



Commission Staff Report

August 15, 2018

COMMISSION MEETING DATE: August 23, 2018

SUBJECT: Amendment to NCPA's Personnel Policy and Procedures Manual

AGENDA CATEGORY: Consent

FROM:	Vicki Cichocki <i>VC</i>	METHOD OF SELECTION:
	Human Resources Manager	N/A
Division:	Administrative Services	
Department:	Human Resources	

IMPACTED MEMBERS:

All Members <input checked="" type="checkbox"/>	City of Lodi <input type="checkbox"/>	City of Shasta Lake <input type="checkbox"/>
Alameda Municipal Power <input type="checkbox"/>	City of Lompoc <input type="checkbox"/>	City of Ukiah <input type="checkbox"/>
San Francisco Bay Area Rapid Transit <input type="checkbox"/>	City of Palo Alto <input type="checkbox"/>	Plumas-Sierra REC <input type="checkbox"/>
City of Biggs <input type="checkbox"/>	City of Redding <input type="checkbox"/>	Port of Oakland <input type="checkbox"/>
City of Gridley <input type="checkbox"/>	City of Roseville <input type="checkbox"/>	Truckee Donner PUD <input type="checkbox"/>
City of Healdsburg <input type="checkbox"/>	City of Santa Clara <input type="checkbox"/>	Other <input type="checkbox"/>

If other, please specify

RECOMMENDATION:

It is recommended the Commission approve an amendment to NCPA's Personnel Policy and Procedure Manual language adding Policy 406.19, *Time-Off During a State of Emergency*, to address issues with displaced employees caused by such an event.

In addition, it is recommended the Commission approve retroactive use of the policy allowing the General Manager to grant Administrative Paid Leave to the NCPA employees who met a condition of the policy as a result of the Mendocino Complex wildfire.

BACKGROUND:

The California Code of Regulations (CCR) § 599.785.5 allows employees to be granted paid leave (up to five days) by their appointing power when a state of emergency has been proclaimed by the Governor and the employee meets one of the conditions. A condition for the impacted employee can include the inability to find reasonable routes to work, the emergency presents an immediate and grave peril to the employee or employee's immediate family member, and/or the employee's normal place of business is closed due to the state of emergency.

There have been instances such as the Lake County wildfire or Mendocino Complex wildfire where a state of emergency has been declared by the Governor. These events have impacted the ability for some NCPA employees from working their scheduled shift(s) while dealing with these disasters. The displaced employees are forced to use their vacation or comp time to cover for the time lost.

Staff is recommending to add similar language as provided in the CCR code to NCPA's Personnel Policy and Procedure Manual allowing the General Manager to appoint up to five days of Administrative Paid Leave when a state of emergency has been declared by the Governor and the impacted employee meets one of the conditions outlined in the policy. The purpose is to help provide some relief and stability to the impacted employee dealing with these unfortunate events.

The attached policy language (406.19) was reviewed by the Utility Directors on August 9th and was recommended for Commission approval. In addition, staff has obtained approval of the proposed policy addition with IBEW 1245 and HEA.

FISCAL IMPACT:

The fiscal impact of approving this policy is difficult to quantify due to the unknown timing, frequency, or number of employees that could be impacted by such an event.

ENVIRONMENTAL ANALYSIS:

This activity would not result in a direct or reasonably foreseeable indirect change in the physical environment and is therefore not a "project" for purposes of Section 21065 the California Environmental Quality Act. No environmental review is necessary.

