



## Legislation Details (With Text)

**File #:** 18-0858      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 5/16/2018      **In control:** Board of Supervisors

**On agenda:** 6/12/2018      **Final action:** 6/12/2018

**Title:** Health and Human Services Agency recommending the Board acting as the Governing Board of the In-Home Supportive Services Public Authority:  
 1) Approve and authorize the Chair to sign Amendment I to Agreement for Services 538-S1710 (also known as Agreement for Services 977) with Industrial Employers and Distributors Association, for the provision of wage and health benefits negotiation assistance between the IHSS PA and the United Domestic Workers of America, to extend the term from June 20, 2017 through June 30, 2018 to a new term of June 20, 2017 through June 30, 2019 and increase the maximum contractual obligation from \$24,000 to \$48,000 effective upon execution of Amendment I; and  
 2) Authorize the Purchasing Agent, or designee, to execute further documents relating to Agreement for Services 538-S1710 (also known as Agreement for Services 977), including amendments that do not increase the dollar amount or term of the Agreement, and contingent upon approval by County Counsel and Risk Management.

**FUNDING:** State and Federal Funding.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - 538-S1710, 977 approved CRS, 2. B - 538-S1710, 977 Indstrl Emplrys Amdmnt 1, 3. C - 538-S1710, 977 Agreement, 4. Executed Agreement for Services #538-S1710

| Date      | Ver. | Action By            | Action   | Result |
|-----------|------|----------------------|----------|--------|
| 6/12/2018 | 1    | Board of Supervisors | Approved | Pass   |

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**FUNDING:** State and Federal Funding.

**DEPARTMENT RECOMMENDATION:**

Health and Human Services Agency (HHSA) recommending the Board approve and authorize Amendment I to Agreement for Services 538-S1710 with the Industrial Employers and Distributors Association (IEDA) to continue to provide assistance with wage and health benefits negotiations between the In-Home Supportive Services Public Authority (IHSS PA) and the United Domestic

Workers of America which represents the IHSS workers.

Additionally, HHSa has determined that services provided pursuant to this Agreement 538-S1710 satisfy the criteria defined in Chapter 3.13, Section 3.13.030 of the County Ordinance in that the work performed under this Agreement requires special skills and qualifications involved in the performance of the work and a contract is necessary to protect against a conflict of interest.

**DISCUSSION / BACKGROUND:**

Each county in California is required to operate an IHSS program to provide personal care and domestic services to aged, blind or disabled individuals in their own homes. The purpose of the program is to allow individuals who are recipients of these services to live safely at home rather than in costly and less desirable out-of-home placement facilities. The IHSS PA is responsible for maintaining caregiver registries, providing IHSS consumers with caregiver referrals, providing for consumer and caregiver training, and processing payments to IHSS workers on behalf of the consumer. The Board of Supervisors also acts as the Governing Board of the El Dorado County IHSS PA and has designated HHSa to administer this program on behalf of the County.

While the individual (consumer) receiving IHSS care is the employer of their IHSS worker with regard to selecting, hiring, setting the work schedule, and disciplinary actions, etc., the County has been designated as the employer of record for IHSS workers for the sole purpose of setting salaries and benefits in El Dorado County, and the County performs this function through the El Dorado County IHSS PA.

In March of 2003, United Domestic Workers of America (UDWA) successfully established itself as the bargaining unit for caregiver providers in El Dorado County. IEDA provides the expertise to meet and confer in good faith with the UDWA for and on behalf of the IHSS PA as the designated representative of the Governing Board. IEDA assisted the El Dorado County IHSS PA in establishing the first Memorandum of Understanding (MOU) between the IHSS PA and UDWA in 2003.

Currently, the County and UDWA are in on-going contract negotiations. It is necessary to extend the term of this Agreement to allow IEDA to continue to assist the County through completion of the negotiation process.

**ALTERNATIVES:**

Disapproval of Amendment I to Agreement for Services 538-S1710 will result in the County taking over directly negotiating with UDWA to establish a new MOU between IHSS PA and the IHSS workers.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

Human Resources, County Counsel, and Risk Management

**CAO RECOMMENDATION:**

It is recommended that the Board approve this item.

**FINANCIAL IMPACT:**

There is no Net County Cost associated with this Agenda item. Sufficient appropriations will be included in the Fiscal Year 2018 - 2019 Budget.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

1. Clerk of the Board to obtain the Chair's signature on two originals of Amendment I to Agreement for Services 538-S1710 (also known as Agreement for Services 977).
2. Clerk of the Board to return one fully signed original Amendment I to HHSA Contracts Unit at 3057 Briw Road.

**STRATEGIC PLAN COMPONENT:**

N/A

**CONTACT**

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