



RESOLUTION No. **20-126**

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION RATIFYING LEAVE AND REIMBURSEMENT POLICIES RELATED TO THE COVID-19 PANDEMIC ON BEHALF OF EMPLOYEES OF THE COUNTY OF NEVADA

WHEREAS, the origination of the novel COVID-19 (“Coronavirus”) in Wuhan City, Hubei Province, China in December 2019, has spread to a growing number of countries, including cases reported throughout the United States, constituting a global COVID-19 pandemic; and

WHEREAS, on March 4, 2020, the Governor of the State of California Proclaimed a State of Emergency to exist in California due to the current and potential impacts caused by COVID-19 and to combat the spread of COVID-19 broadly; and

WHEREAS, on March 20, 2020, the Governor of the State of California issued Executive Order N-33-20, directing all residents heed the current State public health directives, including all individuals living in the State of California to stay at their home or at their place of residence (i.e. “Shelter in Place”) until further notice, except those Californians working in 16 identified critical infrastructure sectors; and

WHEREAS, the impacts on the employees of the County of Nevada, resulting from the COVID-19 outbreak and the Governor’s order that individuals remain in their homes or residences until further notice, has necessitated the County Executive Officer, for the County of Nevada, to take actions to promote the health, welfare and productivity of County of Nevada employees during this emergency; and

WHEREAS, these actions taken by the County Executive Officer apply to eligible permanent, part-time, and temporary employees, and include (i) teleworking from home, to include a \$25.00 stipend per pay period to cover costs of personal equipment use and utilities; (ii) up to 80 hours of Emergency Time Off (ETO), (iii) and regular employee access to an Employee Leave Bank allowing employees who exhaust their leave balances during the COVID-19 emergency to borrow up to 80 hours of sick or personal leave time subject to repayment through their future leave accruals; and

WHEREAS, on March 18, 2020, the H.R.6201 Families First Coronavirus Response Act was signed into law providing protected leave and pay for employees through the Emergency Paid Sick Leave Act and Emergency Family and Medical Leave Expansion Act, as more fully described in the attached Exhibit “B”; and

WHEREAS, these actions are appropriate and reasonable measures related to the promotion of effective County governance through a healthy and stable County workforce during the COVID-19 emergency.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors, of the County of Nevada, State of California, that the actions of the County Executive Officer set forth the in the recitals above, and as more fully outlined the policies attached hereto, are hereby ratified as follows:

1. Eligible permanent, part-time, and temporary employees of the County of Nevada shall be permitted to telework from home upon approval of the County Executive Officer or designee, to include a \$25.00 stipend per pay period to cover costs of personal equipment use and utilities, as set forth in the attached Exhibit "A" Telework Policy and Procedures, which are hereby approved and adopted.
2. Eligible permanent, part-time, and temporary employees shall receive up to 80 hours of Emergency Time Off (ETO), as set forth in the attached Exhibit "B" Resources and Policies for Employees Related to the COVID-19 Pandemic, which are hereby approved and adopted.
3. Eligible regular employees who have exhausted their leave balances during the COVID-19 emergency shall have access to an Employee Leave Bank to borrow up to 80 hours of sick or personal leave time subject to repayment through the employee's future leave accruals, as set forth in the attached Exhibit "B" Resources and Policies for Employees Related to the COVID-19 Pandemic, which are hereby approved and adopted.
4. The County Human Resources and Auditor Controller are directed to administer the Emergency Leave Bill H.R. 6201: the Families First Coronavirus Response Act mandating Emergency Sick Leave and the Emergency Family and Medical Leave Expansion Act, effective April 1, 2020 through December 31, 2020, as more fully detailed in the attached Exhibit "B" Resources and Policies for Employees Related to the COVID-19 Pandemic. The County Human Resources and Auditor Controlled are authorized to implement any amendments to the Acts mandated prior to their sunset on December 31, 2020 to be compliant with the law.
5. The Director of Human Resources and Auditor-Controller for the County of Nevada are authorized to take all actions necessary to carry out these policies.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 14th day of April, 2020, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 



Heidi Hall, Chair

4/14/20 cc:

HR*
CEO*
A-C*
Risk Mngmnt*
All Dept Heads*

ATTACHMENT "A"

NEVADA COUNTY, CALIFORNIA

Personnel Administrative Guidelines

P-14

SUBJECT: COUNTY OF NEVADA TELEWORK POLICY

Telework is defined as an arrangement allowing an employee to work from a remote site other than their primary work location, such as home. The Nevada County Teleworking program is designed to address a continuity of services for the Nevada County citizens as outlined in the County's Continuity of Operations Plan (COOP). The County Executive Officer or designee can authorize telework for episodic use during a utility disruption, communicable disease outbreak, other health risk, or other approved situations.

Telework in Nevada County is at the sole discretion of the CEO or designee and is not an employee right. The employee must self-disclose proof of a safe work area at home or other location via completed telework agreement. Employees agree to cooperate with the County to verify compliance with the required minimum workplace standards while teleworking. This may include physical inspection, photographs, or live video feed, which shall be mutually agreed upon. Telework is not to be completed until approval via the CEO or designee.

Telework may occur via the following methods:

1. CEO or designee authorizes an employee to telework.
2. Senior Executives receive authorization from CEO allowing staff to telework.

Conditions:

1. When authorized, the employee must sign an agreement that they agree to work the approved alternate schedule (if applicable) and at the alternate location and follow all applicable work-related policies and procedures.
2. Employees recognize that by working at an alternate location, this does not change the employee's classification or rate of pay. Employees also agree that they will only log hours in which they conduct County business and their normal work hours are not typically altered by this agreement.

3. Employees recognize that they must have approval to work overtime if applicable.
4. Employees agree to safeguard any County equipment and to use the equipment only for official County business.
5. Employees, upon approval of a request for Telework, agree that the County will not be liable for damages to an employee's personal or real property while the employee is working at the approved alternate work location.
6. Employees, upon the approval to Telework, agree to provide a work area adequate for performance of official duties (see checklist).
7. Employees agree to safeguard the County records from disclosure or access by unauthorized individuals and will comply with all confidentiality and privacy laws, rules, regulations, and policies applicable to their position and the handling, security and storage of the records and information related thereto.
8. Employees agree they shall not bring clients, customers, vendors or other persons into his/her home to conduct County business.
9. Employees agree that teleworking authorized pursuant to this Policy does not entitle them to telework at will. Employees will return to their normal assignment location upon completion of the approved telework assignment.
10. Nothing in this policy precludes the County from taking any appropriate disciplinary action or adverse action against an employee who fails to comply with Personnel Code Section 18 or their applicable MOU.
11. Eligibility for telework lies solely at the discretion of the CEO or designee.
12. An employee must be available and accessible by phone and email during their agreed upon telework schedule.
13. Employees must adhere to all County and departmental rules and policies.
14. Employees assigned to telework will receive a stipend of \$25 per pay period for use of personal items and utilities, that will begin the pay period telework starts and will end the pay period following the pay period telework stops. Any reimbursement in addition to this stipend is at the sole discretion of the CEO.
15. Prior to and continuously throughout a telework assignment, an employee must maintain a safe and ergonomically sound workspace environment.
16. The work environment shall be conducive to working in an office setting, with personal disruptions kept to a minimum.

17. In the event of a telework workplace injury, employee agrees to allow the County's Risk Manager or designee, to access the employee's telework workspace upon request for purposes of investigating the injury only.



COUNTY OF NEVADA EMPLOYEE TELEWORK AGREEMENT

1. The CEO or Designee has authorized _____ (employee name), to engage in a telework agreement.
2. This telework arrangement between _____ (employee name), and the County shall be effective _____ (start date) through _____ (end date) unless earlier terminated by the employee or the County.
3. The Department Head has affirmatively determined the employee meets the eligibility criteria to participate in a telework program.
4. Telework schedule: The employee has been notified of their allowable telework schedule. Telework days are generally pre-scheduled and will not be substituted without advance approval of the supervisor/manager. Use of sick leave on a scheduled telework day must be reported to the supervisor/manager prior to the employee's scheduled hours, or as soon as possible after it is determined sick leave is needed. Use of vacation, floating holiday and other leaves must be approved in writing, in advance, by the supervisor/manager.
5. The employee will perform the following work at the telecommuting site (add pages as necessary):

