



CORONAVIRUS INDUSTRY ALERT

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UNION COVID-19 RELIEF & PROCEDURES

Clarifications and Master Agreement Amendments as of May 14, 2021

The following chart provides basic details on Memoranda of Understanding (MOU), Memoranda of Agreement (MOA) and Letters of Understanding (LOU) executed between UCON and the following unions, as well as advisory letters issued by the unions and trusts, to provide relief and/or clarification on COVID-19 related situations.

Copies are available through the links provided in the chart or by contacting [UCON Labor & Member Services](#).

NORTHERN CALIFORNIA

UNION	REFERENCE	SUMMARY OF PROVISIONS INCLUDED	EFFECTIVE DATE(S)
Carpenters (NorCal)	Letter on EEOC Guidance for Taking Temperatures 03.18.2020	States that the Union will not object to employers following EEOC guidance related to COVID-19 (temperature screenings, sending sick employees home, etc.) as long as employees are compensated in accordance with the MLA procedures.	During the period that the pandemic declaration is in effect in the geographic jurisdiction of the Union
	CWPC Letter – COVID-19 Pandemic Economic Relief for Union Members 03.25.2020	Allows wage payments to furloughed employees with no fringes or only H&W.	Upon approval by CWPC until the Shelter in Place Orders are lifted – may not continue longer than the month following the month in which the applicable Order is lifted
	Letter on FFCRA Payments (CWPC Case #15556) 04.07.2020	Clarifies wage calculations for FFCRA-mandated leaves with no fringe benefits except for H&W.	During the effective dates of the FFCRA
	Letter – Online COVID-19 Training Class 04.09.2020	Provides information for employers on how to access the online class, along with Cal/OSHA guidance on Site-Specific Health & Safety Plans.	During the pandemic
	Waiver of Additional Local Paid Sick Leave 04.14.2020	Clarifies that the Master Labor Agreement (MLA) supersedes any local paid sick leave requirements.	From the date(s) that local Paid Sick Leave takes effect
	CWPC Decision (Case #15566) – Paycheck Protection Program 04.20.2020	- Clarifies procedures and rates for wage payments and fringe benefits made to furloughed employees under Paycheck Protection Program loans. - Must contact CWPC to set up sub-account for trust funds.	From the date that an employer started paying employees with PPP monies.
	CWPC Decision (Case #15574) – Show-Up Time/Dispatching of Employees 05.01.2020	- Modifies dispatch procedures including recall without new dispatch. - Modifies show-up pay provisions.	From May 1, 2020 until the Shelter in Place Orders expire, or are cancelled or terminated
	LOU - San Francisco Back To Work Emergency Ordinance Waiver 07.07.2020 Carpenters Pile Drivers	Expressly waives this ordinance and any similar federal, state, city, county or other local ordinances requiring mandatory reemployment.	During the effective dates of the S.F. Back To Work Emergency Ordinance
	CWPC Decision (Case #15597) – COVID-19 Related Local Sick Leave Ordinances without CBA Waivers 07.27.2020	Adopts terms of CWPC Decision #15556 (FFCRA Payments) for PSL requirements under these ordinances.	During the effective dates of the local PSL ordinances
	CWPC Letter – Compensation for Non-Mandatory Training Hours 08.31.2020	- Allows signatory employers to compensate their employees at their regular rate of pay without fringes when they participate in voluntary online training while laid off or furloughed due to COVID-19 related mandates and restrictions. - Requires approval by CWPC.	Expires when COVID-19 related gov't orders, recommendations, mandates, or restrictions are lifted, or January 1, 2022, whichever is sooner
	CWPC Decision (Case #15609) – COVID-19 Supplemental PSL Pursuant to Labor Code Section 248.1 09.10.2020	Adopts terms of CWPC Decision #15556 (FFCRA Payments) for payments to employees on leave under AB 1867.	During the effective dates of AB 1867
CWPC Decision #15648 – Exclusion Pay Under Cal/OSHA COVID-19 ETS 01.06.2021	Clarifies that ETS “exclusion pay” must consist of the full hourly wage rate plus a reduced fringe package (H&W, Pension, Annuity, Vacation, Work Fee).	From November 30, 2020	

