Report to Mayor and City Council

Tuesday, June 02, 2020

Discussion

SUBJECT:

CONSIDERATION OF HAZARD PAY FOR SPECIFIED CITY EMPLOYEES DURING THE COVID-19 DECLARED EMERGENCY (CITY COUNCIL)

I. SUMMARY

As we all know, these are extraordinary times. Well thought out decisions are being made by our City leaders that reflect their heightened concern for the health and welfare of our employees and the community.

The City Council acted quickly, closing all City facilities to the public and suspending all programs and events. Adhering to the federal and State government mandates, the City identified essential services critical to the City's governmental operations while reducing its other non-critical services. While each of our City employees is a valuable member of our team and **all** the services performed are important City functions that contribute to the smooth and efficient operation of the City, only employees whose job it is to maintain public safety, critical infrastructure, or internal functioning of the City were asked to report to work. Exceptions were made for anyone who wanted to be sent home because they needed to care for a school age child or because they were concerned that they may be more at risk because of age or underlying health issues.

Employees who are continuing to carry out their work for the City number 272. Of those, 58 telecommute on some or all of the days they are working. In addition, we have redeployed 47 employees to assist with food programs, phone banks or at the COVID test site.

Although no City employees reporting to work have gotten COVID-19, the City Council has asked that we come back with information to help them understand what additional risks our employees who are reporting to work in their regular work or in a redeployed capacity might be facing during this pandemic. There have been many reports of medical and grocery store workers who have gotten sick as a result of their exposure while at work to someone who is carrying COVID-19 and this has raised the concern about whether our employees are in similar high risk positions. The question has been raised as to whether hazard pay is warranted.

Hazard pay, an often-used compensation method in industries with high instances of death or injury such as logging, fishing and electrical installation, is additional compensation for performing duties that involve physical hardship or that place workers in potentially dangerous situations. There are currently no federal regulations that would secure hazard pay or any additional compensation for the essential workers during COVID-19. Typically, hazard pay is given at a particular percentage of hourly pay or at a flat rate. The Code of Federal Regulation provides helpful examples of hazard pay under specific circumstances, including “known exposure to serious disease for which adequate protection cannot be provided”.

With no members of the public in our facilities and having a reduced workforce, our offices are largely empty. City Council meetings are held using Zoom with the public observing remotely. All other meetings are via Zoom or through teleconferencing.

As more information has become known about how the novel coronavirus is transmitted, we have been able to increase our health protocols. Our procurement team managed to overcome the challenges caused by high demand and was able to obtain face masks, thermometers, hand sanitizer and gloves for our workers and face masks for the community.

The Disaster Council had the foresight to mandate that staff wear face masks in our facilities and to have everyone’s temperature taken once a day on entering the building. Similarly, the City Council also moved quickly to require that everyone wear face masks when outside in Carson as well as inside essential businesses like grocery stores. Supplementing this, staff has been directed to practice social distancing, staying 6 feet apart, including our maintenance crews who have been asked to drive separate vehicles to maintain social distancing.

Most, if not all, of our redeployed staff work outdoors and follow the above health protocols. In addition, food items are delivered to the customer doorstep further minimizing in-person contact. Moreover, as the grab-n-go and COVID-19 testing are drive through, social distancing is also maintained via the vehicle window being used as a shield.

Our record of having no positive tests for COVID-19 among our currently reporting and redeployed staff is testament that the above health protocols and the minimal, if any, public exposure is working.

II. RECOMMENDATION

DISCUSS and PROVIDE direction on Hazard Pay for specified City employees during the COVID-19 Declared Emergency.

III. ALTERNATIVES

TAKE another action that the City Council deems appropriate.

IV. BACKGROUND

As a result of the City's declaration of a local emergency in response to the coronavirus pandemic on March 17, 2020 in Resolution No. 20-053, the City made the difficult but forward thinking decision to close all City facilities to the public, including the Community Center and parks. This decision was confirmed by Governor Newsom's Executive Order N-33-20 issued on March 19, 2020, which required "all individuals living in the State of California to stay home or at their place or residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors," as outlined by the federal Department of Homeland Security's Cyber and Infrastructure Security Agency (CISA) in its March 19, 2020 Memorandum.

Adhering to the federal and State government mandates, the City identified essential services critical to the City's governmental operations in support of the federal infrastructure sectors while reducing its other non-critical operations, as outlined in the CISA Memo dated March 19, 2020. Each of our City employees is a valuable member of our team, and ***all*** the services performed are important City functions that contribute to the smooth and efficient operation of the City's services. However, to the extent that employee services were not immediately essential to maintain public safety, critical infrastructure, or internal functioning of the City, employees were required not to report to work or do any work at home, in order to reduce and slow the community spread of COVID-19, as mandated by the Governor's Executive Order. Programs such as those provided by our parks and recreation team were suspended in their entirety and, even for those services that are essential, where the need has declined, the City has set its staffing levels to match the current level of community need.

Employees Currently Reporting

We have 183 employees who currently report to work in person some or all work days (of which a small number also telecommute some days) in their regular roles during COVID-19 include classifications under the following departments:

City Manager's Office/Elected Officials (27) - City Council**, City Clerk, City Treasurer, Public Information Office, Public Safety/Emergency Services, Code Enforcement** and Information Technology

Public Works (118) - Administration, Engineering, Landscape & Building Maintenance and Right-of-Way

Finance (19) - Accounting/Payroll, Budgeting, Revenue/Business License and Purchasing

Community Development (1) - Planning

Human Resources (11) - Recruiting, Risk Management

Community Services (7) - Parks & Recreation, Community Center

*** In "public facing" roles some of the time*

Redeployed Employees in Task Force

The current Task Force of 47 are voluntarily working in the redeployed work categories below. Most, if not all, are working below their normal job classifications for the same compensation. The majority work outdoors.

Task Force Manager/Administration (1)
Provide updates to City Manager, Asst. City Manager, Disaster Council, City Council and CDC/Area E/Los Angeles County; oversee programs and assure task force is working efficiently, coordinate meetings and follow up, assist with office correspondence; monitor and order all supplies needed for task force; provide PPE for staff daily; give reminders to staff regarding social distancing and importance of PPE; prepare agendas for bi-weekly meetings, liaison to Carson businesses; contact to local organizations (e.g., Kiwanis, Rotary, Lions Club); assist with grant applications, procuring donations for residents, and coordinating new programs to help specific populations).

Public Safety (1)
Direct traffic of incoming cars for proper flow; deliver test kits to homebound seniors at doorstep; set up and break down of tents, A-frames and barricades).

Hotline Call Center/COVID-19 Representative (~9)
Assist Carson residents by providing them with local resources, answering frequently asked questions and forwarding calls to the appropriate task force member in each section for further assistance; assist Sheriff's Dept. with phone call welfare checks of homebound seniors; track number of calls received/made; assist in making COVID-19 test appointments and answer daily voicemails.

*Geriatric Aides**(3)*
Visit homebound seniors, deliver meals, and assist small errands (e.g., shopping and pick-up of medical prescriptions).

*Grab N Go** & Meal Delivery (~15)*
Grab N Go: Assist with set-up and breakdown of Grab N Go drive thru lanes; package individual meals for distribution at our facility; coordinate supplies, food and PPE to employee team members; assist with vehicle line formation at entry and exit points (6' distance/ car windows closed); assist vehicles as they move through the line (6' distance/car windows closed); traffic control; provide tickets to each participant (through partially opened car window); distribute food boxes and forms through car window using a tray (no contact).
Meal Delivery Services*:* Coordinate routes of the YMCA Meals on Wheels program for Carson seniors; assure all vehicles are working properly; maintain daily driving log sheets and oversee delivery drivers; coordinate pick-up and drop-off of supplies and food.

Carson Essentials To Go Coordinator (~5)

Coordinate program with Norms Restaurant (contracts, content of packages, pick-up supplies from restaurant daily); map out daily deliveries; deliver pre-packaged meals to residents at doorstep.

*COVID-19 Testing Site Representative**(~13)*
Set up and breakdown testing area daily; coordinate pick-up and drop-off of supplies/food/PPE; prep and assemble supplies (test kits and test collection containers); provide written instructions to constituents administering self-test (car window partially opened briefly); traffic control and identification verification (through closed car window); pre-screening of resident information prior to constituent completing self-test (through closed car window); instruct constituent on how to self-administer test kit (through closed car window), collect test kit utilizing a non-contact item such as a bucket or tray (car window opened briefly).

