



LIVE WELL
SAN DIEGO

Advisory Council for Aging & Independence Services

February 13, 2023 | 12:00 p.m.

Virtual Meeting

Call in: 1 (669) 900-9128

Meeting ID (access code): 992 5390 3588

Passcode: 251412

Click here to [Join Zoom Meeting](#)

AGENDA

* (attachment)

1. **Call to Order:** Wanda Smith, 1st Vice Chair
 - a. Welcome & Pledge of Allegiance
 - b. Guest/Member Introductions
 - c. Confirmation of Quorum (quorum = 11)
2. **Continuance of Teleconferencing Meeting Option Pursuant to Government Code Section 54953(e)** (Action)
3. **Standard Business**
 - a. Public Comment/Announcements: Members or non-members
 - b. Approval of January 9, 2023 Meeting Minutes (Action)*
4. **AIS Director's Items**
 - a. Board Letter:
 - i. Memorandum of Understanding between County of San Diego In-Home Supportive Services Public Authority and United Domestic Workers of America, AFSCME Local 3930 and Submission of Public Authority Rate Request (Informational Item Only)*
 - b. AIS Director's Update
5. **Guest Speakers**
 - a. In-Home Supportive Services Program Overview
Julie Lara, IHSS Social Work Supervisor
6. **Executive & Membership Subcommittee Report/Other Business**
 - a. Chair's Report: Wanda Smith, 1st Vice Chair
 - i. Subcommittee Appointments and Updates
 - a) Standing Subcommittee Appointment
 - Appointment of Shirley King to 2nd Vice Chair (Action)
 - b) Long-Term Care Ombudsman and Facilities Subcommittee
 - Appoint Subcommittee Chair – *Nominations from the Floor* (Action)



- c) Convene the Budget Ad Hoc Subcommittee (Action)
 - Role: Review the AIS Fiscal Year (FY) 23/24 Budget Build and provide input into the AIS FY 23/24 Budget presentation.
 - Term: February 13, 2023 through the presentation of the AIS FY 23/24 Budget.
 - Membership: Wanda Smith (Chair), Stephen Huber, Kristine Stensberg, Mina Kerr, Shirley King
 - b. Membership Report: Susan Mallett, Secretary
 - i. Appoint Dan McNamara to 1st Full Term (Action)
 - a) Seat #14, effective immediately, to expire 3/11/27
 - ii. Appoint Pualani Vazquez to 1st Full Term (Action)
 - a) Seat #23, effective immediately, to expire 2/13/27
 - c. Board of Supervisors Annual Visits (Dates posted as confirmed):
 - i. District #1: Vargas [Vacant/Larkins] 10/4/2022
 - ii. District #2: Anderson [Vacant/Nocon] TBD
 - iii. District #3: Lawson-Remer [King/Osborne] 1/18/2023
 - iv. District #4: Fletcher [Villafana/Flynn] TBD
 - v. District #5: Desmond [Vacant/Weber] 5/31/2022
7. **Ancillary Subcommittee Oral Reports** (Possible action)
- a. LTC Ombudsman/Facilities (met 1/19/23): TBD, Chair
 - b. Healthy Aging (met 1/13/23): Wanda Smith, Chair
 - c. Housing (met 7/7/22): TBD, Chair
 - d. Nutrition (met 2/7/23): Susan Mallett, Chair
8. **Other Announcements**
- a. *Reminder:* AB 2449 – Teleconferencing Procedures Under the Brown Act
9. **Adjournment & Next Meetings:**

Council Meeting: March 13, 2023, 12:00 p.m.
5560 Overland Ave. Ste. 310, San Diego, 92123

Future Subcommittee Meetings:

➤ LTC Ombudsman/Facilities:	TBD	10:30 a.m.	[3 rd Thursdays]	Virtual
➤ Executive & Membership:	2/28/23	10:30 a.m.	[4 th Tuesdays]	Virtual
➤ Nutrition:	3/7/23	1:00 p.m.	[1 st Tuesdays]	Virtual
➤ Healthy Aging:	3/13/23	10:30 a.m.	[1 st Thursdays]	Virtual
➤ Housing:	TBD	12:00 p.m.	[1 st Thursdays]	Virtual

This meeting is public, and the location is ADA accessible. If you are planning to attend and need special accommodations, please call (858) 495-5885 at least three days in advance of the meeting.

Supporting documentation and attachments for items listed on this agenda may be viewed at Aging & Independence Services, 5560 Overland Avenue, Suite 310, San Diego, CA 92123, or received by calling (858) 495-5885.

