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**Human Resource Services**

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March 7, 2023

Honorable Board of Supervisors  
County of Alameda  
1221 Oak Street, Suite 536  
Oakland, California 94612-4305

SUBJECT: ADOPT SALARY ORDINANCE AMENDMENTS TO UPDATE SUBSECTIONS 1) 1-1.1 TO ESTABLISH ONE (1) NEW CLASSIFICATION OF CHIEF COMPLIANCE AND PRIVACY OFFICER, HCSA (JOB CODE ("JC") #5099); 2) 3-12.19 TO ADD JC #5099; AND 3) 3-21.98 TO EXTEND USE OF COVAL THROUGH JANUARY 6, 2024

Dear Board Members:

**RECOMMENDATION:**

Adopt Salary Ordinance amendments to update:

- A. Article 1, Section 1-1 (Pay Rate Schedules), subsection 1-1.1, to establish one (1) new classification of Chief Compliance and Privacy Officer, HCSA (Job Code ("JC") #5099) located in the Health Care Services Agency ("HCSA") effective March 19, 2023;
- B. Article 3, Section 3-12 (Health Care Services Agency), subsection 3-12.19, to establish salary administration criteria for the new classification of Chief Compliance and Privacy Officer (JC #5099) effective March 19, 2023; and
- C. Article 3, Section 3-21 (Miscellaneous), subsection 3-21.98, to extend awarded administrative leave ("COVAL leave") from June 13, 2023 through January 6, 2024.

**DISCUSSION/SUMMARY:**

Staff recommends adding a new Unrepresented classification of Chief Compliance and Privacy Officer, HCSA (JC #5099). The Chief Compliance and Privacy Officer position leads all the HCSA healthcare compliance initiatives, including the design, development, implementation, and ongoing monitoring of an effective compliance and privacy program; ensures all appropriate controls and processes required to comply with federal and state healthcare and privacy regulations are in place. Staff agrees with their request to establish this new job classification of Chief Compliance and Privacy Officer, HCSA which was approved at the July 13, 2022 Civil Service Commission.

In addition, staff recommends amending Article 3, Section 3-12 (Health Care Services Agency), subsection 3-12.19 of the Salary Ordinance to include salary administration criteria for the new classification of Chief Compliance and Privacy Officer, HCSA (JC #5099) effective March 19, 2023.

Lastly, on July 14, 2020, your Board approved a one-year extension for COVAL leave usage to June 13, 2023, to allow employees who were awarded this administrative leave to use their available balance. Your Board approved COVAL leave of up to a maximum of 128 hours to employees who worked during the Shelter in Place period of March 17, 2020 through

April 7, 2020. A recent report of COVAL leave balance shows that many employees, particularly safety employees, still have a large balance remaining and have been unable to use their available leave due to departmental priorities. As such, staff recommends extending for the final time the use of COVAL leave from June 13, 2023 through January 6, 2024 to allow employees ample time to use their granted COVAL leave. The applicable sub-paragraph shall sunset on January 6, 2024 and shall be deleted from the Salary Ordinance upon the sunset date.

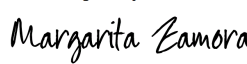
**FINANCING:**

Funds are available in the 2022-2023 Approved Budget and will be included in future years' requested budgets to cover the costs resulting from the applicable recommendations.

**VISION 2026 GOAL:**

The annual Ordinance adoption meet the 10x goal pathways of **Employment for All** in support of our shared vision of a **Prosperous and Vibrant Economy**.

Very truly yours,

DocuSigned by:  
  
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Margarita Zamora, Acting Director  
Human Resource Services

c: CAO  
Auditor-Controller  
County Counsel  
Agency/Department Heads

By   
Kristy van Herick, Asst. County Counsel

~O-2023-8

AN ORDINANCE AMENDING  
CERTAIN PROVISIONS OF THE 2022-2023  
COUNTY OF ALAMEDA SALARY ORDINANCE

The Board of Supervisors of the County of Alameda ordains as follows:

**SECTION I**

**Article 1, Section 1-1, Subsection 1-1.1** of the County of Alameda Salary Ordinance is hereby amended as follows:

Item	MC	Title	Effective Date	Unit Code	Step 01	Step 02	Step 03	Step 04	Step 05	FLSA
5099	PA	Chief Compliance and Privacy Officer, HCSA	3/19/23	U45	5652.80				6870.40	X

**SECTION II**

**Article 3, Section 3-12, Subsection 3-12.19** of the County of Alameda Salary Ordinance is hereby amended, to read as follows:

