



# **RESOLUTION No. 19-601**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

### **RESOLUTION AMENDING RESOLUTION 17-601 TO CLARIFY THE EXTENSION OF SALARY, BENEFITS AND EMPLOYER CONTRIBUTIONS FOR UP TO 365 DAYS FOR NEVADA COUNTY EMPLOYEES ON LEAVE UNDER ORDERS TO SERVE OR TRAIN FOR ACTIVE MILITARY DUTY IN THE U.S. ARMED FORCES**

WHEREAS, under California law, any public employee called up for active duty who is on military leave, and who has been in the service of a public agency for at least one year, is entitled to receive his or her salary for the first thirty (30) calendar days of such leave, provided that pay for such purposes shall not exceed thirty (30) days in any one fiscal year; and

WHEREAS, on April 1, 2003, the Nevada County Board of Supervisors adopted Resolution 03-109 supporting the men and women serving in the U.S. Armed Forces; and

WHEREAS, on April 22, 2003, per Resolution 03-155, the Nevada County Board of Supervisors authorized the payment of the difference between the employee's County based salary and the salary received from the military while serving in "Operation Iraqi Freedom" for up to 365 days beyond the thirty (30) days required by law so long as the military base pay does not exceed the County's base pay; and

WHEREAS, on December 12, 2017, per Resolution 17-601, the Nevada County Board of Supervisors authorized the extension of the salary, benefits and employer contributions provided under Resolution 03-155 to County employees on leave under orders to serve on active military duty, and clarified that the County shall continue to contribute its full cost share towards the health benefits premiums and the employee shall continue to pay their full share towards premiums for self and/or dependent coverage; and

WHEREAS, the United States remains actively engaged in an ongoing battle against terrorism where County employees in the military reserves may be called up to Federal active duty or training to be prepared for active duty, and such call-up may result in the employee exhausting the benefits provided by State law; and

WHEREAS, individuals willing to engage in armed conflict in order to serve their country should not suffer a negative financial impact to themselves and to their families; and

WHEREAS, the County desires to amend Resolution 17-601 to further clarify that County employees on leave under orders to serve or train in preparation for active military duty shall also accrue leave balances for up to 365 days beyond the thirty (30) days of such leave.

NOW, THEREFORE, BE IT HEREBY RESOLVED:

- 1) Resolution 17-601 is hereby amended to clarify that in addition to the rights and benefits provided by law, the Board of Supervisors of Nevada County, California, authorizes payment of the difference between the employee's County salary and the salary received from the military while on leave under orders to serve or train in preparation for active military duty for up to 365 days beyond the thirty (30) days required by law, including retroactive payments, the accrual of leave balances shall also continue during this same period.
- 2) In the event the military base pay, including any specialty pay (combat, hazard, etc. – not including housing and meal allowances) exceeds the County base pay and specialty pay, the employee will receive no additional pay or paid leave under this resolution.
- 3) The County shall continue to contribute its full cost share towards the health benefits premiums and the employee shall continue to pay their full cost share towards premiums for self and/or dependent coverage for up to 365 days beyond the thirty (30) days of commencement of leave under orders to serve or train in preparation for active military duty.
- 4) The employee will be required to communicate with the County in order to integrate military pay with County pay timely.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 12th day of November, 2019, 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: 



Richard Anderson, Chair