Aging & Independence Services Advisory Council
Monday, January 9, 2023 | 12:00pm – 2:00pm
Call in: 1 (669) 900-9128
Meeting ID (access code): 992 5390 3588 | Passcode: 251412

MINUTES – DRAFT

Members			Absent Members	Guests
Attendance	Faye Detsky-Weil Chequita Falls Monica Flynn Joe Garbanzos Stephen Huber Mina Kerr Shirley King Ethel Larkins Elaine Lewis Chris Maeoka	Susan Mallett Dan McNamara Bradlyn Mulvey Molly Nocon John Osborne Jacqueline Simon Wanda Smith Kristine Stensberg Emily Tran Pualani Vazquez	Silvia Martinez Thomas Splitgerber Luz Villafana Darlene Weber	Elisa Barnett Vianney Camarillo Jacqueline Jackson Casey Myers Wendy Vierra
	Distinguished Merit Recipients		Staff	
			Kendall Bremner Naomi Chavez Kim Gallo Jana Jordan	Samantha Hasler Julia Homitano Dayna Zarate
Smith	Outcome			
1. Call to Order	Stephen Huber, Chair, 12:00pm a. Welcome & Pledge of Allegiance b. Guest/Member Introductions c. Confirmation of Quorum: <u>17 present at this time.</u>			
2. Continuance of Teleconferencing Meeting Option Pursuant to Government Code Section 54953(e)	<ul style="list-style-type: none"> Executive Order 29-20, which allowed local or state bodies to participate in meetings remotely, ended on September 30, 2021. Effective October 1, 2021 Assembly Bill (AB) 361 amends government code 54593 to add sub-section e, which allows suspension of general teleconferencing rule if there is a proclaimed state of emergency and state, or local officials have imposed or recommended measures to promote social distancing. <ul style="list-style-type: none"> On September 23, Dr. Wooten (Public Health Officer) released a health recommendation stating that utilizing teleconferencing options for public meetings is effective and a recommended social distancing measure to facilitate participation in public affairs. AB 361 requires renewal of resolution every 30 days. Action to approve renewal resolution to continue to allow Teleconferencing Meeting Option (Action)* [M/S –B. Mulvey/E. Larkin (Passed with 17 votes)] 			
3. Standard Business	a. Public Comment/Announcements: Members or non-members <ul style="list-style-type: none"> C. Falls, from Meals on Wheels, announced ribbon cutting ceremony on Wednesday, January 18, 2023 for newly remodeled South County office. E. Larkins announced the 13th annual Martin Luther King Jr. community festival and sports festival on January 21, 2023. E. Tran announced 4-part speaker series at SDSU campus on February 16, 2023. b. Approval of December 12 th , 2022, Meeting Minutes (Action)* [M/S – C. Falls/ W. Smith (Passed with 21 votes)]			
4. AIS Director's Items	<ul style="list-style-type: none"> K. Gallo provided an update on ARPA funded projects: <ul style="list-style-type: none"> The program to provide safe, accessible, and no-cost transportation for older adults is being operated through Jewish Family Services. To date, JFS has provided over 1200 miles of rides to older adults. They have prioritized outreach to senior centers and health equity zip codes and are continuing to enroll participants. Feedback received indicates that participants are requesting rides to run errands, go to doctors' appointments, and to engage in social activities at senior centers. This program will continue through September 2024. The IHSS Technology for Social Inclusion program provides iPads and in-person and virtual technology instruction to homebound or isolated IHSS consumers and their caregivers. This program is also up and running, with referrals from program staff and enrollment to begin later this month. This program will continue through October 2024. 			

	<ul style="list-style-type: none">• ARPA funding continues to be used to expand the Senior Nutrition Program and serve additional meals or enroll new participants. Our contracted partners have provided approximately 350,000 meals with the additional funding to date. The expanded service will continue through 2024.• AIS continues to be committed to reducing homelessness amongst older adults. We are continuing our work through our partnership with Interfaith Community Services and the Home Safe Grant, which provides funding for APS to identify clients at risk of homelessness and connect them with housing navigation services and funds for rapid re-housing. We are also working collaboratively with the Office of Homeless Solutions to provide Home Safe housing navigation services and financial assistance to individuals aged 50 and older that are currently experiencing homelessness.• Work will begin on our 2024-2028 Area Plan this year, as required by the California Department of Aging. Work will include a comprehensive community needs assessment, including a survey of older adults and community feedback forums. Feedback received will be integrated into the Area Plan and will also help inform various County programs and the direction of the Aging Roadmap.															
5. Guest Speakers	<p>a. Annual Brown Act Training – Katherine Hart, Senior Deputy County Counsel Highlights included:</p> <ul style="list-style-type: none">• The Brown Act’s purpose• Legislative Bodies• Meetings – defined, accessibility, notice, conduct• No serial meetings• Serial meetings – methods• Permitted activities outside noticed public meetings• Social media• Brown Act – written materials• Teleconference meetings• Brown Act Sanctions <p>b. Serving Seniors – Paul Downey, President, and Chief Executive Officer Highlights included:</p> <ul style="list-style-type: none">• Mission: Helping seniors in poverty live healthy and fulfilling lives.• In the fiscal year ending in June, over 1.4 million meals were served to almost 6,000 people in San Diego County.• Case Management• Activities/Civic Engagement• Affordable housing• Homelessness Services															
6. Executive & Membership Subcommittee Report/Other Business	<p>a. Chair’s Report: Stephen Huber, Chair</p> <p>i. Subcommittee Appointments and Updates</p> <p>a) Convene the Area Plan Ad Hoc Subcommittee (Action)</p> <ul style="list-style-type: none">– Role: Review and provide input into the FY 23/24 Area Plan Update– Term: January 9, 2023 through approval of the FY 23/24 Area Plan Update– Membership: Stephen Huber, Mina Kerr, Elaine Lewis, Susan Mallett and Kristine Stensberg <p>[M/S – E. Larkins/J. Osborne (Passed with 19 votes)]</p> <p>b) Membership Report: Susan Mallett, Secretary</p> <ul style="list-style-type: none">– Appoint Jackie Simon to 2nd Full Term (Action)– Seat #18, effective immediately, to expire 10/13/26 <p>[M/S –W. Smith/S. King (Passed with 19 votes)]</p> <p>c) Board of Supervisors Annual Visits (Dates posted as confirmed):</p> <table><tr><td>i. District #1: Vargas</td><td>[Garbanzos/Larkins]</td><td>10/4/2022</td></tr><tr><td>ii. District #2: Anderson</td><td>[Splitgerber/Nocon]</td><td>TBD</td></tr><tr><td>iii. District #3: Lawson-Remer</td><td>[King/Osborne]</td><td>1/12/2023</td></tr><tr><td>iv. District #4: Fletcher</td><td>[Villafana/Flynn]</td><td>1/5/2022</td></tr><tr><td>v. District #5: Desmond</td><td>[Simon/Weber]</td><td>5/31/2022</td></tr></table>	i. District #1: Vargas	[Garbanzos/Larkins]	10/4/2022	ii. District #2: Anderson	[Splitgerber/Nocon]	TBD	iii. District #3: Lawson-Remer	[King/Osborne]	1/12/2023	iv. District #4: Fletcher	[Villafana/Flynn]	1/5/2022	v. District #5: Desmond	[Simon/Weber]	5/31/2022
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7. Ancillary Subcommittee Oral Reports	<p>a. LTC Ombudsman/Facilities (met 11/17/2022): Joe Garbanzos, Chair</p> <ul style="list-style-type: none">• J. Garbanzos mentioned recruiting volunteers for Ombudsman program. <p>b. Healthy Aging (met 11/3/2022): Wanda Smith, Chair</p> <ul style="list-style-type: none">• W. Smith reported the next meeting will be Friday, January 13, 2023. <p>c. Housing (met 7/7/2022): TBD, Chair</p> <ul style="list-style-type: none">• Housing subcommittee with be inactive until a new Chair has been appointed. <p>d. Nutrition (met 12/6/2022): Susan Mallett, Chair</p>															

8. Auxiliary Liaison Written Reports	{See Addendum}* 																									
9. Other Announcements	<ul style="list-style-type: none">March meeting will be held in-person.																									
10. Adjournment & Next Meetings	<p>a. Meeting adjourned: 1:50pm</p> <p>Council Meeting: February 13, 2023, 12 noon (When in-person, meetings are held at 5560 Overland Ave., San Diego, 92123. Virtual meeting details will be included in agendas posted online 72 hours before meetings at www.aging.sandiegocounty.gov/AISAdvisoryCouncil.)</p> <p>Future Subcommittee Meetings</p> <table><tr><td>➤ LTC Ombudsman/Facilities:</td><td>TBD</td><td>10:30 a.m.</td><td>[3rd Thursdays]</td><td>Virtual</td></tr><tr><td>➤ Executive & Membership:</td><td>1/24/23</td><td>10:30 a.m.</td><td>[4th Tuesdays]</td><td>Virtual</td></tr><tr><td>➤ Nutrition:</td><td>2/7/23</td><td>1:00 p.m.</td><td>[1st Tuesdays]</td><td>Virtual</td></tr><tr><td>➤ Healthy Aging:</td><td>1/13/23</td><td>9:00 a.m.</td><td>[1st Thursdays]</td><td>Virtual</td></tr><tr><td>➤ Housing:</td><td>TBD</td><td>12:00 p.m.</td><td>[1st Thursdays]</td><td>Virtual</td></tr></table>	➤ LTC Ombudsman/Facilities:	TBD	10:30 a.m.	[3rd Thursdays]	Virtual	➤ Executive & Membership:	1/24/23	10:30 a.m.	[4th Tuesdays]	Virtual	➤ Nutrition:	2/7/23	1:00 p.m.	[1st Tuesdays]	Virtual	➤ Healthy Aging:	1/13/23	9:00 a.m.	[1st Thursdays]	Virtual	➤ Housing:	TBD	12:00 p.m.	[1st Thursdays]	Virtual
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Minutes respectfully submitted by Julia Homitano



