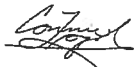


REPORT OF THE PRESIDENT

April 23, 2020

RESOLUTION RATIFYING AND APPROVING THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT PAID LEAVE POLICY FOR THE LOS ANGELES LOMOD CORPORATION


 Connie Loyola Calumnag, President



 Armine Petrosyan, Secretary

Purpose: To ratify and approve the implementation of a policy providing expanded Families First Coronavirus Response Act ("FFCRA") benefits to all at-will employees of the Los Angeles LOMOD Corporation ("L.A. LOMOD").

Regarding: On July 27, 2017, by Resolution No. LOC-2017-03, the Board of Directors of L.A. LOMOD ("Board") delegated the authority to hire and set employee compensation to the L.A. LOMOD President. On December 19, 2017, the Board, by Resolution No. LOC-2017-13, in approving and adopting a revised L.A. LOMOD Employee Handbook ("Employee Handbook"), the Board gave the President authority to make regulatory or legislatively required changes to the Employee Handbook without the need for Board Approval.

Issues: As part of the emergency response to the COVID-19 pandemic, on March 18, 2020, H.R. 6201 was signed into law making the "FFCRA" effective on April 1, 2020. It created: 1) an Emergency Paid Sick Leave and 2) Public Health Emergency Leave benefits, expanding the Family Medical Leave Act ("FMLA"), for employees who are unable to work or telework due to the COVID-19 pandemic.

Under the FFCRA, an employee qualifies for paid sick time if the employee is unable to work (or unable to telework) due to a need for leave because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
6. is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

Under L.A. LOMOD's FFCRA Paid Leave ("Policy"), the following benefits were added to those already provided under FFCRA:

1. Created one additional qualifying category: Employee is at least 65 years old or has a chronic health condition compromising their immune system (such as heart disease, asthma, lung disease, diabetes, kidney disease,

- or otherwise weakened immune system), and is under self-quarantine due to concerns related to COVID-19;
2. Removed the FFCRA's 30-day employment requirement for eligibility for Public Health Emergency Leave;
 3. Removed the FFCRA's daily or aggregate caps for the first two-week period under the Emergency Paid Sick Leave; and
 4. Allows for refresh of the FMLA period for those qualifying under the Public Health Emergency Leave.

Employees who need additional leave beyond the FFCRA leave periods, must submit a personal leave of absence request at least 5 work days prior to the expiration of their current leave. Benefits under this Policy will not be provided beyond December 31, 2020. Any unused leave benefits under this policy will not carry over to the next year or be paid out to employees.

In order to make the FFCRA benefits available to employees as soon as they became available and because the health of its employees is paramount to L.A. LOMOD, the Policy, which is identical to the Housing Authority of the City of Los Angeles' ("HACLA") FFCRA Policy, was distributed to all L.A. LOMOD staff on April 1, 2020, the day on which the FFCRA became effective.

It is recommended that the Board ratify and approve the policy providing expanded FFCRA benefits to all at-will employees of L.A. LOMOD for the period during which FFCRA is effective. It is further recommended that the Board give the L.A. LOMOD President, or his/her designee, the authority to revise the Employee Handbook accordingly.

Funding: No funds are required for this action.

Attachments:

1. FFCRA Paid Leave Policy
2. Resolution

Families First Coronavirus Response Act Paid Leave Policy

On March 18, 2020, H.R. 6201 was signed into law making the “FFCRA” effective on April 1, 2020. It created: 1) an Emergency Paid Sick Leave and 2) Public Health Emergency Leave benefits, expanding the Family Medical Leave Act (“FMLA”), for employees who are unable to work or telework due to the COVID-19 pandemic.

To ensure the health and wellbeing of our employees, L.A. LOMOD is providing benefits that are substantially greater than what is set forth in the FFCRA (and which will run concurrently with the benefits provided under the FFCRA, to the extent permissible). A summary of those benefits are set forth below¹:

	Emergency Paid Sick Leave	Public Health Emergency Leave
Period Covered	Weeks 1 - 2	Weeks 3 - 12
Effective Date	April 1, 2020; however, Paid Admin Leave remains an option through April 5, 2020	April 1, 2020; however, Paid Admin Leave remains an option through April 5, 2020
Eligibility	No minimum employment period	<i>No minimum employment period</i>
Qualifying Reasons	<ol style="list-style-type: none"> 1. Subject to a federal, state or local quarantine or isolation order related to COVID-19; 2. Advised by a health care provider to self-quarantine due to COVID-19 concerns; 3. Experiencing COVID-19 symptoms and seeking medical diagnosis; 4. Caring for an individual subject to a federal, state or local quarantine or isolation order or advised by a health care provider to self-quarantine due to COVID-19 concerns; 5. Caring for the employee’s child if the child’s school or place of care is closed or the child’s care provider is unavailable due to public health emergency; or 6. Experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor. 7. <i>Employee is at least 65 years old or has a chronic health condition compromising their immune system (such as heart disease, asthma, lung disease, diabetes, kidney disease, or otherwise weakened immune system), and is under</i> 	<ol style="list-style-type: none"> 1. To care for the employee’s child if the child’s school or place of care is closed or the childcare provider is unavailable due to a public health emergency. 2. <i>Employee is at least 65 years old or has a chronic health condition compromising their immune system (such as heart disease, asthma, lung disease, diabetes, kidney disease, or otherwise weakened immune system), and is under self-quarantine due to concerns related to COVID-19.</i>

