

File No. 221159

Committee Item No. 3

Board Item No. 9

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date Dec. 5, 2022

Board of Supervisors Meeting

Date Dec. 13, 2022

### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/> | Motion  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Digest                                |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget and Legislative Analyst Report             |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Introduction Form                                 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Memorandum of Understanding (MOU) Draft Amendment |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                            |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                                |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                                |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 126 - Ethics Commission                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 700  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Information/Vacancies (Boards/Commissions)        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                             |

### OTHER (Use back side if additional space is needed)

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|-------------------------------------|--------------------------|--------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Controller's Analysis 11/30/22 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | DHR Memo 11/16/222             |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Appendix A                     |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____                          |
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Completed by: Victor Young

Date Dec 2, 2022

Completed by: \_\_\_\_\_

Date \_\_\_\_\_

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

## MEMORANDUM

### RULES COMMITTEE

#### SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Aaron Peskin, Chair  
Rules Committee

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: December 5, 2022

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**  
Tuesday, December 6, 2022

The following file should be presented as a **COMMITTEE REPORT** at the Board Meeting on Tuesday, December 6, 2022. This item was acted upon at the Rules Committee Meeting on Monday, December 5, 2022, at 10:00 a.m., by the votes indicated.

#### **Item No. 24 File No. 221159**

[Memorandums of Understanding - Citywide Amendment - Hospital and Skilled Nursing Facility COVID-19 Worker Retention Pay]

Ordinance adopting and implementing an Amendment to the current Memorandums of Understanding and Collective Bargaining Agreements between the City and County of San Francisco and each of the Unions identified in Appendix A of the Proposed Amendment, to provide hospital and skilled nursing facility Covid-19 worker retention pay to select classifications of workers, effective January 31, 2023.

#### RECOMMENDED AS COMMITTEE REPORT

Vote: Supervisor Connie Chan - Aye  
Supervisor Catherine Stefani - Aye  
Supervisor Aaron Peskin - Aye

c: Board of Supervisors  
Angela Calvillo, Clerk of the Board  
Alisa Somera, Legislative Deputy Director  
Anne Pearson, Deputy City Attorney

1 [Memorandums of Understanding - Citywide Amendment - Hospital and Skilled Nursing  
2 Facility COVID-19 Worker Retention Pay]

3 **Ordinance adopting and implementing an Amendment to the current Memorandums of**  
4 **Understanding and Collective Bargaining Agreements between the City and County of**  
5 **San Francisco and each of the Unions identified in Appendix A of the Proposed**  
6 **Amendment, to provide hospital and skilled nursing facility Covid-19 worker retention**  
7 **pay to select classifications of workers, effective January 31, 2023.**

8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
11 **Board amendment additions** are in double-underlined Arial font.  
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
13 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
14 subsections or parts of tables.

15 Be it ordained by the People of the City and County of San Francisco:

16 Section 1. The Board of Supervisors hereby adopts and implements an Amendment to  
17 the current Memorandums of Understanding (“MOUs”) and Collective Bargaining Agreements  
18 (“CBAs”) between the City and County of San Francisco and the Unions identified in Appendix  
19 A of the proposed Amendment on file with the Clerk of the Board of Supervisors in Board File  
20 No. 221159, to provide hospital and skilled nursing facility Covid-19 worker retention pay to  
21 select classifications of workers, effective January 31, 2023.

22 Section 2. The Board of Supervisors hereby authorizes the Department of Human  
23 Resources to make non-substantive, ministerial, or administrative corrections to the MOUs  
24 and CBAs identified in Appendix A.