UNION	REFERENCE	SUMMARY OF PROVISIONS INCLUDED	EFFECTIVE DATE(S)
	CWPC Decision (Case #15649) – EFMLA and EPSLA Under FFCRA 01.06.2021	Extends terms of CWPC Decision #15556 (FFCRA Payments) for employers who provide this leave voluntarily.	Through March 31, 2021
	CWPC Decision (Case #15650) – COVID-19 Supplemental PSL Pursuant to Labor Code Section 248.1 01.08.2021	Extends terms of CWPC Decision #15609 for employers who provide this leave voluntarily.	Through May 31, 2021
	CWPC Decision (Case #15701) – SB 95 (Labor Code Section 248.2) 03.24.2021	- Clarifies wage calculations for SB 95 SPSL with no fringe benefits except for H&W, Vacation and Work Fee. - Employers must contact CWPC to set up sub-account for trust funds.	From January 1, 2021 through effective date of SB 95
	CWPC Decision (Case #15703) – ARPA COVID-19 SPSL and Paid Family/Medical Leave Pursuant to ARPA 03.29.2021	Adopts all terms and conditions for SB 95 (above) applicable to leave payments made under ARPA (voluntary FFCRA payments).	During effective dates of ARPA provisions
	Memo – Paycheck Protection Program 04.19.2021	Extends terms of CWPC Decision #15566 (Paycheck Protection Program) for employers who obtain PPP loans under the American Rescue Plan Act.	During effective dates of PPP through ARPA
Cement Masons (NorCal)	<u>Memo – Paycheck Protection Program 06.08.2020</u>	- Clarifies procedures and rates for wage payments and fringe benefits made to furloughed employees under Paycheck Protection Program loans. - Employers must contact Trust to set up sub-account for trust funds.	From the date that an employer started paying employees with PPP monies.
	<u>MOU – FFCRA & COVID-19 Procedures 07.01.2020</u>	- Clarifies wage calculations for FFCRA-mandated leaves with no fringe benefits except for H&W and Vacation/Supplemental Dues. - Modifies dispatch procedures including reinstatement of employees who decline to work due to COVID-19 concerns and procedures for registration and roll call during the pandemic. - Provides procedures for conducting employee temperature checks.	From July 1, 2020 until state/county shelter-in-place orders are lifted, or by notification by the Employer or Union 15 days in advance – EXCEPT provisions related to FFCRA leave which expire on December 31, 2020
	<u>Memo – SB 95 (California Labor Code 248.2) 04.06.2021</u>	- Provides that payments for SB 95 should include Vac/Supp Dues for wage calculations, but Vac/Supp Dues is to be paid to the Trust Funds, along with H&W. - Employers must contact Trust Funds to set up sub-account. - Reiterates reinstatement rights for employees who decline to work due to COVID-19 concerns and notification to Union if employees are sent home for COVID-19 reasons (potential exposure, job shutdown).	SPSL provisions expire on September 30, 2021
	<u>MOU – Extension of FFCRA & COVID-19 Procedures 04.30.2021</u>	Extends terms of 07.01.2020 MOU for employers who provide this leave voluntarily.	Through September 30, 2021
Laborers (NorCal)	MOU - COVID-19 04.17.2020	- Provides employers with 72 hours to pay laid-off employees/ - Allows wage payments to furloughed employees with no fringes or only H&W. - Modifies dispatch procedures including recall without new dispatch and reinstatement of employees who decline to work due to COVID-19 concerns. - Provides procedures for conducting employee temperature checks. - Clarifies wage calculations for FFCRA-mandated leaves with no fringe benefits except for H&W. - Applies all same conditions to all other CBAs between UCON and the Union.	From March 16, 2020 until the Shelter in Place Orders are lifted, or by notification by the Employer or the Union 15 days in advance – EXCEPT provisions related to FFCRA leave which expire on December 31, 2020
	<u>Memo – Paycheck Protection Program 05.12.2020</u>	- Clarifies procedures and rates for wage payments and fringe benefits made to furloughed employees under Paycheck Protection Program loans. - Employers must contact Trust to set up sub-account for trust funds.	From the date that an employer started paying employees with PPP monies.