¹ Items in italics are expanded L.A. LOMOD benefits beyond those provided in the FFCRA.

	<i>self-quarantine due to concerns related to COVID-19.</i>	
Length of Leave	80 hours for full time employees Standard 2-week schedule for part-time staff	Additional 10 weeks. <i>(FMLA period will refresh for those qualifying under the Public Health Emergency Leave)</i>
Paid Leave Requirements: Minimum Compensation Requirements	80 hours, or two-thirds the employee's regular rate of pay, depending on category Category 1, 2, 3: 80 hours Category 4, 5, 6, 7: two-thirds the employee's regular rate of pay Employees may supplement the unpaid portion of their leave with accrued leave	Two-thirds the employee's regular rate Employees may supplement the unpaid portion of their leave with accrued leave.
Paid Leave Limits	<i>No daily or aggregate caps for the first two week period</i>	\$200/day; \$10,000 aggregate
Expiration	12/31/2020	12/31/2020

RESOLUTION NO. _____

RESOLUTION RATIFYING AND APPROVING THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT PAID LEAVE POLICY FOR THE LOS ANGELES LOMOD CORPORATION

WHEREAS, in 1973, the Housing Authority of the City of Los Angeles created the Los Angeles LOMOD Corporation ("L.A. LOMOD"), a nonprofit corporation, to increase affordable housing in the City of Los Angeles; and

WHEREAS, L.A. LOMOD employees are at-will and are not considered part of the competitive civil service system. They may be removed from employment with no right to appeal. Employees serving in these positions do not accrue seniority or property rights; and

WHEREAS, on July 27, 2017, by Resolution No. LOC-2017-03, the Board of Directors of L.A. LOMOD ("Board") delegated the authority to hire and set employee compensation to the L.A. LOMOD President. On December 19, 2017, the Board, by Resolution No. LOC-2017-13, in approving and adopting a revised L.A. LOMOD Employee Handbook ("Employee Handbook"), the Board gave the President authority to make regulatory or legislatively required changes to the Employee Handbook without the need for Board Approval; and

WHEREAS, as part of the emergency response to the COVID-19 pandemic, on March 18, 2020, H.R. 6201 was signed into law making the Families First Coronavirus Response Act ("FFCRA") effective on April 1, 2020. It created: 1) an Emergency Paid Sick Leave and 2) Public Health Emergency Leave benefits, expanding the Family Medical Leave Act ("FMLA"), for employees who are unable to work or telework due to the COVID-19 pandemic; and

WHEREAS, in order to make the FFCRA benefits available to employees as soon as they became available and because the health of its employees is paramount to L.A. LOMOD, on April 1, 2020, L.A. LOMOD distributed the FFCRA Policy with the following enhanced benefits: 1) Created one additional qualifying category: Employee is at least 65 years old or has a chronic health condition compromising their immune system (such as heart disease, asthma, lung disease, diabetes, kidney disease, or otherwise weakened immune system), and is under self-quarantine due to concerns related to COVID-19; 2) Removed the FFCRA's 30-day employment requirement for eligibility for Public Health Emergency Leave; 3) Removed the FFCRA's daily or aggregate benefit caps for the first two-week period under the Emergency Paid Sick Leave; and 4) Allows for refresh of the FMLA period for those qualifying under the Public Health Emergency Leave.

NOW THEREFORE BE IT RESOLVED that the L.A. LOMOD Board of Directors hereby ratifies and approves the L.A. LOMOD Families First Coronavirus Response Act Paid Leave Policy.

BE IT FURTHER RESOLVED that the L.A. LOMOD Board of Directors delegates to the L.A. LOMOD President, or his/her designee, the authority to revise the L.A. LOMOD Employee Handbook to reflect the addition of the FFCRA Policy as described herein in this Resolution and corresponding Board Report and attached supporting materials.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

APPROVED AS TO FORM:
JAMES JOHNSON

LOS ANGELES LOMOD CORPORATION

BY: _____
General Counsel

BY: _____
Chairperson

DATE ADOPTED: _____