

**PLEASANT VALLEY RECREATION & PARK DISTRICT
ADMINISTRATION OFFICE – ROOM #6
1605 E. BURNLEY ST., CAMARILLO, CALIFORNIA**

**2021 PERSONNEL COMMITTEE
AGENDA**

**Wednesday, January 27, 2021
4:00 PM**

In order to minimize the spread of COVID-19 and keep with social distancing, the meeting room will not be open to the public. To participate in the Board committee meeting from the comfort of your home or other Stay Well at Home compliant location, you may choose one of the following options:

- a. Email – If you wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 pm on Tuesday, January 26, 2021 to Kathryn Drewry, Human Resources Specialist at kdrewry@pvrrpd.org. Your email will be printed and distributed to the Personnel Committee members prior to the meeting.
- b. Phone - You can call in and simply listen to the meeting or you have the opportunity to make a public comment through the open line which can be accessed through dialing the following numbers:
Dial-in: 1-415-655-0001
Access code: 126 920 9317#

- 1. CALL TO ORDER**
- 2. APPROVAL OF AGENDA**
- 3. PUBLIC/COMMITTEE COMMENTS**
- 4. CAPRI WORKERS COMPENSATION – VOLUNTEERS**
- 5. EXTENSION OF PAID SICK AND FAMILY LEAVES UNDER THE FAMILY FIRST CORONAVIRUS RESPONSE ACT (FFCRA)**
- 6. FULL TIME PART TIME YEAR ROUND SALARY SCHEDULE – BOARD APPROVED COLA FOR SEIU LOCAL 721**
- 7. ORAL COMMUNICATIONS**
- 8. ADJOURNMENT**

Note: Written materials related to these agenda items are available for public inspection in the Office of the Clerk of the Board located at 1605 E. Burnley Street, Camarillo during regular business hours beginning the day preceding the Committee meeting.

Announcement: Should you need special assistance (*i.e.* a disability-related modification or accommodations) to participate in the Committee meeting or other District activities (including receipt of an agenda in an appropriate alternative format), as outlined in the Americans With Disabilities Act, or require further information, please contact the General Manager at 482-1996, extension 114. Please notify us 48 hours in advance to provide sufficient time to make a disability-related modification or reasonable accommodation.

**PLEASANT VALLEY RECREATION AND PARK DISTRICT
STAFF REPORT / AGENDA REPORT**

TO: PERSONNEL COMMITTEE

FROM: MARY OTTEN, GENERAL MANAGER
By: Kathryn Drewry, Human Resources Specialist

DATE: January 27, 2021

**SUBJECT: REVIEW THE EXTENSION WORKERS'
COMPENSATION COVERAGE FOR VOLUNTEERS**

SUMMARY

In order to facilitate continued volunteer service, the CAPRI Board of Directors recently resolved to make District volunteers eligible to be covered under our CAPRI Workers' Compensation insurance at no additional cost.

BACKGROUND

Volunteers play a large role in the delivery of recreation and park services to PVRPD. And we expect to rely upon the generous contributions of the community volunteers for years to come.

ANALYSIS

From a risk management standpoint, it is much preferred to extend Workers' Compensation coverage to volunteers. For example, when a volunteer is not covered by Workers' Comp, his or her only remedy for an injury is to file a claim against our District and pursue damages through the civil court system. This can result in costly and time-consuming litigation and a significant claim has the potential to adversely impact our District's loss history and, thus, future premiums. Importantly, it can also result in unnecessary delays in obtaining competent treatment from qualified professionals.

Conversely, if a volunteer is covered under Workers' Comp, his or her exclusive remedy is through the Workers' Compensation system, which means that they would receive necessary treatment – but at a controlled cost.

The Labor Code allows our District to provide workers' compensation insurance for volunteers, ***but only if our Board has adopted a resolution specifically electing such coverage.*** Section 3363.5 of the California Labor Code provides:

“...a person who performs voluntary service for a public agency as designated and authorized by the Governing Body of the agency or its designee, shall, upon adoption of a Resolution by the Governing Body of the agency so declaring, be deemed to be an employee for workers' compensation purposes.”

Stated another way, these volunteers may be treated as an employee and covered for workers' compensation purposes *only if* a Resolution to that effect is adopted by our District pursuant to Labor Code § 3363.5.