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

NATHAN FLETCHER
Fourth District

JIM DESMOND
Fifth District

DATE: February 7, 2023

IA01

TO: Public Authority Governing Body

SUBJECT

MEMORANDUM OF UNDERSTANDING BETWEEN COUNTY OF SAN DIEGO IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AND UNITED DOMESTIC WORKERS OF AMERICA, AFSCME LOCAL 3930 AND SUBMISSION OF PUBLIC AUTHORITY RATE REQUEST (DISTRICTS: ALL)

OVERVIEW

This action presents approval of a negotiated successor Memorandum of Understanding (MOU) between the County of San Diego In-Home Supportive Services Public Authority and the United Domestic Workers of America, Local 3930 of the American Federation of State, County and Municipal Employees (AFSCME). The tentative MOU includes a wage increase and an increased County contribution for benefits for In-Home Supportive Services caregivers.

To implement the terms of the successor MOU, Governing Body action is requested to approve a revised County of San Diego In-Home Supportive Services Public Authority Rate Request for submission to the State, which is required by the California Department of Social Services to increase the wage rate and to receive reimbursement of the State and federal expenses associated with the County of San Diego In-Home Supportive Services Public Authority.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Executive Director of the County of San Diego In-Home Supportive Services Public Authority to sign the Memorandum of Understanding (MOU), following ratification by the United Domestic Workers of America, AFSCME Local 3930 membership, between the County of San Diego In-Home Supportive Services Public Authority and the United Domestic Workers of America, AFSCME Local 3930, AFL-CIO for a term effective upon ratification and adoption through December 31, 2025.
2. Approve the revised County of San Diego In-Home Supportive Services Public Authority Rate Request for submission to the California Department of Social Services.

EQUITY IMPACT STATEMENT

Today's action reflects the partnership between the County of San Diego In-Home Supportive Services (IHSS) Public Authority and the United Domestic Workers Union of America, AFSCME

SUBJECT: MEMORANDUM OF UNDERSTANDING BETWEEN COUNTY OF SAN DIEGO IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AND UNITED DOMESTIC WORKERS OF AMERICA, AFSCME LOCAL 3930 AND SUBMISSION OF PUBLIC AUTHORITY RATE REQUEST (DISTRICTS: ALL)

Local 3930, to strengthen their relationship and work together to provide equitable salaries and compensation that ensures recruitment, retention, and just and fair benefits for IHSS caregivers.

SUSTAINABILITY IMPACT STATEMENT

Working with partners to improve and expand programs and services that contribute to the safety and welfare of older adults and persons with disabilities will advance the County of San Diego's Sustainability Goal to protect health and wellbeing. Specifically, the proposed action will increase economic empowerment for In-Home Supportive Services (IHSS) caregivers and enable IHSS recipients to remain safely in their own homes.

FISCAL IMPACT

Today's recommendations are estimated to result in Fiscal Year (FY) 2022-23 costs of \$12,000,000 to \$17,000,000 for wages depending on the final date of State approval of the revised rate package bringing the In-Home Supportive Services (IHSS) wage rate to \$17.00 per hour. Additionally, \$0.03 per paid IHSS hour would be provided for life insurance, estimated at between \$400,000 and \$500,000 for FY 2022-23. Lastly, annual amounts for non-health benefits of \$50,000 for job related safety equipment and \$40,000 for transportation passes would be paid during the term of the Memorandum of Understanding (MOU).

In FY 2023-24, the hourly wage rate is anticipated to increase to \$18.00 per hour on January 1, 2024, bringing the total estimated value of wage increases to \$75,000,000. In FY 2024-25, assuming an hourly wage rate of \$18.00 per hour in place for the entire fiscal year, the total value of wage increases would be \$100,000,000. If Article 5 section A.4 of the MOU is implemented due to an increase in the State's maximum participation level for wages, wages would increase to \$19.00 per hour on January 1, 2025, resulting in an additional \$50,000,000 in wage costs during the last year of the MOU. If the State's maximum participation level for wages is not increased, the United Domestic Workers Union of America and County of San Diego IHSS Public Authority may re-open negotiations on potential wage increases for the last year of the MOU. Any negotiated wage increases for Calendar Year 2025 would be subject to approval of the Governing Board.

The County's share of the increased wages and benefits is estimated at \$2,000,000 to \$3,000,000 in FY 2022-23, \$15,000,000 in FY 2023-24, and \$23,000,000 in FY 2024-25, which will be invoiced to the County by the State under the IHSS Maintenance of Effort (MOE) arrangement. If Article 5, section A.4 is implemented, another \$9,000,000 would be added to the County's MOE annually. The balance of the increased costs is covered by federal and State revenue. The intent will be to fund the County's MOE with Health and Human Services Realignment revenue to the extent available. If realignment does not grow at a pace to fully cover increased costs in the out years, other local funding sources and mitigations will need to be explored. The current year MOE adjustments will be covered with existing budgeted appropriations in the Health and Human Services Agency, and funds for subsequent years will be incorporated into future operational plans. At this time, there will be no change in net General Fund cost and no additional staff years.

SUBJECT: MEMORANDUM OF UNDERSTANDING BETWEEN COUNTY OF SAN DIEGO IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AND UNITED DOMESTIC WORKERS OF AMERICA, AFSCME LOCAL 3930 AND SUBMISSION OF PUBLIC AUTHORITY RATE REQUEST (DISTRICTS: ALL)

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

This item will be presented to the In-Home Supportive Services/Public Authority Advisory Committee as an informational item at its regular meeting on February 10, 2023, and to the Aging & Independence Services Advisory Council as an informational item at its regular meeting on February 13, 2023.

BACKGROUND

The County of San Diego In-Home Supportive Services (IHSS) Public Authority was established per State mandate to act as Employer of Record for IHSS individual providers and operate a Registry of Providers. The County of San Diego IHSS Public Authority works in partnership with the IHSS program operated by the County of San Diego (County) serving both providers and consumers. The County-operated IHSS program provides in-home assistance to approximately 36,000 low-income, aged, blind, and disabled individuals enabling many to remain safely in their homes, thereby reducing the need for more costly placements in nursing homes or other care facilities. The County of San Diego IHSS Public Authority provides a number of services to the approximately 33,000 IHSS individual providers including payroll services, funding for health and dental benefits, training, and provider enrollment. Funding for this program comes from federal, State, and County revenue.

Negotiated Memorandum of Understanding (Recommendation 1)

Approval is requested for a successor Memorandum of Understanding (MOU), pending ratification by the United Domestic Workers of America (UDWA), AFSCME Local 3930, union membership, for a term effective upon ratification by the union and adoption by the Governing Board through December 31, 2025. Under the proposed terms of the successor MOU, the County of San Diego IHSS Public Authority will increase the supplement to the base wage at an additional \$1.00 for a total supplement of \$1.50 per paid IHSS hour. The MOU will provide for a base wage that is equal to the applicable State minimum wage plus an additional supplement of \$1.50 per hour. The State minimum wage increased to \$15.50 per hour on January 1, 2023, which would bring the IHSS wage including the supplement to \$17.00 per hour.

Effective no sooner than January 1, 2024 and upon State approval, the County of San Diego IHSS Public Authority will further increase the supplement to the base wage by an additional \$1.00 for a total supplement of \$2.50 per hour. Effective no sooner than January 1, 2025 and upon State approval, if the State increases their maximum participation level for wages and benefits, the County's wage supplement will increase to bring provider wages up to a total of \$19.00 per hour, provided the County's share does not exceed 35% of the non-federal share. In the event the State does not increase their participation, UDWA and the County of San Diego IHSS Public Authority may exercise a re-opener for Article 5 for the purpose of negotiating a potential increase to provider wages, no earlier than October 1, 2024 and subject to final approval by the Governing Board.

SUBJECT: MEMORANDUM OF UNDERSTANDING BETWEEN COUNTY OF SAN DIEGO IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AND UNITED DOMESTIC WORKERS OF AMERICA, AFSCME LOCAL 3930 AND SUBMISSION OF PUBLIC AUTHORITY RATE REQUEST (DISTRICTS: ALL)

Additional non-health benefits paid by the County of San Diego IHSS Public Authority are included in the tentative MOU including a \$0.03 per paid IHSS hour contribution to the UDWA Trust for life insurance benefits, a \$50,000 annual payment for job related personal protective equipment supplies, and an annual contribution to the UDWA Trust of up to \$40,000 for distribution to IHSS caregivers to cover the cost of transportation passes. These benefits will be effective upon State approval.

Revised Rate Submission to the State (Recommendation 2)

Federal and State funding for IHSS wages and benefits is received based on approval of an IHSS Public Authority rate package submitted to the California Department of Social Services. The California Department of Health Care Services must also approve the revised rate so federal financial participation will occur through the federal Medicaid program. The effective date for the revised rate will be the first day of the month following the receipt of State approval.

The County of San Diego IHSS Public Authority's rate is comprised of two cost elements: one for IHSS home care services involving wages and benefits and another for administrative costs. The current County IHSS Public Authority rate is \$18.58 per hour. With Governing Body approval of the tentative MOU, approval is requested to submit a revised rate of \$19.72 per hour to the State. The revised rate makes adjustments for the additional \$1.00 per hour wage supplement and associated payroll taxes and for the newly negotiated non-health benefits.

