



Lori A. Cox  
Agency Director

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October 30, 2018

Honorable Public Authority  
Administration Building  
Oakland, CA 94612

Dear Public Authority Members:

SUBJECT: ADOPTION OF THE RECOGNITION AGREEMENT AND APPROVAL  
OF A NEW MEMORANDUM OF UNDERSTANDING BETWEEN THE PUBLIC  
AUTHORITY FOR IN-HOME SUPPORTIVE SERVICES (IHSS) IN ALAMEDA  
COUNTY AND SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU), LOCAL  
2015

**RECOMMENDATIONS:**

In order to implement a new Memorandum of Understanding (MOU) between the Public Authority for In-Home Supportive Services (IHSS) in Alameda County and Service Employees International Union (SEIU) Local 2015, it is recommended that your Public Authority:

- A. Adopt the Recognition Agreement effective upon the amendment of certification by the State of California Public Employment Relations Board. All bargaining unit members represented by SEIU Local 6434 shall be represented henceforth by SEIU Local 2015, and SEIU Local 2015 is to be the legal successor to SEIU Local 6434.
- B. Delegate authority to the Human Resource Services Director to execute the Recognition Agreement following the review and approval by your Board.
- C. Approve the MOU between the Public Authority for IHSS in Alameda County and SEIU Local 2015 for the period of 10/1/18 – 9/30/21.
- D. Delegate authority to the Social Services Agency Director to execute the MOU following State review and approval.

- E. Approve the submission of a rate change request to the State for a Wage Supplement of \$1.35 per hour effective upon state approval and implementation.
- F. Approve the submission of a rate change request to the State effective January 1, 2020, for an additional Wage Supplement of \$0.40 per hour.

**SUMMARY/DISCUSSION:**

This letter requests action by your Board, sitting as the governing body of the Public Authority for In-Home Supportive Services (IHSS), to adopt the Recognition Agreement that all bargaining unit members represented by SEIU Local 6434 shall be represented henceforth by Service Employees International Union (SEIU) Local 2015, and approve a new MOU with SEIU Local 2015. The Public Authority for IHSS in Alameda County and SEIU Local 2015 have reached a tentative agreement on a new MOU with a term of October 1, 2018 through September 30, 2021. The previous MOU expired on September 30, 2016, and by a side letter of agreement is being extended through September 30, 2018. The Union advised that they ratified the tentative agreement on or before November 19, 2018.

The Wages portion of the tentative agreement reached includes the following:

1. Establish a Provider Base Wage of \$12.50 per hour or the State or Federal minimum wage, whichever is higher.
2. Provider Wages to be increased by \$1.35 per hour upon State approval and implementation. The increase will be accomplished by instituting a Wage Supplement as described in the FY 17/18 California budget trailer bill SB 90 (Chapter 25, Statutes of 2017), which will be added to the Provider Base Wage.
3. Provider Wages to be increased by an additional Wage Supplement of \$.40 per hour effective January 1, 2020.

On January 1, 2020, the state minimum wage is scheduled to increase to \$13.00 per hour, which would become the new Provider Base Wage. The Wage Supplements of \$1.35 and \$.40, totaling \$1.75 would “float” over the new base wage, which would increase the Provider Wage to \$14.75 per hour.

The health, dental and vision benefits package remains the same, with an agreement to discontinue the two-month pre-pay premium deduction requirement effective January 1, 2019.

**FINANCING:**

The new IHSS Maintenance of Effort (MOE) arrangement mandates a permanent county MOE adjustment for any locally negotiated wage and benefit increases and provides guidelines on how the State is to adjust the county MOE. The proposed \$1.35 wage supplement, which would go into effect after State approval with an estimated date of January 1, 2019, under the current MOE arrangement and current assumptions, will result in an additional cost to the County of approximately \$4.0 million

for the first prorated Fiscal Year (FY), an additional cost of approximately \$8.6 million for the subsequent full FY, with the cost increasing 7 percent per FY every FY thereafter.

The proposed \$0.40 wage supplement, which would go into effect January 1, 2020, under the current MOE arrangement and current assumptions, will result in an additional cost to the County of approximately \$3.5 million for the first prorated Fiscal Year (FY), an additional cost of approximately \$7.6 million for the subsequent full FY, with the cost increasing 7 percent per FY every FY thereafter.