Respectfully submitted,



RANDY S. HOWARD
General Manager

Attachments:

- Resolution 18-71
- Policy 406.19

RESOLUTION 18-71

**RESOLUTION OF THE NORTHERN CALIFORNIA POWER AGENCY
AMENDMENTS TO NCPA'S PERSONNEL POLICY AND PROCEDURE MANUAL**

(reference Staff Report #193:18)

WHEREAS, NCPA's Personnel Policy and Procedure Manual ("Manual") does not address allowance of Administrative Paid Leave for an employee who works or resides in a county where a state of emergency has been proclaimed by the Governor; and

WHEREAS, an employee is met with a condition that causes them to be unable to work their scheduled shift(s) due to the state of emergency event; and

WHEREAS, adding Policy 406.19, *Time Off During a State of Emergency*, to NCPA's Personnel Policy and Procedure Manual will help address issues with a displaced employee by allowing the General Manager to appoint up to five days of Administrative Paid Leave when specific conditions have been met; and

WHEREAS, authorize the General Manager to retroactively grant Administrative Paid Leave to the NCPA employees who met a condition of the policy as a result of the Mendocino Complex wildfire; and

WHEREAS, NCPA has obtained both IBEW 1245 and HEA approval of the proposed amendments to the Manual; and

WHEREAS, this activity would not result in a direct or reasonably foreseeable indirect change in the physical environment and is therefore not a "project" for purposes of Section 21065 the California Environmental Quality Act. No environmental review is necessary; and

NOW, THEREFORE BE IT RESOLVED, that the Commission of the Northern California Power Agency adopts the amendment to NCPA's Personnel Policy and Procedure Manual.

PASSED, ADOPTED and APPROVED this ____ day of _____, 2018 by the following vote on roll call:

	<u>Vote</u>	<u>Abstained</u>	<u>Absent</u>
Alameda	_____	_____	_____
San Francisco BART	_____	_____	_____
Biggs	_____	_____	_____
Gridley	_____	_____	_____
Healdsburg	_____	_____	_____
Lodi	_____	_____	_____
Lompoc	_____	_____	_____
Palo Alto	_____	_____	_____
Port of Oakland	_____	_____	_____
Redding	_____	_____	_____
Roseville	_____	_____	_____
Santa Clara	_____	_____	_____
Shasta Lake	_____	_____	_____
Truckee Donner	_____	_____	_____
Ukiah	_____	_____	_____
Plumas-Sierra	_____	_____	_____

BOB LINGL
CHAIR

ATTEST: _____
CARY A. PADGETT
ASSISTANT SECRETARY

406.19 Time Off During a State of Emergency.....

An employee may be authorized paid administrative leave of up to five days, subject to approval by the General Manager, when the employee works or resides in a county where a state of emergency has been proclaimed by the Governor of California and at least one of the following conditions exist:

- (1) The employee's normal place of business is closed temporarily, during the employee's normal work shift, due to the effects of the emergency.
- (2) The emergency effectively precludes the employee's ability to find a safe route of transportation from the employee's normal residence to the work place.
- (3) The emergency presents an immediate and grave peril to the employee's own safety, the safety of an employee's immediate family member or the employee's principal residence.
- (4) The employee is actively involved in a formal, organized effort to protect the health and safety of the general public; such as, the employee is a member of the auxiliary fire or police department or the employee is asked by local authorities to assist with sandbagging efforts.
- (5) The employee needs to take time off to apply for disaster assistance from the Federal Emergency Management Agency (FEMA) because the employee is unable to apply for assistance before or after the employee's normal work shift.
- (6) The employee is and providing volunteer service to fire, police or other emergency services carrying out its responsibilities due to the State of Emergency. Employees providing such volunteer service must notify their Manager, in advance, of their affiliation with the volunteer service(s) and establish prior arrangements regarding notification to their Manager in the event the employee is asked to participate in a state or local disaster response. The Agency shall release the employee to provide volunteer service when such an emergency occurs unless there is a critical Agency operating reason to prevent such a release.

No paid leave of absence shall exceed five work days without the prior approval of the General Manager. Requests for extension of a paid leave of absence beyond five work days must be made in writing, must state which of the applicable emergency conditions applies, and must provide an explanation for why an extension is necessary. Agency management will review and may approve such requests on a case by case basis.