-709

**RESOLUTION OF THE GOVERNING BOARD OF THE GOLETA
SANITARY DISTRICT APPROVING ANNUAL CONTRIBUTIONS TO THE
CALIFORNIA ASSOCIATION OF SANITATION AGENCIES (CASA) EDUCATION
FOUNDATION SCHOLARSHIP FUND**

WHEREAS, the California Association of Sanitation Agencies (CASA) has formed the CASA Education Foundation to administer a scholarship fund with the goal of enhancing the future of California's clean water industry by attracting new professionals into the industry; and,

WHEREAS, the purpose of the scholarships is to help students in California pursuing undergraduate degrees in engineering, environmental science, public administration, wastewater operations, or other related fields, and showing an interest in serving the clean water industry; and,

WHEREAS, the scholarships are awarded on a competitive basis to an undergraduate student enrolled in an accredited California college or university, as determined by the applicant's academic achievement, community involvement, and commitment to a career in a clean water agency; and,

WHEREAS, the mission of the CASA Education Foundation supports the District's goals of 1) supporting environmental education and career opportunities for students, 2) developing and recruiting the talent necessary to design, operate and maintain the District's wastewater infrastructure, and 3) preparing the next generation of professionals to serve the clean water industry.

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BOARD OF THE GOLETA SANITARY DISTRICT AS FOLLOWS:

1. The District supports the efforts of the CASA Education Foundation to attract new professionals into the clean water industry.
2. The District finds that contributions to the CASA Education Foundation Scholarship Fund will further the purposes of the District and benefit the public by (i) improving educational opportunities for individuals seeking a career in the clean water industry, (ii) increasing the number of professionals working in the clean water industry, which will increase the pool of qualified candidates for potential employment by the District and will benefit the industry as a whole, and (iii) providing opportunities for the District and CASA to educate the public regarding issues affecting wastewater agencies and opportunities existing within the industry.
3. The District approves an annual contribution of \$1,000 to the CASA Education Foundation Scholarship Fund to fund scholarships for California students FOR A PERIOD OF FIVE YEARS starting July 1, 2024.
4. The General Manager is authorized and directed to take all steps necessary and proper to implement this resolution.

PASSED AND ADOPTED this 18th day of December 2023, by the following vote of the Governing Board of the Goleta Sanitary District:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sharon Rose,
President of the Governing Board

COUNTERSIGNED:

Robert O. Mangus, Jr.,
Secretary of the Governing Board

AGENDA ITEM #3

AGENDA ITEM: 3

MEETING DATE: December 18, 2023

I. NATURE OF ITEM

Consideration and Possible Action Regarding Adoption of Resolution No. 23-710 Amending Human Resource Policies #303 A and #303 B

II. BACKGROUND INFORMATION

On October 4, 2023, Governor Newsom signed Senate Bill No. SB 616 increasing the minimum number of sick hours afforded to a full-time employee to 40 hours, or five days. While the District already provides a generous sick leave program that exceeds many of the new law’s requirements, the District’s existing sick leave policy would need to be amended to include the following revisions to be fully compliant with the new law:

- The Base Sick Leave (BSL) policy would provide 40 hours of sick leave, front-loaded into existing employees’ accounts beginning January 1, 2024.
- Supplemental Sick Leave (SSL) would accrue at a rate of 2.15 hours per pay period, for a total of 56 hours. The total amount of sick leave remains 96 hours annually.
- Employees hired after January 1, 2024, will receive a varying amount of Base Sick Leave hours during their first calendar year of employment based upon their hire date as follows:

Hire date:	BSL provided for 1 st calendar year of employment
Jan. 1 st - Jun. 30 th	40 hours
Jul. 1 st - Aug. 31 st	30 hours
Sep. 1 st - Oct. 31 st	20 hours
Nov.1 st - Dec. 31 st	10 hours

- At the end of each calendar year, the remaining portion of an employee’s unused Base Sick Leave will be credited to the employee’s Supplemental Sick Leave balance.

Staff has prepared a revised sick leave policy that incorporates the above revisions and meets the requirements of the new law. A copy of the draft revised sick leave policy (both clean and redline version) is included as an attachment to this report. The proposed revisions have been reviewed by District legal counsel.

The Board’s Personnel Committee reviewed the draft revised sick leave policy on December 8, 2023, and recommended that the policy be brought to the full Board for consideration.

III. COMMENTS AND RECOMMENDATIONS

The District's existing hybrid sick leave policy is easily amended to be compliant with the new law and maintain management's discretion over the use of sick leave. The proposed amended hybrid policy changes the BSL policy to apply to the first 40 hours of sick leave used by an employee in any given year and would meet all the requirements of the new law. The SSL policy would apply to any sick leave taken after the first 40 hours (BSL amount) and would include all of the existing policies related to noticing and approval. Taken together, the provisions in the proposed BSL and SSL policies match the provisions of the existing sick leave policy. Resolution No. 23-710 is attached for reference, and "Exhibit A" will be the final amended Human Resource policy.

Staff recommends the Board adopt Resolution No. 23-710 Amending Human Resource Policy 303-A Base Sick Leave and 303-B Supplemental Sick Leave, subject to final review by legal counsel to ensure compliance with California's Healthy Workplaces, Health Families Act as amended by Senate Bill SB 616.

IV. REFERENCE MATERIAL

SB-616 Sick days: paid sick days accrual and use

Draft Revised Sick Leave Policy (Clean Version and Redline Version)

Draft Resolution No. 23-710



SB-616 Sick days: paid sick days accrual and use. (2023-2024)

SHARE THIS:



Date Published: 10/04/2023 09:00 PM

Senate Bill No. 616

CHAPTER 309

An act to amend Sections 245.5, 246, and 246.5 of the Labor Code, relating to employment.

[Approved by Governor October 04, 2023. Filed with Secretary of State
October 04, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 616, Gonzalez. Sick days: paid sick days accrual and use.

Existing law, the Healthy Workplaces, Healthy Families Act of 2014 (act), establishes requirements relating to paid sick days and paid sick leave, as described. The act excludes specified employees from its provisions, including an employee covered by a valid collective bargaining agreement, as described (CBA employees).

This bill would exclude railroad carrier employers and their employees from the act's provisions.

Existing law, with certain exceptions, entitles an employee to paid sick days for certain purposes if the employee works in California for the same employer for 30 or more days within a year from the commencement of employment. Existing law imposes procedural requirements on employers regarding the use of paid sick days, including by prohibiting retaliation for using paid sick days, by prohibiting the imposition of certain conditions on the use of paid sick days, and by requiring the use of paid sick days for specified health care and situations. Existing law requires the leave to be accrued at a rate of no less than one hour for every 30 hours worked, and to be available for use beginning on the 90th day of employment.

This bill would extend the above-described procedural requirements on the use of paid sick days to CBA employees.

Existing law authorizes an employer to use a different accrual method as long as an employee has 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. Existing law also provides that an employer may satisfy the accrual requirements by providing not less than 24 hours or 3 days of paid sick leave that is available to the employee to use by the completion of the employee's 120th calendar day of employment.

This bill would modify the employer's alternate sick leave accrual method to additionally require that an employee have 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. The bill would modify that satisfaction provision to authorize an employer to satisfy accrual requirements by providing, in addition to the existing criteria for satisfaction above, not less than 40 hours or 5 days of paid sick leave that is available to the employee to use by the completion of the employee's 200th calendar day of employment.

Existing law requires accrued paid sick days to carry over to the following year of employment. Existing law, however, authorizes an employer to limit an employee's use of accrued paid sick days to 24 hours or 3 days in each year of employment, calendar year, or 12-month period. Under existing law, this provision is satisfied and no accrual or carryover is required if the full amount of leave is received at the beginning of each year of employment, calendar year, or 12-month period. Existing law defines "full amount of leave" for these purposes to mean 3 days or 24 hours.

This bill would raise the employer's authorized limitation on the use of carryover sick leave to 40 hours or 5 days in each year of employment. The bill would redefine "full amount of leave" to mean 5 days or 40 hours.

Existing law also entitles individual providers of in-home supportive services and waiver personal care services, as defined, to paid sick days in specified amounts in accordance with minimum wage increases, up to a maximum of 24 hours or 3 days each year of employment when the minimum wage has reached \$15 per hour. Existing law authorizes the State Department of Social Services to implement and interpret these provisions.

This bill would increase the sick leave accrual rate for these providers to 40 hours or 5 days in each year of employment, beginning January 1, 2024.

Under existing law, an employer is not required to provide additional paid sick days pursuant to these provisions if the employer has a paid leave or paid time off policy, makes an amount of leave available to employees that may be used for the same purposes and under the same conditions as these provisions, and the policy satisfies one of specified conditions. Under that law, one of those conditions requires the employer to have provided paid sick leave or paid time off in a manner that results in an employee's eligibility to earn at least 3 days or 24 hours of sick leave or paid time off within 9 months of employment.

This bill would change that condition so that the employee must be eligible to earn at least 5 days or 40 hours of sick leave or paid time off within 6 months of employment.

Under existing law, an employer has no obligation under these provisions to allow an employee's total accrual of paid sick leave to exceed 48 hours or 6 days, provided that an employee's rights to accrue and use paid sick leave are not otherwise limited, as specified.

This bill would increase those accrual thresholds for paid sick leave to 80 hours or 10 days.

Existing paid sick days law sets forth provisions on, among other things, compensation for accrued, unused paid sick days upon specified employment events, the lending of paid sick days to employees, written notice requirements, the calculation of paid sick leave, reasonable advance notification requirements, and payment of sick leave taken.

This bill would provide that these provisions shall preempt any local ordinance to the contrary.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 245.5 of the Labor Code is amended to read:

245.5. As used in this article:

(a) "Employee" does not include the following:

(1) Except as provided in subdivision (d) of Section 246.5, an employee covered by a valid collective bargaining agreement if the agreement expressly provides for the wages, hours of work, and working conditions of employees, and expressly provides for paid sick days or a paid leave or paid time off policy that permits the use of sick days for those employees, final and binding arbitration of disputes concerning the application of its paid sick days provisions, premium wage rates for all overtime hours worked, and regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate.

(2) An employee in the construction industry covered by a valid collective bargaining agreement if the agreement expressly provides for the wages, hours of work, and working conditions of employees, premium wage rates for all overtime hours worked, and regular hourly pay of not less than 30 percent more than the

state minimum wage rate, and the agreement either (A) was entered into before January 1, 2015, or (B) expressly waives the requirements of this article in clear and unambiguous terms. For purposes of this subparagraph, "employee in the construction industry" means an employee performing work associated with construction, including work involving alteration, demolition, building, excavation, renovation, remodeling, maintenance, improvement, repair work, and any other work as described by Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and other similar or related occupations or trades.

(3) An individual employed by an air carrier as a flight deck or cabin crew member that is subject to Title II of the federal Railway Labor Act (45 U.S.C. Sec. 151 et seq.), provided that the individual is provided with compensated time off equal to or exceeding the amount established in paragraph (1) of subdivision (b) of Section 246.

