

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
FRESNO, CALIFORNIA, PROVIDING 2021 COVID-19  
SUPPLEMENTAL LEAVE AS ADDITIONAL COVID-19  
RELATED LEAVE TIME TO QUALIFIED EMPLOYEES

WHEREAS, a state of emergency has existed since March 4, 2020, related to  
COVID-19; and

WHEREAS, the emergency has caused employees to be required to use  
additional time to help with family, children in school, or for health reasons; and

WHEREAS, federal leave entitlements provided by the Families First  
Coronavirus Response Act (FFCRA) in response to COVID-19 expired on December  
31, 2020; and

WHEREAS, City employees were afforded up to eighty (80) total hours of  
emergency paid sick leave for COVID-19 related absences under the FFCRA; and

WHEREAS, many City employees did not use the full amount of COVID-19  
related leave afforded to them under the FFCRA before its expiration on December 31,  
2020; and

WHEREAS, City employees remain subject to quarantine orders related to  
COVID-19 symptoms or exposure, requiring employees to take leave from work; and

WHEREAS, the City desires to provide additional COVID-19 related leave to its  
employees

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as  
follows:

1 of 4

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No.

1. All City officials and employees shall be provided, as of the effective date of this Resolution, any balance of COVID-19 related Emergency Paid Sick Leave time remaining unused as of December 31, 2020, the amount of which shall be a new City leave benefit entitled, "2021 COVID-19 Supplemental Leave" (2021 COVID-19 Leave).

2. 2021 COVID-19 Leave shall be capped at eighty (80) total hours per employee, from April 1, 2020, through March 31, 2021, and may be used in the same manner and for the same qualifying reasons as provided under the FFCRA and, in addition, may be used where an employee, having received a COVID-19 vaccine, experiences side effects related to the vaccine that prevent the employee from working. Employees using the leave for COVID-19 vaccination side effects shall provide written proof of such vaccination with their written request of the leave.

3. Employees will be credited with any balance of the eighty (80) total hours originally provided under FFCRA remaining unused and available as of December 31, 2021, as of the effective date of this Resolution for 2021 COVID-19 Leave.

4. Employees having previously exhausted the maximum Emergency Paid Sick Leave balance of eighty (80) hours provided by FFCRA shall not receive additional Emergency Paid Sick Leave time for use as 2021 COVID-19 Leave, unless an employee, having received a COVID-19 vaccine, experiences side effects related to the vaccine that prevents the employee from working. In such cases, the employee shall use their own leave time, but shall have their used leave bank(s) refunded up to three consecutive work days immediately following the date of vaccination, upon furnishing written proof of vaccination to their Supervisor or Manager.

5. 2021 COVID-19 Leave will be paid at the same rates as provided by the FFCRA.

6. 2021 COVID-19 Leave will be considered protected leave for purposes of City attendance policies in the same manner as provide by the FFCRA.

7. Any employee having used their own leave banks for COVID-19 related leave between January 1, 2021, and the effective date of this Resolution, who would have otherwise qualified to use 2021 COVID-19 Leave, will be refunded their leave time used up to the maximum amount of time permitted and available to the employee under this Resolution.

8. The additional leave time may not be cashed out and is not pensionable for retirement purposes, and shall expire, if not used, as of March 31, 2021.

9. Use of 2021 COVID-19 Leave time is subject to the same necessary approvals and conditions as leave time under the FFCRA.

10. If meet and confer delays implementation for any particular bargaining unit, that shall not delay implementation for other units or unrepresented officials and employees.

11. This Resolution shall be retroactively effective to January 1, 2021.

\* \* \* \* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 2021.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2021  
Mayor Approval/No Return: \_\_\_\_\_, 2021  
Mayor Veto: \_\_\_\_\_, 2021  
Council Override Vote: \_\_\_\_\_, 2021

YVONNE SPENCE, MMC, CRM  
City Clerk

By: \_\_\_\_\_  
Deputy Date

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

By: \_\_\_\_\_  
Jenni DeRuosi Date  
Deputy City Attorney