



Date: June 17, 2020  
To: Board of Retirement  
From: Doris L. Rentschler, CFP, Executive Director  
Subject: Administrative Report

## **Legislative Update**

Attached is the Legislative Report from the State Association of County Retirement Systems (SACRS).

## **COVID-19**

MCERA staff performed a soft reopen as of June 1, 2020. During the soft-open, MCERA remained closed to foot traffic and will likely remain this way through June. Staff has the option of working from home or coming to the office. At least 1 person each day has teleworked to minimize the number of staff in the office in an effort to maintain social distancing protocols. MCERA staff assessed risks and crafted the attached reopening worksite procedures to reopen to the public as of July 1<sup>st</sup>, while minimizing the risk of COVID-19 exposure to both staff and the public. The most significant modification to MCERA practices, in addition to the disinfection and sanitizing protocols, is that all in-person business will be restricted to scheduled appointments and only the member, or the member with one additional person who resides in the same household, will be allowed to attend the appointment. There will only be one appointment scheduled at a time to minimize the number of individuals in the office. At this point, no business will be conducted on a walk-in basis. MCERA's COVID-1- Reopening Plan is attached for your reference.

## **Administrative and Operations Update**

During the past two weeks, I spent time reviewing and becoming familiar with MCERA policies, procedures, processes, operations and the historical benefit project. I have spoken with several of you already and will be scheduling phone conferences to discuss topics important to you to aid in the 2020 work plan.

## **Form 700 Filing Reminder**

The Form 700 filing deadline was April 1, 2020. If you have not already submitted your form, please send to Judy. If you have question about your filing, please contact Judy.



June 4, 2020

TO: State Association of County Retirement Systems

FROM: Mike Robson, Trent Smith, and Bridget McGowan, Edelstein Gilbert Robson & Smith, LLC

RE: **Legislative Update – June 2020**

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### **May Budget Revision**

On May 14, Governor Newsom released his May Revision to his January Budget. In a normal year, the May Revision is a chance for the Governor to fine tune his January proposal based on more up to date revenue estimates for the coming year.

In 2020, the May Revision is all about responding to the economic crisis caused by COVID-19. Between January and May, the state has seen a 22.3% decline in revenue and 4.6 million new unemployment claims filed since mid-March. This drop in revenue combined with higher caseloads for social safety net programs has eviscerated the multi-billion-dollar surplus the Governor anticipated in January.

All of this has led the Legislative Analyst's Office (LAO), a non-partisan advisor to the Legislature, to estimate anywhere from an \$18 to \$31 billion deficit. The Governor's Department of Finance (DOF), is projecting a higher deficit of \$54.3 billion for two reasons. First, the Governor has chosen to calculate the deficit based on his *proposed* expenditures in the January Budget rather than the expenses the state is obligated to pay under current law. Second, the Department of Finance is projecting a \$13 billion increase in caseload for social safety net programs and other expenses related to COVID-19.

The Governor's May Revision would resolve the projected \$54.3 billion deficit with the following solutions:

- 16% from the state's reserves
- 15% from the federal government under the CARES Act
- 15% from cancelling proposals for additional spending from the January budget
- 19% from internal borrowing from special funds
- 26% "triggered cuts" as described below
- 8% from revenue gained by limiting the use of net operating losses and tax credits

We have several observations about the above plan.

### **May Revise Spreads the Use of Reserves Across Several Budget Years**

The state has \$16.2 billion in its “Rainy Day Fund” and several billion more in additional reserves including social safety net and Proposition 98 (school funding) reserves. Collectively, the Governor is planning to use only \$8.8 billion of our reserves in the current budget year. The Governor is proposing to use the remainder of the state’s reserves to bridge gaps in the next two budget years.

