ITEM NO. 12

STAFF REPORT

CITY OF OCEANSIDE

DATE: December 5, 2007

TO: Honorable Mayor and City Councilmembers

FROM: Human Resources Department

SUBJECT: **ADOPTION OF A RESOLUTION AMENDING THE PERSONNEL RULES AND REGULATIONS TO INCLUDE DISASTER EVACUATION LEAVE**

SYNOPSIS

Staff recommends that the City Council adopt a resolution amending the Personnel Rules and Regulations to include Disaster Evacuation Leave.

BACKGROUND

Chapter 23 of the Oceanside Municipal Code provides for the establishment of equitable and uniform procedures for dealing with personnel matters and empowers the City to adopt such rules and regulations.

The current Personnel Rules and Regulations were last adopted by the City Council on January 10, 2007; however there is no provision that covers employees for mandatory evacuations during a declared disaster.

ANALYSIS

Beginning on October 22, 2007, the City experienced a total of 19 employee absences resulting from the wildfire burning rampantly in many areas of San Diego County. Collectively, these employees used 441 hours of their personal leave time. If approved, this amendment would authorize a "Disaster Evacuation Leave" benefit for any declared disaster event. The application of this benefit shall be on a case-by-case basis at the sole discretion of the City Manager, or his/her designee, who will review each situation for uniformity and consistency of application. The decision of the City Manager is final and binding. The benefit would provide up to three days of paid leave to employees who are subject to mandatory evacuation as well as employees who need to assist immediate family members who are subject to mandatory evacuation.

This proposed amendment has been presented to and accepted by the bargaining unit associations in compliance with labor relations obligations.

It is proposed that this amendment be effective October 22, 2007.

FISCAL IMPACT

Does not apply.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution amending the Personnel Rules and Regulations to include Disaster Evacuation Leave.

PREPARED BY:

Brian Kammerer
Human Resources Director

SUBMITTED BY:

Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs-Lawrence, Deputy City Manager _____

Attachment 1: Amended Personnel Rules and Regulations

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING THE PERSONNEL RULES AND REGULATIONS TO INCLUDE DISASTER EVACUATION LEAVE

WHEREAS, Chapter 23 of the Oceanside Municipal Code provides for the establishment of equitable and uniform procedures for dealing with personnel matters in the City of Oceanside; and

WHEREAS, the City Council is mindful of the potential financial impact on an employee's family as a result of a mandatory evacuation or the mandatory evacuation of an employee's immediate family member due to a declared disaster; and

WHEREAS, the City Council desires to alleviate the magnitude of such declared disaster events whenever possible; and

WHEREAS, THE City Council desires to establish a Disaster Evacuation Leave policy to provide up to three days of paid disaster evacuation leave to employees who are subject to mandatory evacuation as well as employees who need to assist immediate family members who are subject to mandatory evacuation due to any declared disaster.

NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

SECTION 1. That the City Council does hereby adopt to include in the "City of Oceanside Personnel Rules and Regulations" the amendment as set forth on Exhibit A attached hereto and incorporated by reference herein.

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PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this _____day of _____, 2007, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

John P Mullen
_____
City Attorney

PERSONNEL RULES AND REGULATIONS
Rule 9.16

Disaster Evacuation Leave:
When a disaster is declared that necessitates the mandatory evacuation of an employee from his or her home, or that necessitates the mandatory evacuation of an employee's immediate family member who needs the assistance of the employee and results in the employee's absence from work, the Disaster Evacuation Leave benefit may be used.

This section provides for up to three days of paid administrative leave to cover such absences for employees.

The application of this benefit shall be on a case-by-case basis at the sole discretion of the City Manager, or his/her designee, who will review each situation for uniformity and consistency of application. The decision of the City Manager is final and binding.