

**AGENDA**  
**SPECIAL MEETING OF THE BOARD OF COMMISSIONERS**  
**HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

**DATE:** March 18, 2020

**TIME:** Special Session – 5:00 PM

**PLACE:** Woodley Island Marina Meeting Room via Teleconference (712) 432-0220, passcode 4430801#

*The Meeting Room is wheelchair accessible. Accommodations and access to Harbor District meetings for people with other handicaps must be requested of the Director of Administrative Services at 443-0801 at least 24 hours in advance of the meeting.*

**1. Call to Order Special Session at 5:00 PM and Roll Call**

**2. Pledge of Allegiance**

**3. Public Comment**

*Note: This portion of the Agenda allows the public to speak to the Board on the various issues not itemized on this Agenda. A member of the public may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to the Brown Act, the Board may not take action on any item that does not appear on the Agenda. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Agenda. Each speaker is limited to speak for a period of three (3) minutes during the PUBLIC COMMENT portion of the Agenda regarding items of special interest to the public not appearing on the Agenda that are within the subject matter jurisdiction of the Board of Commissioners. The three (3) minute time limit may not be transferred to other speakers. The three (3) minute time limit for each speaker may be extended by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District. The three (3) minute time limit for each speaker may be enforced by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District.*

**4. New Business**

- a) **Consideration and possible adoption of Resolution 2020-05, A Resolution of the Humboldt Bay Harbor, Recreation and Conservation District Relating to Employee Procedures, Leave Accruals and in Response to COVID-19. (Roll Call Vote)**

**Recommendation:** Staff recommends the Board Adopt Resolution 2020-05

**Summary:** On March 11, 2020 Humboldt County Health Officer Teresa Frankovich, MD declared a local health emergency in response to the coronavirus disease 2019 (COVID-19) outbreak in California and beyond. In response to this declaration, the Board, Executive Director, and Staff need to be proactive and prepared to address situations in the workplace regarding updated procedures for employees, leave accruals and an interim telecommuting policy as a result of COVID-19 outbreak.

**5. Adjournment**

COMMISSIONERS

1<sup>st</sup> Division

Larry Doss

2<sup>nd</sup> Division

Greg Dale

3<sup>rd</sup> Division

Stephen Kullmann

4<sup>th</sup> Division

Richard Marks

5<sup>th</sup> Division

Patrick Higgins

Humboldt Bay  
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**STAFF REPORT – HARBOR DISTRICT MEETING**

**March 18, 2020**

**TO:** Honorable Board President and Harbor District Board Members

**FROM:** Larry Oetker, Executive Director

**DATE:** March 17, 2020

**TITLE:** **Consideration of Resolution 2020-05, A RESOLUTION OF THE HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT RELATING TO EMPLOYEE PROCEDURES, LEAVE ACCRUALS AND TELECOMMUTING IN RESPONSE TO COVID-19**

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**STAFF RECOMMENDATION:** Staff recommends the Board: Adopt Resolution 2020-05

**BACKGROUND:** On March 11, 2020 Humboldt County Health Officer Teresa Frankovich, MD declared a local health emergency in response to the coronavirus disease 2019 (COVID-19) outbreak in California and beyond. In response to this declaration, the Board, Executive Director, and Staff need to be proactive and prepared to address situations in the workplace regarding updated procedures for employees, leave accruals and an interim telecommuting policy as a result of COVID-19 outbreak.

**DISCUSSION:** This action is modeled after the County Board of Supervisors Resolution which was adopted on March 16<sup>th</sup>. Staff will continue to monitor our policies and those of other governmental entities in order to ensure that our employees needs are met, and our customers and the citizens of Humboldt County are served. The adoption of this resolution does not have an immediate financial impact. This leave time would have been distributed throughout a calendar year however, in this instance the District would be advancing the leave time and therefore there is no additional financial impact.