Under current MOE arrangements and current assumptions, the projected cost of the new MOU through FY 2022/23 (5 years) is estimated to be \$70.1 million.

There is sufficient appropriation in the Social Services Agency FY 2018-19 approved budget, and future cost increases will be included in Maintenance of Effort budget requests.

### **VISION 2026 GOAL:**

The proposed update meets the 10X goal pathway of **Healthcare for All** in support of the shared goal of creating a **Thriving and Resilient Community** by allowing the senior and vulnerable populations in the County that rely on IHSS access to quality homecare workers to maintain a safe and supportive living situation in their home.

Sincerely,

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Lori A. Cox  
Agency Director  
Social Services Agency

DocuSigned by:  
  
568519017FAF434...

Joseph Angelo  
Agency Director  
Human Resource Services

Attached: Recognition Agreement

## **RECOGNITION AGREEMENT**

This Agreement is made and entered into as of the 14<sup>th</sup> day of November, 2018 by and between The Public Authority for In Home Supportive Services in Alameda County (hereinafter referred to as the "Authority") and SEIU Local 2015.

Whereas, pursuant to its authority under Article XIV of the SEIU International Constitution and Bylaws, SEIU granted a charter to SEIU Local 2015 to act as the statewide long-term care local in California; and

Whereas, SEIU issued an order of reorganization directing that all units of workers represented by SEIU Local 6434, United Long Term Care Workers ("ULTCW") shall be reorganized into SEIU Local 2015, effective June 2, 2015, or as soon thereafter as practicable; and

Whereas, the State of California Public Employment Relations Board ("PERB") conducted an investigation pursuant to PERB Regulation 61320 subdivision (a) and found that there was substantial continuity of representation between the predecessor employee organization SEIU Local 6434, ULTCW, and the successor employee organization, SEIU Local 2015; and

Whereas, SEIU received an "Amendment of Certification" dated September 9, 2015 by the State of California PERB, approving and designating SEIU Local 2015 as the exclusive representative; and

Whereas, effective September 9, 2015, the Authority recognizes SEIU Local 2015 as the exclusive bargaining representative of all members formerly represented by SEIU Local 6434; and

Whereas, as of September 9, 2015, Local 2015 became the legal successor to Local 6434, succeeding to and assuming all of the rights, agreements, duties, obligations and liability of Local 6434 arising out of or relating to the Authority; and

Whereas, as of the date of issuance of the Amendment of Certification, all the bargaining unit members formerly represented by Local 6434 became represented by SEIU Local 2015 and Local 2015 became the legal successor to Local 6434, succeeding to and assuming all of the rights, agreements, duties, obligations and liabilities of Local 6434 arising out of or relating to the Authority; and

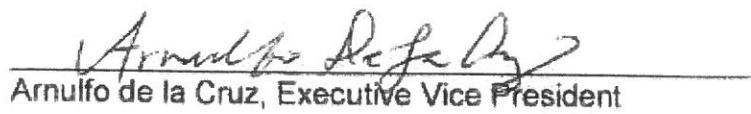
Whereas, SEIU provided a copy of the PERB "Amendment of Certification" to staff on October 25, 2017; and

Whereas, the Authority wishes to recognize SEIU Local 2015 as the exclusive bargaining representative of all members formerly represented by SEIU Local 6434.

Therefore, the parties hereto have agreed as follows:

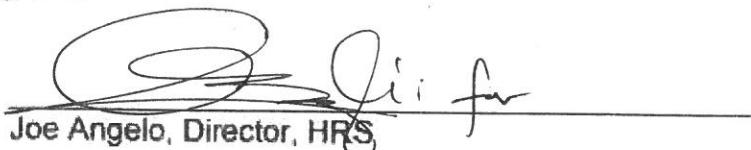
The Public Authority for In Home Supportive Services in Alameda County hereby recognizes Local 2015 as the exclusive representative for the employees, effective September 9, 2015.

For SEIU Local 2015:

  
Arnulfo de la Cruz, Executive Vice President

Dated: November 14th, 2018

For Alameda County:

  
Joe Angelo, Director, HRS

Dated: November 14th, 2018