### **May Revise Relies on Several One Time Solutions**

The use of state reserves, one-time appropriations from the federal government, and borrowing from state special funds are all one-time solutions. This means that in future budget years California will still be confronting a significant structural deficit as revenues continue to fall below expenses. The size of this ongoing deficit will depend on the strength of the economy. The May Revise projects that this deficit could be higher than \$16 billion in future budget years.

### **Federal Funding or Cuts**

The biggest solution proposed by the Governor involves cuts to funding that will be triggered if the federal government does not provide funding to states before the new fiscal year starts on July 1. During a recent press conference, Governor Newsom appealed directly to President Trump to support Speaker Pelosi’s “HEROES Act.” The \$3 trillion stimulus proposal would fill in multi-billion-dollar gaps in the state’s budget.

If the “HEROES Act” or other federal support is not forthcoming, the May Revise includes billions of triggered cuts. The brunt of these cuts, \$6.5 billion, fall on K-12 funding. More than a billion in additional cuts would come to UC’s, CSU’s, and the state’s community college system. Collectively billions more are proposed for social safety net programs, state parks, and court systems. Finally, the Governor has proposed a 10% pay cut for state employees if federal relief is not forthcoming. This cut would result in \$2.8 billion in savings.

### **Legislative Response**

The trigger cuts in the May Revise have quickly become a thorny issue for the Governor and the Legislature. If federal relief does not materialize to stop all or some of these cuts, they will have to choose whether they let the cuts happen, or attempt to avoid them by imposing new taxes or spending reserves faster than the Governor plans to. Some progressive Democrats in the Legislature have already balked at the prospect of the cuts which hit programs that are very important to their core constituencies. If the federal government does not intervene to provide funding, the Governor and the Legislature would have a very short window of time between the beginning of July and the end of August to find alternatives to avoid the cuts. Unless those alternatives included long term solutions, the budget would experience larger structural issues in the coming years.

The Assembly met as a “Committee of the Whole” last week, a procedure which allows all Assemblymembers to meet but take testimony from outside witnesses. The meeting allowed Assemblymembers to review the Governor’s budget and provide feedback and criticism. The proposed trigger cuts drew bipartisan criticism. Some members argued that if enacted the cuts would be devastating to California’s most vulnerable populations. Others pointed out that the budget was too reliant on the Federal government, meaning that a structural deficit would persist in future years when funding dries up.

The Senate took things a step further last week and adopted their own alternative to the Governor’s May Revise. The Senate plan is similar to the Governor’s but makes a number of adjustments to the trigger cuts. First, the Senate’s cuts are not “triggered” until October 1. From there, most of the Senate’s cuts are not cuts at all, but increased reliance on reserves, internal borrowing, and deferred payments. If passed by the Legislature and signed by the Governor, the Senate Budget would leave a lasting structural deficit and fewer reserves for future years.

On June 3, the Senate and Assembly then formally announced that they have agreed upon a budget deal that is substantially similar to the Senate deal described above. The next step is to come to an agreement with the Governor by June 15, the constitutional deadline to pass a balanced budget.

With tax filing deadlines delayed, the state will not have a complete picture of revenue shortfalls until after July 15. Given that, it is likely that the Legislature and Governor will revisit the budget in July and August.

# MENDOCINO COUNTY EMPLOYEES RETIREMENT ASSOCIATION COVID-19 REOPENING PLAN

June 17, 2020

DRAFT

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## **Introduction and Purpose**

The purpose of the Mendocino County Employees Retirement Association Reopening Plan is to ensure the following:

1. To lay out the procedures for safely reopening and maintaining appropriate work behaviors under the threat of COVID-19 and similar novel pathogens.
2. To protect County employees and the public by reducing COVID-19 exposures.

The plan is required to be reviewed as need arises due to new circumstances. Any deficiencies or lack of compliance found when evaluating this plan or workplace will be documented and corrected. The plan is based on guidance provided by CAL OSHA and the Mendocino County Health Department.

The plan is broken into 5 categories:

1. The Initial Assessment of Risk and Worksite Procedures
2. Designation of the Site Plan Administrator and County Contacts
3. Guidelines to Reduce the Risk of COVID-19 Transmission.
4. Referral Procedures in Suspected Exposure Incidents
5. Training Topics Related to COVID-19 and MCERA's Plan to Reopen

Copies of this plan are located at the Mendocino County Employees Retirement Association office at 625-B Kings Ct, Ukiah, CA 95482 and are available upon request.

# **Initial Assessment of Risk and Worksite Procedures**

## **Worksite Description**

The Mendocino County Employees Retirement Association (MCERA) site is at 625-B Kings Ct, Ukiah, CA 95482. MCERA shares the building with one other business, California Department of Rehabilitation (DOR).

Both businesses share a common entrance into a hallway. To the left is the entrance to DOR. Forward on both the left and the right are MCERA's restrooms that are locked and not accessible to the public. To the right is a short hallway leading to MCERA's front entrance. MCERA's front door enters into a 10'9" x 10'6" lobby area that is separated from the main office by a glass window with a pass-through and a locked door requiring a numeric code to enter.

The main workspace consists of a reception area and three cubicles. Two of the cubicles contain desks that are more than six feet apart. The third cubicle is a shared area that contains equipment for printing, scanning, video, and storage.

The rest of the workspace consists of a board room, a communal kitchen, a meeting room, and two private offices.

There is an employee entrance at the back of the office that is opened by a key and a security system with a keypad.

## **Employee Risk Categorization**

Employee risk of exposure to COVID-19 is rated as: MEDIUM RISK. This is based on the general understanding of the scope of work completed at this location and from a comparison of the federal OSHA Risk Pyramid. The criteria which apply to the employees are as follows:

1. The general public does not interact with all or the majority of the unit employees.
2. Minor interruptions from essential external workers such as mail delivery, supplies, or external officials may occur.
3. The office regularly has no more than 5 physically present personnel. Those present may reasonably maintain social distancing due to available space and employees rotate teleworking in order to limit the number of employees physically present in the office.
4. Board meetings will be held via teleconference due to the lack of available space in the boardroom for board members to socially distance.
5. The boardroom will be used to meet with visitors instead of the meeting room in order to implement successful social distancing.
6. Interaction between employees is common enough that social distancing protocols suggest the use of facial coverings to mitigate exposures when traversing shared areas.



## **Movement of Employees and Public Incurring Risk**

Employees have free movement throughout the office.

1. An area of high risk is the lobby because of lack of available space to socially distance.
2. The meeting room is high risk because of lack of available space to socially distance.
3. Shared spaces such as the restrooms, kitchen/break room, and the printing and scanning area are high risk.
4. The main building entrance and hallway pose an elevated risk because of open access to the public for both businesses in the building. The hallway is wide enough to allow for social distancing.
5. The workspaces for individual employees allow for appropriate distancing. Clearance within the common office space and walkways is generally sufficient to maintain social distancing, but employees could benefit from reminders to not gather closely together in groups.

## **Key Outcomes for Site Plan Success**

Employees must remain able to maintain social distancing while serving individuals who are often county employees and retirees in limited and no-contact settings to complete their work.

## **Designation of the Site Plan Administrator and County Contacts**

### **Site Plan Administrator:**

The administration of the Mendocino County Employees Retirement Association Reopening Plan for 625-B Kings Ct shall be MCERA Executive Director, Doris Rentschler

### **Contact Information:**

Administrator Name: Executive Director, Doris Rentschler  
Phone Number: (707) 463-4328  
Email Address: [doris.rentschler@mendocinocounty.org](mailto:doris.rentschler@mendocinocounty.org)

### **Public Health Department Contact:**

General Phone: (707) 472-2600  
Address: 1120 South Dora St, Ukiah, CA 95482  
COVID-19 Call Center Phone: (707) 234-6052  
COVID-19 Call Center Email: [callcenter@mendocinocounty.org](mailto:callcenter@mendocinocounty.org)

# **Guidelines to Reduce the Risk of Covid-19 Transmission**

## **Signage**

Signs are posted at all entrances to inform employees and visitors of common COVID- 19 symptoms and that they must not enter the facility if they are sick with or suspect they may be experiencing COVID-19 symptoms.

