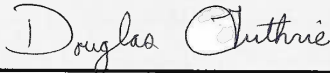


REPORT OF THE PRESIDENT AND CEO

January 28, 2021

**RESOLUTION APPROVING EXTENSION OF EXPANDED FAMILIES FIRST CORONAVIRUS
RESPONSE ACT BENEFITS FOR EMPLOYEES OF THE HOUSING AUTHORITY OF THE
CITY OF LOS ANGELES**



Douglas Guthrie
President and CEO



Annie Markarian
Director of Labor & Employee Relations

Purpose: The purpose of this item is to request that the Board of Commissioners (the "Board") approve the extension of paid leave benefits to employees of the Housing Authority of the City of Los Angeles (the "Authority") who have been impacted by COVID-19.

Regarding: In April 2020, in response to the COVID-19 Pandemic, the Board approved and ratified certain employee benefits in response to COVID-19, including expanded application of the Families First Coronavirus Response Act ("FFCRA"), which provides limited paid leave benefits to employees who are impacted by COVID-19. The FFCRA expired on December 31, 2020. Although Congress did not extend the mandated paid leave, they encouraged employers to continue to provide the benefit by extending the tax credit¹. The Authority, with Board approval, seeks to extend benefits previously provided under the FFCRA through December 31, 2021, or until such time that Los Angeles County Stay at Home Orders are lifted, or substantially eased, whichever comes first.

Issues: The health and well-being of all employees is of paramount importance to the Authority. In April 2020, the Board approved the following employee benefits in response to the COVID-19 pandemic: (1) Providing eligible active employees limited Paid Administrative Leave; (2) Expanding application of the FFCRA to address our employees' challenges resulting from COVID-19; (3) Increasing the accrual of Professional Time Off (PTO) for calendar year 2020 by 40 hours; (4) Permitting employees an additional opportunity to cash-out accrued leave benefits in calendar year 2020; (5) Reimbursing costs associated with telework by providing a monthly stipend up to \$40.00 (\$20.00 for phone and \$20.00 for connectivity related expenses); and (5) Providing staff who are required to enter into occupied residences a hazard pay stipend in the amount of \$30.00 per day. Of these benefits, the telework stipend and hazard pay have been approved to continue into 2021. The Authority, with Board approval, seeks to extend benefits previously provided under the FFCRA through December 31, 2021, or until such time that Los Angeles County Stay at Home Orders are lifted, or substantially eased, whichever comes first.

¹ The tax-credits are not applicable to the Authority.

Families First Corona Virus Response Act

The FFCRA, which was effective from April 1, 2020, through December 31, 2020, provided two options for paid leave to employees who were unable to work, or telework, due to the COVID-19 pandemic: (1) Emergency Paid Sick Leave; and (2) Public Health Emergency Leave (an emergency expansion of the Family Medical Leave Act).

The Authority adopted a FFCRA-compliant plan to cover current full- and part-time employees, including Casual and Per Diem workers. The plan extended the FFCRA benefits beyond the minimum threshold. Specifically, the Authority expanded the benefit to staff who fall within a vulnerable population due to their age or health condition and eliminated the daily and aggregate caps under the emergency paid sick leave. A summary of the Authority's plan, which was approved in 2020, is attached.

It is in the best interest of the Authority to temporarily extend the FFCRA benefits. Specifically, it promotes workplace safety by encouraging employees to disclose exposure of COVID-19 and stay out of the workplace if they are required to quarantine or isolate. This extension is not intended to replenish the benefit for staff who have already utilized/exhausted the paid leave under this plan.

Vision Plan: Extension of the FFCRA benefits is consistent with the Authority's vision plan. Specifically, these benefits promote a safe workplace, commitment to serving the community, and continued support for our employees and community in light of the challenges associated with COVID-19.

Funding: The Chief Administrative Officer confirms the following:

Source of Funds: Pursuant to the federal CARES Act adopted on March 27, 2020, significant additional funding has been disbursed to public housing agencies for additional costs incurred during the pandemic, including but not limited to additional operating expenses such as those described here.

Budget and Program Impact: At this time, precise cost projections for each of the items described here are not available as all covered employees are not known with certainty at this time. However, as noted above, additional operating funds are available to cover this unique costs.

Environmental Review: Not applicable

Section 3: Not applicable

Attachment:

1. 2020 Memorandum to Staff re: Families First Coronavirus Response Act
2. Resolution

HOUSING AUTHORITY OF THE CITY OF LOS ANGELES
INTEROFFICE MEMORANDUM

Date: March 31, 2020
FROM: Annie Markarian, Director of Labor & Employee Relations *AM*
To: All HACLA Staff
SUBJECT: Families First Coronavirus Response Act & Additional HACLA Provided Benefits

On March 18, 2020, the President signed into law H.R. 6201, the Families First Coronavirus Response Act (FFCRA) which becomes effective on April 1, 2020. The FFCRA provides two options for paid leave to employees who are unable to work, or telework, due to the COVID-19 Pandemic: (1) Emergency Paid Sick Leave; and (2) Public Health Emergency Leave (an emergency expansion of the Family Medical Leave Act).

