



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: April 15, 2020

SUBJECT: Memorandum of Understanding with IAFF Local 2201 (“Union”) 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 (“COVID-19”) crisis with said declaration being affirmed and continued on March 24, March 31, April 7, and again on April 14, 2020 respectively. In response to recently adopted federal legislation titled Families First Coronavirus Response Act (the “Act”), the Indian River County Emergency Services District (the “County”) and the Union desire to memorialize their understanding of the County’s election to opt out of the Act with respect to the County’s first responder positions within the Union.

The parties desire to memorialize the impact to the current Collective Bargaining Agreement (“CBA”) through a Memorandum of Understanding (“M.O.U.”). Generally, 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. The Act, in addition to mandating up to 80 hours of 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.

Analysis:

The County, while recognizing the extraordinary contributions of the first responders in the Union during the declared emergency, desires to voluntarily provide an equivalent sick leave benefit not required by the Act and maturing at the conclusion of the benefit period contemplated by the Act well after the pandemic.

Therefore, in recognition of the contributions made by first responders in the Union 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 to all eligible members of the Union in the form of 80 hours of deferred vacation leave which shall not affect the employees existing or future regular leave accruals under Section 28 of the CBA or related administrative polices. The County will deposit the 80 hours of paid vacation leave to each employee's vacation balance effective on the first pay period following the expiration of benefit period envisioned by the Act which is currently December 31, 2020 unless extended by the federal government (the "Deposit Date"). This benefit will not mature nor can it be utilized prior to the Deposit Date. The M.O.U. authorizes a limited extension to the vacation cap carryover provisions of Article 28 in order to blend in the additional vacation hours during calendar years 2021 and 2022.

FUNDING:

Although difficult to predict the direct budgetary impact at this time, a loss in staff time is anticipated as a result of the additional vacation 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, and authorize the Chair to sign.

Attachments:

Memorandum of Understanding

APPROVED AGENDA ITEM FOR APRIL 21, 2020