**DRAFT AMENDMENT  
TO THE CURRENT MEMORANDUMS OF UNDERSTANDING  
AND  
COLLECTIVE BARGAINING AGREEMENTS  
BETWEEN  
THE CITY AND COUNTY OF SAN FRANCISCO  
AND  
THE UNIONS IDENTIFIED IN APPENDIX XX**

The City and County of San Francisco hereby agrees to providing the following additional term into the current Memorandums of Understanding (“MOU”) and Collective Bargaining Agreements (“CBA”) identified in Appendix XX, subject to approval by the San Francisco Board of Supervisors and contingent on the acceptance of this Amendment by the Union on or before DATE:

**ARTICLE X. PAY, HOURS, AND BENEFITS**

**X. Hospital and Skilled Nursing Facility COVID-19 Worker Retention Pay**

**XXX. In accordance with Senate Bill 184 signed into law by the Governor on June 30, 2022, adding Part 4.6 of Division 2 of the California Labor Code, the City of San Francisco will provide a one-time worker retention payment as described in paragraphs XXX and XXX below, funded by the State of California and consistent with the terms and conditions set forth in the California Labor Code sections 1490, et seq.**

**XXX. Eligible part-time employees, as defined by California Labor Code section 1491 (f), ~~of the Department of Public Health~~ assigned to work onsite at locations within the SF Health Network (which includes Zuckerberg San Francisco General Hospital and Laguna Honda Hospital and all Ambulatory Care Clinics, Behavioral Health Clinics, Population Health Clinics, County Jail Sites, and Population Health community outreach programs) who worked at least one hundred (100) hours and no more than three hundred ninety-nine (399) hours between July 30, 2022, through October 28, 2022, shall receive a one-time worker retention payment of up to seven hundred fifty (\$750) dollars contingent on and at such time as the California Department of Department of Health Care Services issues payments pursuant to Senate Bill 184.**

**XXX. Eligible full-time employees, as defined by California Labor Code section 1491(e), ~~of the Department of Public Health~~ assigned to work onsite at locations within the SF Health Network (which includes Zuckerberg San Francisco General Hospital and Laguna Honda Hospital and all Ambulatory Care Clinics, Behavioral Health Clinics, Population Health Clinics, County Jail Sites, and Population Health community outreach programs) who worked at least four hundred (400) hours between July 30, 2022 through October 28, 2022, shall receive a one-time worker retention payment of up to one thousand (\$1000) dollars contingent on and at such time as the California Department of Department of Health Care Services issues payments pursuant to Senate Bill 184.**

**XXX. Hospital and skilled nursing facility retention pay shall not be considered compensation for the purpose of computing retirement benefits.**

**XXX. This section is not subject to the grievance and arbitration procedure of this Agreement. However, in the event of a dispute, the employee or labor organization can file an appeal as described in Section 1493 of SB 184.**



**OFFICE OF THE CONTROLLER**  
CITY AND COUNTY OF SAN FRANCISCO

Ben Rosenfield  
Controller  
Todd Rydstrom  
Deputy Controller

## MEMORANDUM

**TO:** Ms. Angela Calvillo  
Clerk of the Board of Supervisors

**FROM:** Ben Rosenfield

**DATE:** November 30, 2022

**SUBJECT:** **File No. 221159 – Memorandum of Understanding – Citywide Amendment – Hospital and Skilled Nursing Facility COVID-19 Worker Retention Pay.**

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Dear Ms. Calvillo,

In accordance with Ordinance 92-94, I submit a cost analysis of an amendment to the Memorandum of Understanding (MOU) with unions as listed in Appendix A of file number 2211559 that enables the City to implement a State program of payments to hospital and skilled nursing facility workers.

To stabilize and retain its health care workforce, the state of California passed legislation to provide a one-time payment of up to \$1,000 to certain workers in health care facilities. The Department of Public Health (DPH) estimates approximately 3,800 full-time and 2,500 part-time health care professionals will be eligible for the payment, at a cost to the State of \$5.7 million. The Department of Human Resources is working with the Sheriff's Department and the City Administrator to identify additional workers who may be eligible for the retention payment. Note that if the volume of statewide requests exceeds the funding allotted by the State, these amounts will be reduced on a pro rata basis to meet funding levels.

While the payments are funded by the State, employers are responsible for associated payroll taxes. We estimate \$0.4 million in additional City costs for DPH payments. Should employees in other departments be eligible for the payment, the cost to the City would be 7.65% of the payment amounts.