FISCAL IMPACT

This benefit to our District covers our volunteers at no extra cost to our yearly CAPRI premium, provided that the Board adopts the attached resolution.

RECOMMENDATION

It is recommended the Personnel Committee recommend to full Board approving the coverage of volunteers under the PVRPD CAPRI Workers' Compensation insurance.

ATTACHMENTS

- 1) Resolution #XXXX

RESOLUTION No. **XXXXXXXXXX**

**RESOLUTION OF THE GOVERNING BODY OF
THE PLEASANT VALLEY RECREATION & PARK DISTRICT
DECLARING THAT GOVERNING BODY MEMBERS AND VOLUNTEERS SHALL
BE DEEMED TO BE EMPLOYEES OF THE DISTRICT FOR THE PURPOSE OF
PROVIDING WORKERS' COMPENSATION COVERAGE FOR SAID CERTAIN
INDIVIDUALS WHILE PROVIDING THEIR SERVICES**

WHEREAS, the Pleasant Valley Recreation & Park District utilizes the services of Governing Body Members and Volunteers; and

WHEREAS, Section 3363.5 of the California Labor Code provides that a person who performs voluntary service for a public agency as designated and authorized by the Governing Body of the agency or its designee, shall, upon adoption of a resolution by the Governing Body of the agency so declaring, be deemed to be an employee of the agency for the purpose of Division 4 of said Labor Code while performing such services; and

WHEREAS, the Governing Body wishes to extend Workers' Compensation coverage as provided by State law to the following designated categories of persons as indicated by a checkmark in the box to the left of the descriptions:

- All Members of the Governing Body of the Pleasant Valley Recreation & Park District as presently or hereafter constituted and/or
- All persons performing voluntary services without pay other than meals, transportation, lodging or reimbursement for incidental expenses
- Individuals on Work-study programs
- Other Volunteers

NOW, THEREFORE, BE IT RESOLVED, that such persons coming within the categories specified above, including the duly elected or appointed replacements of any Governing Body Member and other designated individuals be deemed to be employees of the Pleasant Valley Recreation & Park District for the purpose of Workers' Compensation coverage as provided in Division 4 of the Labor Code while performing such service. However, said Governing Body Members and other designated individuals will not be considered an employee of the Pleasant Valley Recreation & Park District for any purpose other than for such Workers' Compensation coverage, nor grant nor enlarge upon any other right, duty, or responsibility of such Governing Body Members or other designated individuals, nor allow such persons to claim any other benefits or rights given to paid employees of the Pleasant Valley Recreation & Park District.

PASSED, APPROVED AND ADOPTED this 4th day of February, 2021 by the following vote:

AYES:
NOES:
ABSENT:

Mark Malloy, Chairperson
Pleasant Valley Recreation & Park District

APPROVED AS TO FORM:

ATTEST:

Elaine Magner, Secretary

PLEASANT VALLEY RECREATION AND PARK DISTRICT)

COUNTY OF VENTURA)§

STATE OF CALIFORNIA)

I, Karen Roberts, Clerk of the Board of the Pleasant Valley Recreation and Park District, California, do hereby certify that the foregoing Resolution No. **XXXX** was duly passed and adopted by the Board of Directors of the Pleasant Valley Recreation and Park District at the regular meeting thereof, held on the 4th day of February, 2021, and was signed by the Chairperson of the said District, and that the same was passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Karen Roberts, Clerk of the Board

**PLEASANT VALLEY RECREATION AND PARK DISTRICT
STAFF REPORT / AGENDA REPORT**

TO: PERSONNEL COMMITTEE

FROM: MARY OTTEN, GENERAL MANAGER
By: Kathryn Drewry, Human Resources Specialist

DATE: January 27, 2021

**SUBJECT: REVIEW THE EXTENSION TO MARCH 31, 2021 OF
PAID SICK AND FAMILY LEAVES UNDER THE
FAMILY FIRST CORONAVIRUS RESPONSE ACT
(FFCRA)**

SUMMARY

The Consolidated Appropriations Act of 2021 (“CAA”), which was signed by President Trump on December 27, 2020, extends the use of Family First Coronavirus Response Act (FFCRA) paid sick and family leaves to March 31, 2021, at the employer’s discretion. This means that the District does not have a legal duty under federal law to continue FFCRA paid leave if it does not desire to do so.

