

WESA

AGENDA

THE WATER EMPLOYEE SERVICES AUTHORITY (“WESA”)
BOARD OF DIRECTORS
REGULAR MEETING
September 23, 2021
4:00 PM

CALL TO ORDER AND ROLL CALL– Edmondson, Burke, Morris, Ryan, Williams

PLEDGE OF ALLEGIANCE AND INVOCATION

ADD-ON ITEMS

APPROVAL OF AGENDA

PUBLIC COMMENT

Any person may address the Board at this time upon any subject not identified on this Agenda, but within the jurisdiction of Water Employee Services Authority; however, any matter that requires action will be referred to staff for a report and action at a subsequent Board meeting. As to matters on the Agenda, an opportunity will be given to address the Board when the matter is considered.

In the interest of public health and safety this meeting will be held as a hybrid (in-person and virtually). To request the opportunity to make a public comment at the meeting, go to <https://www.evmwd.com/wesa-publiccomment> to complete a Public Comment Request Form prior to the start of the meeting. Please note, individuals have a limit of three (3) minutes to make comments and will have the opportunity when called upon by the presiding officer.

I. CONSENT CALENDAR

Consent Calendar items are expected to be routine and non-controversial, to be acted upon by the Board at one time without discussion. If any Board member, staff member, or interested person requests that an item be removed from the Calendar, it shall be removed so that it may be acted upon separately.

A. Approval of:

1. Minutes of the Regular Board Meeting of September 9, 2021
2. Payment Ratification
3. Extension of Emergency Paid Sick Leave Benefits for Covid-19-Related Leaves Through June 30, 2022

II. REPORTS

Reports are placed on the Agenda to provide information to the Board and the public. There is no action called for in these items. The Board may engage in discussion on any report upon which specific subject matter is identified, but may not take any action other than to place the matter on a subsequent Agenda.

- A. General Manager's Report
- B. Legal Counsel's Report

III. DIRECTOR'S COMMENTS AND REQUESTS

Directors' Comments concern Water Employee Services Authority business which may be of interest to the Board. They are placed on the Agenda to enable individual Board members to convey information to the Board and the public. There is no discussion or action required, other than to place the matter on a subsequent Agenda.

IV. CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATOR; Agency designated representative: Greg Thomas, Employee Organization: Water Employee Services Authority Employees' Association

V. ADJOURNMENT

Pursuant to the Governor's Executive Orders N-25-20 and N-29-20, and in the interest of public health and safety, this meeting will be conducted as a hybrid (in-person and virtually.) Participants who would like to join this meeting remotely can do so in one of the following ways:

For Online Participation:

Go to: www.zoom.us
Select Join a Meeting
Enter Meeting ID: 891 4586 7141
Meeting Password: 92530

For Call-in Only:

Call: (253) 215-8782
Enter Meeting ID: 891 4586 7141
Meeting Password: 92530

31315 Chaney Street, Lake Elsinore, CA
Board Room

9/16/21 9:42 AM To request a disability-related modification or accommodation regarding agendas or attendance, contact Terese Quintanar, at (951) 674-3146, extension 8223 at least 48 hours before the meeting.

**MINUTES OF REGULAR MEETING
WATER EMPLOYEE SERVICES AUTHORITY (“WESA”)
BOARD OF DIRECTORS
THURSDAY, SEPTEMBER 9, 2021
4:00 P.M.**

The Regular Meeting of the Board of Directors of Water Employee Services Authority was held as a hybrid meeting (teleconference, through a call-in number clearly noted on the meeting Agenda, and in-person) posted in accordance with the Brown Act.

Directors Present

Darcy M. Burke, Vice President
Harvey R. Ryan
Andy Morris
Chance Edmondson

Directors Absent

Phil Williams, President

Staff Present

Greg Thomas, General Manager
Steve Anderson, General Counsel
Ganesh Krishnamurthy, Assistant General Manager – Eng. and Operations
Terese Quintanar, Secretary
Christy Gonzalez, Executive Assistant/Deputy Board Secretary
Susie Evans, Sr. Executive Assistant
Christina Ramirez, Executive Assistant
Jennifer Dancho, Director of Human Resources
Margie Armstrong, Director of Strategic Programs
Jase Warner, Director of Operations
Tim Collie, Water Operations Manager
Matthew Bates, Engineering Manager
Parag Kalaria, Water Resources Manager
David Smith, Maintenance Manager
Darryn Flexman, Interim Director of Information Technology
Jessie Arellano, Wastewater Operations Manager
Scott Thompson, Accounting Manager
Shawnele Morelos, Principal Engineer – Capital Projects
Christina Henry, Community Relations Manager
Bonnie Woodrome, Community Affairs Supervisor
Kaitlyn Wu, Community Affairs Specialist
Kelia Jones, Engineering Project Coordinator
Skyler Munson, Executive Assistant

Others Present

Public

CALL TO ORDER

The meeting was called to order by Vice President Burke at 4:20 p.m.

APPROVAL OF AGENDA

A motion was made by Director Ryan, seconded by Director Morris, and carried unanimously to approve the Agenda as presented.

PUBLIC COMMENT

The meeting was opened to public comment and there were none.

ITEM I. CONSENT CALENDAR

Resolution No. 2021-01

- A. Approval of:
 - 1. Minutes of the Regular Board Meeting of August 26, 2021
 - 2. Payment Ratification Report
 - 3. Adopt Bank Signatories' Resolution and Approve Amendment to Administrative Code Section 3100 (*Reso. No. 2021-01*)

A motion was made by Director Morris, seconded by Director Edmondson, and carried unanimously to:

- 1. Approve the Consent Calendar as presented.***

ITEM II. REPORTS

A. General Manager's Report

Mr. Thomas had nothing to report.

B. Legal Counsel's Report

Mr. Anderson had nothing to report.

ITEM III. DIRECTOR'S COMMENTS AND REQUESTS

There were none.

ITEM IV. CLOSED SESSION

The Board adjourned to Closed Session at 4:21 p.m. to discuss:

- A. Public Employee Performance Evaluation
Title: General Manager

The Board reconvened to open session at 4:57 p.m., with no reportable actions.

ITEM V. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:57 p.m.

Darcy M. Burke, Vice President of the
Board of Directors of the
Water Employee Services Authority

ATTEST:

Terese Quintanar, Board Secretary
to the Board of Directors of the
Water Employee Services Authority