The health and wellbeing of our employees is of paramount importance to the Housing Authority of the City of Los Angeles; as such, we intend to provide benefits that are substantially greater than what is set forth in the FFCRA (and which will run concurrently with the benefits provided under the FFCRA, to the extent permissible). A summary of those benefits are set forth below¹:

	Emergency Paid Sick Leave	Public Health Emergency Leave
Period Covered	Weeks 1 - 2	Weeks 3 - 12
Effective Date	April 1, 2020; however, Paid Admin Leave remains an option through April 5, 2020	April 1, 2020; however, Paid Admin Leave remains an option through April 5, 2020
Eligibility	No minimum employment period	<i>No minimum employment period</i>
Qualifying Reasons	<ol style="list-style-type: none"> 1. Subject to a federal, state or local quarantine or isolation order related to COVID-19; 2. Advised by a health care provider to self-quarantine due to COVID-19 concerns; 3. Experiencing COVID-19 symptoms and seeking medical diagnosis; 4. Caring for an individual subject to a federal, state or local quarantine or isolation order or advised by a health care provider to self-quarantine due to COVID-19 concerns 5. Caring for the employee's child if the child's school or place of care is closed 	<ol style="list-style-type: none"> 1. To care for the employee's child if the child's school or place of care is closed or the childcare provider is unavailable due to a public health emergency. 2. <i>Employee is least 65 years old or has a chronic health condition compromising their immune system (such as heart disease, asthma, lung disease, diabetes, kidney disease, or otherwise weakened immune system), and is under self-quarantine due to concerns related to COVID-19.</i>

¹ Items in italics are expanded HACLA benefits beyond those provided in the FFCRA.

	<p>or the child's care provider is unavailable due to public health emergency; or</p> <p>6. Experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.</p> <p>7. <i>Employee is least 65 years old or has a chronic health condition compromising their immune system (such as heart disease, asthma, lung disease, diabetes, kidney disease, or otherwise weakened immune system), and is under self-quarantine due to concerns related to COVID-19.</i></p>	
Length of Leave	<p>80 hours for full time employees</p> <p>Standard 2-week schedule for part-time staff</p>	<p>Additional 10 weeks. (FMLA period will refresh for those qualifying under the Public Health Emergency Leave)</p>
Paid Leave Requirements: Minimum Compensation Requirements	<p>80 hours, or two-thirds the employee's regular rate of pay, depending on category.</p> <p>Category 1, 2, 3: 80 hours</p> <p>Category 4, 5, 6, 7: two-thirds the employee's regular rate of pay</p> <p>Employees may supplement the unpaid portion of their leave with accrued leave</p>	<p>Two-thirds the employee's regular rate</p> <p>Employees may supplement the unpaid portion of their leave with accrued leave.</p>
Paid Leave Limits	<p>No daily or aggregate caps for the first two week period</p>	<p>\$200/day; \$10,000 aggregate</p>
Expiration	<p>12/31/2020</p>	<p>12/31/2020</p>

Employees who need additional leave beyond the FFCRA leave periods, must submit a personal leave of absence request to Human Resources at least 5 work days prior to the expiration of your current leave.

Benefits under this policy will not be provided beyond December 31, 2020. Any unused leave benefits under this policy will not carry over to the next year or be paid out to employees.

To request Emergency Paid Sick Leave and/or Public Health Emergency Leave, please send your leave request HR.Leave@hacla.org. Human Resources will be in contact with you regarding request forms and certification requirements.

RESOLUTION NO. _____

**RESOLUTION APPROVING EXTENSION OF EXPANDED FAMILIES FIRST CORONAVIRUS
RESPONSE ACT BENEFITS FOR EMPLOYEES OF THE HOUSING AUTHORITY OF THE
CITY OF LOS ANGELES**

WHEREAS, the Housing Authority of the City of Los Angeles (the "Authority") has proactively responded to the COVID-19 pandemic by providing certain benefits to staff to encourage their health and well-being and continued commitment to the Authority and the community it serves.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners does hereby authorize the continuation of the of the expanded Families First Coronavirus Response Act benefits through December 31, 2021, or until such time that the Los Angeles County Stay at Home Orders are lifted, or sufficiently eased, whichever comes first.

BE IT FURTHER RESOLVED that this extension is not intended to replenish the benefit for staff who have already utilized/exhausted the paid leave under this plan.

BE IT FURTHER RESOLVED that the Board of Commissioners Authorizes the Authority's chief negotiator to undertake actions necessary to effectuate the benefits set forth in this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

**HOUSING AUTHORITY OF THE
CITY OF LOS ANGELES**

By: _____
Ben Besley, Chairperson

APPROVED AS TO FORM:

BY: _____
James Johnson, General Counsel

DATE ADOPTED: _____