(4) An employee of the state, city, county, city and county, district, or any other public entity who is a recipient of a retirement allowance and employed without reinstatement into the employee's respective retirement system pursuant to either Article 8 (commencing with Section 21220) of Chapter 12 of Part 3 of Division 5 of Title 2 of the Government Code, or Article 8 (commencing with Section 31670) of Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code.

(5) An employee as defined in Section 351(d) of Title 45 of the United States Code.

(b) (1) "Employer" means any person employing another under any appointment or contract of hire and includes the state, political subdivisions of the state, and municipalities.

(2) "Employer" does not include any employer described in Section 351(a) of Title 45 of the United States Code.

(c) "Family member" means any of the following:

(1) A child, which for purposes of this article means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.

(2) A 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.

(3) A spouse.

(4) A registered domestic partner.

(5) A grandparent.

(6) A grandchild.

(7) A sibling.

(8) A designated person, which, for purposes of this article, means a person identified by the employee at the time the employee requests paid sick days. An employer may limit an employee to one designated person per 12-month period for paid sick days.

(d) "Health care provider" has the same meaning as defined in Section 12945.2 of the Government Code.

(e) "Paid sick days" means time that is compensated at the same wage as the employee normally earns during regular work hours and is provided by an employer to an employee for the purposes described in Section 246.5.

SEC. 2. Section 246 of the Labor Code is amended to read:

246. (a) (1) An employee who, on or after July 1, 2015, works in California for the same employer for 30 or more days within a year from the commencement of employment is entitled to paid sick days as specified in this section. For an individual provider of waiver personal care services under Section 14132.97 of the Welfare and Institutions Code who also provides in-home supportive services in an applicable month, eligibility shall be determined based on the aggregate number of monthly hours worked between in-home supportive services and waiver personal care services pursuant to subdivision (d) of Section 14132.971.

(2) On and after July 1, 2018, a provider of in-home supportive services under Section 14132.95, 14132.952, or 14132.956 of, or Article 7 (commencing with Section 12300) of Chapter 3 of Part 3 of Division 9 of, the Welfare and Institutions Code, who works in California for 30 or more days within a year from the commencement of employment is entitled to paid sick days as specified in subdivision (e) and subject to the rate of accrual in paragraph (1) of subdivision (b). For an individual provider of waiver personal care services under Section 14132.97 of the Welfare and Institutions Code, entitlement to paid sick days begins on July 1, 2019.

(b) (1) An employee shall 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 article, whichever is later, subject to the use and accrual limitations set forth in this section.

(2) An employee who is exempt from overtime requirements as an administrative, executive, or professional employee under a wage order of the Industrial Welfare Commission is deemed to work 40 hours per workweek for the purposes of this section, 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.

(3) An employer may use a different accrual method, other than providing one hour per every 30 hours worked, provided that the accrual is on a regular basis so that an employee has 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.

(4) An employer may satisfy the accrual requirements of this section by providing not less than 24 hours or 3 days of paid sick leave that is available to the employee to use by the completion of the employee's 120th calendar day of employment, and no less than 40 hours or 5 days of paid sick leave that is available to the employee to use by the completion of the employee's 200th calendar day of employment.

(c) An employee shall be entitled to use accrued paid sick days beginning on the 90th day of employment, after which day the employee may use paid sick days as they are accrued.

(d) Accrued paid sick days shall carry over to the following year of employment. However, an employer may limit an employee's use of accrued paid sick days to 40 hours or five days in each year of employment, calendar year, or 12-month period. This section shall be satisfied and no accrual or carryover is required if the full amount of leave is received at the beginning of each year of employment, calendar year, or 12-month period. The term "full amount of leave" means five days or 40 hours.

(e) For a provider of in-home supportive services under Section 14132.95, 14132.952, or 14132.956 of, or Article 7 (commencing with Section 12300) of Chapter 3 of Part 3 of Division 9 of, and an individual provider of waiver personal care services under Section 14132.97 of, the Welfare and Institutions Code, the term "full amount of leave" is defined as follows:

(1) Eight hours or one day in each year of employment, calendar year, or 12-month period beginning July 1, 2018.

(2) Sixteen hours or two days in each year of employment, calendar year, or 12-month period beginning when the minimum wage, as set forth in paragraph (1) of subdivision (b) of Section 1182.12 and accounting for any years postponed under subparagraph (D) of paragraph (3) of subdivision (d) of Section 1182.12, has reached thirteen dollars (\$13) per hour.

(3) Twenty-four hours or three days in each year of employment, calendar year, or 12-month period beginning when the minimum wage, as set forth in paragraph (1) of subdivision (b) of Section 1182.12 and accounting for any years postponed under subparagraph (D) of paragraph (3) of subdivision (d) of Section 1182.12, has reached fifteen dollars (\$15) per hour.

(4) Forty hours or five days in each year of employment, calendar year, or 12-month period beginning January 1, 2024.

(f) An employer is not required to provide additional paid sick days pursuant to this section if the employer has a paid leave policy or paid time off policy, the employer makes available an amount of leave applicable to employees that may be used for the same purposes and under the same conditions as specified in this section, and the policy satisfies one of the following:

(1) Satisfies the accrual, carryover, and use requirements of this section.

(2) Provided paid sick leave or paid time off to a class of employees before January 1, 2015, pursuant to a sick leave policy or paid time off policy that used an accrual method different than providing one hour per 30 hours worked, provided that the accrual is on a regular basis so that an employee, including an employee hired into that class after January 1, 2015, has no less than one day or eight hours of accrued sick leave or paid time off within three months of employment of each calendar year, or each 12-month period, and the employee was eligible to earn at least five days or 40 hours of sick leave or paid time off within six months of employment. If an employer modifies the accrual method used in the policy it had in place prior to January 1, 2015, the employer shall comply with any accrual method set forth in subdivision (b) or provide the full amount of leave at the beginning of each year of employment, calendar year, or 12-month period. This section does not prohibit the employer from increasing the accrual amount or rate for a class of employees covered by this subdivision.

(3) Notwithstanding any other law, sick leave benefits provided pursuant to the provisions of Sections 19859 to 19868.3, inclusive, of the Government Code, or annual leave benefits provided pursuant to the provisions of Sections 19858.3 to 19858.7, inclusive, of the Government Code, or by provisions of a memorandum of understanding reached pursuant to Section 3517.5 that incorporate or supersede provisions of Section 19859 to 19868.3, inclusive, or Sections 19858.3 to 19858.7, inclusive, of the Government Code, meet the requirements of this section.

(g) (1) Except as specified in paragraph (2), an employer is not required to provide compensation to an employee for accrued, unused paid sick days upon termination, resignation, retirement, or other separation from employment.

(2) If an employee separates from an employer and is rehired by the employer within one year from the date of separation, previously accrued and unused paid sick days shall be reinstated. The employee shall be entitled to use those previously accrued and unused paid sick days and to accrue additional paid sick days upon rehiring, subject to the use and accrual limitations set forth in this section. An employer is not required to reinstate accrued paid time off to an employee that was paid out at the time of termination, resignation, or separation of employment.

(h) An employer may lend paid sick days to an employee in advance of accrual, at the employer's discretion and with proper documentation.

(i) An employer shall provide an employee with written notice that sets forth the amount of paid sick leave available, or paid time off leave an employer provides in lieu of sick leave, for use on either the employee's itemized wage statement described in Section 226 or in a separate writing provided on the designated pay date with the employee's payment of wages. If an employer provides unlimited paid sick leave or unlimited paid time off to an employee, the employer may satisfy this section by indicating on the notice or the employee's itemized wage statement "unlimited." The penalties described in this article for a violation of this subdivision shall be in lieu of the penalties for a violation of Section 226. This subdivision shall apply to employers covered by Wage Order 11 or 12 of the Industrial Welfare Commission only on and after January 21, 2016.

(j) An employer has no obligation under this section to allow an employee's total accrual of paid sick leave to exceed 80 hours or 10 days, provided that an employee's rights to accrue and use paid sick leave are not limited other than as allowed under this section.

(k) An employee may determine how much paid sick leave they need to use, provided that an employer may set a reasonable minimum increment, not to exceed two hours, for the use of paid sick leave.

(l) For the purposes of this section, an employer shall calculate paid sick leave using any of the following calculations:

(1) Paid sick time for nonexempt employees shall be calculated in the same manner as the regular rate of pay for the workweek in which the employee uses paid sick time, whether or not the employee actually works overtime in that workweek.

(2) Paid sick time for nonexempt employees shall be calculated by dividing the employee's total wages, not including overtime premium pay, by the employee's total hours worked in the full pay periods of the prior 90 days of employment.

(3) Paid sick time for exempt employees shall be calculated in the same manner as the employer calculates wages for other forms of paid leave time.

(m) If the need for paid sick leave is foreseeable, the employee shall provide reasonable advance notification. If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable.

(n) An employer shall provide payment for sick leave taken by an employee no later than the payday for the next regular payroll period after the sick leave was taken.

(o) The State Department of Social Services, in consultation with stakeholders, shall convene a workgroup to implement paid sick leave for in-home supportive services providers as specified in this section. This workgroup shall finish its implementation work by November 1, 2017, and the State Department of Social Services shall issue guidance such as an all-county letter or similar instructions by December 1, 2017.

(p) No later than February 1, 2019, the State Department of Social Services, in consultation with the Department of Finance and stakeholders, shall reconvene the paid sick leave workgroup for in-home supportive services providers. The workgroup shall discuss how paid sick leave affects the provision of in-home supportive services. The workgroup shall consider the potential need for a process to cover an in-home supportive services recipient's authorized hours when a provider needs to utilize their sick time. This workgroup shall finish its work by November 1, 2019.

(q) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Social Services may implement, interpret, or make specific this section by means of an all-county letter, or similar instructions, without taking any regulatory action.

(r) Subdivisions (g), (h), (i), (l), (m), and (n) shall preempt any local ordinance to the contrary.

SEC. 3. Section 246.5 of the Labor Code is amended to read:

246.5. (a) Upon the oral or written request of an employee, an employer shall provide paid sick days for the following purposes:

(1) Diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member.

(2) For an employee who is a victim of domestic violence, sexual assault, or stalking, the purposes described in subdivision (c) of Section 230 and subdivision (a) of Section 230.1.

(b) An employer shall not require as a condition of using paid sick days that the employee search for or find a replacement worker to cover the days during which the employee uses paid sick days.

(c) (1) An employer shall not deny an employee the right to use accrued sick days, discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for using accrued sick days, attempting to exercise the right to use accrued sick days, filing a complaint with the department or alleging a violation of this article, cooperating in an investigation or prosecution of an alleged violation of this article, or opposing any policy or practice or act that is prohibited by this article.

(2) There shall be a rebuttable presumption of unlawful retaliation if an employer denies an employee the right to use accrued sick days, discharges, threatens to discharge, demotes, suspends, or in any manner discriminates against an employee within 30 days of any of the following:

(A) The filing of a complaint by the employee with the Labor Commissioner or alleging a violation of this article.

(B) The cooperation of an employee with an investigation or prosecution of an alleged violation of this article.

(C) Opposition by the employee to a policy, practice, or act that is prohibited by this article.

(d) Notwithstanding subdivision (a) of Section 245.5, for purposes of this section, "employee" shall include an employee described in paragraph (1) of subdivision (a) of Section 245.5.

SEC. 4. The Legislature finds and declares that establishing uniform statewide regulation of certain aspects of paid sick leave is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Sections 1, 2, and 3 of this act amending Sections 245.5, 246, and 246.5 of the Labor Code apply to all cities, including charter cities.

POLICY

All District employees are eligible for paid Base Sick Leave.

1. Purpose

Base Sick Leave is intended to provide employees with a base amount of paid sick leave so that they may take a reasonable amount of paid time off each year in the event of their own illness or medical appointments or those of their family members, or because they are victims of domestic violence, sexual assault, or stalking. Base Sick Leave is also intended to fulfill the requirements of California’s “Healthy Workplaces, Healthy Families Act” as amended.

2. Amount of Base Sick Leave

All full-time employees are provided 40 hours of Base Sick Leave for use as set forth in this policy on an annual basis on January 1st of each year. Employees hired after January 1, 2024, will receive a varying amount of Base Sick Leave hours during their first calendar year of employment based upon their hire date as follows:

Hire date:	Base Sick Leave for 1 st calendar year
Jan. – Jun. 30 th	40 hours
Jul. – Aug. 31 st	30 hours
Sep. 1 st – Oct. 31 st	20 hours
Nov. 1 st – Dec. 31 st	10 hours

At the end of the calendar year the balance of any unused Base Sick Leave will be transferred to the employee’s Supplemental Sick Leave balance (see HR Policy 303-B).

3. Permitted Sick Leave Usage

Employees may request to be paid Base Sick Leave upon oral or written notice to their immediate Supervisor or, if he/she is unavailable, to the Department Head or, if he/she is unavailable, to the Human Resources Manager, Assistant General Manager, or General Manager for any of the following reasons:

- The diagnosis, care, or treatment of their own existing health condition or that of a family member, or their own preventive care or preventative care for a family member.

- For employees who are victims of domestic violence, sexual assault, or stalking and wish to take time off purposes described in Labor Sections 230 (c) or 230.1(a), including time off to (a) obtain or attempt to obtain any relief, including a restraining order or other injunctive relief, to help ensure their own health, safety, or welfare or that of their child, (b) seek medical attention for injuries caused by the domestic violence, sexual assault, or stalking, (c) obtain services from a domestic violence shelter, program, or rape crisis center, (d) obtain psychological counseling, or (e) participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

For purposes of this policy, “family member” means (1) an employee’s child (biological, adopted, or foster child, stepchild, legal ward, or in loco parentis), regardless of age or dependency status, (2) an employee’s (or an employee’s spouse or registered domestic partner’s) biological, adoptive, or foster parent, stepparent, or legal guardian or a person who stood in loco parentis, (3) an employee’s spouse or registered domestic partner, (4) an employee’s grandparent, (5) an employee’s grandchild, or (6) an employee’s sibling.

4. Administration

If the need for paid sick leave is foreseeable, then employees must provide reasonable advance notification of their requests to use paid sick leave. If the need for paid sick leave is unforeseeable, then employees must provide notice of the need for the leave as soon as practicable. Employees are asked to complete and submit to their immediate Supervisor or, if he/she is unavailable, to the Department Head or, if he/she is unavailable, to the Human Resources Manager, Assistant General Manager, or General Manager, a *Request for Time Off* form advising payroll of their request for Base Sick Leave in advance of their absence (if their absence is foreseeable) or immediately following their return to work (in the event of an unforeseeable absence) so that their request for pay can be timely processed. Base Sick Leave must be used in increments of one-quarter (1/4) hour or more.

The District will not discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for using accrued Base Sick Leave, attempting to exercise the right to use accrued Base Sick Leave, filing a complaint with the Department of Industrial Relations alleging a violation of Article 1.5 of Chapter 1 of Part 1 of Division 2 of the California Labor Code, cooperating in an investigation or prosecution of any such alleged violation, or opposing any policy or practice or act that is prohibited by Article 1.5 of Chapter 1 of Part 1 of Division 2 of the California Labor Code. Any employee who feels he/she has been treated in a manner inconsistent with this policy or experienced any impediment to their permitted use of their accrued Base Sick Leave should immediately contact the District’s General Manager, Assistant General Manager or Human Resources Manager.

5. Separation of Employment

Employees will not be paid for unused Base Sick Leave at the time their employment with the District ends; however, if they are rehired within one year, they will have their previously accrued Base Sick Leave reinstated.

6. Compliance with “Healthy Workplaces, Healthy Families Act”

This policy is intended to comply with, and to fulfill the District’s obligations under, California Labor Code Sections 246 through 249 (the “Healthy Workplaces, Healthy Families Act of 2014”), as amended from time to time.

POLICY

Regular Full-Time employees are eligible for paid Supplemental Sick Leave.

1. Purpose

Supplemental Sick Leave is intended to provide eligible employees with additional economic security in the event of a protracted illness or extended disability leave of absence. Supplemental Sick Leave may not be used unless an employee has exhausted his/her Base Sick Leave. Supplemental Sick Leave is not to be viewed as extra paid time off to be taken at an employee's discretion or confused with vacation or other types of leave. It is a benefit to be exercised under appropriate circumstances. Employees who misuse Supplemental Sick Leave will be subject to disciplinary action.

2. Accrual of Supplemental Sick Leave

Regular Full-Time employees accrue Supplemental Sick Leave at the rate of 2.15 hours per pay bi-weekly period (or the equivalent of 56 hours per year) starting January 1, 2024. Accrual begins on the first day of active employment with the District. Supplemental Sick Leave accrues only while an eligible employee is receiving his/her full regular District pay (through regular salary/hourly wages and/or paid time off such as paid vacation, Base Sick Leave or Supplemental Sick Leave). Supplemental Sick Leave does not accrue during periods of unpaid or partially unpaid absences from work (for example approved unpaid leaves of absence or medical leaves when employees are "coordinating" State Disability Insurance or Workers' Compensation benefits with Base Sick Leave or Supplemental Sick Leave). The District does not advance Supplemental Sick Leave. As mentioned under the "Base Sick Leave" policy above, eligible employees may also transfer to their Supplemental Sick Leave account on January 1st of each year any Base Sick Leave remaining unused as of the close of business on the immediately preceding December 31st.

The District does not cap how much Supplemental Sick Leave employees may accrue over the course of each year. However, if an employee's accrued Supplemental Sick Leave exceeds 480 hours as of the end of the last pay period in November, then the excess time will be "cashed-out" pursuant to Section 7 below.

3. Permitted Uses of Supplemental Sick Leave

A. Short-term Personal Illness, Injury or Emergency

Supplemental Sick Leave is intended provide pay for eligible employees when they are required to miss work on a short-term basis due to illness, injury, or medical

appointments and have their absence approved by the District. Supplemental Sick Leave must be used in minimum increments of one-quarter (1/4) hour or more for scheduled medical absences (doctor appointments, treatments, etc.) of which the District has received at least five days' advance notice and thereafter granted approval for such time off. Supplemental Sick Leave must be used in minimum increments of two (2) hours for unscheduled illness, injury or medical appointments, unless the absence is supported by a physician's certification, in which case Supplemental Sick Leave may be used in minimum increments of one-quarter (1/4) hour. Supplemental Sick Leave may not be used without approval of an employee's immediate Supervisor or, if he/she is unavailable, the Department Head or, if he/she is unavailable the Human Resources Manager, Assistant General Manager, or General Manager.

B. Family Member Illness or Injury

Eligible employees may use up to thirty-three (33) hours of Supplemental Sick Leave per year to attend to the illness, injury or medical appointments/preventative care of family members. For the purposes of this policy, "family member" has the same meaning as that provided for under the Base Sick Leave policy above. Supplemental Sick Leave must be used for this purpose in minimum increments of one-quarter (1/4) hour or more for scheduled medical absences (doctor appointments, treatments, etc.) of which the District has received at least five days' advance notice and thereafter granted approval for such time off. Supplemental Sick Leave must be used in minimum increments of two (2) hours for unscheduled illness, injury or medical appointments, unless the absence is supported by a physician's certification, in which case Supplemental Sick Leave may be used in minimum increments of one-quarter (1/4) hour. Supplemental Sick Leave may not be used without approval of an employee's immediate Supervisor or, if he/she is unavailable, the Department Head or, if he/she is unavailable, the Human Resources Manager, Assistant General Manager, or General Manager.

C. Medical Appointments

As noted, accrued Supplemental Sick Leave may be used to in conjunction with preventative care. Routine physical checkups, examinations and dental visits are included in this category. Prior written approval is required to use Supplemental Sick Leave for this purpose. If possible, appointments should be scheduled for the first or last hour of the workday. If unable to report to work immediately following an appointment, the employee must contact the immediate Supervisor or, if he/she is unavailable, the Department Head or, if he/she is unavailable, the Human Resources Manager, Assistant General Manager, or General Manager, to advise them of the employee's health status and anticipated return to work time and/or date.

D. Extended Medical Leave

Employees on approved medical leaves of absence must use their accrued Supplemental Sick Leave while on such approved leaves.

E. Personal Leave

An employee may use up to (16) working hours per year to take care of personal appointments and charge that time to their Supplemental Sick Leave. Personal time will only be granted if the request for time off does not result in overtime compensation for another employee to provide coverage.

4. Administration

It is the responsibility of District Department Heads to monitor and review each request to use Supplemental Sick Leave and take action to control excessive use if there is reason to suspect it is being abused.

A. Notice of Illness/Emergency

It is the responsibility of the employee to personally notify (via a phone conversation) his/her immediate Supervisor or Shift Supervisor or, if they are both unavailable, the Department Head or, he/she is if unavailable, the Human Resources Manager, Assistant General Manager, or General Manager, of their illness, injury or emergency that will prevent them from reporting to work, unless medical conditions make personal notification impossible. For safety and scheduling purposes, notification shall be given prior to the normal start time, or as soon as possible thereafter. If possible, the probable duration of absence should also be provided. In cases of prolonged illness, employees are required to contact their direct Supervisor once per week to provide a status report on their condition.

Failure to provide proper notification will result in the denial of Supplemental Sick Pay, and may result in the District taking disciplinary action for failure to follow proper notification protocol and/or an unexcused absence.

