

RESOLUTION NO. 146

**FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA**

CONSIDER AMENDMENT OF FRESNO LAFCO EMPLOYEE HANDBOOK)))	APPROVED AMENDMENT OF FRESNO LAFCO EMPLOYEE HANDBOOK
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WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 contains provisions providing for Local Agency Formation Commissions to seek independence when possible and practical; and

WHEREAS, it was determined by a majority vote of the Commission that the intent of State law to seek independence could best be achieved by amending the Professional Services Agreement with the County of Fresno by terminating the provisions related to personnel and accounting/payroll-related services and benefits; and

WHEREAS, since LAFCo became an independent agency, establishing written policies and procedures for LAFCo employees has been a high priority; and

WHEREAS, the Commission appointed an ad-hoc Committee to make recommendations to the Commission; and

WHEREAS, on November 7, 2012, the Commission adopted and implemented the Fresno LAFCo Employee Handbook; and

WHEREAS, 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 1)

WHEREAS, the Executive Officer reviewed the legislation and prepared a report to this Commission, including a recommendation for approval, said report having been mailed at least five days before said hearing and was duly considered by this Commission pursuant to State Law; and

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

This Commission approves the amendment of the Fresno LAFCo Employee Handbook to comply with the "Healthy Workplace Healthy Family Act of 2014."

ADOPTED THIS 9th DAY OF SEPTEMBER, 2015, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PEREA, SANTOYO, PACHECO, PARRA, SILV A

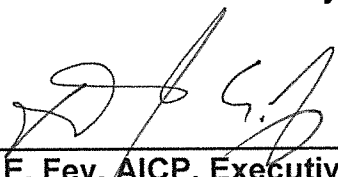
NOES: NONE

ABSENT: NONE

**STATE OF CALIFORNIA)
COUNTY OF FRESNO)**

CERTIFICATION

I, David E. Fey, Executive Officer of the Fresno Local Agency Formation Commission (LAFCo), Fresno County, State of California, hereby certify that the foregoing resolution was adopted by the Commission on the 7th day of November, 2012.



**David E. Fey, AICP, Executive Officer
Fresno Local Agency Formation Commission**

Attachment A

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.