



San Bernardino County

Legislation Text

File #: 4619, Agenda Item #: 64

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

**REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS
OF THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT
AND RECORD OF ACTION**

July 27, 2021

FROM

LEONARD X. HERNANDEZ, Chief Executive Officer, County Administrative Office

SUBJECT

Approve Side Letter Agreements with Employee Organizations Establishing a COVID-19 Retention Bonus and a COVID-19 Bonus Leave Bank

RECOMMENDATION(S)

Acting as the governing body of San Bernardino County and the San Bernardino County Fire Protection District, approve side letter agreements with employee organizations for a COVID-19 Retention Bonus and a COVID-19 Bonus Leave Bank for certain employees.

(Presenter: Diane Rundles, Director, 387-5570)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote the Countywide Vision.

Create, Maintain and Grow Jobs and Economic Value in the County.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

COVID-19 Retention Bonus

Approval of the Side Letter Agreements specific to the COVID-19 retention bonuses will not result in the use of Discretionary General Funding (Net County Cost). The total estimated one-time cost associated with the approval of these retention bonuses is approximately \$4.3 million, of which approximately \$1.75 million will be funded with State Medi-Cal, Federal Medicare, private insurance, and other department revenue within the Arrowhead Regional Medical Center budget, and the remaining \$2.55 million will be funded with federal CARES Act funds. Budget adjustments may be required in future quarterly budget reports, if necessary.

COVID-19 Bonus Leave Bank

The cost associated with the approval of the COVID-19 bonus leave bank is due to potential overtime that may be required to backfill additional leave time taken. Total overtime costs are currently undetermined, as costs will partly depend on departmental oversight in managing operations while employees take the additional leave time. It is anticipated that federal funding will be available to pay for a portion of costs and

that most departments will have sufficient budget authority to pay for any remaining costs. However, if significant departmental overtime is incurred that is not eligible for federal funding and there is not sufficient departmental budget authority, Discretionary General Funding may be requested in a future quarterly budget report.

BACKGROUND INFORMATION

COVID-19 Retention Bonus

On March 4, 2020, the State of California declared a state of emergency as a result of the COVID-19 pandemic due to the rising number of confirmed cases and anticipated complications for those infected, including potential deaths. On March 10, 2020, the County Public Health Officer declared a local health emergency to help ensure county government and the public were prepared for the possibility that COVID-19 will appear within the County. On March 10, 2020 (Item No. 75), the County proclaimed the existence of a local emergency within San Bernardino County resulting from COVID-19.

As a result of the COVID-19 pandemic, the County experienced challenges in the retention of certain staff whose primary work was providing COVID-19 related care and those who were involved in the direct support of those healthcare providers. As a result, during the pandemic the Board of Supervisors (Board) approved a Retention Incentive Differential for certain classifications whose primary work was on the COVID-19 units at Arrowhead Regional Medical Center in an effort to retain these staff members.

While the County has seen a decline in COVID-19 cases, it remains critical that the County retain staff whose primary work is providing COVID-19 related care and those involved in the direct support of those staff. Further, the County wants to recognize these staff for their dedication to the County for delivering essential healthcare services during the pandemic.

Therefore, the County and representatives of Teamsters Local 1932, SEIU Local 721, and the California Nurses Association met and conferred and agreed to the proposed side letter establishing a COVID-19 Retention Bonus to be paid in two installments. The bonus amount varies between \$1,250 and \$2,500 per eligible employee based on the number of hours the employee served in the eligible classification/assignment during the pandemic. The first payment would be paid in pay period 18/2021 and the second installment would be paid in pay period 23/2021. The bonus for eligible nurses was approved by the Board on July 13, 2021 (Item No. 24) as part of their successor Memorandum of Understanding.

COVID-19 Bonus Leave Bank

On March 18, 2020, the Families First Coronavirus Response Act (FFCRA) was signed into law, requiring that effective April 1, 2020, the County provide certain employees with paid sick leave and emergency family medical leave for specified reasons related to COVID-19 through December 31, 2020. Under the law, the County could elect to exclude healthcare providers and emergency responders from the application of FFCRA. In order to ensure adequate staffing to respond to the emergency the County elected to exclude employees it identified as healthcare providers and emergency responders from the FFCRA, including from the expanded childcare leave provisions of the Act until SB-95 covering California Supplemental Sick Leave required all employees be eligible in March of 2021.

To recognize these staff for their dedication to the County, the County and representatives of the Teamsters Local 1932, SEIU Local 721, IAFF Local 935, Association of San Bernardino County Fire Managers, Sheriff's Employees' Benefit Association, Probation Officers Association, and the California Nurses Association met and conferred and agreed to the proposed side letter establishing a COVID-19 Bonus Leave Bank of up to one week paid time off for employees in eligible classification/assignments during the pandemic. The leave bank would be provided effective pay period 18/2021. Employees who are eligible to receive the COVID-19 Retention Bonus are not eligible to receive the COVID-19 Bonus Leave Bank. The bonus leave bank for eligible nurses was approved by the Board on July 13, 2021 (Item No. 24) as part of their successor Memorandum of Understanding.

This COVID-19 Bonus Leave Bank is not eligible to be converted to cash and if not used, would be forfeited pay period 18/2023.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Cynthia O'Neill, Principal Assistant County Counsel, 387-5455) on July 6, 2021; Human Resources (Diane Rundles, Human Resources Director, 387-5570) on July 13, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on July 16, 2021.