



## Legislation Text

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**File #:** 24-0584, **Version:** 1

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Health and Human Services Agency (HHS) recommending the Board, acting as the Governing Board of the In-Home Supportive Services Public Authority (IHSS PA):

- 1) Make findings that the provision of IHSS PA labor relations consultation services provided by Industrial Employers and Distributors Association (IEDA) is necessary to protect against conflict of interest or to ensure independent and unbiased findings where there is a need for an outside perspective in accordance with El Dorado County Ordinance Code, Chapter 3.13.030(F);
- 2) Approve and authorize the Chair to sign Agreement for Services 8491 with IEDA, in the amount of \$72,000, and for the term of three years from July 1, 2024, through June 30, 2027;
- 3) Authorize the Purchasing Agent to execute amendments relating to Agreement 8491, contingent upon approval by County Counsel and Risk Management, which do not increase the maximum dollar amount or term of the Agreement; and
- 4) Authorize the HHS Director, or the Chief Assistant Director, to execute programmatic, administrative, and fiscal documents relating to Agreement 8491.

**FUNDING:** 43% Federal Title XIX, 40% State, 17% General Fund.

**DISCUSSION / BACKGROUND:**

Each county in California is required to operate an IHSS program to provide in-home assistance to eligible aged, blind, and disabled individuals as an alternative to out-of-home care, allowing recipients requiring personal care and domestic services to remain safely in their own homes.

Pursuant to Welfare and Institutions Code (WIC) § 2302.25 and El Dorado County Ordinance Number 4612, the Board acts as the Governing Board of IHSS PA and has designated HHS to administer this program on behalf of the County. As the Governing Board of IHSS PA, the Board is authorized to carry out the delivery of in-home supportive services in the County and has the power to contract for services pursuant to WIC §§ 12302 and 12303.3.

On June 18, 2002, the Board authorized the establishment of IHSS PA to serve as County's employer of record for the purpose of collective bargaining for IHSS providers in accordance with Assembly Bill (AB) 1682 (Chapter 90, Statutes of 1999).

IHSS PA is responsible for the administration and delivery of the IHSS Program, including maintaining IHSS provider registries and referrals, offering training resources, and supporting recipients' access to essential care services to promote independent living. IHSS PA does not employ or manage IHSS providers in the role of a traditional employer; rather, each IHSS recipient hires the IHSS provider for their care and is solely responsible for setting their schedule, working conditions, and determining the duration of their employment.

Since March 2003, United Domestic Workers of America, AFSCME, Local 3930, AFL-CIO (UDWA) has served as the bargaining unit representing IHSS providers in El Dorado County. IEDA provides the expertise to meet and confer in good faith with the UDWA on behalf of the IHSS PA as the designated representative of the Governing Board. County has contracted with IEDA since 2003 to

assist IHSS PA in negotiations and establish Memorandums of Understanding (MOUs).

This proposed Agreement with IEDA is a renewal of Agreement 7717 approved by the Board on June 27, 2023 (File ID: 23-0949). HHSA recommends Board approval of the proposed Agreement 8491 to ensure continuation of necessary IHSS PA labor relations consultation services without any service interruption.

**ALTERNATIVES:**

Should the Board decline to approve this recommendation, County would not have access to IEDA's consultation services or advice on employer-employee relations for future negotiations between IHSS PA and IHSS providers.

**PRIOR BOARD ACTION:**

- 1) 06/20/17, 17-0610, HHSA IEDA Agmt 538-S1710
- 2) 06/12/18, 18-0858, HHSA, A1 to Agreement 538-S1710/FENIX 977, IEDA
- 3) 03/19/19, 19-0080, HHSA IEDA Agmt 977 A2
- 4) 02/11/20, 20-0113, HHSA IHSS PA MOU with UDWA
- 5) 04/21/20, 20-0222, HHSA-IEDA AGMT 4696
- 6) 04/20/21, 20-1646, HHSA IHSS PA + IEDA MOU 5360
- 7) 05/10/22, 22-0398, HHSA Agmt 6161 IEDA IHSS PA
- 8) 06/27/23, 23-0949, HHSA 7717 IEDA-IHSS

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

Approved by County Counsel, Human Resources, and Risk Management.

**CAO RECOMMENDATION:**

Approve as recommended.

**FINANCIAL IMPACT:**

This Agreement for Services is a renewal of an existing agreement. The IHSS Public Authority program receives administrative funding from Federal and State revenues, which is generally 50% Federal and a capped State funding allocation, with the balance funded by County General Fund. Sufficient appropriations have been included in the current fiscal year budget and also in the Fiscal Year 2024-25 budget request. Continuing the contract is not expected to further impact budgeted County General Fund.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

Clerk of the Board to obtain signature of Chair on one original Agreements for Services 8491.

**STRATEGIC PLAN COMPONENT:**

N/A

**CONTACT**

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