

County Proposal #02 to SEIU
June 1, 2022

[LEAVES FROM EMPLOYMENT]

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3.3.1 Accrual

~~The granting of sick leave with pay is a privilege and not a right.~~ Regular employees shall accrue .0462 hours of sick leave for each straight-time hour on payroll not to exceed eighty (80) straight-time hours per pay period (annual accrual rate, approximately 96 hours).

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3.3.1 Accrual

~~The granting of sick leave with pay is a privilege and not a right.~~ Regular employees and part-time employees who are eligible for benefits (as defined in Section 7) shall accrue .0462 hours of sick leave for each straight-time hour on payroll not to exceed eighty (80) straight-time hours per pay period (annual accrual rate, approximately 96 hours).

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County Proposal #07 to SEIU
June 1, 2022

[LEAVES FROM EMPLOYMENT]

3.9.3 School-Child-Related Activities

The County of San Joaquin shall comply with Labor Code section 230.8, or any federal or state law requiring an employer to grant time off to participate in a child's school activities child-related activity. Current state law provides that parents, guardians, stepparents, foster parents, grandparent, or person who stands in loco parentis to a child may take up to 40 hours per year, but not more than eight (8) hours per month, to participate in their children's school or licensed child care provider activities. ~~Current state law provides that at the request of the employer the employee shall provide documentation as proof of the employees' participation in their children's school activities on a specific date and at a particular time. For purposes of this section "documentation" means whatever written verification of parental participation that school or licensed child day care facility deems appropriate and reasonable.~~ Employees working a shift greater than eight (8) hours per day may take one full shift per month, subject to the 40 hour maximum. An employee may take unpaid leave or may use accrued vacation, compensatory, floating holiday, flexible holiday, or regular holiday time.

[LEAVES FROM EMPLOYMENT]

3.8.4 Personal Leave of Absence

Personal Leave of Absence may be granted to a permanent employee by the department head for reasons acceptable to the department head. The employee's last performance evaluation must be at least satisfactory. Leave may initially be granted for up to one (1) year and may be extended up to an additional year.

Forms for request of leave of absence are maintained in each department. Requests for leave of absence shall be submitted sufficiently in advance of the proposed effective date to permit the department head and the Director of Human Resources to take action prior to that date.

A leave of over 30 days must be approved by the Director of Human Resources.

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County Proposal #08 to SEIU
June 1, 2022

[CATASTROPHIC LEAVE]

3.10.3 Treatment of Donated Time

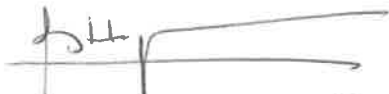
Donated time is treated as sick leave accrued by the recipient of the donation.

Donated time does not alter the employment rights of the County or the recipient, nor extend or alter limitations otherwise applicable to Leaves of Absence or Sick Leave, except as noted in this agreement.

Employees who are utilizing donated sick leave hours will continue to accrue vacation and sick leave in accordance with the provisions of this Memorandum of Understanding.

~~If catastrophic leave donations are made due to the medical condition of an employee's immediate family member, the 80-hour limitation on the use of family sick leave is waived for absences resulting from that condition only.~~

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County Proposal #01 to SEIU
June 1, 2022
Proposal 2 with 2nd Paragraph Change

1.4 Discrimination in Employment Prohibited

No employee, ~~or applicant for employment,~~ shall be discriminated against in any aspect of employment because of age, ancestry, color, creed, gender, gender expression, gender identity, genetic information, marital status, medical condition (cancer or genetic characteristics), military or veteran status, national origin, physical or mental disability, political affiliation or belief, pregnancy, race, religion, sex, ~~or sexual orientation,~~ or on any other basis prohibited by applicable federal and State law as outlined in Civil Service Rule 20.

Any employee who believes he or she has been harassed or discriminated against because of any of the above reasons, may bring the matter to the attention of the supervisor or may consult with his or her Department Equal Employment Opportunity Coordinator. The initial contact should be made as soon as possible, to assist the County in timely resolution. ~~but no later than 60 days after the alleged act of discrimination or harassment occurred.~~

The Department Equal Employment Opportunity Coordinator shall process the complaint in accordance with Civil Service Rule 20, Section 3. Informal Complaint Process.

1.4.1 American with Disabilities Act (ADA) and Fair Employment and Housing Act (FEHA)

San Joaquin County shall comply with the provisions of the ~~Americans with Disabilities Act (ADA and FEHA).~~ Individuals requesting reasonable accommodation(s) ~~under the ADA~~ shall make a request ~~in writing~~ to their supervisor or manager, supported by medical ~~documentation certification from a provided by an approved medical physician provider.~~ The request shall identify the specific ~~work restrictions along with any recommended reasonable accommodation(s) needed in the workplace. The medical certification shall also specify required and~~ the anticipated duration needed for the ~~work restrictions accommodation.~~ The manager ~~and/or supervisor shall engage in a good faith, timely, interactive process with the employee meet with the employee to confirm any documentation or verification received,~~ in compliance with the ADA and FEHA. ~~The manager or supervisor shall respond to the written request in writing within 10 days of receipt of supplemental materials. Any such Documentation and/or information received through this process is subject to confidentiality laws, which discloses employee medical information shall be provided to the Human Resources, Disability Management Unit may be contacted for assistance and facilitation of the interactive process. Reasonable accommodation determinations are made at the department level. Human Resources shall be consulted if any dispute arises in regard to an ADA accommodation.~~

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County Proposal #03 to SEIU
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[LEAVES FROM EMPLOYMENT]

3.7 Military Leave

The following procedures and restrictions shall apply to military leave:

- (a) To be eligible for paid military leave, an employee must have at least twelve (12) months of qualifying service immediately prior to the leave. Qualifying service is continuous and consecutive County service or recognized military service. Recognized military service is defined as full-time service in the armed forces during a national or state emergency. Generally, recognized military service would be that during World War II, the Korean War, the Vietnam Conflict, or any conflict for which an expeditionary medal was awarded. This time requirement does not apply to declared emergency situations. Under such emergencies, any employee ordered to active duty is eligible for paid temporary military leave.
- (b) Temporary military leave with pay can be authorized for eligible employees only when they are ordered to active duty.
- (c) Weekend drills are not active duty. Departments will make reasonable attempts to change an employee's schedule to allow for off-duty attendance at monthly drills. If such accommodation is not possible, the employee may use leave as specified in (k).
- (d) A copy of the employee's order to active duty must accompany any military leave with pay.
- (e) Paid temporary military leave can be authorized for a maximum of thirty (30) calendar days in each fiscal year pursuant to Military & Veterans Code §395.01, et seq.
- (f) Upon expiration of the thirty (30) calendar days of paid military leave as set forth in subsection (e), the County shall pay the difference between the eligible employee's regular County salary; if the employee's military pay is less than the employee's regular salary.
- (g) The County shall continue to provide employee and dependent medical, dental and vision benefits, if applicable consistent with regular employment and subject to payment of employee premiums, if any, of such coverage.
- (h) The eligible employee's military service shall be considered as paid employment for purposes of benefits under the County's retirement system subject to the payment of the employee contribution for periods of continuous military leave.

- (i) In calculating leave, holidays (floating, flexible or regular) which occur during an employee's military leave will be charged as holidays used rather than military leave.
- (j) All other calendar days encompassed by the order will be counted as military leave whether normally scheduled days or days off.
- (k) Employees will not be denied the right to use leave to attend active or inactive military duty. If the employee is not eligible for temporary military leave with pay, the employee may request a leave of absence without pay or use accrued vacation, holiday (floating, flexible or regular), or compensatory time off.