



CITY COUNCIL AGENDA STAFF REPORT

DATE: March 18, 2020

TO: Mayor and City Council

APPROVED BY: David B. Dale, City Manager

PREPARED BY: Denise Garcia, HR/RM Manager

SUBJECT: Adopt Resolution 20-____ Approving an Emergency Administrative Leave (EAL) Policy Authorizing the City Manager to provide EAL to Affected Employees

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Recommendation:

Adopt Resolution approving an Emergency Administrative Leave (EAL) Policy authorizing the City Manager to provide EAL to affected employees.

Background:

The policy allows for departments to provide up to ten (10) days, or 80 hours, of Emergency Administrative Leave (EAL) to cover employee absences due to work unavailability because of a Major Public Disaster. EAL provides leave to employees who are not eligible for other leaves or once their existing leaves have been exhausted.

Discussion & Analysis:

The City of Calexico is following the guidance ordered by the Imperial County Health Officer and the CDC with regards to the COVID-19 pandemic. The recommendations were accepted and the City has recently cancelled or postponed all City organized events and gatherings, closed City parks and prohibited public access to both the Recreation and Library Departments. This was a choice that was made with an abundance of caution and concern for not only the community, but for our City staff as well.

The pandemic and precautions encouraged by the local Health Officer and the CDC have had a ripple effect on City staff. Health professionals are recommending that persons 65 and older or those with chronic health conditions stay home and self isolate. Schools and daycares have also closed impacting certain employees ability to report to work. Administration will provide employees fitting into these categories with their leave options, including the EAL. Concurrently, the City Manager will be working closely with each Department to develop a plan and determine

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ITEM**

the staffing levels required to continue providing basic essential services. Human Resources will track this leave in the same manner of other paid leaves.

Fiscal Impact: Estimated fiscal impact is unknown at this time and dependent on the number of employees meeting the EAL eligibility at any given time. The City may be able to seek reimbursement for these costs under FEMA and/or CalOES to offset the impact.

Alternative: Do not approve the Emergency Administrative Leave (EAL) Policy authorizing the City Manager to provide EAL to affected employees and employees will be furloughed without pay.

OR

Approve the EAL Policy providing a maximum of up to five (5) days, or 40 hours.

Coordinated With:

City Manager.
City Finance Director.

Attachments:

1. Emergency Admin Leave Policy
2. Emergency Admin Leave Policy Resolution

RESOLUTION NO. 2020 – _____

**A RESOLUTION APPROVING THE CITY OF CALEXICO EMERGENCY ADMIN
LEAVE (EAL) POLICY AUTHORIZING THE CITY MANAGER TO PROVIDE EAL
TO AFFECTED EMPLOYEES**

WHEREAS, the City of Calexico strives to be prepared for catastrophic events that may force shutdown, or partial shutdown, of operations; and

WHEREAS, this policy grants discretionary access to up to ten (10) days or 80 hours of Emergency Administrative Leave (EAL) to cover employee absences due to work unavailability because of a Major Public Disaster; and

WHEREAS, a Major Public Disaster under this policy must have caused a governmental authority, such as the Governor of California or the President of the United States, to declare a formal state of emergency; and

WHEREAS, this definition shall be interpreted consistently with 44 CFR§ 206.2(a)(17), which includes events such as hurricane, tornado, tsunami, earthquake, volcanic eruption, or pandemic; and

WHEREAS, Access to up to ten (10) days of EAL shall be provided per effected employee at the discretion of the city Manager only in circumstances that meet the following criteria:

- A Major Public Disaster has caused or could cause the unavoidable closure of all or part of the City of Calexico's operations in a manner that could result in layoff or furlough. Circumstances causing such closure include but are not limited to (1) destruction or severe damage of City of Calexico's facilities or infrastructure; (2) inability or severe difficulty accessing City of Calexico's facilities due to destruction or damage of transportation corridors; or (3) unavailability of sufficient personnel to operate the affected facility or department because of illness or injury associated with the Major Public Disaster.
- The City of Calexico has adopted an Emergency Operations Plan that utilizes EAL in a manner to (1) best serve the City of Calexico's operations; (2) address public health or safety concerns associated with the Major Public Disaster; (3) maintain necessary staffing while limiting the need for permanent layoffs or furloughs; and (4) best maintain the City of Calexico's ability to resume full operations and services when possible.
- The intended employee-recipient's workload has been severely impacted by the Major Public Disaster such that the employee-recipient is either unable to report to work or there is insufficient work within the relevant department or facility to warrant full staffing.

