



# COUNTY OF LOS ANGELES WORKFORCE DEVELOPMENT, AGING AND COMMUNITY SERVICES



## WORKFORCE DEVELOPMENT PROGRAMS DIRECTIVE

DATE: March 31, 2020

NUMBER: WDP D19-28

### **Title V - Senior Community Service Employment Program (SCSEP) Emergency Paid Sick Leave Policy and Procedures**

#### **EXECUTIVE SUMMARY**

This directive provides guidance and procedures for the Los Angeles County America's Job Centers of California (AJCCs) providing SCSEP services on Emergency Paid Sick Leave policy and procedures for SCSEP participants, specifically related to the national emergency declared in March 2020 related to COVID-19.

#### **REFERENCES**

- Older American Act (OAA) 2006 Amendments - Title V, Section 502 (c)(6)(A)(i)
- AB1522 – The Healthy Workplaces, Healthy Families Act of 2014
- SCSEP Data Collection Handbook, Revision 7 (March 2017)
- SCSEP Data Validation Handbook, Revision 13 (July 2019)
- California Department of Aging SCSEP Emergency Paid Sick Leave Guidance (Effective March 2020)
- State of California Executive Order N-33-20

#### **BACKGROUND**

On March 4, 2020, the Governor of California proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19. On March 11, 2020 the World Health Organization declared COVID-19 a pandemic. In response, on March 15, 2020, Governor Newsom ordered adults of 65 years of age and older and those with underlying medical conditions to self-isolate. On March 19, 2020, Los Angeles County Board of Supervisors announced the Safer at Home Order widening the impact of the Governor's directive.

This policy is designed to protect our communities and the older adults we serve by limiting the risk to SCSEP participants' health and safety while simultaneously minimizing disruption to their pay.

This Emergency Paid Sick Leave policy will correspond to the Governor's guidance and be applicable starting from March 15, 2020. This policy shall remain in effect until the COVID-19 state of emergency is lifted.

## POLICY

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All currently active SCSEP participants who are not on an approved or administrative break in service, shall be paid emergency sick leave.

The number of hours of emergency sick leave to be paid per week, which is based upon the local prevailing wage, shall be at the level of the approved weekly hours in place, which is currently 20 hours per week.

If requested by a participant, the option of an Approved Break in Service in lieu of Emergency Paid Sick Leave must be approved on a case by case basis.

All AJCCs shall have a mechanism in place to track and verify the number of Emergency Paid Sick Leave hours paid to each participant within the parameters set forth in the guidance below. AJCCs may modify their existing policy to incorporate the emergency provisions and submit to [SCSEP@wdacs.lacounty.gov](mailto:SCSEP@wdacs.lacounty.gov) for confirmation.

## PROCEDURES

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In the event of a declared emergency, such as COVID-19, AJCCs should contact each currently active SCSEP participant to provide them with the two options outlined below.

### Documentation of Participant Choice

Each AJCC should develop a mechanism to confirm receipt and acknowledgement of this policy by participants. The policy must provide the option to select an unpaid break in service or Emergency Paid Sick Leave. Allowable methods of confirmation include receipt by mail, fax, and acknowledgement via email. To provide the most efficient service to participants and minimize disruption of pay, an AJCC can take action prior to receipt of participant signature on the policy. The policy acknowledgment and confirmation of receipt must be kept in participant records.

**Unpaid Break in Service:** Currently active SCSEP participants can choose to receive Emergency Paid Sick Leave or be placed on an unpaid break in service. Those placed on a break in service will stop their Individual Durational Limit clock.

**Use of Emergency Paid Sick Leave:** For currently active SCSEP participants who choose to receive Emergency Paid Sick Leave, the following criteria will apply:

1. Participants will receive pay at their current hourly rate for the number of weekly hours approved for participants for as long as Emergency Paid Sick Leave is in effect.
2. Use of Emergency Paid Sick Leave will count towards participant's Individual Durational Limit.

3. Participants are not allowed to volunteer at their host agency in lieu of completing standard Community Service Assignment training hours.

### Tracking Participants and Timesheets

During a period of Emergency Paid Sick Leave, AJCCs shall take the following measures to track all participant activity:

#### 1. List of Participants on Emergency Paid Sick Leave

AJCCs must maintain a live "List of Participants on Emergency Paid Sick Leave", which must be completed for each payroll period (Attachment A). All participants on paid leave must be contacted prior to the end the payroll period and this list will be updated to reflect changes. AJCCs must adhere to the record retention policies for SCSEP and documentation must be provided to auditors upon request. The following information must be recorded on the "List of Participants on Emergency Paid Sick Leave":

- Pay period dates
- Participant names
- Participant PIDs
- Number of hours to be paid to each participant (the number should only fluctuate at the direction of County)
- Each date the participant was contacted or, if unreached, the date the attempt was made
- All changes in a participant's paid sick leave status

#### 2. Confirmation of contact by phone

The timesheet hours and continued emergency paid sick leave status will be confirmed by phone call at the end of each payroll period. Participants must be called to conduct a wellness check in to maintain a connection and to ask the following questions:

- Confirmation that the participant still wishes to receive EPSL
- Confirmation that the participant has not obtained unsubsidized employment
- Confirmation that the address on file is still correct
- Is there any need for additional supportive service referrals?  
OR
- Confirmation that the participant still wishes to remain on an approved break, if they have opted to take the unpaid approved break in service as opposed to EPSL

AJCCs must exercise due diligence to contact the participant, however, if a participant does not answer or return the phone call after multiple attempts, AJCCs may place them on an unpaid approved break in service. This information will be recorded, as

applicable, on the “List of Participants on Emergency Paid Sick Leave.”

These wellness calls should be conducted more often based on the need of each participant, or to alert the participants when an additional resource becomes available.

### 3. Timesheets

During the period of Emergency Paid Sick Leave, timesheets will be also completed and submitted for participants without their signature required. The SCSEP case managers will complete a timesheet for each person who is out on leave and sign the document once they receive verification by phone from the participant. To record the unique circumstances of the incomplete timesheet for future Data Validation purposes, an Emergency Paid Sick Leave notation should be made.

#### Reporting

“List of Participants on Emergency Paid Sick Leave”, which must be completed for each payroll period must be submitted to WDACS prior to the commencement of each pay period and include all elements detailed above.

AJCCs must submit a full payroll report to WDACS at the end of each pay period, during which Emergency Paid Sick Leave was paid out. The reports must be submitted no later than 5 business days after the date of payment being issued.

These reports should be submitted to [SCSEP@wdacs.lacounty.gov](mailto:SCSEP@wdacs.lacounty.gov).

#### Total Hours Paid in Quarter

The Emergency Paid Sick Leave hours shall be counted and reported as part of total quarterly paid hours for each participant in the SPARQ system. If the participant has been assigned to more than one host agency during the same quarter, Emergency Paid Sick Leave hours shall be reported for the host agency they are currently assigned to.

### **ACTION**

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Los Angeles County AJCCs operating SCSEP must ensure that the requirements described herein are communicated throughout operations.

### **INQUIRIES**

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Inquiries regarding this directive and the policies and procedures described herein should be directed to [SCSEP@wdacs.lacounty.gov](mailto:SCSEP@wdacs.lacounty.gov)



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**Irene Pelayo, Program Manager**

**Workforce Development**

Attachment A: List of Participants on Emergency Paid Sick Leave Form