UNION	REFERENCE	SUMMARY OF PROVISIONS INCLUDED	EFFECTIVE DATE(S)
	<u>LOU - San Francisco Back To Work Emergency Ordinance Waiver</u>	Expressly waives this ordinance.	During the effective dates of the S.F. Back To Work Emergency Ordinance
	<u>LOA – SB 95 03.29.2021</u>	States no fringe benefits owed on hours paid for COVID-19 SPSL in compliance with SB 95.	During the effective dates of SB 95
	<u>MOU - COVID-19 04.08.2021</u>	Extends 04.17.2020 MOU; specifically, the FFCRA portions are extended for voluntary FFCRA payments.	Through September 30, 2021
Operating Engineers Local No. 3	<u>LOU - Payments to Employees 04.01.2020</u>	- States no fringe benefits owed (except as required by law) on wage payments to furloughed employees or hours paid for FFCRA-mandated leaves. - Includes MOU of clarification (signed 07.22.2020) with more details on fringe payments as well as suggested documentation for trust fund audit compliance.	From March 16, 2020
	<u>LOU - Fringe Benefits 04.03.2020</u>	- Allows for up to 48 hours per year of voluntary professional training with no fringe benefits owed. - Includes MOU of clarification (signed 07.22.2020) with more details on the definition of wages as well as suggested documentation for trust fund audit compliance.	From April 3, 2020
	<u>MOU – Paycheck Protection Program 05.21.2020</u>	Clarifies procedures and rates for wage payments and fringe benefits made to furloughed employees under Paycheck Protection Program loans.	From the date that an employer started paying employees with PPP monies.
	<u>LOU - San Francisco Back To Work Emergency Ordinance Waiver 07.14.2020</u>	Expressly waives this ordinance.	During the effective dates of the S.F. Back To Work Emergency Ordinance
	<u>MOU – Clarification of Payments to Employees & Fringe Benefits LOUs 07.24.2020</u>	Clarifies application, intent and procedures from 4/1/2020 and 4/3/2020 LOUs, including suggested documentation for audit compliance	During the effective dates of the LOUs
	<u>Letter – OE3 Trust Funds re Payments to Employees Related to COVID 09.17.2020</u>	Instructions to Zenith for all COVID-related payments to employees – includes AB 1867 (no fringes).	During the effective dates of all applicable LOUs and laws
	<u>MOU – Voluntary FFCRA & SB 95 Payments 04.08.2021</u>	- States that the 04.01.2020 MOU is extended for voluntary FFCRA under ARPA. - Clarifies that no fringe benefits owed (except as required by law) on wage payments to furloughed employees or hours paid for FFCRA-mandated leaves.	During the effective dates of the applicable laws
	<u>Letter - OE3 Trust Fund Instructions for COVID-19 Related Employee Payments 04.08.2021</u>	Instructions to Zenith for all COVID-related payments to employees – includes no fringes for AB 1867, SB 95, and voluntary FFCRA.	During the effective dates of the applicable laws
Teamsters (NorCal)	<u>LOU – Payments to Employees 05.07.2020</u>	States no fringe benefits owed (except as required by law) on wage payments to furloughed employees or hours paid for FFCRA-mandated leaves.	Applies retroactively to the beginning of the government-enforced COVID-19 emergency ordinance(s) until they are lifted.
	<u>LOU – Non-Mandatory Training Hours 05.07.2020</u>	Allows for up to 48 hours per year of voluntary professional training with no fringe benefits owed.	From May 7, 2020 until the government-enforced COVID-19 emergency ordinance(s) are lifted.
	<u>MOU – Paycheck Protection Program 06.18.2020</u>	- Clarifies procedures and rates for wage payments and fringe benefits made to furloughed employees under Paycheck Protection Program loans. - Employers must notify Union and Trust of loan period.	From the date that an employer started paying employees with PPP monies.
	<u>LOU - San Francisco Back To Work Emergency Ordinance Waiver 07.03.2020</u>	Expressly waives this ordinance.	During the effective dates of the S.F. Back To Work Emergency Ordinance
	E-mail – Application of 05.07.2020 Side Letters to SB 95 and Voluntary FFCRA Payments 05.05.2021	Confirms that the 05.07.2020 LOU (Payments to Employees) applies to SB 95 and voluntary payments of EPSL and Emergency FMLA.	During the effective dates of all applicable LOUs and laws

