

File No. 210154

Committee Item No. \_\_\_\_\_

Board Item No. 41

## COMMITTEE/BOARD OF SUPERVISORS

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Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: February 23, 2021

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- \_\_\_\_\_
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Prepared by: Jocelyn Wong

Date: February 19, 2021

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Concurring in Actions to Meet Local Emergency - Coronavirus Response - Thirty-Fourth  
2 Supplement]

3 **Motion concurring in actions taken by the Mayor in the Thirty-Fourth Supplement to the**  
4 **Proclamation of Emergency to meet the ongoing local emergency related to the novel**  
5 **coronavirus COVID-19 pandemic by expanding the City’s paid sick leave program to**  
6 **provide up to 80 hours of paid sick leave for Department of Public Health employees**  
7 **who work on an “as needed” basis.**

8  
9 WHEREAS, On February 25, 2020, Mayor London N. Breed declared a local  
10 emergency to exist in connection with the spread of the novel coronavirus COVID-19; and

11 WHEREAS, The Mayor transmitted a copy of that Proclamation Declaring the  
12 Existence of a Local Emergency to the Board of Supervisors (the “Proclamation”), and on  
13 March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions  
14 taken by the Mayor to meet the emergency; the Proclamation and the Board’s concurring  
15 motion are on file with the Clerk of the Board of Supervisors in File No. 200228; and

16 WHEREAS, On February 5, 2021, the Mayor took additional steps to meet the  
17 emergency by issuing the Thirty-Fourth Supplement to the Proclamation, ordering one action  
18 to meet the emergency; the Thirty-Fourth Supplement is on file with the Clerk of the Board of  
19 Supervisors in Board File No. 210154; and

20 WHEREAS, Government Code, Sections 8550 et seq. and Charter, Section 3.100  
21 provide for the concurrence by members of the Board of Supervisors in such emergency  
22 declaration and in action taken by the Mayor to meet the emergency; now, therefore, be it

23 MOVED, That the Board of Supervisors concurs with the following action taken by the  
24 Mayor to meet the local emergency included in the Mayor’s Thirty-Fourth Supplement to the  
25

1 Proclamation, dated February 5, 2021, as such action is described in full in the Thirty-Fourth  
2 Supplement and summarized as follows:

3           Action #1: Expanding the City’s existing paid sick leave program established  
4 under the Mayor’s Seventh Supplement to the Proclamation of Local Emergency, as modified  
5 by the Thirtieth Supplement, to provide up to 80 hours of paid sick leave benefits to “as  
6 needed” employees, i.e., employees without a regular work schedule, who work at the San  
7 Francisco Department of Public Health, prorated based on the average number of hours that  
8 the employee worked over the past six months.

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**THIRTY-FOURTH SUPPLEMENT TO MAYORAL PROCLAMATION  
DECLARING THE EXISTENCE OF A LOCAL EMERGENCY DATED  
FEBRUARY 25, 2020**

**WHEREAS**, California Government Code Sections 8550 et seq., San Francisco Charter Section 3.100(14) and Chapter 7 of the San Francisco Administrative Code empower the Mayor to proclaim the existence of a local emergency, subject to concurrence by the Board of Supervisors as provided in the Charter, in the case of an emergency threatening the lives, property or welfare of the City and County or its citizens; and

**WHEREAS**, On February 25, 2020, the Mayor issued a Proclamation (the “Proclamation”) declaring a local emergency to exist in connection with the imminent spread within the City of a novel (new) coronavirus (“COVID-19”); and

**WHEREAS**, On March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions taken by the Mayor to meet the emergency; and

**WHEREAS**, On March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist within the State due to the threat posed by COVID-19; and

**WHEREAS**, On March 6, 2020, the Health Officer declared a local health emergency under Section 101080 of the California Health and Safety Code, and the Board of Supervisors concurred in that declaration on March 10, 2020; and

**WHEREAS**, On March 16, 2020, the City’s Health Officer issued a stay safe at home order, Health Officer Order No. C19-07 (the “Stay Safer At Home Order”), requiring most people to remain in their homes subject to certain exceptions including obtaining essential goods such as food and necessary supplies, and requiring the closure of non-essential businesses; the Health Officer has amended the Stay Safer At Home Order to modify the ongoing restrictions; and

**WHEREAS**, There have been over 31,000 confirmed cases of COVID-19 within the City and 345 COVID-19-related deaths in the City; there have been more than 3,300,000 confirmed cases in California and more than 43,000 COVID-19-related deaths in California; and



**WHEREAS**, In Section 2 of the Seventh Supplement to the Proclamation of Local Emergency, issued on March 30, 2020, the Mayor created a program to provide an additional 80 hours of paid sick leave for regularly scheduled City employees to use for sick leave related purposes and school closures. On October 19, 2020, in the Thirtieth Supplement to the Proclamation of Local Emergency, the Mayor modified this paid sick leave program to provide that the additional hours of sick leave be used only for sick leave related to COVID-19 infection, exposure, or direct impacts of COVID-19 on employees and their families. The current program does not apply to “as needed” employees of the Department of Public Health who work without a regular schedule, including as needed nurses. It is in the public interest to expand the paid sick leave program to include these as needed Department of Public Health employees, who are working during the emergency and contributing to the City’s COVID-19 response effort;

**NOW, THEREFORE,**

I, London N. Breed, Mayor of the City and County of San Francisco, proclaim that there continues to exist an emergency within the City and County threatening the lives, property or welfare of the City and County and its citizens;

**In addition to the measures outlined in the Proclamation and in the Supplements to the Proclamation issued on various dates, it is further ordered that:**

The program providing an additional 80 hours of new paid sick leave (pay code “COV”) to City employees with regular work schedules employed as of April 1, 2020, created in Section 2 of the Mayor’s Seventh Supplement to the Proclamation of Local Emergency, as modified in the Mayor’s Thirtieth Supplement to the Proclamation of Local Emergency, is further supplemented as follows: Effective Saturday, February 6, 2021, the COV paid sick leave benefit is expanded to “as needed” employees, i.e., employees without a regular work schedule, who work at the San Francisco Department of Public Health (“DPH”). Each as needed DPH employee shall receive up to 80 hours of COV paid sick leave, prorated based on the average number of hours that employee worked over the past 6 months, looking back from close of business Friday, February 5, 2021. COV paid sick leave will be added to employees’ balances by no later than Saturday, February 20, 2021. If the employee has less than six months of service, then the City will calculate the prorated COV paid sick leave hours based on the average number of hours the employee has worked since appointment, as long as the employee has at least 30 days



of City service from appointment. For employees with less than 30 days of service since appointment, the City will determine the employee's prorated hours and provide COV paid sick leave after the employee has 30 days of City service from appointment, based on the average number of hours worked in that 30-day period. Any employee who received COV paid sick leave based on another City appointment, and who also holds an as needed appointment, is not eligible for additional COV paid sick leave under this Order. This expansion of the benefit is only for employees that are solely appointed "as needed" (i.e., do not have another appointment with a regular work schedule). The Department of Human Resources may issue rules and guidance for this program. The other terms of the COV paid sick leave benefit shall remain in effect, including the permitted uses of COV paid sick leave and the June 30, 2021 expiration date of the benefit.

DATED: February 5, 2021

A handwritten signature in blue ink, reading "London Breed", written over a horizontal line.

London N. Breed  
Mayor of San Francisco

# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor  inquiries"
- 5. City Attorney Request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor: