

**RESOLUTION NO: 23- 8781**

**A RESOLUTION TO ADOPT PLUMAS COUNTY CLARIFICATIONS OF PERSONNEL RULES**

**WHEREAS**, Plumas County Personnel Rule 1.05 provides that the personnel rules “shall be amended as necessary by resolution of the Board; provided that the County complies with and “meet and confer obligation under California Government Code Section 3505”; and

**WHEREAS**, the Personnel Rules do not provide for deferred holidays, and due to an increase in employee’s seeking to work alternate schedules including four tens, clarification is needed to address holiday hours for employees who work alternative schedules; and

**WHEREAS**, County Counsel, Human Resources and the County Administrative Officer have worked together to provide a clarification as to deferred holidays and requirements for employees working alternative schedules, and

**WHEREAS**, the Human Resource Director has met the meet and confer obligations, and all labor unions have had the opportunity to review the clarifications.

**NOW, THEREFORE, BE IT RESOLVED** that the Plumas County Board of Supervisors does hereby authorize the adoption of this resolution to adopt “Plumas County Policy Clarifying Flex Time and Four Day Work Week Holiday Requirements Pursuant to Plumas County Personnel Rules” and “Clarification of Personnel Rules – Deferred Holidays” attached hereto as Exhibit A.

The foregoing was duly passed and adopted by the Board of Supervisors of the county of Plumas, State of California, at a regular meeting of said Board on the 18<sup>th</sup> day of April, 2023, by the following vote:


AYES: Supervisors Engel, Hagwood, McGowan, Goss, Ceresola

NOES: Supervisors None

ABSENT: Supervisors None

  
Dwight Ceresola, Chair  
Board of Supervisors

ATTEST:

  
Heidi White  
Clerk of the Board of Supervisors

**EXHIBIT A**

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**Plumas County Policy Clarifying Flex Time and Four Day Work Week Holiday Requirements Pursuant to Plumas County Personnel Rules**

Four Day Work Week

Employees currently scheduled to work four ten-hour days, otherwise known as a Four Day Work Week (FDWW Employees), pursuant to the Plumas County Personnel Rules, must provide the Auditor and Human Resources with a copy of their Board of Supervisors (BOS) Authorization by June 30, 2023, to continue a FDWW schedule. If the employee does not have a BOS Authorization, the Department Head may provide the request to the BOS. All employees beginning a FDWW schedule need BOS Authorization prior to initiating a FDWW schedule.

BOS Authorizations need to be specific to the individual.

Flex Time

Flex Time is defined in the Personnel Rules and within the applicable Memorandum of Understanding (“MOU”).

Additional Flexible Schedules

The Department will need to seek prior approval from the BOS in the event that an employee needs a flexible schedule that does not fall within the definition of FDWW or Flex Time.

Holiday Pay for FDWW, Flex Time and Flexibly Scheduled Employees

FDWW, Flex Time and Flexibly Scheduled employees are not entitled to defer holidays unless provided for in their MOU.

Pursuant to the Personnel Rules and applicable MOUs, holiday pay is paid out for an eight-hour day, or percentage for part-time employees. If a week contains a holiday (“holiday week”), FDWW employees must adjust their schedule to ensure that their hours worked, in combination with any Paid Time Off (PTO), is equal to their weekly hours excluding holiday hours (“base hours”). For instance, if an employee’s workweek is typically 40 hours, and a single holiday falls on that week, the employee’s base hours are 32 hours, which can include work hours and/or PTO to meet their 40-hour workweek.

Employees who are required to work on holidays, or work more than their base hours on a holiday week, may take overtime pay or compensatory time off pursuant to the Personnel Rules and any applicable MOU. If a Department has a legitimate business need to have staff work more than their base hours on a holiday week for a non-emergent reason, the Department Head must seek prior approval from the BOS. Prior approval will include a plan explaining the business need, how many staff are needed, and what the arrangements are for providing holiday time or pay.

FDWW or Flexibly Scheduled employees whose pre-scheduled day off occurs on a holiday may adjust their schedule in the following ways: 1) with supervisor approval, the FDWW Employee

may take off another day during the same workweek, using PTO if necessary to meet their base hours, or 2) the employee may work four eight-hour days, and then claim the holiday, or 3) any other schedule that is approved by the supervisor that allows the employee to meet their base hours during the holiday week.

## **Clarification of Personnel Rules**

### **Deferred Holidays**

Plumas County's Personnel Rules do not provide for deferred holidays. Only employees whose Memorandum of Understanding ("MOU") directly references deferred holidays may defer their holidays and must do so in accordance with the MOU.

A "deferred holiday" occurs when a holiday falls on an employee's regular day off and the employee opts to use the holiday at a later time, or when an employee chooses to defer eight hours of holiday time in lieu of being paid for working on a holiday. Employees who do not have deferred holidays in their MOUs must take their holidays pursuant to the Plumas County Personnel Rules and any clarifications thereto.

If an employee has previously been granted a deferred holiday without an applicable Memorandum of Understanding, that employee will have until May 31, 2023, to use the holiday time or convert the deferred holiday time into compensatory time off. If the Department Head denies the employee's request to use the deferred holiday time, or the employee already has the maximum amount of compensatory time off in their leave balance, the employee shall be entitled to be paid out prior to the end of the 2022-2023 fiscal year.

Employees with an applicable MOU who have accrued holiday hours past the 60-days stated in the MOU, shall use any accrued holiday hours, or convert the deferred holiday time into compensatory time off, prior to May 31, 2023. If the Department is unable to accommodate the holiday hours, or the employee already has the maximum amount of compensatory time off in their leave balance, the employee shall have the deferred holiday hours paid out prior to the end of the 2022-2023 fiscal year.

Employees who are not covered by an applicable MOU may not defer holiday time.