**ATTACHMENTS:**

- A. Resolution 2020-05

**HUMBOLDT BAY HARBOR, RECREATION  
AND CONSERVATION DISTRICT**

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**RESOLUTION NO. 2020-05**

**A RESOLUTION OF THE HUMBOLDT BAY HARBOR, RECREATION, AND  
CONSERVATION DISTRICT RELATING TO EMPLOYEE PROCEDURES, LEAVE  
ACCRUALS AND TELECOMMUTING IN RESPONSE TO COVID-19**

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to Exist in California as a result of the threat of COVID-19; and

**WHEREAS**, on March 11, the Humboldt County Health Officer declared a local emergency as a result of the threat of COVID-19; and

**WHEREAS**, the County of Humboldt, in collaboration with the State of California and the Federal government, continue sustained efforts to minimize the spread and mitigate the effects of COVID-19; and

**WHEREAS**, Harbor District employees exposed to COVID-19 may be temporarily unable to work due to illness caused by COVID-19 or quarantines related to COVID-19; and

**WHEREAS**, certain Harbor District employees may be at higher risk of acquiring COVID-19 due to their high number of interactions with members of the public, their own compromised immune systems or personal vulnerabilities to the effects of COVID-19, and/or exposure to co-workers who may show symptoms of the virus; and

**WHEREAS**, several daycare centers in Humboldt County have closed, and more daycare centers, as well as local K-12 schools, have the flexibility to close at some point due to COVID-19 concerns; and

**WHEREAS**, under the California Occupational Safety and Health Act (Cal-OSHA), employers, including the Harbor District, are required to maintain safe and healthy working conditions for employees. Such conditions require departments to require an employee to go home if the employee is showing symptoms of a communicable disease (such as fever, coughing and/or shortness of breath); and

**WHEREAS**, the Harbor District is committed to providing its essential services to the community under all circumstances and hazards and is working on developing a Continuity of Operations Plans that identifies essential functions, personnel and mission critical systems, among other aspects, in order to continue carrying out critical functions in all circumstances.

**WHEREAS**, the Harbor District is committed to ensuring a safe, healthy workforce and community, especially during times of emergency.

**NOW, THEREFORE, BE IT RESOLVED that:**

1. Effective immediately, all Harbor District employees shall receive an advance of 80 hours of sick leave. This sick leave shall be recouped over approximately the next 22 pay periods with no further accruals during that recoupment period.
2. While the local emergency related to COVID-19 is in effect, Harbor District employees may use any portion of their benefit time to take off from work for issues related to COVID-19 including, but not limited to, school and/or daycare closures, and contracting COVID-19 or caring for loved ones who have contracted the virus.
3. Harbor District employees who miss time from work because they have been medically diagnosed with COVID-19 will be placed on paid administrative leave if they have exhausted their benefit time.
4. Harbor District departments shall proactively take considerations to remove vulnerable employees from scenarios that put them at higher risk of contracting COVID-19. Such considerations include, but are not limited to, moving vulnerable employees to workstations that do not require them to interact frequently with the public.
5. At the discretion of the Executive Direction, departments may close and/or limit in-person interactions with members of the public and staff provided that alternative procedures, such as telephonic and/or web-based services are available and accessible during such closures or times of limited service.
6. In order to protect members of the public, staff and the broader community, if members of the public appear at a Harbor District facility and present symptoms of COVID-19, Harbor District staff may require that they do not enter the facility provided that staff can deliver services through alternative procedures, such as via telephone and/or through web-based means.
7. Executive Director shall exercise the Continuity of Operations Plans, and modify it where necessary, to ensure appropriate staffing and resources to carry out essential functions during this local emergency.
8. Harbor District employees are designated under Government Code Section 3100 as Disaster Service Workers (DSW) and any time there is a declared local emergency may be required to return to work or remain at work for a disaster or emergency-related assignment. As Disaster Service Workers, employees may be deployed to different work sites than usual or be asked to perform work duties or tasks that are different from their regular work responsibilities. No employee will be assigned duties they are not qualified or trained to perform.
9. In order to facilitate alternative work arrangements during the current local health emergency, the *Interim Policy for Remote Working*, attached hereto as Exhibit A, is hereby adopted.

