



Meet-and-Confer Agreement Between the District and the Confidential Employee Group for 2020-21

This Meet-and-Confer Agreement is entered into by and between the Mt. San Antonio Community College District (District), and the Confidential Employee Group.

Unless separately agreed in writing by the District and the Confidential Employee Group, working conditions are defined by the exclusive bargaining agreement with CSEA 262, including any negotiated changes.

The Confidential Employee Group has an agreement with the District that grants them the ability to Meet-and-Confer. Therefore, the parties have agreed:

Return to Campus Fall 2021

On March 19, 2020, the State of California and the County of Los Angeles effected a “Stay at Home” order due to COVID-19, which ended January 25, 2021, and was replaced by a Regional Stay at Home Order from the LA County Public Health that is in effect until further notice. The College recognizes future local, state, and federal government directives may necessitate further changes in working conditions, and additional emergency actions may need to be taken by the College President in support of public and employee health.

Confidential employees will be transitioned to return to campus by the Fall 2021 semester. The District and the confidential employee group shall collaborate on assisting confidential employees in their transition back to campus, including the following steps:

Step 1: Information (Now to May 1, 2021)

- Promoting and facilitating vaccination information, including updates on scientific investigation of the safety, efficacy, and impact of the vaccines available and providing confidential employees information about vaccine distribution points.
- Preparing guidelines for return to onsite work, including preparation of work areas for occupation (i.e., upgrading air handling systems to include both UV and ionization-based sterilization; expansion of scope and availability of cleaning and sanitation; workstation protective equipment such as plexiglass separation panels).
- Confidential employees will begin providing proof of COVID-19 vaccinations to HR.

Step 2: Transition (May 1, 2021, to July 1, 2021)

- Begin gradual transition of confidential employees from predominantly telecommuting to predominantly on campus.



- Confidential employees continue providing proof of COVID-19 vaccinations to HR.
- Continued promoting and facilitating vaccination information, including updates on scientific investigation of the safety, efficacy, and impact of the vaccines available and providing confidential employees information about vaccine distribution points.
- Confidential employees will initiate the interactive process for those who:
 - Have a qualified disability under either the ADA, or FEHA and cannot receive a vaccination;
 - Have an established sincerely held religious belief;
 - Need additional support related to vaccination (i.e., vaccination delay due to positive COVID test);
 - Have to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19.

Step 3: Return to Campus (July 1, 2021, to beginning of Fall 2021 semester)

- Continued promoting and facilitating vaccination information, including updates on scientific investigation of the safety, efficacy, and impact of the vaccines available and providing confidential employees information about vaccine distribution points.
- Confidential employees continue providing proof of COVID-19 vaccinations to HR.
- Continued interactive process for those who:
 - Have a qualified disability under either the ADA, or FEHA and cannot receive a vaccination;
 - Have an established sincerely held religious belief;
 - Need additional support related to vaccination (i.e., vaccination delay due to positive COVID test);
 - Have to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19.
- District will initiate the interactive process for those confidential employees who have not either provided proof of vaccination or started the interactive process on their own.

Promotion of Vaccinations and Workplace Safety Guidelines

Both the Confidential employee group and the District are committed to promoting a safe working and learning environment. Confidential employees shall be vaccinated prior to assuming any on campus duties. To ensure the health and safety of all the confidential employee group, both confidential employees and the District will collaborate to actively promote vaccination as part of the process for the return to campus. When required to be on campus, confidential employees shall follow Mt. SAC's Return to Work Guide.

Leaves Related to COVID-19 Vaccinations

Upon notification to the manager, confidential employees shall be granted release time, as necessary, to attend COVID-19 vaccination appointments. Confidential employees who have already received vaccinations and used any accrued leave shall have their leave restored. Release time includes the vaccination appointment, travel time, and any immediate reactions to the vaccine. Confidential employees shall also be granted additional District paid time for any continuing reactions from the vaccine that impacts the Confidential employees work (such as a reaction to the vaccine), up to three (3) scheduled working days that may be used in hourly increments. Confidential employees who are out longer than three (3) scheduled consecutive working days due to any reaction of the COVID-19 vaccine shall also qualify for



District paid time until cleared to return to work by a medical provider. This requirement supersedes Article 13.05.7 with regard to the effects of COVID-19 vaccinations for the duration of this agreement. Confidential employees shall be reimbursed for any medical expenses incurred from immediate reactions to the vaccine. Confidential employees shall be reimbursed for any transportation services (i.e., Uber, Lyft, Taxi) incurred to and from their vaccination appointments. A receipt must be submitted for reimbursement through their department as part of COVID-19 funding.

