



King County

**Office of Labor Relations Staff Report:
COVID-19 Testing
Memorandum of Agreement
Between
King County
And
Washington State Nurses Association**

SUBJECT: The proposed Ordinance would ratify a negotiated memorandum of agreement (MOA) between King County and the Washington State Nurses Association (WSNA) Bargaining Unit in the Department of Public Health and the Department of Adult and Juvenile Detention concerning COVID-19 testing during the COVID-19 pandemic.

| | |
|-----------------------------|---|
| CBA Description: | King County and Washington State Nurses Association Departments: Public Health, Adult and Juvenile Detention [310] |
| County Spokesperson: | Andre Chevalier, Labor Relations Negotiator, Office of Labor Relations |
| Union Spokespersons: | Lane Toensmeier (Union Representative for WSNA Staff Unit) |

UNIT OVERVIEW: The bargaining unit that WSNA represents are staff nurse classifications. These employees primarily work for Seattle-King County Department of Public Health. The employees fulfill a variety of nursing care roles throughout King County.

BARGAINING HISTORY:

- April 2020 – Parties began negotiations for the MOA.
- May 2020 – Parties concluded negotiations for the MOA.
- June 2, 2020 – Parties executed a tentative agreement on the MOA.

SUMMARY OF KEY CHANGES:

1. **MOA Term:** March 16, 2020, through the emergency response effort to COVID-19.
2. **Compensation Changes:** (Refer to the Fiscal Note for expenditures)
 - a. **Add-to-Pay Provisions:** Nurses assigned to conduct nasopharyngeal culture swabbing and/or serology antibody blood testing, or similar medical procedures used to test individuals for COVID-19 or COVID-19 antibodies, will be paid a premium of 5% above their base rate of pay for actual hours worked. Employees are only eligible to receive the COVID-19 Testing Premium while assigned to do

testing work, which may include full or partial workdays. In addition, the COVID-19 Testing Premium shall not apply to any paid leave hours and shall not apply if the employee is eligible to receive a different COVID Premium (i.e., no stacking of COVID premiums).

The COVID-19 Testing Premium is anticipated to cost \$89,000 to continue providing testing services during the COVID-19 response.

FISCAL IMPACT: The projected fiscal impact of this agreement is \$89,000, and is based upon the Department of Public Health modeling of their emergency response to the COVID-19 pandemic. A complete breakdown of the costs associated with this agreement can be found in the accompanying fiscal note, which has been reviewed by the Office of Performance, Strategy, and Budget.

INVITED:

Andre Chevalier

Jerry DeGriek

Hanna Welander (WSNA)



King County

Checklist and Summary of Changes for the attached Memorandum of Agreement

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|----------------------------|
| Name of Agreement |
| COVID-19 Testing Agreement |
| Labor Negotiator |
| Andre Chevalier |

| | |
|---|-----|
| <i>Prosecuting Attorney's Review</i> | Yes |
| <i>Legislative Review Form; Motion or Ordinance</i> | Yes |
| <i>Executive Letter</i> | Yes |
| <i>Fiscal Note</i> | Yes |
| <i>Six Point Summary</i> | Yes |
| <i>King County Council Adopted Labor Policies Consistency</i> | Yes |
| <i>Ordinance</i> | Yes |
| <i>Original Signed Agreement(s)</i> | Yes |
| <i>Does transmittal include MOU/MOA?</i> | Yes |

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| <i>Six Point Summary of changes to the attached agreement:</i> |
| 1. The COVID-19 pandemic requires an unprecedented operational response from Seattle-King County Public Health. This Agreement provides a 5% pay premium for bargaining unit employees for actual hours worked while conducting COVID-19 nasal swab and/or antibody blood testing. |
| 2. The Agreement gives the County the ability to terminate the terms in full or in part when the declaration of emergency related to COVID-19 has concluded. |
| 3. |
| 4. |
| 5. |
| 6. |

Contract Consistency with Adopted Labor Policies

Contract: **WSNA : Washington State Nurses Association, Staff Unit**
Departments: Public Health, Adult and Juvenile Detention [310]

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|------------------------------|--|
| County Department(s): | Seattle-King County Public Health and Department of Adult and Juvenile Detention |
| Term of Contract: | March 16, 2020 for duration of COVID-19 Emergency Response |
| County Negotiator: | Andre Chevalier |

| Labor Policy | Is Agreement Consistent with Adopted Labor Policies? If not, please explain. |
|---|--|
| Contract Consolidation | N/A |
| Diversity | Y |
| Project Labor Agreements | N/A |
| Performance Evaluations | N/A |
| Continuous Improvement | Y |
| Labor-Management Committees | Y |
| Labor-Management Partnerships | Y |
| Mediation | Y |
| Binding Interest Arbitration | N/A |
| Interest-based Bargaining | Y |
| Timeliness of Negotiations | Y |
| Compensation | Y |
| Overtime | Y |
| Benefits | Y |
| Reduction-in-Force | N/A |
| Contracting Out of Work | Y |
| Use of Temporary and Part-time Employees | Y |
| Civilian Oversight of Sheriff's Office | N/A |
| Sheriff's Office Implementation of Report Recommendations | N/A |
| Legislative Branch Employees and Officials | N/A |



