

APRIL 29, 2020

TO: All City Employees
FROM: Al Zelinka, City Manager
RE: Minimum Staffing Order

Pursuant to California Government Code §3504.5(b), the purpose of this memorandum is to notify employees of the initial April 30, 2020 expiration of the City's minimum staffing order and the City's plans for May 1, 2020 and after. This memorandum will not apply to employees in essential service areas or those that are telecommuting. The minimum staffing order shall now remain in effect beyond April 30, 2020, except as modified in this memorandum. **Please note that employees that were directed to remain home, should not return to work until directed to do so by their Department Head or City Manager.**

Background

As you know, on March 18, 2020, the City issued a minimum staffing order in response to the COVID-19 pandemic. Subsequently, on March 19, 2020, Governor Newsom issued the stay at home directive, Executive Order N-33-20, which required the City to determine which services it provides were nonessential. Employees performing non-essential functions per the Executive Order and whose duties did not allow for telecommuting, were placed on paid administrative leave. The initial minimum staffing order expires on April 30.

What happens next?

At the Special Meeting held on April 28, the City Council addressed the expiration of minimum staffing order and how to proceed. The City has experienced significant financial setbacks since the minimum staffing order was issued, which are projected to continue, and the City is no longer able to continue providing paid administrative leave to employees at home due to the COVID-19 pandemic but not telecommuting. The City recognizes that discontinuing paid administrative leave for these employees may be a hardship for some, the City has attempted to balance the interests of these employees and the City by making the following changes to the minimum staffing order:

1. For those employees currently on paid administrative leave as a result of the COVID-19 pandemic, paid administrative leave will continue until May 14, 2020:
2. Beginning May 15, 2020, employees will no longer receive paid administrative leave but may continue to receive their pay by using any accrued leave balances that they have; and
3. Employees who do not have any accrued leave balances or who exhaust their accrued leave balances before expiration of the stay at home orders, will be placed on an unpaid furlough.

Leaves balances that may be used

Impacted employees will be able to use any of their accumulated leave banks (Vacation, Sick, Compensatory Time or Administrative Leave Banks). Employees may also be eligible for Family First

Coronavirus Response Act (FFCRA) Emergency Sick Leave for up to 80 hours and Family Medical Leave for up to 12 weeks of paid leave for a covered event. If an employee has exhausted their leave banks and/or is not eligible for FFCRA Leave, they may request Donation Leave under the City's Employee Leave Donation Plan (Policy V-5).

Additional information regarding unpaid furloughs

Employees on an unpaid furlough may qualify for unemployment benefits. While furloughed, the City will continue to pay the employer portion of the benefits for the employee. Also, employees will continue to accrue vacation and sick leave during the furlough. Employees who participate in the City's deferred compensation program may also qualify for withdrawals or loans under the City's plan.

Employees subject to this directive, including those on an unpaid furlough may be recalled to duty at any time at the direction of the City Manager. Therefore, it is important that you have updated your contact information with the Human Resources Department to ensure that you can be contacted. If you need to update your contact information, you may do so on Employee Online <https://www.riversideca.gov/human/employee-hub/benefits/health-dental-vision-fsa-life-legal> , or by contacting Human Resources at citybenefits@riversideca.gov.

We are in this together

The City Council and I know that these are trying times and that the information contained in this memorandum may be distressing to those impacted by it. Our goal is to keep the City on a path to emerge from the pandemic solvent and stronger than ever. We will continue to monitor these issues and adapt to the changing circumstances during these difficult times. The Council and I commit to you that we will evaluate this issue again in 30 days.

In addition to the City Council's direction, we will also monitor guidance from the State and County officials. Governor Gavin Newsom told Californians on Tuesday that the State is weeks, but not months, away from being able to start re-opening the state's economy. Lower-risk businesses will be part of the first of four phases of the re-openings, along with childcare and school facilities with adaptations. The Governor also mentioned that schools could start earlier next year, in July, in order to make up for time lost this school year due to the abrupt closure of the school year. More information can be found at: <https://www.gov.ca.gov/wp-content/uploads/2020/04/Update-on-California-Pandemic-Roadmap.pdf>. Based on the Governor's direction, the City Manager's Office has initiated an effort to plan for safe return to work for the City of Riverside.

In order to ensure that you have control over how your leave balances are exhausted, please contact the City's Human Resources Department as soon as possible to discuss your options at citybenefits@riversideca.gov or at 951-826-5639.