If you have additional questions or concerns, please contact Carol Lu of my staff at [carol.lu@sfgov.org](mailto:carol.lu@sfgov.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "BJR", enclosed in a blue oval.

Ben Rosenfield

Controller

City and County of San Francisco

Carol Isen  
Human Resources Director



Department of Human Resources

*Connecting People with Purpose*

www.sfdhr.org

November 16, 2022

TO: Angela Calvillo, Clerk of the Board  
Board of Supervisors

FROM: Ardis Graham, Employee Relations Director  
Department of Human Resources

RE: **Citywide MOU Amendment on Hospital and Skilled Nursing Facility COVID-19 Retention Pay**

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**Please find enclosed for Citywide MOU Amendment on Hospital and Skilled Nursing Facility COVID-19 Retention Pay**

- 1 signed MOU Amendment
- 1 signed ORDINANCE on redline paper
- 1 original ORDINANCE in Word Format

Electronic copies have been sent via e-mail today. We request a waiver of the 30-day rule from the Board President and request a hearing at the Rules Committee on November 28<sup>th</sup> and if necessary, a hearing at the Budget and Finance Committee on November 30<sup>th</sup>.

Thank you.

Enclosures

cc: Carol Isen, Human Resources Director  
Mawuli Tugbenyoh, Deputy Director, Policy and External Affairs  
Jonathan Rolnick, Chief Labor Attorney  
Ben Rosenfield, Controller  
Eileen McHugh, Executive Assistant, Board of Supervisors  
Tom Paulino, Liaison to the Board of Supervisors  
Alisa Somera, Legislative Deputy Director, San Francisco Board of Supervisors  
John Carroll, Assistant Clerk for Board of Supervisors



**DRAFT AMENDMENT  
TO THE CURRENT MEMORANDUMS OF UNDERSTANDING  
AND  
COLLECTIVE BARGAINING AGREEMENTS  
BETWEEN  
THE CITY AND COUNTY OF SAN FRANCISCO  
AND  
THE UNIONS IDENTIFIED IN APPENDIX XX**

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**XXX. Hospital and skilled nursing facility retention pay shall not be considered compensation for the purpose of computing retirement benefits.**

**XXX. This section is not subject to the grievance and arbitration procedure of this Agreement.**

## Appendix A

### Memoranda of Understanding

Memorandum of Understanding between the City and County of San Francisco and Consolidated Crafts, July 1, 2022 through June 30, 2024

Bricklayers and Allied Crafts, Local 3

Hod Carriers, Local 166

The Northern California Carpenters Regional Council, Local 22

Carpet, Linoleum and Soft Tile Workers, Local 12

Plasterers and Cement Masons, Local 300

Glaziers, Architectural Metal and Glass Workers, Local Union No. 718

International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, its Territories and Canada, Local 16

International Association of Bridge, Structural Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377

Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34

Plasterers and Shophands, Local 66

United Union of Roofers, Waterproofers and Allied Workers, Local 40

Sheet Metal Workers International Union, Local 104

Teamsters, Local 853

Memorandum of Understanding between the City and County of San Francisco and San Francisco City Workers United (Painters), July 1, 2022 through June 30, 2024

Collective Bargaining Agreement between the City and County of San Francisco and The San Francisco Deputy Sheriffs' Association, unit 12A, July 1, 2022 through June 30, 2024

Collective Bargaining Agreement between the City and County of San Francisco and The San Francisco Sheriffs' Managers and Supervisors Association, Unit 12B, July 1, 2022 through June 30, 2024

Collective Bargaining Agreement between the City and County of San Francisco and International Brotherhood of Electrical Workers, Local 6, July 1, 2022 through June 30, 2024

Memorandum of Understanding between the City and County of San Francisco and The International Federation of Professional and Technical Engineers, Local 21, AFL-CIO, July 1, 2022 through June 30, 2024

