

**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)
EXECUTIVE OFFICER'S REPORT**

CONSENT AGENDA ITEM No. 5D

DATE: September 9, 2015

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, AICP, Executive Officer 

SUBJECT: Consider an amendment of the Fresno LAFCo employee handbook to comply with "Healthy Workplace Healthy Family Act of 2014"

RECOMMENDATION: Approve the Amendment of the Fresno LAFCo Employee Handbook

Background

Pursuant to the "Healthy Workplace Healthy Family Act of 2014," an amendment of the Fresno LAFCo employee handbook is necessary to reflect new provisions for paid sick leave for all employees. (Attachment)

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 beginning of employment, is entitled to paid sick leave. Employees, including part-time and temporary employees, are required to earn at least one hour of paid leave for every 30 hours worked. Accrual begins on the first day of employment.

In addition to amending the employee handbook, the executive officer will also

- Display poster on paid sick leave where employees can read it easily.
- Provide written notice to employees with sick leave rights at the time of hire.
- Provide for accrual of one hour for every 30 hours worked and allow use of at least 24 hours or at least 3 days or provide at least 24 hours or 3 days at the beginning of a 12 month period of paid sick leave for each eligible employee to use per year.
- Allow eligible employees to use accrued paid sick leave upon reasonable request.
- Show how many days of sick leave an employee has available. This must be on a pay stub or a document issued the same day as a paycheck.
- Keep records showing how many hours have been earned and used for three years.

Commission action on the recommendation is exempt from the California Environmental Quality Act.

Amendment of the Fresno LAFCo Employee Handbook
[Underlined text to be added to the Handbook]

424. Paid Sick Leave.

Certain California employees are entitled to state-mandated paid sick leave ("PSL"). PSL is different from, and in addition to, the Company's Paid Time Off and Holiday Policy.. An employee is eligible for PSL if the employee works in California for thirty (30) or more days within a year from the commencement of employment.

At the commencement of employment, an eligible employee will be provided with a lump sum of twenty-four (24) hours or three (3) days of PSL, whichever is greater, and shall receive a lump sum amount of twenty-four (24) hours or three (3) days of PSL annually thereafter. Employees who are eligible to receive PSL are not permitted to carry over any unused PSL to the following year(s).

An employee may use PSL beginning on the ninetieth (90th) day of employment. Upon an oral or written request, an employee may use PSL for the diagnosis, care or treatment of an existing condition, or preventive care, for the employee or for a family member. PSL can also be taken by the employee if the employee is a victim of domestic violence, sexual assault, or stalking. The employee should provide notice of the need for leave as soon as practicable, and in advance if foreseeable. Family members include a child (biological, adopted, foster, step), legal ward, child to whom the employee stands in loco parentis; parent (biological, adoptive, step), legal guardian of the employee or employee's spouse or registered domestic partner, person who stood in loco parentis when employee was a minor; spouse; registered domestic partner; grandparent; grandchild; and sibling. Employee must use PSL in at least two-hour increments.

PSL will be paid at the employee's hourly rate of pay. A poster describing PSL rights is located in the LAFCo offices. The Company will maintain records documenting hours worked and PSL provided in lump sum and used. Employer will make them available to Employee within twenty-one (21) days upon request.

Employer will not lend PSL to Employee in advance. Unused PSL will not be paid to Employee at the separation of employment. However, if Employee is rehired by Employer within one (1) year of the date of separation, previously unused PSL, if any, may be reinstated at the time of rehire. If the reinstated employee returns within one year of his or her original commencement of employment, the employee will be provided with any PSL that was unused before he or she left his or her original employment with the Company. For example, if an employee is hired in January 1, 2016 and terminates his or her employment in June, after only using sixteen (16) hours of his PSL, and becomes re-employed with the Company in September of the same year, the employee will be provided with eight (8) hours of PSL upon his return. Similarly, if the reinstated employee returns subsequent to the expiration of his or her original commencement of employment, but within the year of termination, the employee will be provided with twenty-four (24) hours or three (3) days of paid sick leave upon his or her return.



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 170.44

August 31, 2015

Mr. David E. Fey, AICP
Fresno Local Agency Formation Commission
2607 Fresno Street, Suite "B"
Fresno, CA 93721



Dear Mr. Fey,

**Church-Armstrong Southeast Reorganization
City of Fresno, TTM 6095
Proposed Drainage Area "BM"**

The proposed annexation boundary encompasses lands within the Fresno Metropolitan Flood Control District and will be served by the District's Storm Drainage and Flood Control Master Plan. Drainage service by the Master Plan does not exist for the annexation at this time.

It is our understanding there will be no change in the District's share of the property tax base, nor future property tax increments for the impacted Tax Rate areas.

The District further request its historic growth increment tax applied to this area.

If you have any questions or require further information, please do not hesitate to contact us.

Very truly yours,

Mark Will
Engineer, III

MW/lrl

c: Alan Hofmann, Fresno Metropolitan Flood Control District