[Concurring in Actions to Meet Local Emergency - Coronavirus Response - Forty-Eighth Supplement]

**Motion concurring in actions taken by the Mayor in the Forty-Eighth Supplement to the Proclamation of Emergency to meet the ongoing local emergency related to the novel coronavirus COVID-19 pandemic by authorizing the Human Resources Director to temporarily modify Civil Service Rules to establish streamlined competitive examination processes for employees who have served for at least one year in an exempt status; delegating to the Human Resources Director the authority to extend the term of exempt appointments by up to one additional year for employees whose three-year appointment term will expire on or before December 31, 2022; and revising the Thirty-Seventh Supplement to clarify that the City shall pay employees who have vacation balances over the applicable cap on June 30, 2022, the value of such hours and reduce the employee's vacation balance to the applicable cap.**

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

WHEREAS, The Mayor transmitted a copy of that Proclamation Declaring the Existence of a Local Emergency to the Board of Supervisors (the "Proclamation"), and on March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions taken by the Mayor to meet the emergency; the Proclamation and the Board's concurring motion are on file with the Clerk of the Board of Supervisors in File No. 200228; 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, During the COVID-19 pandemic, the City closed its civil service examination testing center, and was unable to conduct civil service examinations for more than seven months, causing a significant backlog in the City's ability to hire new employees in permanent positions; and

WHEREAS, The City has more than 3,000 funded, vacant positions as a result of COVID-induced delays in hiring; and

WHEREAS, Charter Section 10.104 allows the City to hire employees temporarily in specified positions that are not subject to the Charter's permanent civil service appointment and removal procedures ("exempt employees") and Charter Section 10.104(18) allows departments to hire exempt employees for special projects and professional services for a period of no more than three years ("Category 18 positions"); and

WHEREAS, A number of City departments have hired exempt employees in Category 18 positions to address critical City needs responding to the COVID-19 pandemic, and many of those employees have done extraordinary work to help the City and its residents recover from the pandemic, establishing in many cases that they are well qualified to be hired to permanent civil service positions; and

WHEREAS, Due to the pandemic, the City has been unable to schedule and conduct sufficient civil service exams to fill these critical positions in a permanent capacity, and it is in the City's interest to stabilize the City's workforce at this time; and

WHEREAS, In the Seventh and Thirty-First Supplemental Proclamations, the Mayor waived provisions of local law to allow City employees to accrue up to 80 hours of vacation over the applicable vacation cap because many City employees were unable to use vacation balances due to the demands of their duties related to the emergency; Section 3 of the Thirty-Seventh Supplement authorized employees to continue to carry vacation balances over the

cap until June 30, 2022, to provide additional time for employees to reduce their vacation balances;

WHEREAS, On May 19, 2022, the Mayor took additional steps to meet the emergency by issuing the Forty-Eighth Supplement to the Proclamation, ordering three actions to meet the emergency; the Forty-Eighth Supplement is on file with the Clerk of the Board of Supervisors in Board File No. 220651; and

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

MOVED, That the Board of Supervisors concurs with the following actions taken by the Mayor to meet the local emergency included in the Mayor's Forty-Eighth Supplement to the Proclamation, dated May 19, 2022, as such actions are described in full in the Forty-Eighth Supplement and summarized as follows:

Action 1: Authorizing the Human Resources Director, in consultation with the Executive Director of the Civil Service Commission, to temporarily modify Civil Service Rules to establish streamlined competitive examination processes for employees who have served for at least one year in an exempt status under Charter Section 10.104(18) (special projects and professional services).

Action 2: Delegating to the Human Resources Director the authority to extend the term of exempt appointments under Charter Section 10.104(18) by up to one additional year for employees whose three-year appointment term will expire on or before December 31, 2022.

Action 3: Revising the Thirty-Seventh Supplement to clarify that the City shall pay employees who have vacation balances over the applicable cap on June 30, 2022 the value of such hours and reduce the employee's vacation balance to the applicable cap.

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