B. Documentation

Requests to use Supplemental Sick Leave for scheduled absences must be submitted five (5) days prior to the scheduled absence by submitting a Request for Time Off form. Requests to use Supplemental Sick Leave for unscheduled illness, injury or medical appointments must be made by submitting a Request for Time Off form prior to leaving or immediately upon return to work. Requests to use Supplemental Sick Leave while on approved medical leaves of absence should be made at the time approval for such leaves is requested. When using Supplemental Sick Leave for short-term illnesses or injury, employees must furnish a physician's note verifying their injury or illness in

order to obtain Supplemental Sick Leave if they are absent for more than three (3) consecutive work days. If an employee is absent for fewer than three (3) consecutive work days, a physician's note verifying their injury or illness is generally not required in order to obtain Supplemental Sick Leave; however, if the employee has used Supplemental Sick Leave for unscheduled absences on three (3) or more occasions during the immediately preceding three (3) months, then such a note will be required in order to receive Supplemental Sick Leave.

C. Denial of Supplemental Sick Leave

The District may deny an employee's request for Supplemental Sick Leave if it determines that the employee's absence was not for a reason permitted under this policy or if the employee fails to provide requisite notice and certification in a timely fashion. Disciplinary action, up to and possibly including termination, may also result from misuse of sick leave.

D. Integration of Supplemental Sick Leave with State Disability Insurance and Long-Term Disability Insurance

If an employee is unable to work due to an illness or injury not caused by work and the employee has been placed on an approved medical leave by the District, then the employee must use his/her accrued Supplemental Sick Leave benefits to supplement his/her pay while on leave. Such employees should also consider timely applying for State Disability Insurance (SDI) and/or Long Term Disability Insurance benefits. Informational pamphlets and application forms are available from the Administration Supervisor. The District will consider "coordinating" Supplemental Sick Leave benefits with the long-term disability or SDI benefits so that employees on medical leave may receive something approximating their regular salary. However, the District's ability to do so may be restricted by insurer/SDI rules. Employees will be asked to provide a copy of the SDI/LTD check stub to the Payroll Department as soon as possible after receipt, in order to receive timely payments of sick leave benefits available from the District.

5. Work Related Injury or Illness

A. Use of Paid Leave Benefit Accruals

Employees on approved Workers' Compensation medical leaves of absence may elect to use accrued Supplemental Sick Leave (and if not available, vacation, floating holiday or compensatory time benefits) between the date of injury or illness and the date such injury or illness is determined to be eligible for Workers' Compensation insurance benefits. When an employee begins receiving Workers' Compensation Insurance payments, the employee's Supplemental Sick Leave (and if requested, vacation, floating holiday, or compensatory time) may be

coordinated with Workers' Compensation temporary disability benefits so the employee may continue to receive gross pay approximating a normal biweekly paycheck. The District shall charge the employee's appropriate Supplemental Sick Leave (or vacation, floating holiday or compensatory time account) on a pro-rata basis. If an employee exhausts all paid leave accruals and the Workers' Compensation disability continues, the employee may be placed on a leave of absence without pay. *See Policy #304 for details on Leaves of Absence.*

B. Restoration of Paid Leave Benefit Accruals

If the period of Workers' Compensation disability exceeds twenty-one (21) days, the employee's appropriate sick/vacation pay account will be restored. If the disability is less than twenty-one (21) days, the employee's sick/vacation pay account will be restored, with the exception of the first three (3) days of disability. Restoration of the employee's accrued sick/vacation pay account is subject to receipt of payment from the Workers' Compensation Insurance carrier for the initial period of disability.

C. Return to Work

An employee who has returned to work following a work-related injury or illness and who is required by his/her physician to leave work for treatment during working hours shall have the option of using his/her accrued Supplemental Sick Leave (or, if such pay is exhausted, then his/her compensatory time or vacation pay) to provide pay for the time missed.

6. Holidays

If an employee is on an approved medical leave of absence and a holiday falls during a period when the employee is using Supplemental Sick Leave to maintain his/her regular pay, then the employee will not be charged Supplemental Sick Leave for that day and, instead, will receive holiday pay.

7. Supplemental Sick Leave Cash-Out Program

To encourage employees to use their Supplemental Sick Leave judiciously, and to reward employees who do so, the District provides a partial Supplemental Sick Leave cash-out opportunity once each year. More specifically, employees who have accrued more than 56 hours of sick leave as of the last pay period in November may elect to cash-out up to 200 hours of accrued Supplemental Sick Leave, provided that the cash out must leave the employee with at least 56 hours remaining in their accrued Supplemental Sick Leave account after the withdrawal.

The sick leave cash-out program is processed with the last payroll in November of each year. The cash-out is paid at the regular rate that the employee is receiving at the last pay period in November.

The sick leave cash-out program is processed with the last payroll in November of each year. The cash-out is paid at the regular rate that the employee is receiving at the last pay period in November.

In addition, as noted under Section 2 above, employees may not carry over more than 480 hours of accrued Supplemental Sick Leave as of the last pay period in November in any year. Accordingly, if an employee has more than 480 hours of accrued Supplemental Sick Leave as of the last pay period in November in any year, then the District will include in the employee's paycheck for the last pay period in November a payment "cashing out" a sufficient number of hours of Supplemental Sick Leave such that the employee's accrued Supplemental Sick Leave as of the end of such pay period will not exceed 480 hours.

8. Separation of Employment

Employees will not be paid for accrued but unused Supplemental Sick Leave upon termination of their employment with the District.

8. Supplemental Sick Leave Donation Program

The District offers a standard Base Sick Leave policy which provides employees a base of 40 hours of sick leave when they begin working for the District, and again at the beginning of every calendar year, as more particularly described in Policy # 303-A. The District also provides Supplemental Sick Leave which accrues at 2.15 hours per bi-weekly pay period (or the equivalent of 56 hours per year), as more particularly described above in this Policy # 303-B. This gives an employee an annual total of 96 hours (or an equivalent of 12 days) per year of sick leave. Supplemental Sick Leave not used in a year is rolled over and can be accrued up to 480 hours (annually) to increase the employee's amount of available sick leave.

While this amount of sick leave typically meets the needs of most employees, there are times when an employee or an employee's covered family member (as defined below) may suffer from illness, injury, or event that results in a need for time off by the employee and a salary supplement beyond what is offered by the District through the employee's employment. Newer employees may be particularly vulnerable to this challenge, as they may not have much sick leave accrued.

Employees are eligible for California State Disability Insurance (SDI) for extended leaves associated with illness or injury. The District coordinates (integrates) an employee's available accrued sick leave with SDI during these situations to ensure employees are provided with their full salary. However, there are times when an employee may run out of accrued sick leave and is no longer able to receive full compensation (and is left with only SDI coverage).

A. Purpose

In light of the above, the District recognizes that an employee may have a situation that results in the need for time off that exceeds the salary supplement beyond what is offered through employment. To address this need, employees who meet the eligibility criteria and guidelines below may donate accrued Supplemental Sick Leave hours from their unused balance to another employee. These donated Supplemental Sick Leave hours will be made available to employees who have been affected by a catastrophic or extended illness, injury, or event and meet the criteria and guidelines established below. Participation in this program is strictly voluntary for both the donors and recipients of donated Supplemental Sick Leave hours.

B. Definition of Catastrophic or Extended Illness, Injury, or Event

A catastrophic or extended illness, injury, or event means that (i) the employee is unable to perform employee's essential job functions for the District, with or without a reasonable accommodation, (ii) the employee's absence from work creates a significant financial hardship for the employee, and (iii) the employee's inability to work is due to illness, including mental and physical illness, injury, accident, medical treatment, or catastrophic event, such as a fire, earthquake, or other disaster affecting the employee or a covered family member of the employee.

C. Definition of Covered Family Member

A "covered family member," includes an employee's spouse, child, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law, as those terms are defined in Government Code Section 12945.2.

D. Recipient Criteria

- i. The recipient of a donation must have passed their 1-year probation and be a full-time employee.
- ii. The recipient must have exhausted all available paid leave accruals including Base Sick Leave, Supplemental Sick Leave, vacation leave, floating holidays, and Safety Holiday time.
- iii. The recipient must have provided written verification of the catastrophic or extended illness, injury, or event by a medical professional and be unable to work due to the employee's or a covered family member's illness, injury, or catastrophic event.
- iv. The recipient must not have a pending workers' compensation claim, or be receiving workers compensation temporary disability or other disability pay at the time of the catastrophic illness, injury, or event.

- v. The maximum number of donated hours which may be granted to an individual employee is 160 hours in a 12-month period.

E. Donation Criteria

- i. Donors must keep a minimum of 96 total hours of Base Sick and Supplemental Sick Leaves in unused accrual after making a donation.
- ii. Donations are made to a specific employee. Except as provided in Section 9.E.viii below, it is the responsibility of the District's General Manager to administer the program to determine eligibility, based on the program guidelines set forth herein.
- iii. Once the donation is made, the donor gives up all rights to the donated Supplemental Sick Leave hours. Donations are voluntary, confidential, and irrevocable.

F. General Guidelines

- i. Donations are made based on the value of the hours using the donor's rate of pay.
- ii. The value of the donor's hours is converted to the recipient's rate. For example, if a donor is paid \$40 an hour and donates 6 hours to an employee making \$20 an hour, the recipient would receive 12 hours. ($\$40 \times 6 \text{ hours} = \240 ; $\$240 / \$20 = 12 \text{ hours}$)
- iii. A Request for Supplemental Sick Leave Donation form must be filled out by the recipient (or a designated person if the employee is unable to do so) and turned in to the General Manager, preferably a minimum of seven (7) days prior to all other leave accruals being used.
- iv. The General Manager will inform the recipient of the approval or denial of the Supplemental Sick Leave donation request.
- v. If approved, the General Manager will then inform the rest of the staff that there is an approved request for donations of Supplemental Sick hours.
- vi. An Authorization to Donate Leave form must be filled out by the donor and turned in to and approved by the General Manager.
- vii. The General Manager will monitor the hours donated in consideration of hours needed on a case-by-case basis and may limit donations as appropriate.
- viii. In the event the proposed recipient is the District's General Manager, the Request for Supplemental Sick Leave Donation form and the Authorization to Donate Leave form must be turned in to and approved by the Human Resources Manager.

G. Tax Implications

The donor does not realize any income from the donation and, therefore, incurs no tax liability associated with the donation of hours. Donated time does not qualify as a charitable contribution for tax purposes.

The recipient of the donation will be taxed on the value of the donation at the recipient's most current rate of pay. The value of such payments is subject to all applicable tax deductions and withholdings.

H. Termination of Benefits

An employee shall have no further entitlement to donated Supplemental Sick Leave hours when (i) the employee's employment by the District is terminated for any reason, or (ii) all awarded donated Supplemental Sick Leave hours have been exhausted.

The Goleta Sanitary District reserves the right to modify, change, or discontinue the program at any time and entirely at its discretion.

POLICY

All District employees are eligible for paid Base ~~Paid~~ Sick Leave.

1. Purpose

Base ~~Paid~~ Sick Leave is intended to provide employees with a base amount of paid sick leave so that they may take a reasonable amount of paid time off each year in the event of their own illness or medical appointments or those of their family members, or because they are victims of domestic violence, sexual assault, or stalking. Base ~~Paid~~ Sick Leave is also intended to fulfill the requirements of California’s “Healthy Workplaces, Healthy Families Act” as amended.