Memorandum of Understanding between the City and County of San Francisco and The Laborers International Union, Local 261, July 1, 2022 through June 30, 2024

Collective Bargaining Agreement between the City and County of San Francisco and Service Employees International Union, Local 1021, July 1, 2022 through June 30, 2024

Memorandum of Understanding between the City and County of San Francisco and Stationary Engineers, Local 39, July 1, 2022 through June 30, 2024

Memorandum of Understanding between the City and County of San Francisco and Teamsters Local 856, Supervising Registered Nurses, Unit 47, July 1, 2022 through June 30, 2024

Collective Bargaining Agreement between the City and County of San Francisco and The Transport Workers' Union, Local 250-A Multi-Unit (Unit 28), July 1, 2022 through June 30, 2024

Memorandum of Understanding between the City and County of San Francisco and United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, July 1, 2022 through June 30, 2024

Memorandum of Understanding between the City and County of San Francisco and Union of American Physicians and Dentists (Unit 17), July 1, 2022 through June 30, 2024

Memorandum of Understanding between the City and County of San Francisco and Union of American Physicians and Dentists (Unit 18), July 1, 2022 through June 30, 2024

Collective Bargaining Agreement between the City and County of San Francisco and Staff and Per Diem Nurses, SEIU Local 1021, July 1, 2022 through June 30, 2024

President, District 10  
BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. 554-6516  
Fax No. 554-7674  
TDD/TTY No. 544-6546

**Shamann Walton**

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**PRESIDENTIAL ACTION**

Date: 11/17/2022

To: Angela Calvillo, Clerk of the Board of Supervisors

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Madam Clerk,

Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No. 221159 Mayor  
(Primary Sponsor)

Title. Memoranda of Understanding - Citywide Amendment

Transferring (Board Rule No 3.3)

File No. (Primary Sponsor)

Title.

From: Committee

To: Committee

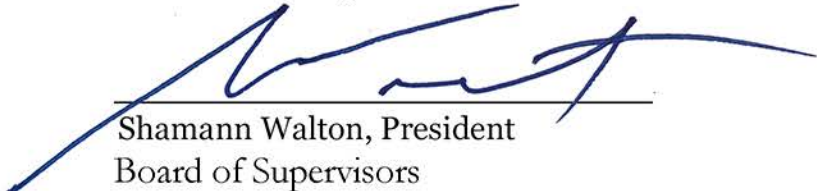
Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor: Replacing Supervisor:

For: Meeting  
(Date) (Committee)

Start Time: End Time:

Temporary Assignment:  Partial  Full Meeting

  
Shamann Walton, President  
Board of Supervisors

Member, Board of Supervisors  
District 3



City and County of San Francisco

**AARON PESKIN**

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DATE: December 1, 2022

TO: Angela Calvillo  
Clerk of the Board of Supervisors

FROM: Supervisor Aaron Peskin, Chair, Rules Committee

RE: Rules Committee  
COMMITTEE REPORT

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Pursuant to Board Rule 4.20, as Chair of the Rules Committee, I have deemed the following matters are of an urgent nature and request them be considered by the full Board at on Tuesday, December 6, 2022, as a Committee Report:

**221126 Administrative Code - Social Impact Commitments in Contracting**  
Ordinance amending the Administrative Code to authorize the San Francisco Public Utilities Commission to include Social Impact Commitment criteria as a qualitatively scored element in solicitations for certain contracts at designated thresholds.

**221159 Memorandums of Understanding - Citywide Amendment - Hospital and Skilled Nursing Facility COVID-19 Worker Retention Pay**  
Ordinance adopting and implementing an Amendment to the current Memorandums of Understanding and Collective Bargaining Agreements between the City and County of San Francisco and each of the Unions identified in Appendix A of the Proposed Amendment, to provide hospital and skilled nursing facility Covid-19 worker retention pay to select classifications of workers, effective January 31, 2023.

These matters will be heard at the Regular Rules Committee on Monday, December 5, 2022, at 10:00 a.m.

*/s/ Aaron Peskin*