A copy of the Safe Business Operations Protocol is posted at each business entrance.

## **Measures to Protect Employee Health**

- Everyone who can carry out their work duties from home has been directed to do so.
- Employees must not come to work if sick.
- Employees are conducting self-checks for COVID-19 symptoms before coming to work.
- All desks or individual work stations are separated by at least six feet.
- Hand sanitizer will be available at each employee's desk and in all common areas.

## **Disinfection Protocols**

When people contract an aerosol transmissible disease such as COVID-19, they may contaminate surfaces with infectious pathogens, even without showing symptoms. Therefore, surfaces must be cleaned and disinfected to reduce the risk of transmitting disease to employees or others. Surfaces include equipment, work areas, vehicles, and other objects with which they interact.

### **Disinfection Responsibility**

- The cleaning service retained for the building is responsible for thorough cleaning of the premises.
- Employees are responsible for cleaning their own work areas, shared equipment, and breakrooms after use as part of the collective effort to reduce transmission of the virus within reason.
- Employees should not clean the workstations of other employees who are visibly symptomatic or deal with any bodily fluids.
- When COVID-19 is suspected, the department will consult with Mendocino County Public Health to determine if any special cleaning is required.

### **Disinfection Schedule**

MCERA expects employees to use good judgement in maintaining a clean environment and personal hygiene. The items listed below are not intended to limit the use of cleaning materials. When reason suggests that items may have been contaminated (i.e. via coughing or sneezing, etc.) the employee is expected to make an effort to address the situation. The following general guidelines apply:

- **Breakrooms** – Surfaces such as counters and seating shall be cleaned by employees after every use with either disinfectant spray or sanitizing wipes.
- **Restrooms** – Surfaces such as sinks, handles and light switches shall be cleaned by each employee after every use with either disinfectant spray or sanitizing wipes. Employees should utilize toilet seat covers that are available in each restroom.
- **Boardroom** – cleaned by employees after use with provided wipes or disinfectant spray.
- **Door handles, keypads and buttons** – cleaned by employees at the beginning and end of every shift with disinfectant spray or sanitizing wipes.
- **Lobby counter** – cleaned after every visitor
- **Offices and cubicles** – Commonly touched surfaces and devices cleaned by staff at the beginning and end of every shift with disinfectant or sanitizing wipes.
- **Shared equipment** – cleaned before and after every use by employees

### **Provisions Available to Employees**

MCERA has a responsibility for a clean and safe working environment and will make all efforts necessary to ensure that supplies are available to reduce the transmission of COVID-19. However, lacking any of the below items does not constitute an immediately unsafe work environment. Supervisors should ensure that any deficiencies in supplies are addressed through normal channels and communicate any shortages with employees as needed.

- Waste receptacles have been provided in the lobbies, restrooms, work stations and breakroom/kitchen and boardroom
- Sanitizing wipes
- Disinfectant spray
- Hand sanitizer
- Tissues

Disinfectant and related supplies can be found in the following locations:

- Reception desk
- Bathrooms
- Breakroom/Kitchen storage closet

### **Physical Distancing Guidelines**

MCERA encourages following the physical distancing guidelines of six feet put forth by the CDC and Department of Public Health. Employees are encouraged to follow social distancing guidelines, whether at work or during their time off.

