

ORDINANCE NO. 3448

**AN ORDINANCE AMENDING SECTION
2.48.050 OF THE COUNTY CODE**

The Board of Supervisors of the County of San Luis Obispo, State of California, does ordain as follows:

SECTION 1: Section 2.48.050 **Compensation- Payment procedure** of the County Code shall be amended as follows:

2.48.050 - Compensation—Payment procedure.

- (a) The salaries herein provided shall be payable on a biweekly basis with payment to be made by the fifth working day after the end of the pay period.
- (b) Unless otherwise provided by law, the biweekly compensation of an employee shall be computed by multiplying the designated hourly rate as set forth in Section 2.48.100 by the regular hours worked, vacation, sick, holiday and compensatory leave hours used during a two-week pay period. Compensation for overtime shall be determined in accordance with Section 2.44.030.
- (c) Whenever compensation is fixed for any position at a rate per year or per month and no equivalent hourly rate is provided therefor in Section 2.48.100, the compensation shall be paid the person holding such position in twenty-six biweekly installments as nearly equal as possible.
- (d) The auditor-controller shall issue a payroll warrant on the treasury for the amount fixed by and under the conditions set forth in this chapter or other requirements under federal or state law for the applicable pay period in favor of each officer, deputy or assistant or employee only upon receipt of a time report or payroll, as specified by the auditor-controller, naming the officers, deputies, assistants or employees to whom the salaries are due, duly certified by the appropriate department head or his authorized agent and signed by the employee. Only in the event when an employee is physically unable to sign the time report or is on an approved leave of absence, with or without pay, can the time report be signed by another person for the employee.
- (e) In the event of termination of service, the salary due shall be payable as soon as practical after the filing with the auditor-controller by the county human resources director ~~personnel director~~ of a certificate of termination executed by the appropriate appointing authority.
- (f) The salaries and remuneration herein provided shall, except as otherwise specified herein, or by resolution, ordinance or law, be paid out of the general fund of the county and shall be in full payment for all services rendered.

- (g) For the purposes of computing wages, authorized used sick leave, vacation time, holiday hours and compensatory time hours shall be considered as hours worked.
- (h) Provided, however, that subsections (b), (c), (d) and (g) may be superseded by a board of supervisors approved memorandum of understanding or by board of supervisors resolution. Included are board of supervisors resolutions declaring certain employees as on "a salary basis" within the meaning of the Fair Labor Standards Act and who are paid in conformance with the Fair Labor Standards Act. The aforesaid salaried employees will earn salary on a weekly basis, to be paid biweekly. It is also acknowledged that these employees do not have defined working hours.

SECTION 2: This ordinance shall take effect and be in full force and effect thirty (30) days after its passage; and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for an against the ordinance in a newspaper of general circulation published in the County of San Luis Obispo, State of California.

INTRODUCED at a regular meeting of the Board of Supervisors held on the 4th day of May, 2021, and PASSED and ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 18th day of May, 2021, by the following roll call vote, to wit:

AYES: Supervisors Dawn Ortiz-Legg, Bruce S. Gibson, John Peschong,
Debbie Arnold and Chairperson Lynn Compton

NOES: None

ABSENT: None

ABSTAINING: None



Lynn Compton
Chairperson of the Board of Supervisors
County of San Luis Obispo, State of California

ATTEST:

Wade Horton
Ex-Officio Clerk of the Board of Supervisors
County of San Luis Obispo, State of California

By: _____
Deputy Clerk