The rate submission is also used by the State to calculate increases to the County's IHSS Maintenance of Effort (MOE). Under the MOE structure, counties have a capped contribution grown by an inflation factor each year. The County's MOE increases for negotiated wage and benefit increases. The State will participate in a cumulative total increase up to 10 percent of the current wage and health benefit rate over a three-year period if this option is selected. The County will be selecting to utilize the 10 percent increase on the rate form. The County's MOE increases by 35% of the non-federal share while the rate remains under the 10 percent State cap. The County covers 100% of the non-federal share for any increases above the State cap. A subsequent rate package will be submitted near the end of calendar year 2023 to increase the wage supplement by another \$1.00 per hour to be effective January 1, 2024. During that submission, the County will exceed the State's maximum participation level at the 10% cap, and the MOE will be adjusted accordingly.

SUBJECT: MEMORANDUM OF UNDERSTANDING BETWEEN COUNTY OF SAN DIEGO IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AND UNITED DOMESTIC WORKERS OF AMERICA, AFSCME LOCAL 3930 AND SUBMISSION OF PUBLIC AUTHORITY RATE REQUEST (DISTRICTS: ALL)

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

These actions are aligned with the 2023-2028 County of San Diego's Strategic Plan Initiatives for Empower (Workforce), Equity (Health) and Community (Quality of Life). Approval of the recommendations would allow the County of San Diego In-Home Supportive Services (IHSS) Public Authority to develop, maintain, and attract a skilled, adaptable, and diverse IHSS caregiver workforce dedicated to sustaining operational excellence and serving as enablers to these Strategic Initiatives.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'H. N. Meyer', with a stylized flourish at the end.

HELEN N. ROBBINS-MEYER
Chief Administrative Officer

ATTACHMENT(S)

Attachment A – County of San Diego Bargaining Offer to United Domestic Workers, Local 3930
Attachment B – County of San Diego In-Home Supportive Services Public Authority/Non-Profit Consortium Rate

**COUNTY OF SAN DIEGO BARGAINING OFFER
TO UNITED DOMESTIC WORKERS, LOCAL 3930
January 26, 2023**

The County proposes a three-year term, effective upon ratification and adoption by the Board of Supervisors through December 31, 2025 with the following proposed changes.

1. Article 5. Wages:

A. 1. The base wage for Providers shall be the State minimum wage¹.

2. ~~2.~~ Effective no sooner than January 1, 2023 and Upon Union Ratification, approval by the Board of Supervisors as Governing Body of the Public Authority and State approval, the Public Authority will increase the supplement ~~to the~~ base wage at an additional \$1.00 for a total supplement of \$1.50 per hour. The cost of the supplement will be added to the County's Maintenance of Effort (MOE) on a permanent basis, but will not be compounded for subsequent increases not locally negotiated.

3. Effective upon State approval, but no earlier than January 1, 2024, the Public Authority will increase the supplement to base wage by an additional \$1.00 for a total supplement of \$2.50 per hour. The cost of the supplement will be added to the County's Maintenance of Effort (MOE) on a permanent basis but will not be compounded for subsequent increases not locally negotiated.

4. Effective no sooner than January 1, 2025 and upon State approval, if the State increases their maximum participation level for wages and benefits, the County's wage supplement will increase to get provider wages to a total of \$19.00 per hour, provided the County's share does not exceed 35% of the non-federal share. In the event the State does not increase participation at the level specified above, the Union and the Public Authority may exercise a re-opener for Article 5, no earlier than October 1, 2024.

~~3.~~

~~Effective on January 1, 2025, if the state's maximum participation level for wages and benefits is no less than \$19.00 per hour, providers wages will increase to \$19.00 per hour. The non-federal share of cost of the wage increase will be jointly covered by the current sharing ratios. In the event the state's maximum participation level is less than \$19.00 per hour, no earlier than~~

¹ It is anticipated under SB 3 and State of California Labor Code, Section 1182.12, that minimum wage shall increase as follows:

Effective January 1, 2018, minimum wage shall increase to \$11.00

Effective January 1, 2019, minimum wage shall increase to \$12.00

Effective January 1, 2020, minimum wage shall increase to \$13.00

Effective January 1, 2021, minimum wage shall increase to \$14.00

Effective January 1, 2022, minimum wage shall increase to \$15.00

~~October 1, 2024, the Union and the Public Authority may exercise a re-opener for Article 5. The ability to exercise a re-opener shall not be construed as an agreement by Public Authority to any future wage or benefit increase.~~

~~4. 3. If the Provider base wage, plus the supplemental wage, plus the cost of benefits exceed the maximum State participation level for wages plus benefits, the amount of wage supplement will be adjusted so that the County's MOE remains the same as it would have been had the State participation level not been exceeded.~~

~~4. There is availability of State and/or Federal funding sufficient for the wage increase;~~

~~5. The State and or Federal sharing ratio for that increase equals or exceeds that identified in the Welfare and Institutions Code as of the effective date of this Agreement;~~

5. Supplemental wage increases are contingent upon and shall not be effective until
~~the~~ the State completes the required programming of the CMIPS to reflect such wage increase.

