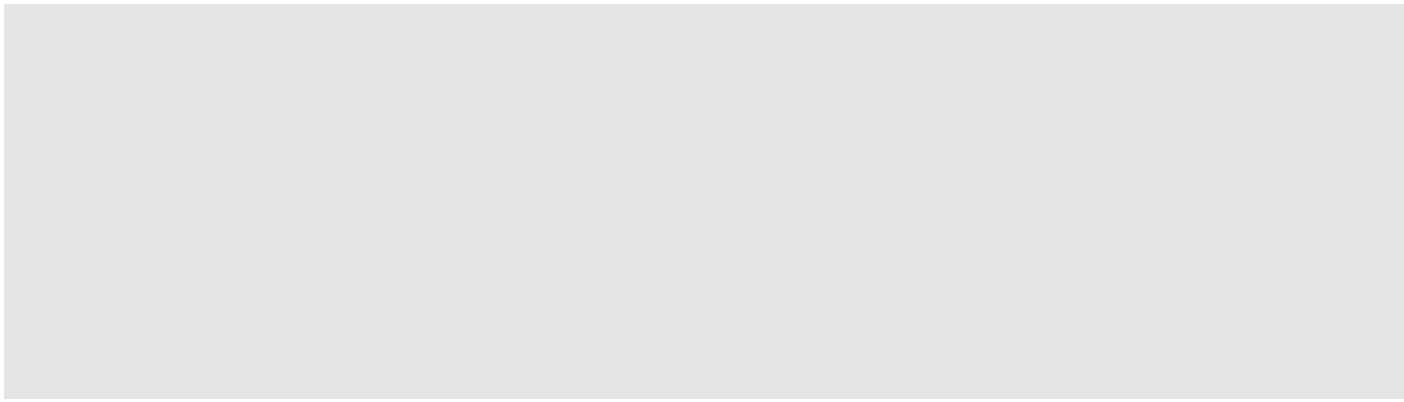


COVID Leave Reminder



Employee unable to work or telework due to AB-685 COVID-19 requirements:

- The employee is required to leave the worksite for an exposure that the department believes is work related, as defined by Cal/OSHA
- If the employee is required to leave the worksite for an exposure that the department believes is work related, we must compensate the employee for their time away (assuming they cannot telework)

The method for compensation would be as follows;

1. Telework if possible
2. County Natural Disaster Attestation Pay, if eligible
3. Sick Banks
4. COVDH = Non-exempt (hourly) or COVDS Exempt (salary) for the VCHRP Time Reporting Code.

Note: Vaccinated employees who are exposed do not have to quarantine if asymptomatic.

Revised ETS – Exclusion Pay

COVID-19 cases must be excluded from workplace until return-to-work criteria met

Employee who had close contact must be excluded from workplace until return-to-work criteria are met.

Exceptions:

Fully Vaccinated Employees

Those recently recovered from COVID-19

Employee received workers' compensation temporary disability payments

Close contact is not work related

Addressing COVID-19 Cases in the Workplace

Investigating and responding to a COVID-19 case in the workplace has not changed as of 11/30/2021

Resources:

Workers' Compensation Presumption (SB119)

<https://www.dir.ca.gov/dwc/Covid-19/FAQ-SB-1159.html>

COVID-19 Infection Prevention Requirements (AB 685)

<https://www.dir.ca.gov/dosh/coronavirus/AB6852020FAQs.html>

COVID-19 Prevention Emergency Temporary Standards.

<https://www.dir.ca.gov/dosh/coronavirus/ETS.html>

Presagia: End of Year

General Guide for Presagia

Transition Into 2022 - 60-day transition period – Expires 12/31/2021

An employee who takes FMLA between November 1, 2021, and December 31, 2021, will do so under whichever 12-month method is of the greatest benefit to that employee.

Except where prohibited by state law, leave taken under state statutes will run concurrently with FMLA leave.

Highly recommend following up with DMD with new cases in the transition period.

Leaves Moving Forward



Leaves Already Taken



Employees that are currently on an approved FMLA/CFRA leave during the current Year (prior to January 2022) will continue to be in a certified and approved status through the end of the identified FMLA period.



For these employees there is no need for any action to be taken, until the time already approved has ended, or additional FMLA is requested.

Certification and Recertification



We will continue to evaluate each individual case based on supporting documentation.



Medical certification should be fully evaluated, dates confirmed and verified as acceptable and complete.



Cases ending 2021, should be evaluated and recertified if necessary.

Look Back Begins 01/01/2022



We will only have one calculating method

If you have any questions, please contact DMD at:

dmd@ventura.org

Position Management Program (PMP)

A General Guide to the PMP



POSITION MANAGEMENT PROGRAM (PMP)

The PMP allows the transition of certain employees who have been on long-term medical leave whose conditions appear likely to prevent them from ever returning to work and who meet specific qualifications into an unfunded Position Control Number (PCN).



PMP – Cost Impact

There is no anticipated cost to develop and implement this program. Under current practice, the County administratively manages and tracks positions through a process called position control numbers (PCN), which are defined numerical identifiers assigned to a County position through budgetary approval process.

- ⌚ Transition the employee to an unfunded PCN
- ⌚ Would free up the budgeted PCN to be filled on a permanent basis

PMP: Important Notes

- ✧ The impacted employee's condition and leave status will continue to be monitored on a scheduled and regular basis.
- ✧ if/when they were sufficiently improved to return to work, they would be assigned to a vacant budgeted position in their classification or a comparable position within their agency/department for which they possess the needed minimum qualifications.
- ✧ **Authority to transition an employee to the PMP will be granted by the Human Resources Director, CEO Budget, and Disability Management Division through the process.**

QUALIFYING TERMS & CONDITIONS FOR PROGRAM PARTICIPATION

- ▶ To be eligible for the PMP, the employee must currently be on unpaid medical leave with no accrual of benefits and must meet *most or all* of the following criteria:
- ▶ On medical leave of absence for longer than one year;
- ▶ Exhausted all forms of leave banks;
- ▶ Exhausted all temporary disability/4850 benefits if there is a workers' compensation claim;
- ▶ Medical certification for the continuing need for medical leave;
- ▶ Indeterminate projected date to return to employment;
- ▶ Met the eligibility requirements to be considered for disability retirement but has had an application for disability retirement denied or dismissed by VCERA's staff/Board of Retirement*

**(note – this provision is only for employees who have five (5) years or more of continuous service credit as defined by the Ventura County Employees' Retirement Association or whose disability is industrial in nature).*

To be eligible for this program, the agency/department must:

- » Consent that the employee will remain employed within the agency/department for the duration of the leave or until the employee elects to separate from County employment;
- » Agree that if the employee's condition improves so that the employee can return to work, the employee would be entitled to return to a vacant position in the employee's classification, if any, or the next available position in the employee's job classification, or to a comparable position for which the employee meets the minimum qualifications;
- » Obtain approval from their CEO Budget Analyst;
- » Obtain approval from the County's Human Resources Director;
- » Commit to working with the County's Disability Management Division to monitor the progress of the employee and engage the employee in interactive process meetings (at least annually) to explore if reasonable accommodation options become available, besides a leave of absence;
- » Adhere to provisions of the County's Personnel Rules & Regulations and applicable Memorandums of Agreement;
- » Comply with all state and federal laws.