



Office of the
INDIAN RIVER COUNTY
ADMINISTRATOR

Jason E. Brown, County Administrator
Michael C. Zito, Assistant County Administrator

MEMORANDUM

TO: Members of the Board of County Commissioners

THROUGH: Jason E. Brown, County Administrator

FROM: Michael C. Zito, Assistant County Administrator

DATE: March 31, 2020

SUBJECT: Memorandum of Understanding with Teamsters Local 769
Regarding Coronavirus Disease

Background:

On March 17, 2020, Indian River County declared a local state of emergency in response to the Novel Coronavirus Disease 2019 crisis (“COVID-19”) with said declaration being affirmed and continued on March 24, and again on March 31, 2020. In response to recently adopted federal legislation titled Families First Coronavirus Response Act (the “Act”), the County and Teamsters Union desire to clarify the impact to the current Collective Bargaining Agreement (“CBA”) through a Memorandum of Understanding (“M.O.U.”). The Act requires certain employers including Indian River County to provide their employees with up to 80 hours of additional paid sick leave for specified reasons related to COVID-19 available from April 1, 2020 through December 31, 2020 (“CV Sick Leave”). The Act, in addition to mandating up to 80 hours of CV Sick Leave, requires expanded family and medical leave for specified reasons related to child care for up to 12 weeks at 66.7% of their equivalent rate of pay (“Expanded Family Leave”).

Analysis:

Section 9.4 of the CBA requires the County to provide additional compensation to employees who are required to work when employees are released from duty with pay during a County declared emergency. The parties agree that strict compliance with the letter of the CBA, which originated in response to several weather related disasters, could produce unintended burdens on either the County or the Union when applied to the extenuating duration of the COVID-19 crisis. Therefore,

in recognition of the contributions made by employees who are assigned to continue working to provide services to the community during the COVID-19 crisis, and in contemplation of the obligations set forth in the CBA, the County is providing a benefit beyond what the Act requires by converting any unused CV Sick Leave balance to deferred vacation leave. The County will establish a separate bank of leave to isolate the CV Sick Leave benefits required by the Act which shall not affect the employees existing or future regular leave accruals or related administrative policies. The County will convert any remaining leave from the 80 hours of paid CV Sick Leave required by the Act to each employee's vacation balance effective on the first pay period following the expiration of benefits required by the Act which is currently December 31, 2020 unless extended by the federal government.

This benefit will be uniformly extended to all eligible general County employees.

At a later date, the County Administrator intends to recommend a similar benefit and M.O.U. to the IAFF bargaining unit, the details of which will be more uniquely tailored to their CBA and the time and attendance requirements of our first responders under the County's Declaration of Emergency.

FUNDING:

Although difficult to predict the direct budgetary impact at this time, a loss in staff time is anticipated as a result of the CV Sick Leave allowance and possible carryover. This loss in staff time could warrant the need for additional overtime coverage which will be handled via budget amendment, where necessary. Annual salaries for the current fiscal year are budgeted and fully funded.

RECOMENDATON:

Staff recommends the Board approve the Memorandum of Understanding, extend the benefits described therein to the County's general employees, and authorize the Chair to sign.

Attachments:

Memorandum of Understanding
Explanation of the Act to Employees Memo
Department of Labor Employee Rights Poster

APPROVED AGENDA ITEM FOR APRIL 7, 2020