BACKGROUND

On March 18, 2020, the United States Senate passed, and President Trump signed, the FFCRA. On April 1, 2020, the FFCRA became effective. The FFCRA required employers to provide certain forms of paid leave to employees and families directly affected by the COVID-19 pandemic until December 31, 2020. The employee benefits required by FFCRA included the following:

- Two weeks (up to 80 hours) of paid sick leave at the employee’s regular rate of pay where the employee was unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis.
- Two weeks (up to 80 hours) of paid sick leave at two-thirds the employee’s regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition.
- Up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee’s regular rate of pay where an employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

ANALYSIS

With the recent surge in Coronavirus cases and the ongoing pandemic, staff is requesting the extension of the FFCRA from January 1, 2021 through March 31, 2021, to assist District employees who may contract the virus, have been exposed to the virus, need to stay home due to childcare issues caused by the school closure and the inability to work remotely.

It is important to note that in California, Cal/OSHA recently enacted emergency temporary standards on COVID-19 infection prevention. These standards require employers to maintain an employee's pay if the employee is off or excluded from work due to a work-related COVID-19 diagnosis or a work-related COVID-19 exposure. The employer-provided pay is available only if the employee's COVID-19 sickness or exposure is determined be work-related and the employee has exhausted all available sick leave. There is no maximum cap for the employer-provided pay. This Cal/OSHA requirement would apply even if the District Board decided not to extend FFCRA sick and family leaves.

FISCAL IMPACT

The approximate FY 2020-2021 fiscal impact for the proposed extension of the FFCRA is unknown, as staff cannot estimate how many employees would need to take advantage of this leave. However, no additional funding is needed at this time to implement these paid leaves. It can be noted that over the course of the duration of April 1, 2020 to December 31., 2020, 14 employees have been able to utilize this leave resulting in 1,116.25 hours and \$24,081.56. An individual employee could be eligible for no more than 560 hours.

It should be noted that unlike private-sector employers, the District, as a public entity, will not receive a tax credit for the cost of providing paid sick and family leave under the FFCRA. This means that there is no cost recovery mechanism for the District for providing these paid leaves.

RECOMMENDATION

It is recommended the Personnel Committee review and recommend this item be brought before the full Board for consideration.

ATTACHMENTS

- 1) Resolution **#XXXX**

RESOLUTION NO. XXXX

A RESOLUTION OF THE PLEASANT VALLEY RECREATION AND PARK DISTRICT EXTENDING FAMILY FIRST CORONAVIRUS RESPONSE ACT EMPLOYEES SICK AND FAMILY LEAVES THROUGH MARCH 31, 2021

WHEREAS, the Pleasant Valley Recreation and Park District (“PVRPD”) provided paid sick and family leave to its employees as mandated by the federal Family First Coronavirus Response Act (“FFCRA”); and

WHEREAS, on December 31, 2020, the requirement to provide employees paid sick and family leave pursuant to the FFCRA expired; and

WHEREAS, on December 27, 2020, President Trump signed the Consolidated Appropriations Act of 2021 (“CAA”), which extends the use of FFCRA leaves to March 31, 2021, at the employer’s discretion; and

WHEREAS, the PVRPD has provided the employee organization representing represented PVRPD employee classifications, the Service Employees International Union, Local 721 (“SEIU, Local 721”), the opportunity to meet and confer regarding extension of FFCRA paid sick and family leaves until March 31, 2021, and SEIU, Local 721 has indicated that it is supportive of such extension; and

WHEREAS, due to the emergency circumstances caused by an increase of COVID-19 cases in the Ventura County region, the PVRPD desires to continue offering this benefit to its employees by extending the FFCRA paid sick and family leaves from January 1, 2021 through March 31, 2021.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE PLEASANT VALLEY RECREATION AND PARK DISTRICT, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are true and correct.

Section 2. The Board of Directors authorizes extension of FFCRA employee paid sick and family leaves from January 1, 2021 through March 31, 2021, consistent with the CAA. The PVRPD Manager, or his designee, shall be authorized to implement these paid leaves in a manner consistent with the FFCRA and federal regulations.

Section 3. This resolution shall be effective January 1, 2021.

PASSED, APPROVED and ADOPTED this 4th day of February, 2021.

