

**ORDINANCE NO. 9687 (NEW SERIES)**

**AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE PROVISION  
PERTAINING TO ANTI-TERRORIST CAMPAIGN LEAVE.**

The Board of Supervisors of the County of San Diego ordains as follows:

**Section 1.** Section of 4.2.20 of the Compensation Ordinance is hereby amended to read as follows:

SECTION 4.2.20: ANTI-TERRORIST CAMPAIGNS:

- (a) **Definition.** Leave is paid absence from work granted to employees who have been ordered to active military duty as a direct result of the September 11, 2001 attacks on the World Trade Center and Pentagon and in support of Operation Enduring Freedom.
- (b) **Eligibility.** Biweekly rate employees who are members of the reserved corps of the armed forces of the United States or the National Guard or the Naval Militia who have been ordered to active duty as a direct result of the September 11, 2001 attacks on the World Trade Center and Pentagon and in support of Operation Enduring Freedom. Employees shall not be eligible for this paid leave during the period in which they are receiving paid military leave pursuant to the Federal Military Statutes or the California Military and Veterans Code. The Director of Human Resources, in consultation with the employee's appointing authority and the Chief Financial Officer/Auditor and Controller, shall be the final arbiter of eligibility under this section.
- (c) **Duration.** This leave is provided as temporary relief from financial hardship due to loss of pay and benefits for employees on active military duty as a direct result of the September 11, 2001 attacks on the World Trade Center and Pentagon. This paid leave shall cease on the date the employee officially is released from the active military duty or December 31, 2006, whichever occurs earlier.
- (d) **Method of Calculation.** The amount of this paid leave shall be equal to the employee's normal biweekly gross pay (not including overtime pay) as of the first date the employee is absent from work due to being ordered to active military duty, offset by the amount of gross military pay for such duty including all military allowances paid to the employee. In the event the military pay, including allowances, equals or exceeds the employee's pay for the pay period pursuant to this provision, the employee shall receive no pay for that pay period except that the County shall continue to pay the required employer contributions toward the employee's premiums (including dependents' premiums) for group insurance benefits sponsored by the County of San Diego and the employee shall be

responsible for making the required employee and dependent contributions, if any, toward the premiums for such group insurance benefits.

- (e) Condition of Payment. Payments authorized under this section shall be conditioned upon compliance with the procedures established by the Chief Financial Officer/Auditor and Controller.
- (f) Vacation Pay Down Exception. Eligible employees as defined above will have a vacation pay down as identified in Section 4.2.1 (h)(1)(n).

**Section 2.** Effective Date. This ordinance affect compensation and shall take effect upon adoption. Within fifteen days after the date of adoption of this ordinance, a summary shall be published once with the name of those members voting for and against the same in the newspaper of general circulation published in the County of San Diego.

**Section 3.** Operative Date. This ordinance shall be operative December 24, 2004.

## SUMMARY OF PROPOSED ORDINANCE

Notice is Hereby Given that the Board of Supervisors of the County of San Diego will consider for adoption an Amendment to the San Diego County Compensation Ordinance which amends Section 4.2.20 pertaining to Anti-Terrorist Campaign leave. Said proposed ordinance will be presented to the Board of Supervisors for the first reading on December 7, 2004, at which time public testimony will be received.

The Board meets at 9:00 a.m., in Room 310, County Administration Center, 1600 Pacific Highway, San Diego, California.

Interested persons are encouraged to review the text of the proposed ordinance in detail. A certified copy of the full text is posted in the Office of the Clerk of the Board of Supervisors, Room 402, of said Administration Center.

This summary is published pursuant to Government Code Section 25124 and Board of Supervisors' action of January 2, 1979, authorizing publication.

## COMPENSATION ORDINANCE CHANGES

**Section 1.** Section of 4.2.20 of the Compensation Ordinance is hereby amended to read as follows:

### SECTION 4.2.20: ANTI-TERRORIST CAMPAIGNS:

- (c) Definition. Leave is paid absence from work granted to employees who have been ordered to active military duty as a direct result of the September 11, 2001 attacks on the World Trade Center and Pentagon and in support of Operation Enduring Freedom.
- (d) Eligibility. Biweekly rate employees who are members of the reserved corps of the armed forces of the United States or the National Guard or the Naval Militia who have been ordered to active duty as a direct result of the September 11, 2001 attacks on the World Trade Center and Pentagon and in support of Operation Enduring Freedom. Employees shall not be eligible for this paid leave during the period in which they are receiving paid military leave pursuant to the Federal Military Statutes or the California Military and Veterans Code. The Director of Human Resources, in consultation with the employee's appointing authority and the Chief Financial Officer/Auditor and Controller, shall be the final arbiter of eligibility under this section.
- (c) Duration. This leave is provided as temporary relief from financial hardship due to loss of pay and benefits for employees on active military duty as a direct result of the September 11, 2001 attacks on the World Trade Center and Pentagon. This paid leave shall cease on the date the employee officially is released from the active military duty or December 31, ~~2004~~ 2006, whichever occurs earlier.
- (d) Method of Calculation. The amount of this paid leave shall be equal to the employee's normal biweekly gross pay (not including overtime pay) as of the first date the employee is absent from work due to being ordered to active military duty, offset by the amount of gross military pay for such duty including all military allowances paid to the employee. In the event the military pay, including allowances, equals or exceeds the employee's pay for the pay period pursuant to this provision, the employee shall receive no pay for that pay period except that the County shall continue to pay the required employer contributions toward the employee's premiums (including dependents' premiums) for group insurance benefits sponsored by the County of San Diego and the employee shall be responsible for making the required employee and dependent contributions, if any, toward the premiums for such group insurance benefits.

- (e) Condition of Payment. Payments authorized under this section shall be conditioned upon compliance with the procedures established by the Chief Financial Officer/Auditor and Controller.
- (e) Vacation Pay Down Exception. Eligible employees as defined above will have a vacation pay down as identified in Section 4.2.1 (h)(1)(n).

PASSED, APPROVED, AND ADOPTED THIS 14<sup>th</sup> DAY OF DECEMBER, 2004.