



**COUNTY OF SAN MATEO**  
Inter-Departmental Correspondence  
County Manager's Office



**DATE:** December 1, 2011  
**BOARD MEETING DATE:** December 13, 2011  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** Majority

**TO:** Honorable Board of Supervisors  
**FROM:** John L. Maltbie, Acting County Manager  
**SUBJECT:** Continuation of Salary and Benefits for County Employees called for Active Military Duty.

**RECOMMENDATION:**

Adopt a resolution extending the provision of continued employment status for reservists called for duty in connection with military expeditions and operations to combat terrorism and in connection with military operations in Afghanistan and Iraq until June 30, 2012.

**BACKGROUND:**

Under provisions of the California Government Code, the County is required to provide up to 30 calendar days per year of military leave with pay for any County employee who is in the Reserves. There is no provision in the Code to provide leave with pay beyond the 30-day calendar period. In order to reduce the disruption to the lives of County employees called to active duty, this Board passed a resolution in September, 2001 providing assurance to County employees serving as reservists for the Attack on America that they would receive full pay for the first thirty days of their service and thereafter the difference between their military and civilian pay. In addition, the resolution provided that full benefits would be provided. Since January 2002 these benefits have been extended twenty times and expires December 31, 2011.

**DISCUSSION:**

This resolution will continue the practice of supporting our employees who have been called from home and County service to provide protection and support to the nation as a result of the military operations in Afghanistan or Iraq. This resolution would continue the same pay and benefits until June 30, 2012.

Approval of this resolution to continue employment status of armed forces reservists called to active duty contributes to the Shared Vision 2025 outcome of Prosperous Community.

**FISCAL IMPACT:**

The approximate cost is \$2,000 per employee per month. This amount will vary depending on the County and military salaries of the employees who are called up. Currently, no employee is receiving benefits under this resolution.

cc: Reyna Farrales, Deputy County Manager  
John Beiers, County Counsel  
Donna Vaillancourt, Human Resources Director  
Tom Huening, County Controller  
David Bailey, Chief Executive Officer, SamCERA

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

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION EXTENDING THE PROVISION OF CONTINUED EMPLOYMENT STATUS FOR RESERVISTS CALLED FOR DUTY IN CONNECTION WITH MILITARY EXPEDITIONS AND OPERATIONS TO COMBAT TERRORISM AND IN CONNECTION WITH MILITARY OPERATIONS IN AFGHANISTAN AND IRAQ**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, the President of the United States has found it necessary to call to active duty persons in the military reserve in connection with military expeditions and operations to combat terrorism, and in connection with military operations in Afghanistan and Iraq; and

**WHEREAS**, it is in the public interest to ensure that any person called to active duty for such expeditions and operations retains his or her full employment status; and

**WHEREAS**, in Resolution 66669 the County has provided to all persons ordered to active duty in connection with such expeditions and operations the assurance that their status as employees with the County will continue throughout the duration of their active duty with all benefits to the extent it is compatible with the contractual obligations of the County; and

**WHEREAS**, the County has provided such assurance through December 31, 2011 and wishes to extend that assurance;

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** as

follows:

1. Any permanent employee of the County of San Mateo, whether full-time or part-time, who is ordered to active duty in connection with military expeditions and operations to combat terrorism, or in connection with military operations in Afghanistan or Iraq shall receive the following compensation and benefits:
  - a. For the first thirty days of the employee's term of active duty, the employee shall be entitled to the paid military leave as set forth in section 395.01(a) of the California Military and Veteran's Code, to the extent that the employee has not already received thirty days of paid military leave during the fiscal year in which the employee is called to active duty. Thereafter, the employee shall receive the difference between the employee's total military compensation, including the employee's base pay and all taxable and nontaxable allowances, and the employee's base pay from the County.
  - b. Full benefits as would be provided if working for the County to the extent such provision of benefits is consistent with the contractual obligations of the County. Benefits shall include accrual of vacations, sick leave, compensatory time, health coverage, dental coverage, life insurance and credit for hours worked towards retirement.
2. The re-employment upon completion of active military duty of any permanent employee of the County who is ordered to active duty in connection with

military expeditions and operations to combat terrorism, or in connection with military operations in Afghanistan or Iraq shall be governed by the Veterans' Reemployment Rights Act subject to the additional compensation and benefits provided in paragraph 1 above.

3. This resolution shall be effective from January 1, 2012 through June 30, 2012.

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