

**CICA Statewide Call  
October 28, 2015**

**Notes**

**Today's call had 35 participants from the following locations:**

Anaheim, Desert Heights Spring, Eureka, Fair Oaks, Fontana, Fresno, Lower Lake, Norwalk, Oakland/Berkeley, Redding, Riverside, Ukiah, Sacramento, San Andreas, San Diego, San Jose, Santa Ana, Santa Barbara.

**Names recognized:** Kim Rutledge, Brandi Wolf, Todd Metcalf, Marty Longwell, Suzanne Butler, Michael Condon, Joey Riley, Cindy Calderon, Janie Whiteford, Randi Bardeaux, Paula Herman, Kristine Loomis, M. Jorgensen, Carol Moss, & Charlie Bean. Others not listed is because the number you called from is under the agency's name of the phone used.

**Thank you!** Janie introduced the new phone system being used for the statewide call, thanking Lena Berlove of Orange County for the suggestion of the new phone line. It has been cheaper and gives the host more control of callers.

On behalf of CICA, Janie sends a special "Thank You" to the California Association of Public Authorities (CAPA) has provided the call-in line for so many years at no cost to CICA! CAPAs support of and participation in our monthly calls has been appreciated and of value. Thank you to Karen Keesler for her diligent work to having information available each month!

**Kim Rutledge, UDW:** UDW represents counties that are more conservative and felt it was in its earlier stages in working with the State Authority.

**Michael Conlon Question:** What might the State Stakeholder Committee ant to take forward? Looking to have this committee have more involvement and interaction with the Statewide Authority.

**Response:** It is agreed it is important. Having an open dialogue is important. It was the feeling that this committee was not set up to be involved in the bargaining component of the State Authority. This may be

something to be brought up with your IHSS Advisory Committee you sit on. At this time it is unknown what the make-up of the bargaining committee is, UDW is interested in this. If people (covered by UDW) have interest in getting more involved in the bargaining process they should contact Kim or other UDW representatives.

***Kristine Loomis question:*** Do you know what the right process is for making suggestions to have a consumer at the bargaining table? We are looking for best practices.

***Response:*** The best thing to do...UDW needs to have an internal conversation about the make-up of the committee. It is expected to be a very long process. Getting your input in might be best to contact myself (Kim) or a UDW Representative in your area.

***Joey Riley question:*** There are 7 – 8 counties that are CCI, that are going to be collectively bargain represented by UDW. She shared hourly wages for two counties San Diego at \$9.81 and Riverside at \$11.51 and wondered if this was something the IHSS Advisory could share information about the unfair equality in the two counties in regards to low wages and high rents with the State Authority? Also, does the collective bargaining have anything to do with the current contract that could address the differences in wages?

***Response:*** As of right now, there are contracts and they are separate. As they expire new bargaining will be done. The political climate of the County Board of Supervisors usually determine the better wages. As Riverside as always been easier to deal with than San Diego. It is hoped that what you mentioned is considered when going through the State Authority. It is hoped by dealing through the State Authority improved wages will be considered.

***Joey follow-up:*** As far as statewide, never understood why San Diego never gave higher wages because they were reimbursed by the State up to a certain dollar level.

***Response:*** That \$12.10 (max referred to) includes taxes and benefits and other costs related to payroll. Cannot speak for or the logic of the BOS pertaining to IHSS wages. San Diego has always been more difficult to

deal with than Riverside and this is one reason moving away from them may make it easier for future negotiations. It is hoped that the negotiations statewide go through the State Authority, not just the 7 CCI counties. It is felt it would be more equitable for the providers throughout the state,

**Brandi Wolf clarification:** The \$12.10 is the maximum amount to be paid, but there is a county share contributed to this in which the County is not reimbursed for in all counties.

**Joey question:** Does the county share get paid back their share eventually?

**Response:** No, The county is responsible for its share; it equates to about 17% (I believe it is figured this way: The Federal portion is 50% + the State share of 33% + the County share of 17%). **Side-note:** *The Federal share was larger when the ACA took effect, but I am not sure where it is today. Something to think about, this funding usually comes out of the county's general fund when a raise is given. There is also the MOE each county has with the state and county regarding funding and if we can get this explained clearly; I will get it out to you in a future call. Bean will try and get the formula in the next few weeks and share it.*

**Kristine Loomis:** Involved in bargaining in the past in Riverside and at that time it the State was reimbursing the County, reminded the group this was several years ago. At the time the county did not trust the state to reimburse them. Then realignment changed how the State and county funding worked. She was also interested in Joey's question in how it works today.

**Brandi:** for saving time there have been changes and the counties are locked into agreements through the MOE and invited to talk to Joey and Kristine through the phone.

**Kim Rutledge, Timesheet issues:** One thing being worked on are improvements to the timesheet process, streamline the process. Since 60,000 had been lost through the USPS, looking into other methods of submitting timesheets, such as digital. Possibly looking at having a pilot

program to directly submit the timesheet to Chico; possibly increase direct deposit, and other changes. Interested in hearing other suggestions.

**Mark Beckwith:** Suggested to turn in timesheets using the touch-pad phone system, similar to that used in Alameda County.

Is there a toll-free number to call HP (Chico) regarding timesheet status? Kim is to get the number to Charlie to share.

**Paula Herman:** Shared a brief comment about the lost timesheets, but shared the timesheet problems now are at the center.