Mark Malloy, Chairperson

**PLEASANT VALLEY RECREATION AND PARK DISTRICT
STAFF REPORT / AGENDA REPORT**

TO: PERSONNEL COMMITTEE

FROM: MARY OTTEN, GENERAL MANAGER
By: Kathryn Drewry, Human Resources Specialist

DATE: January 27, 2021

**SUBJECT: CONSIDERATION AND REVIEW OF UPDATED
SALARY SCHEDULE**

BACKGROUND

In 2018 the District entered into negotiations with SEIU Local 721. The negotiation team and the union tentatively agreed upon a 2% COLA for the full time and part-time year-round classifications. In October 2020 the District adopted the tentative agreement which stated that the employees eligible for the COLA would receive retroactive pay equal to 2% effective July 2018, 2% effective July 2019 and 2% effective July 2020.

Due to budgetary restrictions in 2020, SEIU Local 721 members agreed to defer the COLA effective July 2020.

DISCUSSION

In order to comply with CalPERS, the District is required to maintain a Board approved Classification and Salary Listing.

FISCAL IMPACT

The fiscal impact of this update has been absorbed into the District's budget.

STAFF RECOMMENDATION

It is recommended the Personnel Committee review the updated Classification and Salary Listing and recommend this item be brought before the full Board for consideration.

ATTACHMENTS

- 1) 2020/2021 Full Time and Part-Time-Year-Round Salary Schedule



**FULL TIME/PART TIME YEAR ROUND
CLASSIFICATIONS AND SALARY RANGES**

| | Bi-Weekly Hourly | Bi-Weekly Hourly |
|--|------------------------------|------------------------------|
| GENERAL MANAGER (Contract Employee) | \$5,743.29 \$71.79 | \$6,464.12 \$80.80 |
| ADMINISTRATIVE SERVICES MANAGER | \$3,152.41 \$39.41 | \$4,005.11 \$50.06 |
| ADMINISTRATIVE ANALYST | \$2,604.19 \$32.55 | \$3,310.51 \$41.38 |
| DEVELOPMENT ANALYST | \$2,604.19 \$32.55 | \$3,310.51 \$41.38 |
| HUMAN RESOURCES SPECIALIST | \$1,996.74 \$24.96 | \$2,536.91 \$31.71 |
| ACCOUNTING SPECIALIST | \$1,996.74 \$24.96 | \$2,536.91 \$31.71 |
| CUSTOMER SERVICE REP LEAD WORKER | \$1,776.80 \$22.21 | \$2,257.60 \$28.22 |
| CUSTOMER SERVICE REPRESENTATIVE I | \$1,469.60 \$18.37 | \$1,867.20 \$23.34 |
| CUSTOMER SERVICE REPRESENTATIVE II | \$1,616.00 \$20.20 | \$2,053.60 \$25.67 |
| RECREATION SERVICES MANAGER | \$3,152.41 \$39.41 | \$4,005.11 \$50.06 |
| RECREATION SUPERVISOR | \$2,603.86 \$32.55 | \$3,310.14 \$41.38 |
| RECREATION SUPERVISOR - AQUATICS | \$2,603.86 \$32.55 | \$3,310.14 \$41.38 |
| RECREATION COORDINATOR | \$2,172.73 \$27.16 | \$2,759.72 \$34.50 |
| MARKETING SPECIALIST | \$1,628.72 \$20.36 | \$2,068.91 \$25.86 |
| RECREATION SPECIALIST | \$1,469.04 \$18.36 | \$2,068.91 \$25.86 |
| AQUATIC SPECIALIST | \$1,469.04 \$18.36 | \$2,068.91 \$25.86 |
| PARK SERVICES MANAGER | \$3,152.41 \$39.41 | \$4,005.11 \$50.06 |
| PARK SUPERVISOR | \$2,604.19 \$32.55 | \$3,310.51 \$41.38 |
| PARK MAINTENANCE LEAD WORKER | \$2,212.80 \$27.66 | \$2,811.20 \$35.14 |
| LEAD PARK RANGER | \$2,212.80 \$27.66 | \$2,811.20 \$35.14 |
| MECHANIC | \$2,212.80 \$27.66 | \$2,811.20 \$35.14 |
| IRRIGATION SPECIALIST | \$2,212.80 \$27.66 | \$2,811.20 \$35.14 |
| GROUNDS/FACILITIES I | \$1,664.00 \$20.80 | \$2,115.20 \$26.44 |
| GROUNDS/FACILITIES II | \$1,912.80 \$23.91 | \$2,431.20 \$30.39 |