

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

3 **Motion concurring in actions taken by the Mayor in the Fortieth Supplement to the**
4 **Proclamation of Emergency to meet the ongoing local emergency related to the novel**
5 **coronavirus COVID-19 pandemic by delegating to the Human Resources Director and**
6 **the Director of Transportation the authority until December 31, 2021, to waive or modify**
7 **provisions of Memoranda of Understanding with labor organizations representing**
8 **sworn employees of the Fire Department and Transit Operators related to**
9 **compensation, including overtime and premium pay, and to waive Charter or**
10 **Administrative Code provisions limiting the cash out of accrued vacation balances**
11 **where necessary or appropriate to ensure staffing to carry out essential government**
12 **services and respond to the pandemic.**

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

16 WHEREAS, The Mayor transmitted a copy of that Proclamation Declaring the
17 Existence of a Local Emergency to the Board of Supervisors (the "Proclamation"), and on
18 March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions
19 taken by the Mayor to meet the emergency; the Proclamation and the Board's concurring
20 Motion are on file with the Clerk of the Board of Supervisors in File No. 200228;

21 WHEREAS, On October 28, 2021, the Mayor took additional steps to meet the
22 emergency by issuing the Thirty-Ninth Supplement to the Proclamation, ordering two actions
23 to meet the emergency that were intended to address staffing shortages resulting from the
24 pandemic and the City's vaccination policy; the Thirty-Ninth Supplement is on file with the
25 Clerk of the Board of Supervisors in Board File No. 211184; and

1 WHEREAS, On November 4, 2021, the Mayor concluded that it was necessary to
2 revise the scope of the actions ordered in the Thirty-Ninth Supplement, and therefore
3 terminated that order; the termination of the Thirty-Ninth Supplement is on file with the Clerk
4 of the Board of Supervisors in Board File No. 211184; and

5 WHEREAS, On November 4, 2021, the Mayor took additional steps to meet the
6 emergency by issuing the Fortieth Supplement to the Proclamation, ordering two actions to
7 meet the emergency; the Fortieth Supplement is on file with the Clerk of the Board of
8 Supervisors in Board File No. 211184; and

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

12 MOVED, That the Board of Supervisors concurs with the following actions taken by the
13 Mayor to meet the local emergency included in the Mayor's Fortieth Supplement to the
14 Proclamation, dated November 4, 2021, as such actions are described in full in the Fortieth
15 Supplement and summarized as follows:

16 Action 1: Delegating to the Human Resources Director until December 31,
17 2021, the authority to waive or modify provisions of Memoranda of Understanding with labor
18 organizations representing sworn employees of the Fire Department related to compensation,
19 including overtime and premium pay, and to waive Charter or Administrative Code provisions
20 limiting the cash out of accrued vacation balances, upon a written determination that such
21 waivers are necessary or appropriate to ensure appropriate staffing at the department to carry
22 out essential government services and respond to the pandemic.

23 Action 2: Delegating to the Director of Transportation until December 31,
24 2021, the authority to waive or modify provisions of the Memorandum of Understanding with
25 the labor organization representing transit operators related to compensation, including

1 overtime and premium pay, and to waive Charter or Administrative Code provisions limiting
2 the cash out of accrued vacation balances, upon a written determination that such waivers are
3 necessary or appropriate to ensure appropriate transit operator staffing to carry out essential
4 government services and respond to the pandemic.

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