FISCAL NOTE

| | | |
|--|--|------------------------|
| Ordinance/Motion No. | Covid-19 Testing MOU | |
| Title: | Washington State Nurses Association (Staff Nurses and Supervisors and Managers - Departments: Public Health & Adult and Juvenile Detention (Juvenile Detention)) | |
| Effective Date: | 3/16/2020 | |
| Affected Agency and/or Agencies: | Department of Public Health; Department of Adult & Juvenile Detention | |
| Note Prepared by: | Matthew McCoy, Office of Labor Relations | Phone: 263-1966 |
| Department Sign Off: | Haeyoung Yoon, Chief Financial Officer, DPH | Phone: 263-9042 |
| Supplemental Required? NO <input checked="" type="checkbox"/> YES <input type="checkbox"/> | Note Reviewed by: Drew Pounds, Budget Analyst, PSB,, Public Health | Phone: 263-9236 |
| Supplemental Required? NO <input checked="" type="checkbox"/> YES <input type="checkbox"/> | Note Reviewed by: Andy Bauck, Budget Analyst, PSB, Jail Health | Phone: 263-9771 |

| EXPENDITURES FROM: | | | | | |
|---|-----------|-------------|-----------------|------------------|--|
| Fund Title | Fund Code | Department | 2020 | 2021 | |
| Public Health | 1800 | DPH | \$39,600 | \$50,000 | |
| General Fund | 10 | Jail Health | \$14,863 | \$18,840 | |
| TOTAL: Increase FM previous year | | | \$54,497 | \$68,840 | |
| TOTAL: Cumulative | | | \$54,497 | \$123,337 | |

| EXPENDITURE BY CATEGORIES: | | | | |
|---|--|-----------------|------------------|--|
| Expense Type | | 2020 | 2021 | |
| Salaries | | \$45,282 | \$57,200 | |
| OT | | | | |
| PERS & FICA | | \$9,215 | \$11,640 | |
| BENEFITS | | | | |
| TOTAL: Increase FM previous year | | \$54,497 | \$68,840 | |
| TOTAL: Cumulative | | \$54,497 | \$123,337 | |

| ASSUMPTIONS: | |
|--|---|
| Assumptions used in estimating expenditure include: | |
| 1. Contract Period(s): | 3/16/2020 |
| 2. Wage Adjustments & Effective Dates: | |
| GWI: | |
| Lump Sum Payment: | |
| 3. Other Wage-Related Factors: | |
| Step Increase Movement: | |
| PERS & FICA: | 20.35% |
| Overtime: | |
| 4. Other Cost Factors: | 5% premium for Covid-19 Testing (this includes both nurse staffing and nurse supervisors) |
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| | |



King County

Dow Constantine

King County Executive

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TTY Relay: 711

www.kingcounty.gov

June 16, 2020

The Honorable Claudia Balducci
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember Balducci:

This letter transmits a proposed ordinance that would, if enacted, ratify a negotiated Memorandum of Agreement (MOA) with the Washington State Nurses Association (the Union) representing staff nurse classifications in the Department of Public Health and the Department of Adult and Juvenile Detention. This negotiated MOA is for the period of March 16, 2020, through the end of the County's emergency response to the COVID-19 pandemic.

Adoption of this proposed ordinance will aid the Seattle-King County Public Health Department in its healthcare rapid response which has expanded its COVID-19 pandemic capacities by conducting COVID-19 testing for individuals in the community and in the workplace.

The MOA covers all classifications represented by the Union. A five percent premium provided for in this MOA is applicable solely for actual hours worked by employees professionally qualified and assigned to conduct COVID-19 culture swabbing and/or COVID-19 antibody blood testing. The premium recognizes the significant change in duties, as well as the heightened risk for employees, while conducting testing for COVID-19.

The negotiated MOA was reached pursuant to good faith negotiations between King County and the Union. The terms and conditions of the MOA are intended to establish temporary pay provisions supporting the County's COVID-19 response effort.

Adoption of this proposed ordinance, which will ratify the negotiated MOA, advances the King County Strategic Plan's guiding principles and goals of efficient, accountable regional

The Honorable Claudia Balducci

June 16, 2020

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and local government by establishing terms necessary to meet individual and community needs arising from the COVID-19 pandemic.

No supplemental budget authority is being requested for implementation of this MOA. A complete summary of the costs associated with this MOA can be found in the accompanying fiscal note, which has been reviewed by the Office of Performance, Strategy, and Budget.

Thank you for your consideration of this proposed ordinance. If your staff have questions, please contact Megan Pedersen, Director, Office of Labor Relations, at 206-263-2898.

Sincerely,

A handwritten signature in black ink, appearing to read "Dow Constantine". The signature is fluid and cursive, with a horizontal line at the end.

Dow Constantine
King County Executive

Enclosure

cc: King County Councilmembers
ATTN: Carolyn Busch, Chief of Staff
Melani Pedroza, Clerk of the Council
Shannon Braddock, Deputy Chief of Staff, Office of the Executive
Karan Gill, Director, Council Relations, Office of the Executive
Dwight Dively, Director, Office of Performance, Strategy and Budget
Megan Pedersen, Director, Office of Labor Relations