B. If the State approves an amount less than the full funding, the County's financial contribution is capped at a level determined by the current state/federal/county shares of IHSS provider wages. Should the State and/or Federal sharing ratio of the IHSS wages be reduced, then the County's overall contribution will not increase, rather the IHSS Home Care Worker wages will be adjusted to reflect the reduced State and/or Federal contribution.

~~C. Implementation of these wage and benefit provision contained in Article 6, Health Insurance, shall be contingent upon successful application of California's Federal Medicaid Waiver. UDW will hold the County harmless against the enforcement of any new economic provisions of this contract if the Federal Medicaid waiver to subsidize program cases is discontinued or reduced. Should that occur then wage and benefit costs shall be reduced accordingly.~~

DC. The wage increase shall be effective on the first of the month following completion of all of the above conditions.

ED. It is also understood and agreed that the implementation of any new Public Authority rate may involve delays caused by County or State approvals, or by State payroll issues, none of which are within the control of the Public Authority.

ARTICLE 6. ~~HEALTH INSURANCE~~ UNION TRUST FUND

Health Insurance

The Public Authority agrees in the concept of a Union Health Care Trust Fund for the sole purpose of providing health benefit programs to eligible individual providers covered under the MOU. The Union shall operate the Trust Fund and health care related benefits

programs in accordance with all applicable Federal and/or State laws. Funds in the Trust shall not be co-mingled with Union funds.

The Public Authority shall have no responsibility for administering health benefits. The Union shall be solely responsible for the provision of health benefits and the administration of the health benefit programs for providers.

The Trust shall be funded at \$.60 per paid IHSS hour for the term of this agreement, payable in monthly installments.

The Public Authority's contribution towards the Trust for health benefits shall continue only to the extent that state funding equals or exceeds that currently authorized in the Welfare and Institutions Code. The Public Authority shall not be obligated to provide money to the Trust for health benefit contributions should the State contribution be reduced or eliminated for any reason.

It is recognized and agreed that the County is not a party to the Trust and is under no obligation to increase appropriations.

Life Insurance

The Life Insurance will be administered through the UDW Trust. The Public Authority will fund the benefit by providing to the UDW Trust at the rate of \$0.03 per paid IHSS hour, payable in monthly installments. This will be effective no sooner than January 1, 2023 and upon State approval of the Non-Health Benefit life insurance rate to include federal and State funding participation.

PPE Supplies

Annually each calendar year, the Public Authority shall provide to the UDW trust a flat rate of \$50,000 for job related safety equipment, including but not limited to: exam gloves, disinfectant wipes, masks, hand sanitizers and other medical supplies, at no cost to Providers. This will be effective no sooner than January 1, 2023 and upon State approval of the Non-Health Benefit job related safety equipment rate to include federal and State funding participation.

Transportation

Annually each calendar year, the Public Authority shall provide to the UDW trust up to \$40,000 for distribution to providers to cover the costs of transportation passes. This will be effective no sooner than January 1, 2023 and upon State approval of the Non-Health Benefit transportation rate to include federal and State funding participation.

Trust Fund Reports:

Quarterly, or upon written request, the United Domestic Workers will provide to the County of San Diego IHSS Public Authority a copy of the Trust Fund financial report. The financial report shall include the actual costs of the health benefit and life insurance plan premiums, member contributions towards medical and life insurance, eligible provider participation level, rate increases by insurance carriers, distributions made to IHSS providers for supplies and transportation, a summary of remaining fund expenditures, and the beginning and ending cash balance of the fund. Additionally, once each year, upon written request, the Public Authority will be allowed to perform a full financial audit of the Union Trust Fund at no cost to the union.

Indemnification:

The Union shall indemnify and hold the County of San Diego IHSS Public Authority and the County of San Diego harmless from any claims or legal actions brought under this agreement.

Termination of Payments:

In the event the trust created to provide health benefits, life insurance, and/or payments for supplies and transportation terminates, or otherwise fails to provide one or more of the ~~the health~~ benefits as set forth in this Article and the Trust agreement, the Public Authority's obligation to make funding contributions to the Trust shall cease. UDW shall notify the Public Authority in writing within three (3) calendar days of any action or proposed action to terminate the trust or to eliminate ~~health~~ one or more benefits provided by the Trust.

This tentative agreement is contingent upon two Board of Supervisors readings and final adoption by the Board of Supervisors on the second reading.

