

County Administrator

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David J. Twa
County Administrator

Contra Costa County



Board of Supervisors

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April 10, 2020

COVID 19 Update to Union Leadership

The following information is provided as the weekly update between our conference calls of April 2nd and the next one planned for April 16th:

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. We have ordered 20,000 cloth masks, which we expect to receive the week of April 27th. It is our intent to initially provide two masks to every County employee. We will have spares for lost or damaged masks and for future needs. 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). To that end, we are asking you as our partners to help to make these masks available to your members.
3. We are working with our consultant to implement optional provisions to the Deferred Compensation plan to provide an extension of repayment and waiver of the 10% early distribution penalty for coronavirus-related distributions.
4. For AFSCME 512 members in the Social Service Staff Specialist Unit, Income Maintenance Unit, and Clerical Supervisory Unit, we are temporarily allowing employees to be placed on the overtime exemption list, giving up a pro-rated share of paid personal leave (similar to Local 21 and administrative leave).
5. As mentioned in our last letter, the County has acquired rooms at two hotel sites close to critical County operations responding to the COVID-19 pandemic. This is to provide a safe location for employees that may need lodging following response activities. Access to room blocks can be provided based on need by contacting the Department Operations Centers or individuals listed below. For Contra Costa County Fire employees, if their direct supervisor or Battalion Chief is unavailable, please have them contact (925) 383-5008. If approved, each Department Operating Center will provide hotel access information. Employees will need to present their Contra Costa County Employee ID card at check-in:
 - Sheriff's Office Employees Sheriff's Office DOC: 925-313-9638
 - Contra Costa County Fire Employees ConFire: Contact your Supervisor
 - All other Employees HSD DOC: 925-608-5459
6. The State of California has acquired rooms at hotel sites throughout the state, including Contra Costa County, for healthcare employees that have been diagnosed with COVID-19. If employees believe that they have been diagnosed with COVID-19, the employee should call the state hotline at 1-877-454-8785 for lodging.

7. We are bringing an action to the Board of Supervisors on April 14 to file a certification with the Secretary of the Treasury acknowledging restrictions on the use of Coronavirus Relief Fund allocation funds authorized by the Coronavirus Aid, Relief, and Economic Security (CARES) Act and authorizing a direct allocation to the County from the US Treasury. The CARES Act allows for local jurisdictions with populations over 500,000 to receive a direct allocation of a portion of the State allocation from the Coronavirus Relief Fund. The State of California is estimated to receive an allocation of \$15.3 billion of the \$150 billion available in the Fund. Of that amount, local jurisdictions with populations over 500,000 can claim 45% of the State allocation to receive directly from the US Treasury. The County is tracking information from the National Association of Counties (NACo) and the Government Finance Officers Association (GFOA) and will provide a future update to the Board as revenue estimates are provided related to the CARES Act.
8. As described above, we have been monitoring the provisions of the CARES Act for State and Local governments to make sure that Contra Costa County is being allocated its full share of the approximately \$201.3 million from the Coronavirus Relief Fund. This money is to be distributed to cover necessary expenditures related to COVID-19 that were not accounted for in our budget. The sheer rapidity at which the pandemic has grown requires that every local government across the country be as prepared as possible to access the myriad of funds made available and maximize recovery between grant funding mechanisms, to include FEMA's Public Assistance program. To that end it is our intent to bring in a disaster recovery service to help successfully navigate the interplay between each of the various funding sources and develop an approach to best position our County for available recoveries. Additionally, we are working with California Public Health (CAPH) to bring in a disaster recovery service that will address the hospital specific and the general overall health component of claiming. The intent is that they will be available for the common items in the hospital and clinics for the CAPH membership.
9. We are bringing an action to the Board of Supervisors on April 14 to ratify the pay and leave items distributed last week. Since distributing the leave communication, a few questions regarding employees on leave have arisen. With the goal of providing our employees the support they were receiving prior to the COVID-19 crisis, questions #10 through #21 below provide clarification of the leave that is being granted and is included in the Board action.
10. How are we applying leave calculations to 56-hour employees? 56-hour employees are considered full-time and will receive the full-accruals of 80 hours of Emergency Paid Sick Leave and 64 hours of County sick leave.
11. How do hourly employees access pro-rated share of the 80 hours of Emergency Paid Sick Leave and 64 hours of County sick leave County granted to permanent employees? Hourly employees are eligible for prorated share of both leave types. Proration will be calculated, and the resulting hours will be applied to their leave banks.
12. How will the 80 hours of Emergency Paid Sick Leave be applied to new hires? Employees hired through December 31, 2020 are eligible for the 80 hours of Emergency Paid Sick Leave although this leave expires on December 31, 2020.
13. How will the 64 hours of County sick leave be applied to new hires? Employees hired as of April 7, 2020, are eligible for the 64 hours of County sick leave. This leave does not expire.
14. Are employees currently on medical leave and full pay status eligible for this leave? If an employee is in a full-pay leave status, they are eligible for the 80 hours of Emergency Paid Sick Leave and 64 hours of County sick leave.
15. Are employees who were already on a less than full-paid leave, at the time of the shelter in place order, but technically in active status due to less than full-time pay through use of leave accruals eligible for this leave? These employees are eligible for the 80 hours of Emergency Paid Sick Leave. These employees are not eligible for the 64 hours of County Sick Leave.