The district shall also provide the following to confidential employees:

- Confidential employee who has been diagnosed with COVID-19 shall be placed on district paid leave until they are cleared to return by their medical care provider.
- Confidential employee who quarantines due to COVID-19 exposure per current L.A. County health guidelines shall have access to 80 hours of district-paid leave.
- Confidential employee who has caregiving duties related to COVID-19 shall have access to 80 hours of district-paid leave.
- Any accrued leave used prior to the interactive process shall be converted to district paid time and the leaves used shall be restored to the confidential employee.

Confidentiality, Proof of Vaccination, and Alternative Assignment

A confidential employee's vaccination and/or infection status related to COVID-19 is protected under HIPAA and may only be requested by Human Resources. Departments shall be made aware by Human Resources when a confidential employee is cleared to return to campus. Confidential employees are required to provide proof of vaccination for COVID-19 to Human Resources as required. Any such documentation is confidential and will be included in the confidential employee's medical file.

Confidential employees who choose not to vaccinate shall initiate an interactive process with Human Resources. This process, may include providing appropriate documentation from a medical provider for qualified medical exemptions or an affidavit signed by the confidential employee affirming a sincerely held religious belief. Any documentation that is part of the interactive process is confidential and will be included in the confidential employee's medical file. The outcome of the interactive process may include telecommuting and/or an alternative assignment, as designated by the District. An alternative assignment shall be work that is within the confidential employee's job description or other administrative duties as assigned by the District. The District will work with the confidential employee to provide required training, as necessary.

Confidential employees who have to care for a child (under 18 years of age) whose school or



child care provider is closed or unavailable for reasons related to COVID-19 shall initiate an interactive process with Human Resources, which may include providing appropriate documentation of school closure. Any such documentation is confidential and will be included in the confidential employee's medical file. The outcome of the interactive process may include telecommuting and/or an alternative assignment, as designated by the District. An alternative assignment shall be work that is within the confidential employee's job description or other administrative duties as assigned by the District. The District will work with the confidential employee to provide required training, as necessary.

Notification to Confidential Employees

Beginning May 1, 2021, confidential employees may be required to return to campus. Prior to requiring a confidential employee to assume duties on campus, the District shall provide no less than fourteen (14) calendar days' notice, unless mutually agreed. In cases of urgent need(s), the District CEO or designee and confidential representatives will meet to discuss the urgent need(s) and agree on a resolution.

Call Back Pay

Confidential employees shall continue to receive call back pay for time worked on campus as outlined in Article 10, Section 10 through May 31, 2021. Beginning May 1, 2021, confidential employees shall be required to provide proof of vaccination to Human Resources in order to work on campus.

Vacation Time

For every eighty (80) hours of vacation taken from July 1, 2020-June 30, 2022 confidential employee group members may select one of the following additional options:

- Ten (10) additional floating holiday hours, not to exceed a maximum of 40 additional floating holiday hours to be used in the fiscal year following completion.
- The District will add twenty (20) hours of catastrophic leave to the Catastrophic Leave Bank in the confidential employee's name, which shall be considered a donation of eligible leave credits.

The Confidential Employee Group reserves the right to meet-and-confer on any item(s) under the scope of representation. Any subsequent governmental actions or public health guidelines that prevent enforcement of this agreement will be grounds for further meet-and-confer discussions.



**ACCEPTED AND AGREED:
FOR THE DISTRICT**

William J. Scroggins
Bill Scroggins, President & CEO

April 26, 2021

Date

FOR THE CONFIDENTIAL GROUP

Melissa Cone
Melissa Cone, Confidential Representative

4/8/21

Date

Lucy DeLeon
Lucy DeLeon, Confidential Representative

4.8.21

Date