Article 11. General Provisions

Section 6. Term

- A. The MOU between the San Diego Public Authority and the UDWA shall be effective January 1, 2023, or on the date the MOU is adopted by the Board of Supervisors, whichever occurs later, and shall expire December 31, ~~2025~~2022.

Collaborative Solutions Committee

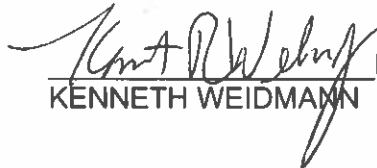
The Public Authority and United Domestic Workers will create a collaborative solutions committee to continue discussions regarding the feasibility of: offering badges to Providers upon request; paying for up to 6 providers for up to 16 hours per month at the provider's hourly rate for training purposes; and offering a potential premium, up to \$5 per

hour for the first 80 hours of work, to providers who are called to work with a client with 24-hours or less notice.

TENTATIVE AGREEMENT

COUNTY OF SAN DIEGO:

UNITED DOMESTIC WORKERS,
AFSCME LOCAL 3930, AFL-CIO:

 DATE: 1/26/23
KENNETH WEIDMANN

 DATE: 1/26/2023
MATTHEW MALDONADO

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**IN-HOME SUPPORTIVE SERVICES PROGRAM
PUBLIC AUTHORITY/NON-PROFIT
CONSORTIUM RATE**

To: California Department of Social Services
Adult Programs Division
Financial Management Unit
744 P Street, MS 9-11-91
Sacramento, CA 95814

COUNTY:		EFFECTIVE DATE:
San Diego		1/1/2023
PA NAME:		
In-Home Supportive Services Public Authority		
CONTACT NAME:		
Kimberly Gallo		
TELEPHONE:		FAX:
858-505-6329		858-495-5080
ADDRESS:		
P.O Box 23217, San Diego, CA 92123-3217		
EMAIL ADDRESS:		
Kimberly.Gallo@sdcounty.ca.gov		

Please address questions regarding this form to the Financial Management Unit, at (916) 653-3850.

Please complete the Rate Table below and attach supporting documentation explaining how each component of the rate was determined. The total Public Authority (PA) and Non-profit Consortium (NPC) rate should include a rate for services (wage and benefits), payroll taxes, and a rate for administrative costs. The total rate for wages and benefits should be broken down to include an hourly wage, payroll taxes, health and non-health benefits. The State is legally authorized to share only in the costs of individual health benefits and some specific non-health benefits for IHSS providers, however, other benefits costs may be eligible for Title XIX reimbursement.

- The current State Participation cap for combined wages and health benefits for all IHSS providers in the State is \$12.10 per hour. When minimum wage increases to \$12.00 per hour (January 1, 2019), pursuant to Labor Code section 1182.12 (b) (1) (C) and beyond in subsequent years, the cap will be adjusted to equal the State minimum wage plus \$1.10 per hour.
- The State will not participate in increases to wages or employment taxes, or increases or expansions of benefits negotiated or agreed to by a PA or NPC unless provided for in the Annual Budget Act or appropriated by statute.
- No increase in wages or benefits negotiated or agreed to by a PA or NPC shall take effect until it has been approved by the State (CDSS/CDHCS) or unless provided for in the Annual Budget Act or appropriated by statute.

RATE TABLE

Hourly Wage (locally negotiated)
Hourly Wage (non-locally negotiated)
Hourly Wage (by ordinance)
Wage Supplement (one-time MOE adj)
Wage Supplement (continued--no MOE adj.)
Wage Total (sum of lines 1-5)
Health Benefits (locally negotiated)
Health Benefits (non-locally negotiated)
Health Benefits Total (sum of lines 6-7)
Non-Health Benefits _____ (type)
Payroll Taxes (FUTA,SUI,FICA)
Administrative Rate
PA/NPC Rate Total
(sum of wages, health benefits, non-health benefits, taxes, admin)

	Current Rate	Requested Rate	Difference
1	\$0.00	\$0.00	\$0.00
2	\$15.50	\$15.50	\$0.00
3	\$0.00	\$0.00	\$0.00
4	\$0.00	\$1.00	\$1.00
5	\$0.50	\$0.50	\$0.00
	\$16.00	\$17.00	\$1.00
6	\$0.00	\$0.00	\$0.00
7	\$0.60	\$0.60	\$0.00
	\$0.60	\$0.60	\$0.00
9	\$0.00	\$0.03	\$0.03
10	\$1.76	\$1.87	\$0.11
11	\$0.22	\$0.22	\$0.00
	\$18.58	\$19.72	\$1.14

The State shall participate (65 percent of the non-federal share) in a cumulative total up to 10 percent of the sum of the combined total of wages or health benefits or both over a three-year period. **Check the box and sign and date on the line below if you are choosing to utilize the 10 percent increase over the three-year period option.**

☒ Authorizing Officer Signature _____

Date: _____