16. Are employees currently on Long Term Disability eligible for this leave? If an employee is on Long Term Disability (LTD) they are eligible for a prorated share of the 80 hours of Emergency Paid Sick Leave. They are not eligible for the 64 hours of County sick leave. Employees on LTD will be reinstated during the month of April to be paid for the 80 hours of Emergency Paid Sick Leave.
17. Are employees currently on a leave of absence (LOA), absent without pay (AWOP), absent without leave (AWOL), who previously exhausted their accruals, eligible for this leave? Employees on a LOA, AWOP, or AWOL are eligible for the 80 hours of Emergency Paid Sick Leave. Employees on a LOA, AWOP, AWOL are not eligible for the 64 hours of County Sick Leave.
18. May an employee take paid sick leave or expanded family and medical leave if the employee is receiving workers' compensation or State Disability Insurance (SDI)? In general, no, unless the employee were able to return to light duty before taking leave. If the employee receives workers' compensation or temporary disability benefits because the employee is unable to work, the employee may not take paid sick leave or expanded family and medical leave. However, if the employee were able to return to light duty and a qualifying reason prevents the employee from working, the employee may take paid sick leave or expanded family and medical leave, as the situation warrants.
19. There may be employees who wish to use their Emergency Paid Sick Leave to integrate with leave other than workers' compensation or SDI or use the leave intermittently. Is integration or intermittent use allowed? Employees may use the Emergency Paid Sick Leave to integrate with leaves other than workers compensation or SDI. For instance, an employee may use the Emergency Paid Sick Leave for intermittent FMLA or reduced work hours. Employees must use their Emergency Paid Sick Leave in increments of at least 8 hours, unless integrating to receive full-pay or the balance is less than 8 hours.
20. There are employees who had Catastrophic Leave applications in process when the new leave was granted. How will this new leave effect those employees? These employees will first use the new leave granted to them and, should they still need it, their Catastrophic Leave, if approved, will begin upon exhaustion of their leave accruals.
21. For eligible employees, what is the process for applying for the two-thirds paid leave available through the Family Medical Leave Act provided by the Families First Coronavirus Response Act (FLMA+)? County Benefits is creating new request and designation forms for FMLA+ and will post that information on the County's intranet and provide to departmental leave coordinators.
22. We receive daily technology updates from the Department of Information Technology and believe we now have sufficient equipment on hand or on order to maximize telecommuting.
23. Attached is our updated estimated counts of essential and non-essential employees by department by union. The information for EHSD is not complete.
24. 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.
25. 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.

Today we will send out the invitation for the next conference call, which I will have to limit to one hour due to other matters. Our call is scheduled for Thursday, April 16th from 10:00 to 11:00 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

ESTIMATED EMPLOYEE COUNTS

Data as of April 3	Filled FTE	Essential Not Working	Essential Not Working														
			<u>CNA</u>	<u>DDAA/ PDs</u>	<u>DSA/ DAIA</u>	<u>PDOCC</u>	<u>1</u>	<u>21</u>	<u>512</u>	<u>856</u>	<u>1021</u>	<u>2700</u>	<u>Unrep</u>	<u>Western Council</u>			
Agriculture	45	2					2										
Airports	15	0															
Animal Services	71	4					4										
Assessor	95	0															
Auditor-Controller	52	7						4						3			
Child Support	143	2					1							1			
Clerk-Recorder	83	4						1						3			
Conservation & Develop't	152	1								1							
County Administration	35	1														1	
County Counsel	49	9												9			
District Attorney	226	17		1										15	1		
EHSD	1,653	342						16	32	1	217	75	1				
Health Services	3,738	635	261					4		211		159					
Human Resources	42	1														1	
Information Technology	70	0															
Library	182	19					14	4								1	
Library PI & Hourly	210	0															
Probation	278	16			16												
Public Defender	142	0															
Public Works	439	75					6	10	2	55			1	1			
Risk Management	29	2											1	1			
Sheriff-Coroner	989	6		3				3									
Treasurer-Tax Collector	28	1							1								
Veterans	9	0															
Totals	8,774	1,144	261	4	16	0	27	42	35	268	217	267	7	0			

Data as of April 3	Filled FTE	Non-Essential Not Working	Non Essential Staff Not Working														
			<u>CNA</u>	<u>DSA/ DAIA</u>	<u>DDAA/ PDs</u>	<u>PDOCC</u>	<u>1</u>	<u>21</u>	<u>512</u>	<u>856</u>	<u>1021</u>	<u>2700</u>	<u>Unrep</u>	<u>Western Council</u>			
Agriculture	45	5					4						0.5				
Airports	15	0															
Animal Services	71	8					8										
Assessor	95	79						16	3			29	31				
Auditor-Controller	52	0															
Child Support	143	0															
Clerk-Recorder	83	15											15				
Conservation & Develop't	152	6						1		4			1				
County Administration	35	1							1								
County Counsel	49	1											1				
District Attorney	226	0															
EHSD	1,656	324						124	80	12	3	24	40	41			
Health Services	3,738	56	0						1		47		8				
Human Resources	42	1											1				
Information Technology	70	0															
Library	182	92					47						45				
Library PI & Hourly	210	210					38						2	170			
Probation	278	21								3			18				
Public Defender	142	8											8				
Public Works	439	33						4	12	2			13				2
Risk Management	29	1														1	
Sheriff-Coroner	989	39		8					3				28				
Treasurer-Tax Collector	28	5						2					3				
Veterans	9	0															
Totals	8,777	905	0	8	0	0	223	106	30	56	24	213	243	2			