Payment Ratification Report

Cash Disbursements for 08/27/2021 through 09/09/2021

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Pmt Type	Payment Amount
ACH					
2352	09/02/2021	CIGNA HEALTH AND LIFE INS.	MEDICAL COVERAGE - SEPTEMBER 2021	ACH	77,586.89
2353	09/02/2021	COMPLETE GYM SOLUTIONS LLC	EQUIPMENT RENTAL - SEPTEMBER 2021	ACH	1,201.69
2354	09/02/2021	EMPLOYMENT SCREENING SERVICES	EMPLOYMENT SCREENING	ACH	206.00
2355	09/09/2021	EMPLOYEE ASSOCIATION	EMPLOYEE ASSOCIATION DUES	ACH	1,692.00
2356	09/09/2021	ISOLVED BENEFIT SERVICES	EE FSA MEDICAL	ACH	3,484.75
2357	09/09/2021	MANAGEMENT TEAM ASSOCIATION	MANAGEMENT TEAM ASSOCIATION DUES	ACH	270.00
2358	09/09/2021	US BANK	P CARD PURCHASES - AUG 2021	ACH	19,335.02
CHECKS					
138393	09/02/2021	CABRERA, MAYRA	TRAVEL EXPENSES	CHECK	55.49
138395	09/02/2021	ENERGAGE, LLC	BRANDING & INSIGHTS ANNUAL SUBSCRIPTION FEES	CHECK	5,250.00
138396	09/02/2021	GARCIA, DAVID A.	TRAVEL EXPENSES	CHECK	10.07
138400	09/02/2021	HUNTER, LENA I	TRAVEL EXPENSES	CHECK	86.69
138401	09/02/2021	INDUSTRIAL SAFETY PROFESSIONALS, INC	SILICA & ASBESTOS PARTICULATE AIR MONITORING	CHECK	7,695.50
138403	09/02/2021	LINCOLN NATL LIFE INS COMP	VOLUNTARY LIFE INSURANCE PPE 08-20-2021	CHECK	5.76
138409	09/09/2021	AFLAC INSURANCE GROUP	AFLAC PRETAX GROUP INSURANCE	CHECK	203.57
138410	09/09/2021	AFLAC	AFLAC PRETAX GROUP INSURANCE	CHECK	883.60
138412	09/09/2021	EMPLOYMENT DEVELOPMENT DEPT	CONFIDENTIAL GARNISHMENT	CHECK	75.00
138413	09/09/2021	GARCIA, ROSALINA	CONFIDENTIAL GARNISHMENT	CHECK	512.27
138414	09/09/2021	GARCIA, STEVEN	TRAVEL EXPENSES	CHECK	10.07
138415	09/09/2021	LEGALSHIELD	PRE PAID LEGAL SERVICE	CHECK	26.68
138416	09/09/2021	LINCOLN FINANCIAL GROUP	457 CONTRIBUTION	CHECK	625.00
138417	09/09/2021	LINCOLN NATL LIFE INS COMP	VOLUNTARY LIFE INSURANCE	CHECK	1,374.06
138418	09/09/2021	NATIONWIDE	457 CONTRIBUTION	CHECK	2,791.46
138419	09/09/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	197.53
138420	09/09/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	222.00
138421	09/09/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	222.11
138422	09/09/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	111.69
138423	09/09/2021	STATE DISBURSEMENT UNIT	CONFIDENTIAL GARNISHMENT	CHECK	110.76
138424	09/09/2021	STEAM PLANT SOLUTIONS	PSA FOR BOILER COMPETENT ATTENDANT CERTIFICATION CLASS	CHECK	1,900.00
138425	09/09/2021	TX CHILD SUPPORT SDU	CONFIDENTIAL GARNISHMENT	CHECK	287.54
138426	09/09/2021	VANTAGEPOINT TRANSFER AGENTS	RHS CONTRIBUTIONS – EA PPE 09-03-2021	CHECK	2,504.28
138427	09/09/2021	VANTAGEPOINT TRANSFER AGENTS	RHS CONTRIBUTIONS – MTA PPE 09-03-2021	CHECK	2,017.02

Payment Ratification Report

Cash Disbursements for 08/27/2021 through 09/09/2021

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Pmt Type	Payment Amount
WIRE TRANSFERS					
1000016543108	09/08/2021	CALPERS 457 CONTRIBUTIONS	PERS 457 CONTRIBUTIONS - PAY PERIOD 2021-09-03	WIRE	44,248.87
1118618528	08/31/2021	CALIF STATE TAXES	PAYROLL TAXES - PAY PERIOD 2021-08-31	WIRE	2,445.55
1118618528-2	08/31/2021	CALIF SDI TAXES	PAYROLL TAXES - PAY PERIOD 2021-08-31	WIRE	279.00
13514	08/31/2021	FICA WITHHELD	PAYROLL TAXES - PAY PERIOD 2021-08-31	WIRE	674.25
1919280032	09/08/2021	CALIF STATE TAXES	PAYROLL TAXES - PAY PERIOD 2021-09-03	WIRE	26,858.33
1919280032-2	09/08/2021	CALIF SDI TAXES	PAYROLL TAXES - PAY PERIOD 2021-09-03	WIRE	7,146.11
81684	09/08/2021	FEDERAL TAX PAYMENTS	PAYROLL TAXES - PAY PERIOD 2021-09-03	WIRE	60,410.77
81684-2	09/08/2021	FICA WITHHELD	PAYROLL TAXES - PAY PERIOD 2021-09-03	WIRE	18,930.98
VIRTUAL PAYMENT PROGRAM					
140	09/09/2021	CINTAS CORPORATION	UNIFORMS	VIRTUAL	2,100.10
141	09/09/2021	LEARN CPR 4 LIFE INC.	CPR/AED & FIRST AID TRAINING	VIRTUAL	990.00

Reviewed By: 