## **Public Access Areas**

- The lobby chairs have been removed to ensure proper social distancing of six feet.
- Visitors will be seen by appointment only. Where feasible, in-person meetings must be replaced with other means of communication, including but not limited to telephone calls, e-mails, or videoconferences.
- The number of visitors in the lobby will be limited to 1 single person or 2 people if they are from the same household. A sign will be posted on the front door prohibiting entrance if the lobby is occupied.
- Signage on both the front and back entrance doors to make visitors aware of COVID-19 symptoms, social distancing requirement, social distancing requirements, and face covering requirements.
- MCERA restrooms will remain closed to the public.
- Meetings with members and clients will be held in the boardroom to ensure social distancing. After the boardroom is used for a meeting, the boardroom must be cleaned and disinfected. This includes, but it is not limited to, requiring that all employees who attended the in-person meeting clean and disinfect the space they occupied during the meeting (e.g., their chair, area of the conference table at which they sat).

## **Employee Habits and Conduct**

- Employees are discouraged from greetings which result in physical contact.
- Employees are reminded to avoid gathering in groups and informal conferences, especially in transit corridors. When gatherings do occur, employees must practice social distancing.
- Employees are discouraged from ridesharing and carpooling during this time.
- Employees are asked to limit the number of trips in common areas.

# **Referral Procedures in Suspected Exposure Incidents**

## **Screening and Referral**

MCERA neither treats nor permits any infectious person or suspected infectious person to remain on its premises.

## **Employee Entry Screening**

Employees must not enter or conduct work at MCERA's premises or worksites without having conducted a self-screening and attesting that they do not have symptoms and have not been in contact with an infected person.

## **Report of COVID-19 Illness**

Anyone with knowledge of a COVID-19 illness must provide notice to MCERA and their immediate supervisor. Due to confidentiality concerns, supervisors are tasked with noting the condition of their employees and following up on concerns with sick members. Supervisors should be aware of employee privacy rights before disclosing employee symptoms, without employee consent, under the Confidential Medical Information Act (CMIA). If a supervisor is unsure of what questions they may ask, they are encouraged to contact Human Resources for guidance. General responsibilities are denoted below:

### **Employee Responsibility**

- Employees must self-screen prior to traveling to work.
- If an employee later experiences symptoms or believe they have been exposed, they must inform their direct supervisor immediately.
- If they cannot make contact with their supervisor, they are expected to contact backup supervisors until they speak with a superior.
- Duty to truthfully answer at home screening questions.
- Stay home when sick.
- Provide accurate and timely information in response to follow-up questions.

### **Supervisor Responsibility**

The supervisor is the first line of defense in protecting the well-being of county employees and communicating with the necessary stakeholders in the event of an exposure incident. They will be responsible for the initial investigation and consultation with Human Resources, and potentially with Mendocino County Public Health.

- Supervisors or payroll clerks must complete the COVID-19 questionnaire in WebApps for every leave taken by an employee.

- Supervisors must counsel employees on the leaves available to them when dealing with COVID-19.

## **COVID-19 Leaves**

Effective April 1, 2020, 3 new temporary programs have been made available for employees that are affected by COVID-19.

### **Emergency Paid Sick Leave**

- Creates new paid leave entitlement for workers affected by the COVID-19 pandemic.

### **Family Medical Leave Expansion Act**

- Adds “a qualifying need related to a public health emergency” to the Family and Medical Leave Act (FMLA)
- Adds a paid leave element to the leave

### **Advanced Sick Leave Program (voluntary County program)**

- Regular employees with no sick leave accrual may request a one-time advance of up to 80 hours of sick leave to specifically address COVID-19 issues, to be repaid over future pay periods - if approved this leave could be used in the current pay period.

Employees must submit a written request to Human Resources in order to request leave for reasons related to COVID-19. Approval will be granted by the Human Resources Department. You will be notified by HR as soon as possible if any of your department's employees are approved for any of the above with instructions on how to prepare timesheets.