**Joey:** Wondered if there is a glitch in the timesheet process where the center did not read it properly if it was going to affect the overtime regulations. If an individual will get warned or even terminated because of errors at the payroll center when new rules go into effect?

**Kim's Response:** There is a built in appeals process put in for violations related to the FLSA new regulations. If glitches are found to cause problems that may affect the provider the State seems very willing to review them. Only the provider may need to go through the annoying appeals process to get it reversed. Do not believe a person will be terminated because of a data entry error.

Need to remember it is in its early stages and it is felt it will not cause any issues for providers.

**Mark:** In Alameda my timesheets have been doing okay. I have had a great experience with Chico.

**Lisa Brown:** There seems to be a lot of confusion of when one should receive their paychecks. They do not receive it right away, but it will be received 10 days after it has been received at the Chico pay center. This 10 days is counting only the business day the center is open (if the timesheet is received on Wednesday, count day business days out; Thursday, Friday, Monday, Tuesday, Wednesday, Thursday, Friday, Monday, Tuesday, Wednesday). Holidays and weekends are not included in the count.

**Kim's Response:** This is one of the reasons UDW is working on speeding up the timesheet process through other methods. It would assist in getting the paycheck to the provider. The time of 10 days from when it arrives at Chico has been confirmed by the State.

**Brandi, Clarification on Timesheet Completion and sending:** If you finish working on the 11<sup>th</sup> and mail your timesheet in prior to the 15<sup>th</sup>, the pay center is not required to process it until the end of the pay period, the 16<sup>th</sup> in this case. Getting the timesheet to Chico in a timely manner is important and something being worked on by all. ***NOTE: Never mail your timesheet in prior to end of the pay period until you are sure you are not going to working!***

**Joey Question:** Did you put out a survey about the timesheets? If so, did you get the results and can you share them?

**Kim's response:** Yes, UDW did a survey and the unions are working on this together. It was to close this week (Nov 1<sup>st</sup>) and there needs to be some internal discussion on how to use and share the results.

**Kim on FLSA:** There was a brief discussion, but nothing that can be shared. There have been informal times for implementing but nothing finalized to be shared.

It is known the state is working on the forms originally introduced to be used for when the FLSA was to begin earlier and they are updating them. Also videos and training resources are being updated to have all the information about the forms and overtime reg. in them. The violations introduced are still being followed as presented earlier.

Also the Labor unions and Civil Rights Organization are talking about the impacts of the caps per week about coming up with some sort of exception so family members are not impacted.

**Joey's question:** Would this also include non-family member for high hour waiver consumers?

**Kim's Response:** This has not been talked about yet. Final decision has not been made on this yet.

**Joey's Question:** Questioned about retroactive pay if it is done, meaning if overtime begins on February 1<sup>st</sup> will they pay overtime retroactively back to, say November 1<sup>st</sup> (October 1<sup>st</sup>)? If so, should providers keep track of the time submitted?

**Kim's Response:** Not sure of what the retro program will be like. It is a good idea for providers to document time worked for future reference.

**Mike Condon commented:** Referring to what Joey mentioned, it will be the most severely disabled individuals who are on the waivers that if the caps are kept in place it will hurt. It is requested that if you sit in on these discussions the state is reminded of this. Have spoken with many who have waiver hours that do not have family members caring for them this would hurt.

**Joey comment:** If the State does not notify the providers about recording their overtime or wait time and travel time can the Union do this. It is not clear what the providers will or will not be paid for when it comes to the new regulations and if they do pay retroactively providers need a clear understanding of what will or will not be covered. It needs to be clarified on what will be paid because they weren't told they would get paid for this.

**Kim Responded:** We have been working on getting information out as soon as the okay is given by the State. Here at UDW we have it ready to distribute and expect an okay from the state in the next few days. Not sure if we have information about waiting to engage or engaged to wait and will take this back to our communications. Point of clarification: It is not mileage that will be paid but time traveled up to 7 hours per week.

**Paul Herman question:** Got same concerns as Michael and Joey. My questions is about "engaged to wait" or "waiting to be engaged" and there is a column on the NOA and the hours given are generally low. It does not cover what is actually done. Does this effect the fact that the worker did not enter enough time for what I'm actually doing?

I also feel it is important to get information out to others as soon as possible.

**Kim's response:** To the first question the social workers will be reevaluating hours provided for waiting. To the second question, UDW is working as close as possible to get information out to assist providers as soon as state gives the okay on its timeline.

It is my understanding there will be adjustments made to the NOAs, but I do not know any other details about this at this time.

**Michael question:** Is that time per week, per pay period, or per month?

**Kim response:** It is 7 hours per week, 7-days week.

**Joey question:** Does this travel time going to be used in figuring overtime? Will wait time and travel time will be used in figuring overtime?

**Kim's response:** Travel and Wait time are separate. Travel will not be part of the recipient's time. Wait time will be attached to the recipient.

Travel time there will be a separate sheet. This is for travel between consumers house only.

Medical accompaniment travel is to be accessed with the consumer's allotted monthly hours. If a consumer already has the maximum hours it is important to have the Social Worker include medical accompaniment hours as unmet needs hours – this needs to be stressed with the State in future meetings, **suggested by Kristine Loomis.**

**Janie "Thanked" Kim Rutledge of UDW** for being on the call inviting her back in the future.

CICA is looking at developing priorities for the upcoming year. If individuals wish to submit suggestions you can send your suggestions to [info@cicaihss.org](mailto:info@cicaihss.org)

Thank you every one for being on the call!