- The intended employee-recipient of the EAL is either not eligible for another paid leave (such as sick leave) or has exhausted all available accruals.

NOW, THEREFORE, the City Council of the City of Calexico **DOES HEREBY RESOLVE** as follows:

1. City of Calexico approve the Emergency Admin Leave Policy authorizing the City Manager to provide EAL on an intermittent or staggered basis to affected employees.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Calexico held on March 18, 2020 by the following vote:

AYES:

NOES:

ABSENT:

BILL HODGE, MAYOR

ATTEST:

GABRIELA T. GARCIA, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL) SS.
CITY OF CALEXICO)

I, GABRIELA GARCIA, CITY CLERK OF THE CITY OF CALEXICO, DO HEREBY CERTIFY THAT THE ABOVE FOREGOING RESOLUTION NO. 2020-_____, WAS DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CALEXICO ON THIS 18th DAY OF MARCH, 2020 BY THE FOLLOWING VOTE TO WIT:

AYES:
NOES:
ABSENT:

GABRIELA T. GARCIA, CITY CLERK

SEAL

CITY OF CALEXICO EMERGENCY ADMIN LEAVE POLICY

Effective: _____

Emergency Administrative Leave

The City of Calexico strives to be prepared for catastrophic events that may force shutdown, or partial shutdown, of operations. This policy grants discretionary access to up to ten (10) days or 80 hours of Emergency Administrative Leave (“EAL”) to cover employee absences due to work unavailability because of a Major Public Disaster. Understanding that the provision of some basic services may require some level of skeletal or flex staffing, the City Manager is authorized to provide EAL on an intermittent or staggered basis.

“Major Public Disaster”: A “Major Public Disaster” is an incident that is of the severity and magnitude that effective response is beyond the capability of the state or affected local governments. In order to qualify as a “Major Public Disaster” under this policy, the event must have caused a governmental authority, such as the Governor of California or the President of the United States, to declare a formal state of emergency. This definition shall be interpreted consistently with 44 CFR § 206.2(a)(17), which includes events such as hurricane, tornado, tsunami, earthquake, volcanic eruption, or pandemic.

Qualifying Circumstances: Access to up to ten (10) days of EAL shall be provided per affected employee at the discretion of the City Manager only in circumstances that meet the following criteria:

- A Major Public Disaster has caused or could cause the unavoidable closure of all or part of the City of Calexico’s operations in a manner that could result in layoff or furlough. Circumstances causing such closure include but are not limited to (1) destruction or severe damage of City of Calexico’s facilities or infrastructure; (2) inability or severe difficulty accessing City of Calexico’s facilities due to destruction or damage of transportation corridors; or (3) unavailability of sufficient personnel to operate the affected facility or department because of illness or injury associated with the Major Public Disaster.
- The City of Calexico has adopted an Emergency Operations Plan that utilizes EAL in a manner to (1) best serve the City of Calexico’s operations; (2) address public health or safety concerns associated with the Major Public Disaster; (3) maintain necessary staffing while limiting the need for permanent layoffs or furloughs; and (4) best maintain the City of Calexico’s ability to resume full operations and services when possible.
- The intended employee-recipient’s workload has been severely impacted by the Major Public Disaster such that the employee-recipient is either unable to report to work or there is insufficient work within the relevant department or facility to warrant full staffing.
- The intended employee-recipient of the EAL is either not eligible for another paid leave (such as sick leave) or has exhausted all available accruals.

The leave provided in this policy shall be counted toward the satisfaction of any mandated paid leave required by law in response to the Major Natural Disaster. Legal mandates shall supersede this policy. EAL may be provided in increments consistent with other leaves provided pursuant to City of Calexico’s policies. Unused EAL does not carry over year to year and is not paid out upon termination of employment.