Date: 9/14/2021

DATE: August 23, 2021

TO: Board of Directors

FROM: General Manager

SUBJECT: APPROVAL OF EXTENSION OF EMERGENCY PAID SICK LEAVE BENEFITS FOR COVID-19-RELATED LEAVES THROUGH JUNE 30, 2022

BACKGROUND

Effective April 1, 2020, the federal Families First Coronavirus Response Act (FFCRA) was enacted to provide paid leave provisions for employees affected by COVID-19. The leave provisions included expansion of the Family and Medical Leave Act (FMLA) to include 10 weeks of paid FMLA for employees who are recovering from illness or under a quarantine order, or to take care of dependent children whose schools or daycare providers are closed due to COVID-19. Leave provisions also included 2 weeks of emergency paid sick leave for employees who are recovering from the illness or under a quarantine order, to take time off pending a COVID-19 diagnosis, to care for a family member recovering from the illness or under a quarantine order, or to care for dependent children whose schools or daycare providers are closed due to COVID-19. All employers were required to provide this paid leave provision, and all employees were eligible, with no minimum length of employment for the emergency paid sick leave provision.

The federally mandated provisions will expire on September 30, 2021. Given the current state of the coronavirus in California and Riverside County, staff is recommending an extension of the 80 hours of emergency paid sick leave benefits for an additional 9 months, to be effective October 1, 2021 through June 30, 2022.

This extended benefit would provide eligible employees with paid sick leave when unable to work or telework due to COVID-19 illness, pending a COVID-19 diagnosis, for vaccination, for vaccine-related illness, or for the duration of the required 10-day quarantine period in the event of exposure. In the event an employee needs to take time off for an additional length of time beyond what is covered by the emergency paid sick leave benefit, they would be able to apply for FMLA and/or California Family Rights Act (CFRA) leave provisions, as applicable, and/or utilize their accrued leave benefits. Employees may utilize their accrued leave benefits to remain in a paid status during FMLA/CFRA leave, per existing WESA policy.

This paid leave provision is only provided to employees who are eligible for the leave upon request from either the employee or their immediate supervisor, and all usage is validated as COVID-related by Human Resources. In 2021, a total of 54 employees have utilized emergency paid sick leave provisions, with 31% of those employees having to use the leave provisions for multiple qualifying events. The total amount of unbudgeted funds spent to provide this required benefit was \$42,127. In comparison, if a number of those employees were unable to take emergency paid sick leave, and risk exposing their coworkers to COVID-19, the District would incur temporary labor costs and reduced productivity to train new temporary staff. Some examples of potential costs:

Water Production – department is currently divided into sections of no more than three employees working together to reduce exposure. If one operator exposed the other two, we would be required to hire three temporary operators at a rate of \$112 per hour to maintain required operations. For three temporary water production operators to cover the two-week quarantine period, the District would pay \$26,880 in temporary labor.

Preventive Maintenance – department often cannot be divided into smaller sections due to the work required. If one employee exposes four other employees, we would be required to hire five temporary technicians at a rate of \$29 per hour to maintain required operations. For five temporary field maintenance workers to cover a two-week quarantine period, the District would pay \$11,552 in temporary labor.

Customer Service – department has been separated to have half the staff working from home on a rotating basis to reduce exposure. If one representative exposed three other representatives, we would be required to hire four representatives at a rate of \$28 per hour to maintain required service levels. For four temporary customer service representatives to cover a two-week quarantine period, the District would pay \$8,960.

Providing this paid leave benefit allows employees to take the necessary time off for COVID-related issues, reducing the risk of workplace exposure, or possible outbreak. If the District has three or more employee COVID-19 cases who visit the workplace during their high-risk exposure period at any time during a 14-day period, Cal/OSHA considers this an outbreak. The District would be subject to strict reporting/testing/mitigation procedures, including reporting the outbreak at local, state, and federal levels, as determined by our local health department.

If all eligible employees utilized the leave through this fiscal year, it is estimated this leave provision could cost up to approximately \$541,112. To date, we have not had anywhere near this level of use, so the anticipated costs are significantly lower, while still providing a safe and healthy workplace, providing our employees with the ability to take the time off they need to recover from, care for dependents recovering from, or get vaccinated against, the COVID-19 virus, without the added worry of potential loss of income.

This policy extension request was presented for discussion at the Study Session on September 15, 2021.

