

CLIENT NEWS BRIEF

Framework for Labor-Management Collaboration Jointly Issued by Governor and Statewide Organizations

On April 1, 2020, Governor Gavin Newsom announced that California labor and management organizations have jointly agreed to a framework for collaboration during the novel coronavirus (COVID-19) emergency. The announcement comes at a time when local education agencies (LEAs) and bargaining units across California are working together to resolve issues related to the evolving developments and growing uncertainties related to COVID-19. The framework is intended to assist LEAs and bargaining units negotiating agreements related to labor and management matters impacted by the implementation and delivery of distance learning, special education, and meals to students through the end of the school year.

The key components of the framework include:

- School employees will continue to receive pay and benefits through the 2019-20 budget year, including temporary, hourly, exempt, and non-exempt employees.
- Subject to executive orders, current law, regulations, and guidance, employees are not required to use accrued sick leave to comply with a medical professional's recommendation, including quarantine, to secure their own health or secure the health of their household during the COVID-19 pandemic.
- Schools and their employees shall continue to deliver education to students through any practical means, including distance learning and/or independent study.
- Students in need shall continue to receive meals, utilizing measures that protect the safety of both students and school employees.
- Schools shall provide adequate personal protective equipment (PPE), to the extent reasonably possible and consistent with the California Department of Public Health and the Centers for Disease Control and Prevention guidelines.
- Labor and management should work together in gathering information, developing plans, and decision making to find the best path for students, employees, and communities.

This framework is neither binding nor a mandate from the State, nor is it intended to abrogate, amend, or affect current law, regulation, executive orders or agreements that have been entered into. The framework is solely intended to serve as a guide or aspirational framework for labor agreements. It does not affect any memoranda of understanding or other agreements already reached between LEAs and bargaining units.

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As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.

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LEAs are encouraged to consult with their legal counsel prior to acting on the information contained in framework and in order to respond to unions wishing to create agreements with provisions from this framework.

The Framework for Labor-Management Collaboration may be accessed at the following link:
<https://www.gov.ca.gov/wp-content/uploads/2020/04/4.1.20-Labor-Management-Framework.pdf>.

Related Resources

The legal and practical realities of the current crisis are ever-changing. In our continued effort to equip public agencies with useful insights, we have compiled a suite of links to several resource and guidance documents and webpages available from the federal and state governments regarding COVID-19. You can access them here: <http://www.lozanosmith.com/covid19.php>.

For more information on issues arising from COVID-19, please contact one of our [eight offices](#) located statewide. You can also subscribe to our [podcast](#), follow us on [Facebook](#), [Twitter](#) and [LinkedIn](#) or download our [mobile app](#).

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