2. Amount of ~~Base Paid Sick~~Base Sick Leave

All full-time employees are provided with 30 40 hours of ~~Base Paid Sick~~Base Sick Leave for use as set forth in this policy on an annual basis on January 1st of each year.- Employees hired after January 1, 2024, will receive a varying amount of Base Paid SickBase Sick Leave hours during their first calendar year of employment based upon their hire date as follows:

<u>Hire date</u>	<u>Base Paid SickBase Sick Leave for 1st calendar year</u>
<u>Prior to June 30th</u>	<u>40 hours</u>
<u>July 1st to August 31st</u>	<u>30 hours</u>
<u>September 1st to October 31st</u>	<u>20 hours</u>
<u>November 1st to December 31st</u>	<u>10 hours</u>

~~3. — upon commencement of employment (or, if employed by the District as of December 31, 2015, on January 1, 2016), and again at the beginning of each ensuing calendar year during their employment with the District. Employees may not use Base Paid Sick Leave until they have completed 90 days of employment with the District. At the end of the calendar year in which they are first hired, the balance of any unused Base Paid SickBase Sick Leave will be transferred to the employee’s Supplemental Paid Sick LeaveSupplemental Sick Leave balance (see HR Policy 303-B). employees may carry over into the immediately ensuing calendar year a portion of any unused Base Paid Sick Leave as follows: 30 hours if hired on or before March 31st; 20 hours if hired between April 1st and June 30th; 10 hours if hired between July 1st and September 30th; and 0 hours if hired on or after October 1st. For employees already hired as of January 1, 2016, and for all subsequently hired employees at the end of the second calendar year-end following their hire, unused Base Paid Sick Leave will not be carried over from one calendar year to the next; however, the District will allow Regular Full-Time employees to~~

~~transfer at the end of a calendar year any such unused time to their Supplemental Sick Pay account for use in accordance with the Company's separate "Supplemental Sick Pay" policy. Further, as noted above, at the beginning of each calendar year District employees will again be provided with 30 hours of Base Paid Sick Leave for their use under this policy during the ensuing calendar year.~~

4.3. Permitted Sick Leave Usage

Employees may request to be paid ~~Base Paid Sick~~Base Sick Leave upon oral or written notice to their immediate Supervisor or, if he/she is unavailable, to the Department Head or, if he/she is unavailable, to the ~~Finance &~~ Human Resources Manager, Assistant General Manager, or General Manager for any of the following reasons:

- The diagnosis, care, or treatment of their own existing health condition or that of their family member, or their own preventive care or preventative care for their family member.

Revised 10/19/15

Section III: Page 6

- For employees who are victims of domestic violence, sexual assault, or stalking and wish to take time off purposes described in Labor Sections 230 (c) or 230.1(a), including time off to (a) obtain or attempt to obtain any relief, including a restraining order or other injunctive relief, to help ensure their own health, safety, or welfare or that of their child, (b) seek medical attention for injuries caused by the domestic violence, sexual assault, or stalking, (c) obtain services from a domestic violence shelter, program, or rape crisis center, (d) obtain psychological counseling, or (e) participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

For purposes of this policy, “family member” means (1) an employee’s child (biological, adopted, or foster child, stepchild, legal ward, or in loco parentis), regardless of age or dependency status, (2) an employee’s (or an employee’s spouse or registered domestic partner’s) biological, adoptive, or foster parent, stepparent, or legal guardian or a person who stood in loco parentis, (3) an employee’s spouse or registered domestic partner, (4) an employee’s grandparent, (5) an employee’s grandchild, or (6) an employee’s sibling.

4. Administration

If the need for paid sick leave is foreseeable, then employees must provide reasonable advance notification of their requests to use paid sick leave. If the need for paid sick leave is unforeseeable, then employees must provide notice of the need for the leave as soon as practicable. Employees are asked to complete and submit to their immediate Supervisor or, if he/she is unavailable, to the Department Head or, if he/she is unavailable, to the ~~Finance &~~ Human Resources Manager, Assistant General Manager, or General Manager, a *Request for Time Off* form advising payroll of their request for ~~Base Paid Sick~~ Base Sick Leave in advance of their absence (if their absence is foreseeable) or immediately following their return to work (in the event of an unforeseeable absence) so that their request for pay can be timely processed. ~~Base Paid Sick~~ Base Sick Leave must be used in increments of one-quarter (1/4) hour or more.

The District will not discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for using accrued ~~Base Paid Sick~~ Base Sick Leave, attempting to exercise the right to use accrued ~~Base Paid Sick~~ Base Sick Leave, filing a complaint with the Department of Industrial Relations alleging a violation of Article 1.5 of Chapter 1 of Part 1 of Division 2 of the California Labor Code, cooperating in an investigation or prosecution of any such alleged violation, or opposing any policy or practice or act that is prohibited by Article 1.5 of Chapter 1 of Part 1 of Division 2 of the California Labor Code. Any employee who feels he/she has been treated in a manner inconsistent with this policy or experienced any impediment to their permitted use of their accrued ~~Base Paid Sick~~ Base Sick Leave should immediately contact the District’s General Manager, Assistant General Manager or ~~Finance &~~ Human Resources Manager.

5. Separation of Employment

Employees will not be paid for unused ~~Base Paid Sick~~Base Sick Leave at the time their employment with the District ends; however, if they are rehired within one year, they will have their previously accrued ~~Base Paid Sick~~Base Sick Leave reinstated.

6. Compliance with “Healthy Workplaces, Healthy Families Act”

This policy is intended to comply with, and to fulfill the District’s obligations under, California Labor Code Sections 246 through 249 (the “Healthy Workplaces, Healthy Families Act of 2014”), as amended from time to time.

Section III: Benefits

Subject: ~~Supplemental Sick Pay~~Supplemental Sick Leave Page 1 of 9
Policy #: 303-B

POLICY

Regular Full-Time employees are eligible for ~~paid Supplemental Sick Pay~~Supplemental Sick Leave.

1. Purpose

~~Supplemental Sick Pay~~Supplemental Sick Leave is intended to provide eligible employees with additional economic security in the event of a protracted illness or extended disability leave of absence. ~~Supplemental Sick Pay~~Supplemental Sick Leave may not be used unless an employee has exhausted his/her ~~Base Paid Sick~~Base Sick Leave. ~~Supplemental Sick Pay~~Supplemental Sick Leave is not to be viewed as extra paid time off to be taken at an employee's discretion or confused with vacation or other types of leave. It is a benefit to be exercised under appropriate circumstances. Employees who misuse ~~Supplemental Sick Pay~~Supplemental Sick Leave will be subject to disciplinary action.

2. Accrual of ~~Supplemental Sick Pay~~Supplemental Sick Leave

Regular Full-Time employees accrue ~~Supplemental Sick Pay~~Supplemental Sick Leave at the rate of 2.~~54~~15 hours per pay bi-weekly period (or the equivalent of ~~566~~ hours per year) starting January 1, 2024. Accrual begins on the first day of active employment with the District. ~~(or from and after January 1, 2016, for employees employed with the District as of that date)~~. ~~Supplemental Sick Pay~~Supplemental Sick Leave accrues only while an eligible employee is receiving his/her full regular District pay (through regular salary/hourly wages and/or paid time off such as paid vacation, ~~Base Paid Sick~~Base Sick Leave or ~~Supplemental Sick Pay~~Supplemental Sick Leave). ~~Supplemental Sick Pay~~Supplemental Sick Leave does not accrue during periods of unpaid or partially unpaid absences from work (for example approved unpaid leaves of absence or medical leaves when employees are “coordinating” State Disability Insurance or Workers’ Compensation benefits with ~~Base Paid Sick~~Base Sick Leave or ~~Supplemental Sick Pay~~Supplemental Sick Leave). The District does not advance ~~Supplemental Sick Pay~~Supplemental Sick Leave. As mentioned under the “~~Base Paid Sick~~Base Sick Leave” policy above, eligible employees may also transfer to their ~~Supplemental Sick Pay~~Supplemental Sick Leave account on January 1st of each year any ~~Base Paid Sick~~Base Sick Leave remaining unused as of the close of business on the immediately preceding December 31st.

The District does not cap how much ~~Supplemental Sick Pay~~Supplemental Sick Leave employees may accrue over the course of each year. However, if an employee’s accrued ~~Supplemental Sick Pay~~Supplemental Sick Leave exceeds 480 hours as of the end of the last pay period in November, then the excess time will be “cashed-out” pursuant to Section 7 below.

3. Permitted Uses of ~~Supplemental Sick Pay~~Supplemental Sick Leave

A. Short-term Personal Illness, Injury or Emergency

~~Supplemental Sick Pay~~ Supplemental Sick Leave is intended provide pay for eligible employees when they are required to miss work on a short-term basis due to illness, injury, or medical

Revised 03/06/23

Section III: Page 9

appointments and have their absence approved by the District. ~~Supplemental Sick Pay~~ Supplemental Sick Leave must be used in minimum increments of one-quarter (1/4) hour or more for scheduled medical absences (doctor appointments, treatments, etc.) of which the District has received at least five days' advance notice and thereafter granted approval for such time off. ~~Supplemental Sick Pay~~ Supplemental Sick Leave must be used in minimum increments of two (2) hours for unscheduled illness, injury or medical appointments, unless the absence is supported by a physician's certification, in which case ~~Supplemental Sick Pay~~ Supplemental Sick Leave may be used in minimum increments of one-quarter (1/4) hour. ~~Supplemental Sick Pay~~ Supplemental Sick Leave may not be used without approval of an employee's immediate Supervisor or, if he/she is unavailable, the Department Head or, if he/she is unavailable the ~~Finance & H~~uman Resources Manager, Assistant General Manager, or General Manager.

B. Family Member Illness or Injury

Eligible employees may use up to thirty-three (33) hours of ~~Supplemental Sick Pay~~ Supplemental Sick Leave per year to attend to the illness, injury or medical appointments/preventative care of family members. For the purposes of this policy, "family member" has the same meaning as that provided for under the ~~Base Paid Sick~~ Base Sick Leave policy above. ~~Supplemental Sick Pay~~ Supplemental Sick Leave must be used for this purpose in minimum increments of one-quarter (1/4) hour or more for scheduled medical absences (doctor appointments, treatments, etc.) of which the District has received at least five days' advance notice and thereafter granted approval for such time off. ~~Supplemental Sick Pay~~ Supplemental Sick Leave must be used in minimum increments of two (2) hours for unscheduled illness, injury or medical appointments, unless the absence is supported by a physician's certification, in which case ~~Supplemental Sick Pay~~ Supplemental Sick Leave may be used in minimum increments of one-quarter (1/4) hour. ~~Supplemental Sick Pay~~ Supplemental Sick Leave may not be used without approval of an employee's immediate Supervisor or, if he/she is unavailable, the Department Head or, if he/she is unavailable, the ~~Finance &~~ Human Resources Manager, Assistant General Manager, or General Manager.