RECOMMENDATION

The General Manager and staff recommend that the Board of Directors:

1. Approve the extension of emergency paid sick leave benefits for eligible employees affected by COVID-19, for the period of October 1, 2021 through June 30, 2022.

ENVIRONMENTAL WORK STATUS

Not applicable.

FISCAL IMPACT

Within budget - no - see above. This unbudgeted expense will be funded by Operating Funds.

Originated by: Jennifer Dancho – HR

Reviewed by: Terese Quintanar – Administration

Attachments:

Coronavirus Leave Policy, updated September 1, 2021

Families First Coronavirus Response Act (FFCRA) Leave Policy

Emergency Paid Sick Leave

A.) **Scope.** This leave is an extension of paid leave benefits for certain employees affected by COVID-19 as part of the Emergency Paid Sick Leave Act that was in effect until September 30, 2021. This extension will be effective October 1, 2021 through June 30, 2022.

B.) **Eligibility.** All employees of EVWMD. There is no minimum length of employment requirement.

If an employee utilized this provision in 2021, they are eligible to use it again for a qualifying leave in 2022, for an additional total allotment of 80 hours of leave (or a total of 2-weeks' pay).

C.) **Use of Paid Sick Leave.** Emergency Paid Sick Leave may be used for either of the two scenarios below:

1. The employee is not able to work or telework due to a quarantine order, a health care provider's advisement to self-quarantine, to seek a diagnosis when experiencing COVID-19 symptoms, to get vaccinated, or when experiencing vaccine-related symptoms of illness.
2. The employee is not able to work or telework because the employee is caring for an individual who is subject to a quarantine order or a health care provider's advisement to self-quarantine.

D.) **Duration of Paid Sick Leave.** Eligible full-time employees are provided with up to 80 hours of leave.

- Eligible part-time employees are entitled to paid time off on a pro rata basis, calculated on the average hours such employees work in a 2-week period.
- Whether the leave is paid in full or at a two-thirds (2/3) rate for either full-time or part-time employees is discussed below.

E.) **Rate of Pay During Paid Sick Leave.**

- The Paid Sick Leave will be paid at a rate of 100% if:
 - The employee is not able to work or telework due to a quarantine order, a health care provider's advisement to self-quarantine, to seek a diagnosis when experiencing COVID-19 symptoms, to get vaccinated, or when experiencing vaccine-related symptoms of illness.

- The Paid Sick Leave will be paid at a rate of two-thirds (2/3) the employee’s regular rate of pay if:
 - The employee is not able to work or telework because the employee is caring for an individual who is subject to a quarantine order or a health care provider’s advisement to self-quarantine, due to COVID-19.

F.) Interaction with Accrued Paid Leave.

- The employee is not required to use any other accrued paid time off (sick leave, vacation time, etc.) before receiving the Emergency Paid Sick Leave benefit.

G.) Interaction with FMLA and CFRA.

- Emergency Paid Sick Leave may run concurrently with the FMLA, or the CFRA if the employee is otherwise eligible for said leave. The Emergency Paid Sick Leave does not operate to expand any of these leaves of absence.
- Emergency Paid Sick Leave can be used as a substitute for unpaid time off under any of these leaves of absence, provided that the use of Emergency Paid Sick Leave does not result in an employee being compensated more than 100% of their regular wages.

I.) Additional Information.

Should you have any questions about your rights and responsibilities in connection with either of the leave provisions described above, contact the Human Resources Department.

Policy:	Families First Coronavirus Response Act Leave Policy	
Date Implemented: April 2, 2020	Date Revised: 3/22/2021, 9/1/2021	Approved by: Human Resources

ACKNOWLEDGEMENT

I hereby acknowledge that I have received a copy of the Authority's Families First Coronavirus Response Act (FFCRA) Leave Policy. I understand that if I have any questions about the policy, I should discuss them with the Director of Human Resources.

I recognize that this policy supersedes and replaces any previous Authority policy, practice, rule or procedure affecting my rights to family leave, and that, to the extent that the provisions of this policy conflict with any previously issued Authority policy, practice, rule or procedure, whether or not such policy, practice, rule or procedure was reduced to writing, the provisions of this policy shall prevail.

Print Employee's Name

Date

Employee Signature

HR Department Representative

Date