

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE SANTA BARBARA COUNTY  
AIR POLLUTION CONTROL DISTRICT**

IN THE MATTER OF IMPLEMENTING  
THE CALIFORNIA HEALTHY  
WORKPLACES, HEALTHY FAMILIES  
ACT OF 2014 FOR UNREPRESENTED  
EXTRA HELP EMPLOYEES AND  
CONTRACTORS ON PAYROLL

APCD RESOLUTION NO. \_\_\_\_\_

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**RECITALS**

**WHEREAS**, the Board of Directors retains the right at any time to change terms and conditions of employment for unrepresented employees in the District Service; and

**WHEREAS**, The District is authorized to appoint extra help employees to non-regular, non-permanent positions on a temporary basis to meet peak loads or unusual work situations, to perform seasonal and recurrent work, and to work in intermittent assignments or emergencies as defined in Civil Service Rule 905; and

**WHEREAS**, The District is authorized to employ Contractors on Payroll when: there is a need for specialized work to be performed, there is no District job classification appropriate for the work, the work cannot be performed by an independent contractor as determined by the IRS, there is a temporary funding source for the work, or the work is sporadic and does not warrant a full or part-time regular position; and

**WHEREAS**, the California Healthy Workplaces, Healthy Families Act of 2014 requires employers to provide all covered employees with a specified amount of paid sick leave hours each year, beginning July 1, 2015; and

**WHEREAS**, the California Healthy Workplaces, Healthy Families Act of 2014 expands the allowed use of sick leave to include absences related to domestic violence, sexual assault, and stalking; and

**WHEREAS**, the California Healthy Workplaces, Healthy Families Act of 2014 further requires employers to reinstate unused sick leave balances when an employee separates and returns to work for that employer within one year of separation.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, as follows:

1. Existing Extra Help employees and Contractors on Payroll shall be provided with 24 hours (or three days) of sick leave at the beginning of Fiscal Year 2015-16 and at the beginning of each payroll year for Extra Help employees, or at the beginning of each fiscal year for Contractors on Payroll thereafter.
2. Extra Help employees and Contractors on Payroll who are hired subsequent to the date this resolution is passed and adopted and who do not receive sick leave accruals shall be provided with 24 hours (or three days) of sick leave upon hire and annually thereafter as provided above.
3. Extra Help employees and Contractors on Payroll are entitled to use these accrued sick leave hours once 90 days of employment have elapsed with no carryover of unused balances from year to year.
4. Extra Help employees and Contractors on Payroll will not receive compensation for unused accrued paid sick leave upon termination, resignation, retirement or other separation from District service, unless otherwise specified.
5. An Extra Help employee or Contractor on Payroll who does not receive more than 24 hours (three days) of sick leave and who is rehired within one year of separation from District service shall be provided a total of 24 hours (three days) of sick leave upon rehire.
6. A Contractor on Payroll who receives more than 24 hours (three days) of sick leave annually shall have any previously-accrued and unused sick days reinstated or shall be provided a total of 24 hours (three days) of sick leave upon rehire, whichever is greater, if the employee separates from District service and is rehired within one year.

APCD RESOLUTION IMPLEMENTING THE CALIFORNIA HEALTHY  
WORKPLACES, HEALTHY FAMILIES ACT OF 2014 FOR  
UNREPRESENTED EXTRA HELP EMPLOYEES AND CONTRACTORS ON  
PAYROLL

7. Extra Help employees and all Contractors on Payroll who are hired as Regular employees in the District service shall maintain any previously accrued sick leave balances remaining at the point of hire into a Regular position.
8. Extra Help employees and all Contractors on Payroll may use paid sick leave for the employee or a specified family member for the diagnosis, care, or treatment of an existing health condition or preventive care, or for specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking.

**PASSED, APPROVED AND ADOPTED** by the Air Pollution Control District Board of the Santa Barbara County, State of California, this \_\_\_\_ day of \_\_\_\_\_, 2015, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

SANTA BARBARA COUNTY  
AIR POLLUTION CONTROL DISTRICT

By \_\_\_\_\_  
Chair

**ATTEST:**

LOUIS D. VAN MULLEM, JR.  
Clerk of the Board

By \_\_\_\_\_  
Deputy

**APPROVED AS TO FORM:**

MICHAEL C. GHIZZONI  
Santa Barbara County Counsel

By \_\_\_\_\_  
Deputy