

## **Memorandum of Understanding Regarding Return to In-Person Work**

**LACCD / AFT College Staff Guild, 1521A  
June 29, 2021**

The Los Angeles Community College District (the "District") and the AFT College Staff Guild 1521A (the "Union") agree to the following for the remainder of the 2020-2021 and the 2021-2022 academic years in light of improved public health conditions in the County of Los Angeles:

### **Physically Returning to Work**

Given the Governor's mandate to re-open the State of California on June 15, 2021, and the retirement of the LACDPH IHE safety protocols, all LACCD worksites are now open to the general public. Therefore, upon implementation of the Cal OSHA ETS of June 17, 2021, Unit 1 members shall return to their original work locations as assigned by the District, no earlier than July 12, 2021, unless they are already working on-site. Return to original work locations will be phased in at the discretion of each LACCD worksite administration. Unit members will be given a minimum of five business days notice for return to on-site work, if not currently working on-site. LACCD worksites will be in compliance with the CDPH, Cal OSHA or LACDPH's Health Orders and Advisories as well as the District's Safety Advisories and directives.

Required COVID-19 Prevention Training must be completed by all employees including Unit 1 by or before August 1, 2021 during the employee's work hours. More information will be sent via email by District Management. This is a Cal OSHA compliance requirement.

### **COVID-19 Workplace Adjustments/Workplace Accommodations**

Employees who have a qualifying disability shall complete and submit a Request for Accommodations form[see LACCD B-32].

Employees who are 65 years of age or older, have an existing chronic health condition or do not have childcare supervision for children under age 16 due to a closure of their child care facility caused by COVID-19, or are in close contact with older individuals or individuals with preexisting conditions shall request an exemption and provide verification of medical or child care closure with their request. To request an exemption, an employee shall complete and submit the Request to Adjust Their Work Schedule, Duties, or Request to Work from Home Due to a COVID-Related Concern (Not a Disability) form (see attachments A and B).

### **Employee Safety and PPE**

All employees will be provided with the appropriate Personal Protective Equipment (PPE) in accordance with Cal OSHA standards.

LACCD worksites will be in compliance with the CDPH, Cal OSHA or LACDPH's Health Orders and Advisories as well as the District's Safety Advisories and directives. Each campus within LACCD is responsible to ensure that all Emergency Operations Center Safety Advisories will be reviewed and communicated at college safety meetings, and/or through other campus-specific communication channels. Should unforeseen issues arise, the District and the Union will work toward a resolution.

### **COVID-19 Testing and Vaccination**

Employees who wish to take a COVID-19 test shall have the right to do so during their work time, as often as once every 14 days. Employees who wish to take the COVID-19 vaccine shall have the right to do so during their work time. From March 31, 2021 through September 30, 2021, employees may use their allotment of COVID-19 supplemental paid sick leave (80 hours)<sup>1</sup> to maintain their paid status while absent for this purpose, or may utilize their quota of sick leave. Written verification of test or vaccine will be required and shall be provided to the supervisor. If free COVID-19 testing is unavailable and if is not covered by District medical insurance, the District will reimburse employees who provide verification of taking the test and the cost incurred for it. The District encourages all employees to vaccinate for their safety and the safety of others.

### **Cal OSHA Compliance/Los Angeles County Department of Public Health**

Employees will be required to follow all Cal OSHA regulations regarding logging into the District's self-check in process that consists of reporting the buildings that the employee will work in for each day.

The District will be required to maintain appropriate data for a minimum of three years. The District shall not use data for disciplinary actions with the sole exception of discipline related to non-compliance of completing the self-check in process. This data shall only be used for Cal OSHA and worker's compensation.

### **District Provided Devices and IT Support**

Upon return to on-site work, all employees must return District issued equipment that was borrowed from the District during the remote working environment period, unless otherwise approved by the employee's direct supervisor. Upon return to onsite working, the administration agrees to allow employees to return loaned equipment to the worksite no later than beginning of Fall Semester 2021.

### **Leaves of Absence**

The District will follow any state or federal expansion or interpretation of employee leave rights due to the COVID-19 pandemic which may emerge during the effective period of this MOU.

From January 1, 2021 through September 30, 2021, the District will provide up to two weeks (up to 80 hours) of "COVID-19 supplemental paid sick leave" to full-time employees if: (a) the employee is subject to a government quarantine order or has been advised by a health care provider to self-quarantine; (b) the employee is experiencing COVID-19 symptoms and is seeking medical attention; (c) the employee is caring for his or her son or daughter whose school or place of care is closed or whose child care provider is unavailable for reasons related to COVID-19; (d) to attend an appointment to receive a COVID-19 vaccine; or (e) they are experiencing symptoms after receiving the COVID-19 vaccine.

In addition to the supplemental paid sick leave available during this period, the District will further provide up to 10 weeks of paid emergency family and medical leave ("EFMLA") to eligible employees if the employee is caring for his or her son or daughter whose school or place of care is closed or in a hybrid modality of instruction or whose child care provider is unavailable for reasons related to COVID-19. This provision is intended to be applied consistent with the terms of the federal laws which expired on December 31, 2020. Part time employees will be afforded a prorated amount of leaves described in this paragraph.

Employees will be required to provide verification for the leaves of absence requests listed above.

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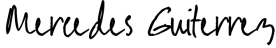
<sup>1</sup> Formerly Emergency Paid Sick Leave (ESPL). Both the FFCRA emergency paid sick leave and the 2020 California Supplemental Paid Sick Leave laws expired on December 31, 2020. Effective March 29, 2021, California Labor Code 248.2, known as "COVID-19 Supplemental Paid Sick Leave" took effect, and allows covered employees to take up to an additional 80 hours of COVID-19 related sick leave.

**Duration**

AFT Staff Guild 1521A and the District (the Parties) agree that the on-going pandemic is dynamic and fluid, and that current directives from LACDPH and other governmental entities, are subject to change. The Parties agree to continue on-going, good faith consultation and commit that they will mutually adhere to all health orders, District EOC safety advisories and transition plans for returning to increase in-person activities and services at the colleges and the ESC. Should another bargaining unit receive benefits that exceed what are provided herein, said differences shall be applied to this bargaining unit. The terms of this MOU will expire June 30, 2022, but may be extended by mutual agreement, if the LACDPH orders have not been lifted.

Agreement in principle reached on June 28, 2021.

**For the District/ Human Resources Division:**


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Dr. Mercedes Gutierrez, Ed.D.  
Interim Vice Chancellor, Human Resources

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Date

**For the AFT College Staff Guild, 1521A**

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Hazel Alonzo  
AFT College Staff Guild 1521A President

6/29/2021 | 10:34:07 AM PDT

Date