

**BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA**

**RESOLUTION AMENDING ARTICLE)
NINE OF RULES GOVERNING)
COVERAGE AND COMPENSATION,)
BENEFITS AND WORKING)
CONDITIONS OF EMPLOYEES OF)
THE COUNTY OF YUBA,)
RESOLUTIONS 2005-113 AS)
AMENDED BY 2006-59)**

RESOLUTION NO. 2020-141

WHEREAS, Resolution No. 2005-113 as amended by Resolution 2006-59 sets for the Rules Governing Compensation, Benefits and Working Conditions of Employees of the County of Yuba; and

WHEREAS, Article Nine of the Rules Governing Compensation, Benefits and Working Conditions of Employees of the County of Yuba (“Compensation Rules”) sets forth the terms and conditions of vacation leave with pay; and

WHEREAS, Article Nine, Section 9.08, Cash Compensation Upon Termination provides that “An employee whose employment is terminated for any reason shall be paid a sum equal to his accrued vacation leave.” Such sum shall be computed on the basis of the hourly equivalent of such employee's annual compensation as of the date employment is terminated; and

WHEREAS, in accordance with state and federal law, historically the County has paid the cash compensation for accrued vacation leave in a single lump sum at the time that the final paycheck is issued pursuant to the regular pay schedule: and

WHEREAS, on July 14, 2020 the Board of Supervisors approved the creation of the Senior Executive Advisor classification and allocation of the position in the County Administrator's Office to assist with and complete special projects from August 2020 through December 2020; and

WHEREAS, the Senior Executive Advisor classification is within the Non-Represented Miscellaneous Management Bargaining Unit; and

WHEREAS, the Board desires to amend the Compensation Rules to allow the incremental payment of the accrued vacation prior to the termination of the employment relationship solely for the classification of the Senior Executive Advisor and further limited to the 2020 calendar year; and

WHEREAS, the Board makes no representations as to the tax consequences to the employee of such incremental payments.

NOW, THEREFORE, BE IT RESOLVED, the Yuba County Board of Supervisors hereby amends Article Nine of the Compensation Rules to allow the payment for accrued vacation solely for the classification of Senior Executive Advisor, upon the election of the employee, as follows:

1. Up to seventy-five (75) hours of accrued vacation can be cashed out and deducted from employee's leave balance in October 2020 and paid in November 2020; and
2. Up to seventy-five (75) hours of accrued vacation can be cashed out and deducted from employee's leave balance in November 2020 and paid in December 2020; and
3. The payments shall be made by separate check with all withholdings and deductions made therefrom; and
4. Any remaining hours of accrued vacation after the deductions from the leave balance pursuant to items 1 and 2 above upon the termination of the employment relationship shall be paid in accordance with the County's regular practice.

BE IT FURTHER RESOLVED that this Resolution will expire as of 11:59 p.m. on December 31, 2020 and shall be of no further force and effect thereafter.

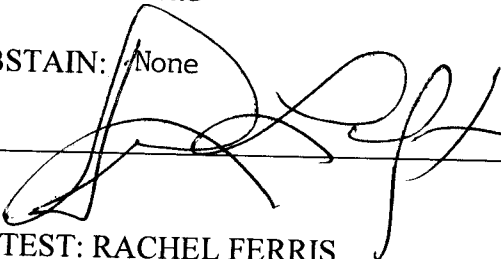
PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Yuba, State of California on the 13 day of October, 2020 by the following vote:

AYES: Supervisors Vasquez, Leahy, Lofton, Bradford, Fletcher

NOES: None

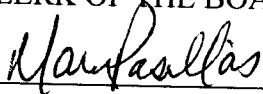
ABSENT: None

ABSTAIN: None



Chair

ATTEST: RACHEL FERRIS
CLERK OF THE BOARD OF SUPERVISORS



Mary Pasillas, Board Clerk

MICHAEL J. CICOZZI
YUBA COUNTY COUNSEL
APPROVED AS TO FORM: