



**FORTY-SECOND SUPPLEMENT TO MAYORAL PROCLAMATION
DECLARING THE EXISTENCE OF A LOCAL EMERGENCY DATED
FEBRUARY 25, 2020**

WHEREAS, California Government Code Sections 8550 et seq., San Francisco Charter Section 3.100(14) and Chapter 7 of the San Francisco Administrative Code empower the Mayor to proclaim the existence of a local emergency, subject to concurrence by the Board of Supervisors as provided in the Charter, in the case of an emergency threatening the lives, property or welfare of the City and County or its citizens; and

WHEREAS, On February 25, 2020, the Mayor issued a Proclamation (the “Proclamation”) declaring a local emergency to exist in connection with the imminent spread within the City of a novel (new) coronavirus (“COVID-19”); and

WHEREAS, On March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions taken by the Mayor to meet the emergency; and

WHEREAS, On March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist within the State due to the threat posed by COVID-19; and

WHEREAS, On March 6, 2020, the Health Officer declared a local health emergency under Section 101080 of the California Health and Safety Code, and the Board of Supervisors concurred in that declaration on March 10, 2020; and

WHEREAS, On November 4, 2021, the Mayor issued the Fortieth Supplement to the Proclamation, authorizing the Human Resources Director to provide compensation incentives to existing employees in the Fire Department to encourage them to work in lieu of taking paid time off and to work overtime shifts. The Mayor took this action to address staffing shortages and to ensure the continuity of services due to unusually high resignations and retirements over 2020 and 2021 due to the COVID-19 pandemic and the City employee vaccination mandate and due to some members being separated from employment for failing to comply with the employee vaccination mandate; and

WHEREAS, Staffing shortages in the Fire Department persist for the reasons identified in the Fortieth Supplemental Proclamation. Additionally, the City anticipates further staffing shortages may result from employees taking sick leave due to the spread of the COVID-19 Omicron variant; and



WHEREAS, The pandemic and diversion of resources and personnel to the pandemic response have also limited the City's ability to safely conduct examinations in the Sheriff's Department and to run training academies, limiting the ability to replace departing employees with properly trained new hires, and the Sheriff's Department is experiencing staffing shortages due to resignations, retirements, and vaccination-related separations. The Department anticipates that these shortages will be exacerbated by employees taking sick leave due to the Omicron variant; and

WHEREAS, To ensure the continuity of City services in the Fire Department, it is in the public interest to extend the authority of the Human Resources Director to provide certain compensation incentives to existing employees to encourage them to work in lieu of taking time off, and to also provide the Human Resources Director this authority with respect to the Sheriff's Department;

NOW, THEREFORE,

I, London N. Breed, Mayor of the City and County of San Francisco, proclaim that there continues to exist an emergency within the City and County threatening the lives, property or welfare of the City and County and its citizens;

In addition to the measures outlined in the Proclamation and in the Supplements to the Proclamation issued on various dates, it is further ordered that:

Section 1 of the Fortieth Supplement to the Proclamation is revised and replaced as follows:

The Human Resources Director is delegated authority to waive or modify provisions of the Memoranda of Understanding with labor organizations representing sworn employees of the Fire Department and the Sheriff's Department related to compensation, including overtime and premium pay, and to waive Charter or Administrative Code provisions limiting the cash out of accrued vacation balances, upon a written determination that such waivers are necessary or appropriate to ensure appropriate staffing at the departments to carry out essential government services and respond to the pandemic. This Order shall



remain in effect until March 31, 2022, unless terminated earlier by the Mayor or the Board of Supervisors.

DATED: December 30, 2021

A handwritten signature in blue ink that reads "London Breed".

London N. Breed
Mayor of San Francisco