



M E M O R A N D U M
HEALTH AND HUMAN SERVICES
ADULT SYSTEM OF CARE
County of Placer

TO: IHSS Public Authority Board

DATE: September 8, 2020

FROM: Jeffrey S. Brown, M.P.H., M.S.W., Director of Health and Human Services

SUBJECT: Approval Side Letter of Agreement amending Memorandum of Understanding between In-Home Supportive Services Public Authority and United Domestic Workers of America

ACTIONS REQUESTED

Approve a Side Letter of Agreement amending Memorandum of Understanding with United Domestic Workers of America (UDW), AFSCME Local 3930, AFL CIO for the period of July 1, 2016, through December 31, 2022.

BACKGROUND

The In-Home Supportive Services (IHSS) Public Authority was established on December 3, 2002 as required by California Welfare and Institutions Code Section 12302.25. The Public Authority is a separate legal entity whose purpose is to provide assistance to IHSS recipients in finding independent (home-care) providers through the establishment of a registry; the investigation of the qualifications and background of potential providers; the establishment of a referral system under which providers shall be referred to recipients; and the provision of training for recipients and providers. In addition, for the purpose of labor negotiations (regarding wages, benefits, and other terms and conditions of employment), the Public Authority is deemed to be the employer of record for IHSS independent providers. The IHSS Public Authority recognizes UDW as the exclusive representative of the IHSS independent providers in the County of Placer. The Memorandum of Understanding approved on June 23, 2020 formalized the employer-employee relationship defined in law between Placer County IHSS Public Authority and UDW for the period of July 1, 2016, through December 31, 2022.

Due to the State of Emergency proclaimed by the State of California in response to COVID-19, the California Department of Social Services (CDSS) waived the IHSS provider enrollment requirement of attendance at an in-person IHSS provider orientation through September 1, 2020. For counties capable of providing on-line orientations, CDSS allows for remote orientations to continue after September 1, 2020 with agreement from their local labor organization. The Side Letter of Agreement between IHSS and UDW establishes procedures for remote orientations to continue in the County of Placer after September 1, 2020.

FISCAL IMPACT

This action has no fiscal impact.

ATTACHMENT

Attachment 1 – Side Letter of Agreement amending the Memorandum of Understanding between In-Home Supportive Services Public Authority and United Domestic Workers of America

I. Parties

The Parties to this Side Letter of Agreement (herein after “Side Letter”) are the Placer County In-Home Supportive Services (“IHSS”) Public Authority (“Public Authority”) and the United Domestic Workers of America, AFSCME Local 3930, AFL-CIO (“Union”).

II. Background

The Parties are the signatories to a Memorandum of Understanding (hereinafter referred to as the “MOU”) setting forth certain terms, conditions and goals for IHSS Independent Providers (“Providers”) that not only benefit this workforce but also are intended to benefit Consumers of IHSS services.

On July 6, 2020, the State of California-Health and Human Services Agency Department of Social Services issued “All County Letter No. 20-75” providing extensions of COVID-19 related exceptions to IHSS regulations including New Provider Remote Orientations.

Presently, Placer County IHSS New Provider Remote Orientations are scheduled on Tuesdays, Wednesdays, and Thursdays of each week.

The terms set forth below amend the existing MOU. The Parties agree as follows:

III. Agreements

- A. Effective September 1, 2020, New Provider Remote Orientations shall continue in lieu of in-person orientations for as long as applicable in compliance with State and Placer County Public Health Department directives.
- B. Upon receipt of a recorded UDW video presentation for Registration Enrollment Video Appointment (REVA), the IHSS Public Authority will incorporate the video into the orientation line-up immediately after the State’s recorded videos and before the County’s recorded videos, at the next New Provider Orientation and thereafter, after approval and adoption of this side letter by the Public Authority.

The UDW video presentation will be required viewing in the orientation line-up. Upon providers’ completion of remote orientation in REVA, the IHSS Public Authority will email providers a link to UDW’s online membership card with verbiage as follows:

“For your convenience, here is a link to the union membership application: <https://joinudw.org/>

Additionally, for inquiries about the union contract, including wage increases, Essential Protective Gear (EPG) and access to benefits, please contact United Domestic Workers of America (UDWA) at 916-751-2450.

*UDW resources are also accessible online via Facebook:
https://www.facebook.com/groups/537432200132613”*

C. IHSS will continue to provide the following information via email to the designated Union official in a XLSX format file every Monday, or the next work day in the case of a County recognized holiday, and prior to any new provider orientation that is held [WIC 12301.23 (e)(4)(C) (C)]:

- First Name
- Last Name
- Personal Address
- Home telephone number
- Personal cellular telephone number
- Primary language written or spoken, if known
- Personal email address

IV. General Provisions

- A. This Side Letter will take effect immediately upon approval by the Public Authority Board.
- B. The written terms herein embody the entire Side Letter of Agreement between the Parties.

SIGNATURES

This Side Letter of Agreement is made and entered into on this _____ day of _____, 2020:

For The Union:

For The Public Authority:

Doug Moore
Executive Director

Bonnie Gore
IHSS Public Authority Chair

Editha Adams
UDWA President

Gregory Ramirez
Chief Negotiator

Dwane Camp, Jr
Chief Negotiator