** *In "public facing" roles, while outdoors for periods of under 1-2 minutes of time*

Current Research on Risks of Exposure
We are now learning that "most of the infections actually occur within close contact, which means face-to-face contact with an infected person for a minimum of 15 minutes, or spending time together in the same room or enclosed environment." This is a quote of Muge Cevik, an infectious-disease researcher at University of St Andrews who has been studying viral spread.

"Contact tracing of cases, for example, has shown that eating together seems to lead to more spread of the virus, even though generally touching a surface does not. The virus is thought to spread mainly through respiratory droplets when an infected person coughs or sneezes, according to CDC. Those can then land in the mouths or noses of nearby people or potentially be inhaled into the lungs. Crowded indoor environments, like subways, for example, may not be safe for a long time."
<https://www.bloomberg.com/news/articles/2020-05-22/is-it-safe-to-go-out-this-summer-

"The good news: Interviews show a growing consensus among experts that, if Americans are going to leave their homes, it's safer to be outside than in the office or the mall. With fresh air and more space between people, the risk goes down." Julia L. Marcus, an epidemiologist and assistant professor at Harvard Medical said this: "We know that being outdoors is lower risk for coronavirus transmission than being indoors."
<https://www.google.com/amp/s/www.nytimes.com/2020/05/15/us/coronavirus-what-to-do-
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One of the most shocking findings made public by NY Governor Cuomo was that most new coronavirus hospitalizations are people who had been staying home. The preliminary data was from 100 New York hospitals involving about 1,000 patients. It shows that 66% of the new admissions were from people who had largely been sheltering at home. The next highest source of admissions was from nursing homes, 18%. According to Governor Cuomo: "This is a surprise: Overwhelming, the people were at home," he added. "We thought maybe they were taking public transportation, and we've taken special precautions

on public transportation, but actually no, because these people were literally at home." "Cuomo said state health officials had thought a high percentage of people who were hospitalized would be essential employees, like healthcare workers or city staff, who are still going to work. Much of this come down to what you do to protect yourself. Everything is closed down, government has done everything it could, and society has done everything it could. Now it's up to you," Cuomo said.
<https://www.google.com/amp/s/www.cnbc.com/amp/2020/05/06/ny-gov-cuomo-says-its-

Other Cities

On May 13, 2020, one small municipality, the City of Irwindale (for FY 2019/2020) has 700 businesses, 300 residents that grows to 1,500 due to the industrial nature of the City and 123 employees (87 FTE; 36 PTE), has implemented a 5% Temporary Pay Supplement. The temporary pay supplement is based upon the base pay rate for each of the 70 employees that are receiving it (sworn and non-sworn which includes police officers and certain public safety and public service employees. The temporary pay supplement is only paid to the eligible employees for hours worked when they perform "public facing" services in the field. Paid leave time, including vacation leave, sick leave, administrative leave, Labor Code section 4850 leave and workers' compensation leave, are not eligible for the Temporary Pay Supplement. The Temporary Pay Supplement will not be reported to the California Public Employees' Retirement System ("CalPERS") as compensation earnable" as defined in Government Code section 20636(a). This temporary pay supplement was effective March 12 and will continue until the LA County "Safer at Home" Health Officer Order expires. The estimated cost of this temporary pay supplement from March 12 - June 30, 2020 will be $51k.

V. FISCAL IMPACT

Hazard pay was not included in the FY19/20 budget. Any funds allocated for hazard pay would require an appropriation and, as a new proposed benefit, is subject to the meet and confer process with all impacted units on issues such as the amount and who is eligible prior to implementation. While staff is not recommending hazard pay based upon the minimal and/or limited in person contact and health protocols in place, if there was an interest in implementation, staff suggests the following:

1. Limit to employees reporting to work and/or redeployed who have substantial in-person contact with the public;

2. Provide a flat, per pay period amount comparable to other supplemental flat fees (e.g., $50 for full-time per month; $25 for part-time per month); and

3. End when City facilities are opened, signaling a return to regular public interaction.

VI. EXHIBITS

Prepared by: Sharon Landers, City Manager/Director of Emergency Preparedness

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