C. Medical Appointments

As noted, accrued ~~Supplemental Sick Pay~~ Supplemental Sick Leave may be used in conjunction with preventative care. Routine physical checkups, examinations and dental visits are included in this category. Prior written approval is required to use ~~Supplemental Sick Pay~~ Supplemental Sick Leave for this purpose. If possible, appointments should be scheduled for the first or last hour of the workday. If unable to report to work immediately following an appointment, the employee must contact the immediate Supervisor or, if he/she is unavailable, the Department Head or, if he/she is unavailable, the ~~Finance &~~ Human Resources Manager, Assistant General Manager, or General Manager, to advise them of the employee's health status and anticipated return to work time and/or date.

D. Extended Medical Leave

Employees on approved medical leaves of absence must use their accrued ~~Supplemental Sick Pay~~ Supplemental Sick Leave while on such approved leaves.

E. Personal Leave

An employee may use up to (16) working hours per year to take care of personal appointments and charge that time to their ~~Supplemental Sick Pay~~ Supplemental Sick Leave. Personal time will only be granted if the request for time off does not result in overtime compensation for another employee to provide coverage.

4. Administration

It is the responsibility of District Department Heads to monitor and review each request to use ~~Supplemental Sick Pay~~ Supplemental Sick Leave and take action to control excessive use if there is reason to suspect it is being abused.

A. Notice of Illness/Emergency

It is the responsibility of the employee to personally notify (via a phone conversation) his/her immediate Supervisor or Shift Supervisor or, if they are both unavailable, the Department Head or, he/she is if unavailable, the ~~Finance &~~ Human Resources Manager, Assistant General Manager, or General Manager, of their illness, injury or emergency that will prevent them from reporting to work, unless medical conditions make personal notification impossible. For safety and scheduling purposes, notification shall be given prior to the normal start time, or as soon as possible thereafter. If possible, the probable duration of absence should also be provided. In cases of prolonged illness, employees are required to contact their direct Supervisor once per week to provide a status report on their condition.

Failure to provide proper notification will result in the denial of Supplemental Sick Pay, and may result in the District taking disciplinary action for failure to follow proper notification protocol and/or an unexcused absence.

B. Documentation

Requests to use ~~Supplemental Sick Pay~~ Supplemental Sick Leave for scheduled absences must be submitted five (5) days prior to the scheduled absence by submitting a Request for Time Off form. Requests to use ~~Supplemental Sick Pay~~ Supplemental Sick Leave for unscheduled illness, injury or medical appointments must be made by submitting a Request for Time Off form prior to leaving or immediately upon return to work. Requests to use ~~Supplemental Sick Pay~~ Supplemental Sick Leave while on approved medical leaves of absence should be made at the time approval for such leaves is requested. When using ~~Supplemental Sick Pay~~ Supplemental Sick Leave for short-term illnesses or injury, employees must furnish a physician's note verifying their injury or illness in

order to obtain ~~Supplemental Sick Pay~~Supplemental Sick Leave if they are absent for more than three (3) consecutive work days. If an employee is absent for fewer than three (3) consecutive work days, a physician's note verifying their injury or illness is generally not required in order to obtain ~~Supplemental Sick Pay~~Supplemental Sick Leave; however, if the employee has used ~~Supplemental Sick Pay~~Supplemental Sick Leave for unscheduled absences on three (3) or more occasions during the immediately preceding three (3) months, then such a note will be required in order to receive ~~Supplemental Sick Pay~~Supplemental Sick Leave.

C. Denial of ~~Supplemental Sick Pay~~Supplemental Sick Leave

The District may deny an employee's request for ~~Supplemental Sick Pay~~Supplemental Sick Leave if it determines that the employee's absence was not for a reason permitted under this policy or if the employee fails to provide requisite notice and certification in a timely fashion. Disciplinary action, up to and possibly including termination, may also result from misuse of sick leave.

D. Integration of ~~Supplemental Sick Pay~~Supplemental Sick Leave with State Disability Insurance and Long-Term Disability Insurance

If an employee is unable to work due to an illness or injury not caused by work and the employee has been placed on an approved medical leave by the District, then the employee must use his/her accrued ~~Supplemental Sick Pay~~Supplemental Sick Leave benefits to supplement his/her pay while on leave. Such employees should also consider timely applying for State Disability Insurance (SDI) and/or Long Term Disability Insurance benefits. Informational pamphlets and application forms are available from the Administration Supervisor. The District will consider "coordinating" ~~Supplemental Sick Pay~~Supplemental Sick Leave benefits with the long-term disability or SDI benefits so that employees on medical leave may receive something approximating their regular salary. However, the District's ability to do so may be restricted by insurer/SDI rules. Employees will be asked to provide a copy of the SDI/LTD check stub to the Payroll Department as soon as possible after receipt, in order to receive timely payments of sick leave benefits available from the District.

5. Work Related Injury or Illness

A. Use of Paid Leave Benefit Accruals

Employees on approved Workers' Compensation medical leaves of absence may elect to use accrued ~~Supplemental Sick Pay~~Supplemental Sick Leave (and if not available, vacation, floating holiday or compensatory time benefits) between the date of injury or illness and the date such injury or illness is determined to be eligible for Workers' Compensation insurance benefits. When an employee begins receiving Workers' Compensation Insurance payments, the employee's ~~Supplemental Sick Pay~~Supplemental Sick Leave (and if requested, vacation, floating holiday, or compensatory time) may be

coordinated with Workers' Compensation temporary disability benefits so the employee may continue to receive gross pay approximating a normal biweekly paycheck. The District shall charge the employee's appropriate ~~Supplemental Sick Pay~~ Supplemental Sick Leave (or vacation, floating holiday or compensatory time account) on a pro-rata basis. If an employee exhausts all paid leave accruals and the Workers' Compensation disability continues, the employee may be placed on a leave of absence without pay. *See Policy #304 for details on Leaves of Absence.*

B. Restoration of Paid Leave Benefit Accruals

If the period of Workers' Compensation disability exceeds twenty-one (21) days, the employee's appropriate sick/vacation pay account will be restored. If the disability is less than twenty-one (21) days, the employee's sick/vacation pay account will be restored, with the exception of the first three (3) days of disability. Restoration of the employee's accrued sick/vacation pay account is subject to receipt of payment from the Workers' Compensation Insurance carrier for the initial period of disability.

C. Return to Work

An employee who has returned to work following a work-related injury or illness and who is required by his/her physician to leave work for treatment during working hours shall have the option of using his/her accrued ~~Supplemental Sick Pay~~ Supplemental Sick Leave (or, if such pay is exhausted, then his/her compensatory time or vacation pay) to provide pay for the time missed.

6. Holidays

If an employee is on an approved medical leave of absence and a holiday falls during a period when the employee is using ~~Supplemental Sick pay~~ Supplemental Sick Leave to maintain his/her regular pay, then the employee will not be charged ~~Supplemental Sick Pay~~ Supplemental Sick Leave for that day and, instead, will receive holiday pay.

7. ~~Supplemental Sick Pay~~ Supplemental Sick Leave Cash-Out Program

To encourage employees to use their ~~Supplemental Sick Pay~~ Supplemental Sick Leave judiciously, and to reward employees who do so, the District provides a partial ~~Supplemental Sick Pay~~ Supplemental Sick Leave cash-out opportunity once each year. More specifically, employees who have accrued more than 566 hours of sick leave as of the last pay period in November may elect to cash-out up to 200 hours of accrued ~~Supplemental Sick Pay~~ Supplemental Sick Leave, provided that the cash out must leave the employee with at least 566 hours remaining in their accrued ~~Supplemental Sick pay~~ Supplemental Sick Leave account after the withdrawal.

The sick leave cash-out program is processed with the last payroll in November of each year. The cash-out is paid at the regular rate that the employee is receiving at the last pay period in November.

The sick leave cash-out program is processed with the last payroll in November of each year. The cash-out is paid at the regular rate that the employee is receiving at the last pay period in November.

In addition, as noted under Section 2 above, employees may not carry over more than 480 hours of accrued ~~Supplemental Sick Pay~~ Supplemental Sick Leave as of the last pay period in November in any year. Accordingly, if an employee has more than 480 hours of accrued ~~Supplemental Sick Pay~~ Supplemental Sick Leave as of the last pay period in November in any year, then the District will include in the in the employee's paycheck for the last pay period in November a payment "cashing out" a sufficient number of hours of ~~Supplemental Sick Pay~~ Supplemental Sick Leave such that the employee's accrued ~~Supplemental Sick Pay~~ Supplemental Sick Leave as of the end of such pay period will not exceed 480 hours.

8. Separation of Employment

Employees will not be paid for accrued but unused ~~Supplemental Sick Pay~~ Supplemental Sick Leave upon termination of their employment with the District.

8. Supplemental Sick Leave Donation Program

The District offers a standard ~~Base Paid Sick~~ Base Sick Leave policy which provides employees a base of ~~30-40~~ hours of sick leave when they begin working for the District, and again at the beginning of every calendar year, as more particularly described in Policy # 303-A. The District also provides Supplemental Sick Leave which accrues at 2. ~~1554~~ hours per bi-weekly pay period (or the equivalent of ~~566~~ hours per year), as more particularly described above in this Policy # 303-B. This gives an employee an annual total of 96 hours (or an equivalent of 12 days) per year of sick leave.

Supplemental Sick Leave not used in a year is rolled over and can be accrued up to 480 hours (annually) to increase the employee's amount of available sick leave.

While this amount of sick leave typically meets the needs of most employees, there are times when an employee or an employee's covered family member (as defined below) may suffer from illness, injury, or event that results in a need for time off by the employee and a salary supplement beyond what is offered by the District through the employee's employment. Newer employees may be particularly vulnerable to this challenge, as they may not have much sick leave accrued.

Employees are eligible for California State Disability Insurance (SDI) for extended leaves associated with illness or injury. The District coordinates (integrates) an employee's available accrued sick leave with SDI during these situations to ensure employees are provided with their full salary. However, there are times when an

employee may run out of accrued sick leave and is no longer able to receive full compensation (and is left with only SDI coverage).

Revised 03/06/23

Section III: Page 14

A. Purpose

In light of the above, the District recognizes that an employee may have a situation that results in the need for time off that exceeds the salary supplement beyond what is offered through employment. To address this need, employees who meet the eligibility criteria and guidelines below may donate accrued Supplemental Sick Leave hours from their unused balance to another employee. These donated Supplemental Sick Leave hours will be made available to employees who have been affected by a catastrophic or extended illness, injury, or event and meet the criteria and guidelines established below. Participation in this program is strictly voluntary for both the donors and recipients of donated Supplemental Sick Leave hours.

B. Definition of Catastrophic or Extended Illness, Injury, or Event

A catastrophic or extended illness, injury, or event means that (i) the employee is unable to perform employee's essential job functions for the District, with or without a reasonable accommodation, (ii) the employee's absence from work creates a significant financial hardship for the employee, and (iii) the employee's inability to work is due to illness, including mental and physical illness, injury, accident, medical treatment, or catastrophic event, such as a fire, earthquake, or other disaster affecting the employee or a covered family member of the employee.

