County Administrator

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April 2, 2020

COVID 19 Update to Union Leadership

Again, thank you for your leadership during these difficult times. I know there continues to be difficult conversations around how best to provide for our employees and still provide essential services to the public. The following explains in more detail the information provided in today's "virtual" Informational meeting:

1. We continue to focus a great amount of energy on how to obtain Personal Protective Equipment (PPE) for Health Care Workers, First Responders, and Essential employees that might otherwise have direct contact with COVID 19 individuals

2. It is critical that we are able to protect our employees from exposure to COVID 19 while still ensuring Essential employees comply with the requirement that they come to work as required and necessary to provide critical Health and Human Services (Disaster Service Workers – DSW).

3. We continue to prioritize getting available equipment to allow those employees who may be at High Risk, including those over 65 or pregnant to work from home or other remote location.

4. We have acquired hotel rooms for health care workers and first responders who may need to isolate or for when they are off duty. This allows them to rest and recover without the risk of having to go home and possibly expose family members to COVID 19.

5. In order to be as clear as possible regarding employee leaves and accruals, the information below describes how leaves will be administered through May 31st for the County and the Contra Costa County Fire Protection District. The County will also produce and provide a payroll document with more specificity regarding coding of leaves. This document will also include a detailed explanation of the calculation of pay for hourly and per diem workers. We will copy your group on this correspondence.

6. For the period of <u>March 16 through April 7th</u>:

   - Permanent full-time and part-time employees <u>working</u> from home will receive full-pay <u>without</u> the use of accruals.

   - Permanent full-time and part-time employees told to stay at home because they are <u>non-essential</u> will receive full-pay <u>without</u> the use of accruals.

   - Permanent full-time and part-time employees who are <u>essential</u> and <u>not working</u> will receive full-pay <u>without</u> the use of accruals.

   - Temporary and intermittent employees who are not working because they are non-essential or essential and not working will receive base-pay <u>without</u> the use of accruals, based upon regular hours worked between 2/1 and 3/15. Departments can request adjustments for those employees whose regular hours worked during that period may have been low.

7. As of <u>April 1st</u>:

- In recognition of the Families First Coronavirus Response Act (HR 6201) Emergency Paid Sick Leave - <u>all employees</u>, including health care providers and emergency responders, will receive 80 hours of Emergency Sick Leave pro-rated to their position hours. The leave will <u>not be</u> capped by dollar amount nor by <u>reason for use</u>. Meaning no per day caps of $511 or $200 and no reduction to two-thirds pay for use other than quarantine/self-quarantine/experiencing symptoms. If not used, the hours will expire on 12/31/2020.

- As amended, the Family Medical Leave Act (FMLA) adds as a new condition the qualifying need of caring for a child under age 18, and eligible employees may access 10 additional WEEKS of paid leave at the rate of two-thirds pay, with caps of $200 per day and $10,000 total. The employer has the option of integrating leave to achieve full-pay. In recognition of the amendment, the County will implement this two-thirds paid leave <u>without</u> caps and will <u>allow</u> integration of leave. If not used, the hours will expire on 12/31/2020.

- Based on position hours, the County will grant a pro-rated share of 64 additional sick leave hours to all permanent and part-time (non-hourly) employees.

8. For the period of <u>April 8th through May 3rd</u>:

- Permanent full-time and part-time employees <u>working</u> from home will receive full-pay <u>without</u> the use of accruals.

- Permanent full-time and part-time employees told to stay at home because they are <u>non-essential</u> will receive full-pay <u>without</u> use of accruals.

- Permanent full-time and part-time employees who are <u>essential</u> and <u>not working</u> will receive full-pay <u>through use</u> of accruals, including added sick leave, emergency sick leave and/or expanded FMLA. This action will provide for all employees to receive full-pay through May 3, without depleting their existing accruals.

- Temporary and intermittent employees who are not working because they are non-essential or essential and not working will receive base-pay <u>with</u> use of accruals, based upon regular hours worked between 2/1 and 3/15. Departments can request adjustments for those employees whose regular hours worked during that period may have been low. Additionally, the County will grant additional days of added leave should an employee exhaust their accruals. This action will provide for all employees to receive base-pay through May 3.

9. For the period of <u>May 4th through May 31st</u>:

- Permanent full-time and part-time employees <u>working</u> from home will receive full-pay <u>without</u> use of accruals.

- Permanent full-time and part-time employees told to stay at home because they are <u>non-essential</u> will receive full-pay <u>without</u> use of accruals.

- Permanent full-time and part-time employees who are <u>essential</u> and <u>not working</u> will receive full-pay <u>through use</u> of accruals, including added sick leave, emergency sick leave and/or expanded FMLA. Additionally, the County will provide half of base-pay for any employees who completely exhaust their leave accruals.

- Temporary and intermittent employees who are not working because they are non-essential or essential and not working will receive base-pay <u>with</u> use of accruals, based upon regular hours worked between 2/1 and 3/15. Departments can request adjustments for those employees whose regular hours worked during that period may have been low. Additionally, the County will provide half of base-pay for any employees who completely exhaust their leave accruals.

10. For the period of June 1st and on-ward the County will re-evaluate its position towards the end of May.

11. Note that, for purposes of leave only, employees who have tested positive for COVID-19 or quarantined by Health Services will be assumed to have been infected at work and will be paid full-pay without the use of accruals.

12. For those employees who may be approaching maximum leave banks, we encourage them to donate time to the catastrophic leave bank to help those employees who may be exhausting their leave accruals due to Non-COVID-19 related illness.

13. Attached is our updated estimated counts of essential and non-essential employees by department by union with corrected figures for EHSD.

14. Please continue to bring specific manager/supervisor issues to the attention of Jeff Bailey. Mr. Bailey will assign a Labor Analyst to address those issues.

15. We plan to bring an action to the Board of Supervisors on April 14 to ratify these pay and leave items.

16. Our hope is that working together we will continue to be able to provide sufficient staff to get through this crisis without the use of the Temporary Emergency Worker classification; especially in light of the State's recent similar action.

We will be in contact regarding our next conference call with you the week of April 13th to continue to discuss how we can work together to address the continuing response to COVID 19 to best address the needs of our employees and the public. Thanks for all that you do for our employees and for the public we serve.

Sincerely,

David J. Twa
County Administrator