**PASSED AND ADOPTED** by the Humboldt Bay Harbor, Recreation and Conservation District Board of Commissioners at a duly called meeting held on the 18<sup>th</sup> day of March 2020, by the following polled vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
**STEPHEN KULLMANN, President**  
**Board of Commissioners**

**ATTEST:**

\_\_\_\_\_  
**PAT HIGGINS, Secretary**  
**Board of Commissioners**

## **HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT**

### **INTERIM POLICY FOR REMOTE WORKING**

The County of Humboldt and the Humboldt Bay Harbor, Recreation, and Conservation District (Harbor District) continues to closely monitor the ongoing Novel Coronavirus 2019 (COVID- 19) outbreak. In response to the COVID-19 outbreak and until further notice the Harbor District is enacting the following interim telecommuting policy.

- Employees unable to come to work due to public health or County-required quarantine or self-isolation measures may work remotely if operationally feasible.
- Employees unable to come to work due to a COVID-19 daycare or school closure that requires them to be home with their child may work remotely if operationally feasible.
- Harbor District may designate certain employees to work from home. If employees are designated to work from home, it will be considered paid work status.

These measures are subject to change as the situation evolves and the Executive Director is authorized to make administrative changes to this interim policy consistent with these directives.

#### **COVID-19 Interim Telecommuting Policies**

Employees can be given flexibility in working remotely for legitimate reasons (for example, self-isolation due to travel, caring for children during school closures, caring for elderly family members or others at risk with weakened immune systems, or for self-care if the employee is at risk, among others). This Interim Telecommuting Policy is only for the duration of the outbreak, as defined and communicated by the County of Humboldt.

Supervisors, at their discretion, may allow members of their staff to telecommute on a short-term basis. Supervisors are responsible to ensure that their departments perform critical work and maintain Harbor District operations. They may be flexible in offering telecommuting to non-essential functions.

#### **Eligibility for Short-Term Telecommuting**

Supervisors, at their own discretion, may allow members of their staff to telecommute on a short-term basis during a COVID-19 outbreak. Supervisors are responsible to ensure that their departments perform critical work and maintain operations to the appropriate extent communicated by the Harbor District; flexibility may be given to non-essential work. Supervisors should consistently communicate with their staff regarding the fluidity of such situations, as well as changing needs.

#### **Expectations for All Staff**

Telecommuting employees are responsible to fulfill the expectations agreed upon with their supervisor regarding the scope of their telecommuting assignment, such as:

- Duties and responsibilities

- Hours of work (rest/meal breaks, overtime, and other wage and hour requirements still apply)
- Hours of availability to communicate regarding Harbor District business
- Communication of work assignments, projects and reports
- Communications regarding personal needs, including reporting absences of work due to injury, illness, or caring for a family member
- The use of Harbor District equipment and materials.
- Completion of timecard information.
- Maintaining a safe environment in which to work.

### **Data Security While Telecommuting**

Harbor District employees are required to protect Harbor District and confidential information by following all applicable policies, rules and regulations governing information security, software licensing, and data protection; ensuring that unauthorized individuals do not access data, either in print or electronically; and not accessing restricted-level information electronically unless protected through use of Harbor District servers and/or appropriate physical controls.

At all times, whether Harbor District work is performed at work, at home or through telecommuting, Harbor District records, sensitive information, and other private, confidential or proprietary data must be maintained in a secure manner.

### **Expectations for Supervisors**

Supervisors should communicate specific expectations to individual employees based on each person's employment position, the needs of the unit and the employee's personal circumstances. To ensure that any telecommuting assignment is mutually beneficial to both the Harbor District and staff members, planning and communicating expectations in advance of the telecommuting is crucial. Ongoing communications and meetings regarding the status of assignments, projects and department initiatives must be part of the routine of telecommuting during this time of urgency.

### **General Employment Expectations**

Staff members must comply with Harbor District rules, policies, practices, and instructions and understand that violation of same may result in termination of telecommuting privileges and/or discipline.

Short-term telecommuting in extraordinary circumstances does not change the basic terms and conditions of employment with the Harbor District. Telecommuting assignments do not change a staff member's classification, compensation, or benefits. The accrual and charging of leave time is subject to the same policies and procedures applicable to non-telecommuting staff members.