C. Definition of Covered Family Member

A "covered family member," includes an employee's spouse, child, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law, as those terms are defined in Government Code Section 12945.2.

D. Recipient Criteria

- i. The recipient of a donation must have passed their 1-year probation and be a full-time employee.
- ii. The recipient must have exhausted all available paid leave accruals including ~~Base Paid Sick~~ Base Sick Leave, Supplemental Sick Leave, vacation leave, floating holidays, and Safety Holiday time.
- iii. The recipient must have provided written verification of the catastrophic or extended illness, injury, or event by a medical professional and be unable to work due to the employee's or a covered family member's illness, injury, or catastrophic event.
- iv. The recipient must not have a pending workers' compensation claim, or be receiving workers compensation temporary disability or other disability pay at the time of the catastrophic illness, injury, or event.

- v. The maximum number of donated hours which may be granted to an individual employee is 160 hours in a 12-month period.

E. Donation Criteria

- i. Donors must keep a minimum of 96 total hours of ~~Base Paid Sick~~ Base Sick and Supplemental Sick Leaves in unused accrual after making a donation.
- ii. Donations are made to a specific employee. Except as provided in Section 9.E.viii below, it is the responsibility of the District's General Manager to administer the program to determine eligibility, based on the program guidelines set forth herein.
- iii. Once the donation is made, the donor gives up all rights to the donated Supplemental Sick Leave hours. Donations are voluntary, confidential, and irrevocable.

F. General Guidelines

- i. Donations are made based on the value of the hours using the donor's rate of pay.
- ii. The value of the donor's hours is converted to the recipient's rate. For example, if a donor is paid \$40 an hour and donates 6 hours to an employee making \$20 an hour, the recipient would receive 12 hours. ($\$40 \times 6 \text{ hours} = \240 ; $\$240 / \$20 = 12 \text{ hours}$)
- iii. A Request for Supplemental Sick Leave Donation form must be filled out by the recipient (or a designated person if the employee is unable to do so) and turned in to the General Manager, preferably a minimum of seven (7) days prior to all other leave accruals being used.
- iv. The General Manager will inform the recipient of the approval or denial of the Supplemental Sick Leave donation request.
- v. If approved, the General Manager will then inform the rest of the staff that there is an approved request for donations of Supplemental Sick hours.
- vi. An Authorization to Donate Leave form must be filled out by the donor and turned in to and approved by the General Manager.
- vii. The General Manager will monitor the hours donated in consideration of hours needed on a case-by-case basis and may limit donations as appropriate.
- viii. In the event the proposed recipient is the District's General Manager, the Request for Supplemental Sick Leave Donation form and the Authorization to Donate Leave form must be turned in to and approved by the ~~Finance and~~ Human Resources Manager.

G. Tax Implications

The donor does not realize any income from the donation and, therefore, incurs no tax liability associated with the donation of hours. Donated time does not qualify as a charitable contribution for tax purposes.

The recipient of the donation will be taxed on the value of the donation at the recipient's most current rate of pay. The value of such payments is subject to all applicable tax deductions and withholdings.

H. Termination of Benefits

An employee shall have no further entitlement to donated Supplemental Sick Leave hours when (i) the employee's employment by the District is terminated for any reason, or (ii) all awarded donated Supplemental Sick Leave hours have been exhausted.

The Goleta Sanitary District reserves the right to modify, change, or discontinue the program at any time and entirely at its discretion.

RESOLUTION NO. 23-710

**RESOLUTION OF THE GOVERNING BOARD OF THE GOLETA
SANITARY DISTRICT APPROVING AMENDMENTS TO POLICIES # 303-A
AND 303-B OF THE HUMAN
RESOURCES PROCEDURE AND POLICY MANUAL**

WHEREAS, the Goleta Sanitary District (the “District”) has adopted a Human Resources Procedure and Policy Manual (the “HR Manual”), effective as of October 4, 2005, and has amended the procedures and policies set forth therein from time to time thereafter; and

WHEREAS, Policy #303-A (Base Sick Leave Pay) and Policy # 303-B (Supplemental Sick Pay) of Section III (Benefits) of the HR Manual describe the District’s Base and Supplemental Sick Pay policies; and

WHEREAS, the Governing Board of the District desires to revise the Base and Supplemental Sick Pay policies to amend the amounts of Base Sick Leave and the accrual rate of the Supplemental Sick Leave, in order to comply with the new legislation as set forth in Senate Bill No. SB 616, signed into law on October 4, 2023, effective January 1, 2024.

NOW, THEREFORE, be it resolved by the Governing Board of the Goleta Sanitary District as follows:

1. Amendment of Base and Supplemental Sick Leave Policy. Effective as of January 1, 2024, Policies #303-A and #303-B of Section III of the HR Manual are replaced in their entirety with the revised policies attached hereto as Exhibit “A” and incorporated herein by this reference.

2. Continued Effect. Except as specifically amended herein, the HR Manual, as previously amended, shall continue in full force and effect.

PASSED AND ADOPTED this 18th day of December 2023, by the following vote of the Governing Board of the Goleta Sanitary District:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sharon Rose,
President of the Governing Board

COUNTERSIGNED

Robert O. Mangus, Jr.,
Secretary of the Governing Board

EXHIBIT "A"

AGENDA ITEM #4

AGENDA ITEM: 4

MEETING DATE: December 18, 2023

I. NATURE OF ITEM:

Consideration of Proposed Organizational Changes for Succession Planning Purposes

II. BACKGROUND INFORMATION:

Succession planning continues to be a priority for the District as over a third of our current staff will retire in the next five years, including most of our executive team. Developing and updating succession plans for these positions is included in both our 2020 Strategic Plan and our FY23 Action Plan.

Our approach to succession planning prioritizes training and preparing existing staff to be promoted into leadership positions as senior staff retire. This approach has several benefits including avoiding the higher personnel costs associated with recruiting and hiring senior staff from outside the organization. However, there are and will be times when we don't have staff with the experience and/or qualifications to be promoted into the vacant positions and we will need to fill these positions through external recruitment.

Another part of our succession planning is the ongoing review of our organizational structure to see what changes, if any, are needed to better align our staffing resources with operational needs. Vacancies can provide opportunities to revise the organizational chart without any impact to existing personnel.

Our Laboratory and Technical Services Manager and our Industrial Waste Control (IWC) Officer are both nearing retirement. While we have staff that can be promoted to the IWC Officer position, we do not have staff with the experience and qualifications to be promoted to the Laboratory and Technical Services Manager position. As such, staff propose to add a new Laboratory Supervisor position to our organization chart and fill it through external recruitment. Candidates for this new position will have to meet certain education and experience requirements that will facilitate promotion to the Laboratory Manager position in the future. Due to existing workload issues associated with the new laboratory accreditation regulations, we propose to recruit and fill this position in early 2024.

Hiring a Laboratory Supervisor will eventually give our Laboratory and Technical Services Manager the capacity to oversee the consolidation of other related regulatory positions and programs into the Laboratory department such as our Safety and Regulatory Manager position. Staff propose that this position be reclassified to a coordinator position (at a lower compensation rate) as we have had a difficult time filling the position at the manager level. Then, when our IWC Officer retires, staff propose to move the IWC program from the Operations Department to the Laboratory Department.

The Laboratory and Technical Services Manager position would be retitled to Environmental Services Manager to better fit the span of responsibility over the consolidated department.

A copy of the District's current organizational chart and a revised chart showing the proposed changes discussed above are attached to this report.

III. COMMENTS AND RECOMMENDATIONS:

The goal of our succession planning efforts is to ensure that the organization is ready for a significant change-over in personnel, and that a smooth transition in leadership occurs with little or no loss in the overall functional capacity of our teams. The organizational changes proposed in this report are expected to be implemented in a phased manner over the next two fiscal years.

The hiring of a new Laboratory Supervisor is the first step of the proposed reorganization of the District's Laboratory Department. Adding this position will provide the resources needed to meet the existing workload issues associated with new laboratory accreditation regulations, facilitate the consolidation of all environmental/regulatory services into a single department, and provide for a smooth leadership transition in the future.

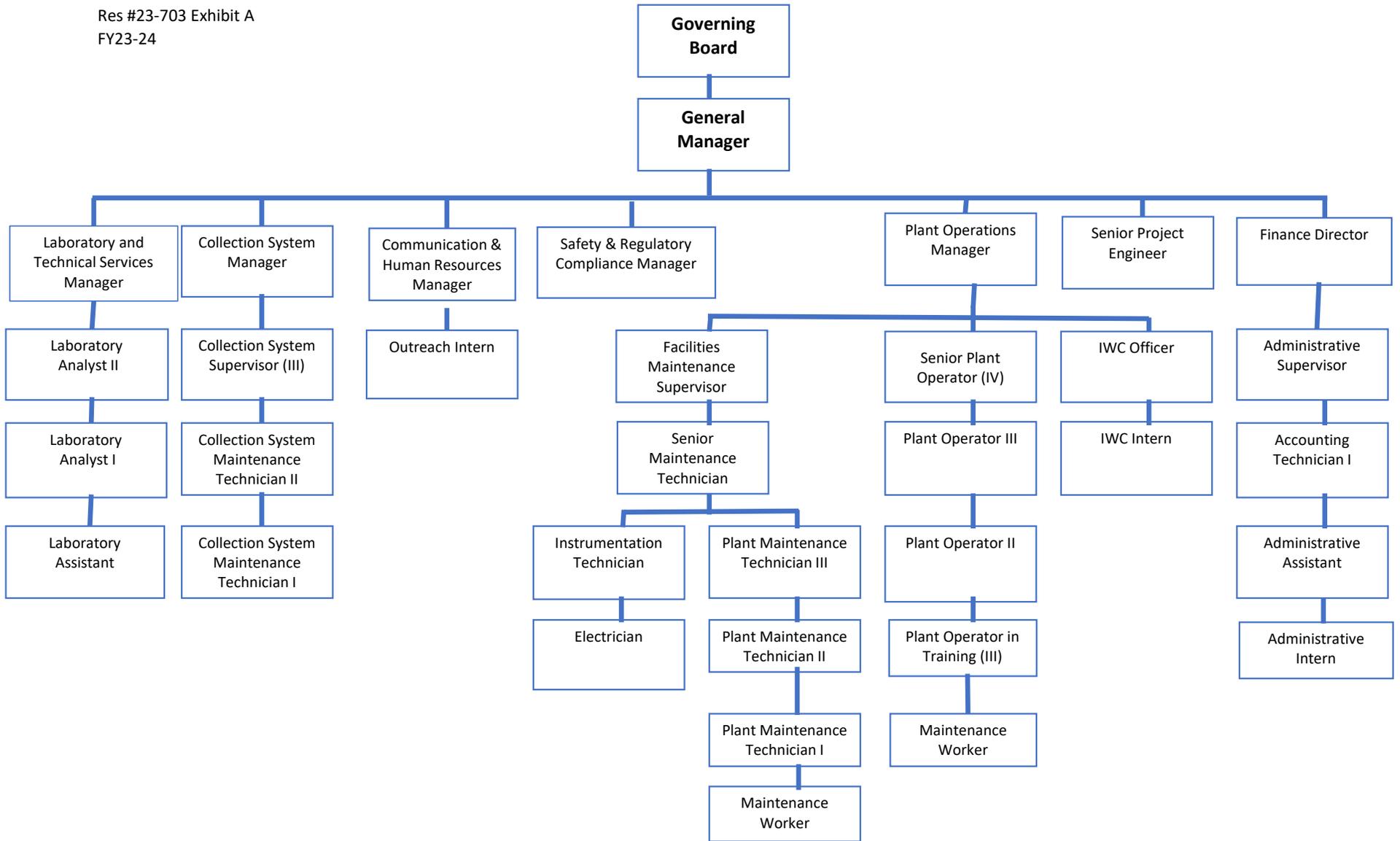
The current fiscal year cost associated with hiring a new Laboratory Supervisor will be approximately \$40,000 assuming a start date of April 1, 2024. This cost will be offset with reduced personnel expenses associated with other vacant positions. The full annual cost (including benefits) of Laboratory Supervisor position is expected to be approximately \$160,000.