3-12.19 – Persons occupying positions under the following Job Codes may be compensated at any biweekly amount within the range of salaries shown for that classification, as determined by the Director of Health Care Services: 0225EM (effective 11/14/10, BOS approved 11/2/10); 0302PA (effective 3/7/10, BOS approved 2/9/10); 0310PA, 0313SM, 0401SM Director of Interagency Children’s Policy Council (effective 3/15/15, BOS approved 3/10/15); 1500SM (effective 6/6/16, BOS approved 5/24/16); 5021NM (effective 6/28/20, BOS approved 6/23/20); 5044EM, 5045EM (effective 5/26/13, BOS approved 5/21/13); 5046SM (effective 6/14/20, BOS approved 6/9/20); 5047SM, 5049PA (BOS approved 3/11/08); 5055SM (effective 6/17/16, BOS approved 7/12/16); 5056EM (BOS approved 12/19/17); 5061SM, 5062SM (effective 7/2/17, BOS approved 6/27/17); 5063SM, 5064SM (effective 1/12/20; BOS approved 1/14/20); 5065SM, 5067SM, 5069SM (effective 4/13/14, BOS approved 4/8/14); 5071PA; 5074SM (effective 1/24/21; BOS approved 1/12/21); 5075SM (effective 2/3/13, BOS approved 1/29/13); 5077SM, 5079SM, 5080SM, 5086SM (effective 1/25/09, BOS approved 1/27/09); 5087SM (effective 2/5/23); 5088PA, 5091SM (BOS approved 12/19/17); 5095PA (effective 12/21/14, BOS approved 12/16/14); 5096SM (effective 09/20/09, BOS approved 9/15/09); 5098SM (effective 3/21/10, BOS approved 3/16/10); 5099 (effective 3/19/23); 5390PA (effective 7/29/18, BOS approved 7/24/18); 5391PA (effective 10/3/10, BOS approved 9/28/10); 5643PA (effective 9/23/07); 5681EM (effective 11/1/20); 5693SM (effective 2/1/15, BOS approved 1/27/15); 5760SM (effective 2/14/16, BOS approved 2/2/16); 5777PA, 5778SM (effective 7/28/19, BOS approved 7/23/19); 5782SM (effective 3/26/17, BOS approved 3/21/17); 5789SM (effective 9/24/17, BOS approved 9/12/17); 5791SM (effective 9/23/07); 5801SM (effective 11/15/09, BOS approved 11/10/09); 6141PA; 6186SM; 6187SM (effective 3/5/23); 6188SM (effective 2/5/23); 6494SM, 6645SM, 6516SM, 6517SM (effective 4/4/10, BOS approved 3/30/10); 6518PA (effective 11/14/10, BOS approved 11/2/10); 6647SM (effective 1/25/09, BOS approved 1/27/09); 6780SM (effective 7/28/19, BOS approved 7/23/19); 6910PA (effective 7/28/19, BOS approved 12/19/17); (BOS approved amendment 2/4/20) (BOS approved amendment 10/20/20); (BOS approved amendment 1/12/21).

**SECTION III**

**Article 3, Section 3-21, Subsection 3-21.98** of the County of Alameda Salary Ordinance is hereby amended as follows:

3-21.98 - Effective March 17, 2020, County employees who are unable to work during the period covering March 17, 2020 through April 7, 2020 (Order Period), the period covered by the County Health Officer's March 16, 2020 COVID-19 Shelter In Place Order, and whose absence is due to COVID-19 or other reasons, including use of employees' own leave to supplement wage replacement benefits (State Disability Insurance, Paid Family Leave, Temporary Total Disability), shall be granted paid administrative leave ("PAL") within the Order Period. Employees who are on a) extended and continuous unpaid absences prior to February 1, 2020; b) 4850 and/or Workers' Compensation medical appointment; c) retired annuitants; or d) temporary assignment pool (TAP)/service-as-needed (SAN) employees with assignments ending within the Order Period, are not entitled to said PAL.

Additionally, those employees as determined by Department/Agency Heads who are required and able to work during the Order Period shall be awarded administrative leave (COVAL leave) for each hour worked, up to a maximum of 128 hours, or a prorated maximum for employees who work less than a 40-hour regular work week. Effective June 14, 2020, employees may request to use their COVAL leave. Any unused COVAL leave authorized under this subsection will not be paid out and will be forfeited at the end of ~~the three (3) years from the award date (June 14, 2020 through June 13, 2023)~~ January 6, 2024, or when the employee terminates from County employment, whichever is sooner. Retired Annuitants are not entitled to said COVAL leave. This sub-paragraph shall sunset effective ~~June 13, 2023~~ January 6, 2024 and shall be deleted from the Salary Ordinance upon the sunset date.

Moreover, effective April 8, 2020, County employees who are unable to work on-site due to the March 16, 2020 or subsequent Shelter In Place (Stay At Home) Orders issued by the County Interim Health Officer, are available and able to work but telework is not available and are not provided alternate work, including Disaster Service Work, shall be granted PAL through May 30, 2020. Employees who are a) on extended and continuous unpaid absences prior to February 1, 2020; b) on 4850 and/or Workers' Compensation medical appointment; c) retired annuitants; or d) TAP/SAN employees with assignments ending within April 8, 2020 through May 30, 2020, are not entitled to said PAL.

#### SECTION IV

This ordinance shall take effect immediately, and before the expiration of fifteen days after its passage, shall be published once with the names of the members voting for and against it in the Inter-City Express, a newspaper published in the County of Alameda.

**THE FOREGOING** was **PASSED** and **ADOPTED** by a majority vote of the Alameda County Board of Supervisors this **14<sup>th</sup>** day of **March, 2023**, to wit:

**AYES:** Supervisors Haubert, Tam & President Miley – 3

**NOES:** None

**EXCUSED:** Supervisor Carson – 1

*Nate Miley*

**PRESIDENT, BOARD OF SUPERVISORS**

File No: 30982

Agenda No: 23

Document No: O-2023-8



I certify that the foregoing is a correct copy of a Ordinance adopted by the Board of Supervisors, Alameda County, State of California

**ATTEST:**  
Clerk, Board of Supervisors

By: *R Bailey*  
Deputy