6. Reports on telecommuting work assignments shall be provided to the employee's supervisor in the following manner and frequency:

7. County Equipment: in addition to expendable office supplies provided by the County, the following County equipment and/or services shall be provided to the employee for use in telework:

Equipment

Brand Name

Serial Number

Employee agrees to use reasonable care while operating County equipment, to protect the equipment; and to return equipment to the supervisor/manager if employee discontinues telework. County equipment may only be used for County purposes, and shall not be used by, or accessible to, any other individuals. Negligent or willful damage or failure to return County property may lead to disciplinary action and recovery for the value of the equipment.

8. Expenses and reimbursements: No teleworking related expenses (besides the allowable stipend mentioned above) or reimbursements, shall be made to employees unless authorized by the CEO. If the County purchases equipment for in-home telework, that equipment or material is the sole property of the County.
9. Employee agrees to report any occupational injury or illness to his/her supervisor/manager immediately and complete all necessary and/or County requested documents regarding the injury.
10. Employee will be available by phone and e-mail during County office hours. Employee will check voicemail and e-mail messages often while teleworking and will return to the worksite in the event teleworking becomes impracticable or if the employee is informed, he or she needs to return to the physical worksite.
11. Employee will comply with the County Personnel Code and all other County policies, including but not limited to the Technology Use Policy. Employee shall have no expectation of privacy when using County systems or technology.
12. Employee will adhere to the security and confidentiality policies of the Department and the County, and protect County assets, information and information systems at the remote work location.
13. Employee will telework from the following designated workplace: _____
(describe)
14. Employee certifies by initial the following:
 - _____ Workplace is away from noise, distractions, and is devoted to your work needs
 - _____ Workspace accommodates workstation, equipment, and related material
 - _____ Floors are clear and free from hazards,
 - _____ File drawers are not top-heavy and do not open into walkways
 - _____ Phone lines and electrical cords are secure under a desk or along wall, and away from heat sources
 - _____ Temperature, ventilation, and lighting are adequate
 - _____ All stairs with four or more steps are equipped with handrails
 - _____ Carpets are well secured to the floor and free of frayed or worm seams

- _____ There is a working smoke detector in the workspace area
- _____ A home multi-use fire extinguisher, which you know how to use, is readily available
- _____ Walkways aisles, and doorways are unobstructed
- _____ Workspace is kept free of trash, clutter, and flammable liquids
- _____ All radiators and portable heaters are located away from flammable items
- _____ You have an evacuation plan, so you know what to do in the event of a fire
- _____ Sufficient electrical outlets are accessible
- _____ Computer equipment is connected to a surge protector
- _____ Electrical system is adequate for office equipment
- _____ All electrical plugs, cords, outlets, and panels are in good condition; no exposed/damage wiring
- _____ Equipment is placed close to electrical outlets
- _____ Extension cords and power strips are not daisy chained and no permanent extension cord is in use
- _____ Equipment is turned off when not in use
- _____ Chair caster(wheels) are secure and the rungs and legs of the chair are sturdy
- _____ Chair is adjustable
- _____ Your back is adequately supported by a backrest
- _____ Your feet are on the floor or adequately supported by a footrest
- _____ You have enough leg room at your desk
- _____ There is sufficient light for reading
- _____ The computer screen is free from noticeable glare
- _____ The top of the screen is at eye level
- _____ There is space to rest the arms while not keying

*Any waiver of the above requirements must be authorized by the Risk Manager in writing.

CERTIFICATION

I understand that telework is an arrangement between me and the County and is not an entitlement or employee benefit. I understand this agreement may be terminated for any reason, at any time, by any party, with or without cause. I certify that I have read this Telework Policy and this Telework Agreement, that I understand their contents, and that I will abide by the terms.

Employee Signature

Date

CEO or Designee Signature

Date