

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject

Legislative Policy: Federal and State Employee Benefits Legislation

**Policy
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Purpose

To establish the Board of Supervisors' legislative policy regarding employee benefits, and to provide guidance to the County's legislative representatives when advocating the County's interests to legislators, other elected officials and policy makers.

Background

In recent years, there has been a disproportionate amount of federal and state legislation enacted and legislative proposals introduced aimed at mandating employee group health and welfare benefits. The types of mandates most common include the following:

- Those aimed at increasing the number of employees or family members who may participate in existing County-sponsored plans; and
- Those aimed at increasing the types or levels of services which are covered in existing County-sponsored plans; and
- Those aimed at requiring the County to provide previously optional group health and welfare plans to employees, and to pay at least part of the cost (examples of such optional plans include health, dental, vision and life insurance); and
- Those aimed at mandatory parental leaves; and
- Those aimed at taxation of benefits paid by employers; and
- Those aimed at the structure and design of wellness programs; and
- Those aimed at flexible spending accounts.

Such legislation continually erodes the authority of local agencies to negotiate issues in the meet and confer process. Under existing law, a local agency has the ability to provide these benefits voluntarily. For example, San Diego County has an extended leave plan that can accommodate necessary parental leave requirements. The meet and confer process affords the County the ability to negotiate a variety of these benefits, to manage the cost impacts to the County and to respond to the particular concerns of its employees.

Policy

The legislative policy of the Board of Supervisors regarding legislation affecting employee benefits is to:

1. Oppose legislation which would mandate the County to provide specific group health and welfare benefits to its employees.
2. Oppose legislative efforts that would increase costs to the County for mandated employee group health and welfare benefits.

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3. Oppose employee group health and welfare benefits legislation that does not provide for full reimbursement to the County for mandated costs.
4. Oppose legislation which would mandate local governments to offer a benefit which is currently a negotiable item.
5. Oppose unreimbursed mandates which would require local public entities to provide child rearing leave.
6. Oppose unreimbursed mandates which would require local public agencies to provide child care facilities for employees.
7. Oppose legislation which would require taxation of nonelective deferred benefits, such as vacation, sick and compensatory time.
8. Support legislation which would maintain the current status of issues subject to the meet and confer process.
9. Support employee health programs which are substantially or fully funded by state or federal revenues.

Responsible Departments

Chief Administrative Office
Office of Strategy and Intergovernmental Affairs

Sunset Date

This policy will be reviewed for continuance by 12-31-20.

References

Board Action 11-10-87 (84)
Board Action 10-31-06 (14)
Board Action 12-09-08 (33)
Board Action 11-05-13 (19)