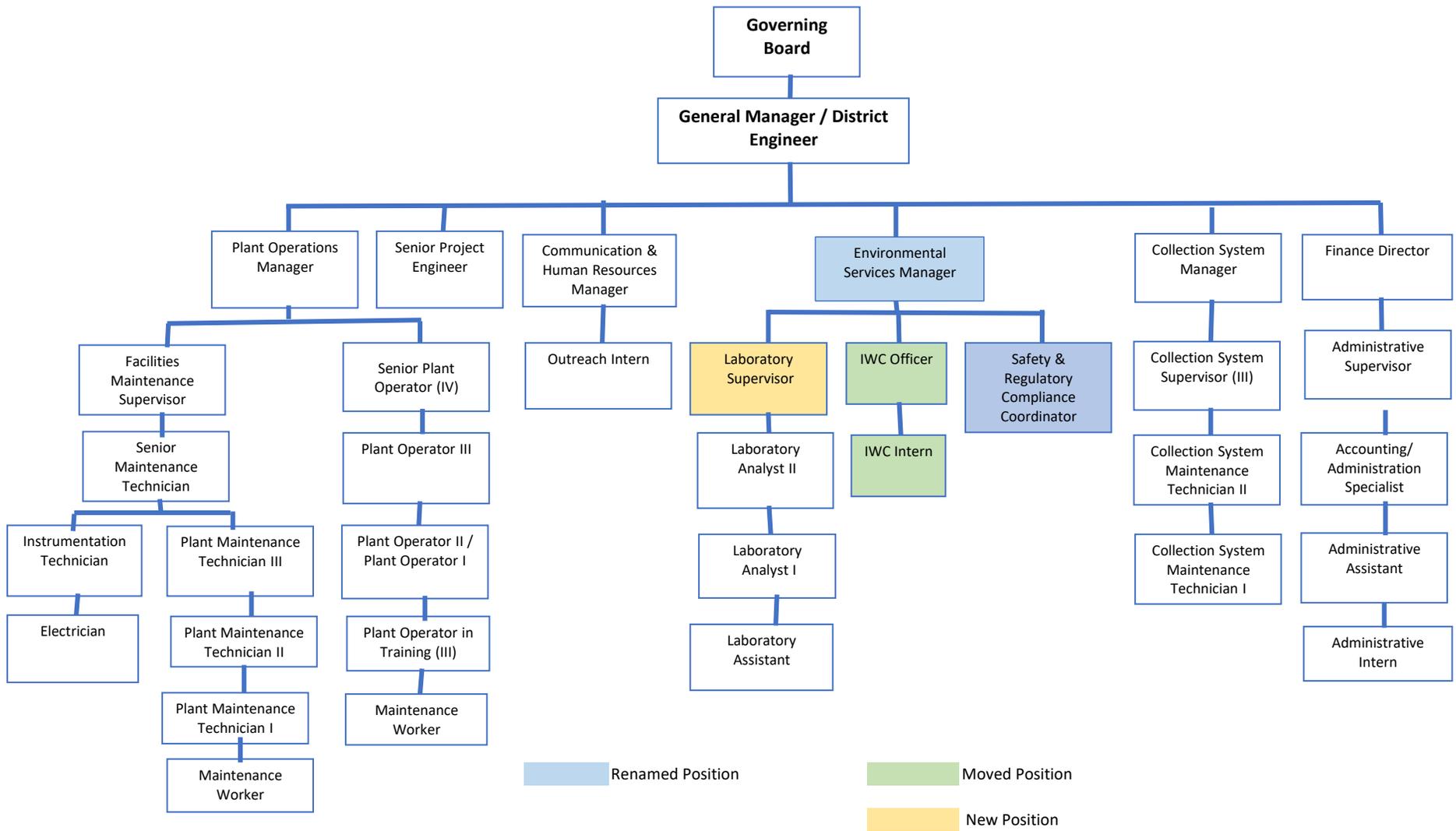
If the Board supports moving forward with the recruitment of the new Laboratory Supervisor as presented in this report, staff will return with a resolution adopting a revised employee pay scale and organizational chart as required for the reorganization of the District's Laboratory Department.

IV. REFERENCE MATERIALS:

GSD FY23-24 Organizational Chart

Proposed GSD Organization Chart Showing Changes to Laboratory Department for Succession Planning Purposes





GENERAL MANAGER'S REPORT

GOLETA SANITARY DISTRICT GENERAL MANAGER'S REPORT

The following summary report describes the District's activities from December 5, 2023, through December 18, 2023. It provides updated information on significant activities under three major categories: Collection System, Treatment/Reclamation and Disposal Facilities, and General and Administration Items.

1. COLLECTION SYSTEM REPORT

LINES CLEANING

Staff have been conducting priority areas lines cleaning through-out the District.

CCTV INSPECTION

Staff have been conducting easement area Closed-Circuit Television (CCTV) inspections through-out the District.

REPAIR AND MAINTENANCE

Staff discovered a damaged 8-inch diameter sewer main line on Ekwill Drive east of S. Patterson Avenue. Tierra Contracting of Santa Barbara replaced approximately 21 linear feet of pipe which appears to have been damaged by the installation of a Cox Cable conduit completed approximately 18 months ago. Staff continue to work on the annual pre-winter storm preparation program and the easement area inspections.

COLLECTION SYSTEM MAINTENANCE TECHNICIAN I RECRUITMENT

Newly hired Collection System Technician I (CSMT 1) Alex Cardenas began employment with the District on Tuesday, December 5, 2023. He is completing his initial on-boarding activities. CSMT I Sam Madera obtained his State Water Board certification as a wastewater operator-in-training and transferred into the Operations department on Wednesday December 13, 2023.

PROFESSIONAL DEVELOPMENT

Collection System Supervisor Shamus O'Donnell and CSMT II Braden Stribling attended training on Spill Volume Estimation and Reporting hosted by DKF Solutions in Santa Maria on Tuesday December 5, 2023.

SEWER SPILL

Staff responded to and addressed a sewer spill that occurred late in the afternoon on Monday December 5, 2023, on Mentor Drive near Hollister Avenue. and S. Patterson Avenue. The spill was contained and cleaned up. The spill volume was calculated at 29 gallons. The cause was construction debris and a 6-inch diameter mechanical sewer plug which had become lodged in the sewer main line. This line will be monitored on an enhanced basis in an effort to prevent a recurrence. This was a Category 4 spill (less than 50 gallons which does not affect a waterway). Category 4 spills are reported annually in February to the State Water Board.

2. TREATMENT, RECLAMATION AND DISPOSAL FACILITIES REPORT

Plant flows for the month of December 2023 averaged 4.22 million gallons a day. The Reclamation Plant has been online since July 10, 2023. High concentrations and

loadings during the weekends continue to cause intermittent challenges and various levels of Plant interference.

The final closeout of the Influent Pump Station Rehabilitation Project continues and is anticipated to be completed by the end of December 2023, with the final release of retention by the end of January 2024.

Construction of the Biosolids and Energy (BESP) Phase 1 project continues. Current construction activities include the installation of new electrical manhole and preparing for the installation of new conduits to feed Digester #4 and the Combined Heat and Power unit. The digester cleaning company will be onsite the second week of January 2024 in preparation for taking Digester #1 offline to have it cleaned before the power will be shut off to it.

An unplanned SCE power outage at the plant occurred on Thursday, December 14, 2024, at approximately 9:20pm, lasting until 6:45am Friday, December 15. While our generators turned on as they should, the new lift station automatic transfer switch (ATS) failed to activate, and we lost power to the lift station for several hours. Fortunately, the inflow from our collection system was fairly low during this time and we were able to get the pump station back online prior to spilling out of our main sewer line near Placencia Street.

The other ATS which powers the plant activated with no issues, and the rest of the plant was powered up during the entire power outage. Unfortunately, it appears that a power spike caused the chemical analyzer sample pump at the chlorine contact chamber to fail, which in turn resulted in a violation in our discharge permit for exceeding the instantaneous chlorine concentration of our final effluent for a period of around one and a half hours. We are investigating the cause of the failure and have notified all parties as required by our permit. A more detailed discussion of this event and the lessons learned will be provided at the Board meeting on Monday December 18, 2023.

GENERAL AND ADMINISTRATIVE ITEMS

Financial Report

The District account balances as of December 18, 2023 shown below are approximations to the nearest dollar and indicate the overall funds available to the District at this time.

Operating Checking Accounts:	\$ 79,854
Investment Accounts:	<u>\$ 30,363,678</u>
Total District Funds:	\$ 31,443,532

Claims list and financial information will be presented in the first Board meeting of 2024 General Managers Report.

Personnel Update

A verbal update will be provided at the meeting.

Special Meeting Proposed

Since our first regular board meeting in 2024 falls on New Year's Day, we are looking to schedule a special meeting on Thursday January 4, 2024, at 3:30 p.m.

Registration and reservations for the annual CASA winter have been made for District attendees. The conference will be held in Palm Springs January 24–26, 2024. We plan to carpool down on Tuesday around noon and carpool back on Friday afternoon.

**DISTRICT
CORRESPONDENCE**
Board Meeting of December 18, 2023



Date:

1. 12/13/2023

Correspondence Sent To:

Santa Barbara County Planning and Development

Subject: Conditional Use Permit and Coastal Development Permit Sewer Main Extension on Anderson Lane near south end of Patterson Avenue, and Shoreline Drive, Santa Barbara, CA

Applicant: Kalley Ridgway Liehr

Hard Copies of the Correspondence are available at the District's Office for review

G:\BOARD\AGENDA 2023\Correspondence 2023\Correspondence Cover and Packet\2023-12-18 Correspondence Cover.doc