## **Post-Incident Deficiency and Hazardous Condition Abatement**

MCERA plans to review the COVID-19 reopening plan on an as needed basis, but expects all employees to work together to notice opportunities for improvement. In the event of an exposure incident, supervisors and the MCERA are responsible to correct any deficiencies which come to light as soon as feasible. It is the responsibility Human Resources and the department head to make determinations about appropriate action including, but not limited to, precautionary removal, building capacity, telework, and alteration of work processes. As with any safety program, employees are encouraged to report hazards to the Mendocino County Safety Officer or to their supervisor and to bring recommendations to their department.

# Training Topics Related to COVID-19 and MCERA's Plan to Reopen

It is the responsibility of MCERA to coordinate training for the following topics, as well as site specific topics as they arise.

## Required Training Topics

The details of this site specific, written plan.

- Information on COVID-19 and how it spread can be found on the Center for Disease Control website at <https://www.cdc.gov/coronavirus/2019-ncov/index.html>.
- Employees must self-screen at home on a daily basis, including temperature checks, using CDC guidelines which are available at <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>.
- Employees are encouraged to stay home when sick or showing any COVID-19 symptoms.
- It is important to wash your hands frequently with soap and water, including scrubbing with soap for 20 seconds (or using hand sanitizer with at least 60% ethanol or 70% isopropanol when employees cannot get to a sink or handwashing station, per CDC guidelines). Information on how to correctly wash your hands and use hand sanitizer can be found on the CDC website at <https://www.cdc.gov/handwashing/hand-sanitizer-use.html>.
- Employees are strongly encouraged to wear cloth face coverings when unable to maintain social distancing and as recommended by the CDC and pursuant to Mendocino County Department of Public Health Order of the Public Health Officer in effect on May 28, 2020. Download Mendocino County's Facial Covering Guidelines for Staff at <https://www.mendocinocounty.org/home/showdocument?id=35566>
- Employees need to be aware of the proper use of face coverings.
  - The Center for Disease Control has posted guidance on how to wear a cloth face covering at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>
  - Face coverings do not protect the wearer and are not personal protective equipment (PPE).
  - Face coverings can help protect people near the wearer, but do not replace the need for physical distancing and frequent handwashing.
  - Employees should wash face coverings after each shift.
  - Employees should wash or sanitize hands before and after using or adjusting face coverings.
  - Avoid touching eyes, nose, and mouth.



- Employees are expected to comply with all Mendocino County Public Health and jurisdictional orders while on the clock, regardless of where they may be working, so long as that work takes place outside of their homes.
  - When operating outside of the county it is the responsibility of the employee to ensure they are in compliance with public health and any other COVID-19 related jurisdictional requirements.
- The current Mendocino County public health order may be viewed at <https://www.mendocinocounty.org/community/novel-coronavirus/health-order>
- Employees who believe they have been exposed to covid-19 must immediately inform their supervisor for follow-up.
- Employees are recommended to discontinue the use of shared equipment, to the extent practicable. The general guideline for practicability of discontinuing use of a piece of equipment is as follows:
  - It is reasonable to discontinue use of any county property so long as it does not reduce productive output and alternative options are available that reduce communal use.
  - When use is not optional, employees must follow the disinfection protocols of cleaning before and after use.
  - The responsibility for the provision of appropriate disinfectant and sanitizing supplies lies with the employee's immediate supervisor or according to department guidelines for procuring cleaning supplies.
  - Employees are recommended to utilize transportation and have only one person occupying a vehicle at a time unless distancing and sanitation guidelines for vehicles can be met, following CAL OSHA recommendations to reduce shared travel accommodations.
- Employees are recommended to replace in-person meetings with other means of communication.
- Telework is to be maximized where operationally feasible and consistent with telework guidelines.
- Employees may be entitled to receive employer or government-sponsored leave benefits that would make it financially easier to stay at home. See additional information on government programs supporting sick leave and worker's compensation for COVID-19, including employee's sick leave rights under the Families First Coronavirus Response Act and employee's rights to workers' compensation benefits and presumption of the work-relatedness of COVID-19 pursuant to the Governor's Executive Order N-62-20.