SOUTHERN CALIFORNIA

UNION	REFERENCE	SUMMARY OF PROVISIONS INCLUDED	EFFECTIVE DATE(S)
Carpenters (SoCal)	<u>Letter – FFCRA 03.27.20</u>	Letter to employers informing them about the FFCRA.	N/A
	<u>MOU - Supplemental Paid Sick Leave 04.03.2020</u>	Amends Section N of the MLA to waive City of Los Angeles COVID-19 Supplemental Paid Sick Leave.	Effective while applicable PSL requirement is in effect.
	<u>LOU – Non-Mandatory Training Hours 04.10.2020</u>	Allows for up to 48 hours per year of voluntary professional training with no fringe benefits owed; contains specifics on types of training allowed.	From April 10, 2020 until January 1, 2021, unless extended by mutual agreement
	<u>LOU – Payments to Employees 04.10.2020</u>	- States no fringe benefits owed (except as required by law) on wage payments to furloughed employees or hours paid for FFCRA-mandated leaves. - Also applies to AB 1867.	From March 16, 2020 until January 1, 2021, unless extended by mutual agreement
	<u>MOU – First Amendment of Supplemental Paid Sick Leave 05.2020</u>	Amends Section N of the MLA to waive County of Los Angeles Worker Protection Ordinance and City of Long Beach COVID-19 Paid Supplemental Sick Leave.	Effective while applicable PSL ordinances are in effect.
	<u>Letter – COVID-19 Contractor Assistance Program 02.02.2021</u>	Provides information on assistance to contractors to make benefits payments for Cal/OSHA ETS exclusion pay.	For hours reportable for January and February 2021
	<u>Notice – Assistance with Fringe Benefits for Paid Vaccination Time 03.30.2021</u>	Provides information on assistance to contractors to make benefits payments for paid time off to get the COVID-19 vaccine.	For hours reportable for March and April 2021
	<u>LOU – Payments to Employees – Extension 04.29.2021</u>	Extends the 04.10.2020 MOU for 2021, only requiring fringe benefits on COVID-19 leave if mandated by law.	From January 1, 2021 until January 1, 2022
	<u>LOU – Non-Mandatory Training Hours – Extension 04.29.2021</u>	Extends the 04.10.2020 MOU for 2021	From January 1, 2021 until January 1, 2022
Cement Masons (SoCal)	<u>Letter re COVID-19 Safety Measures 03.25.2020</u>	- Allows for taking temperatures of employees and sending them home under certain circumstances. - Clarifies how employees who are sent home are to be paid.	From March 25, 2020
	<u>MOU – Paid Leaves/COVID-19 04.01.2020</u>	States no fringe benefits owed (except for H&W) on wage payments to employees for FFCRA-mandated leaves or other mandated leave related to COVID-19; Trust Funds to establish reporting procedures.	From April 1, 2020
	<u>Letter re City of Los Angeles Paid Sick Leave 04.07.2020</u>	Confirms that MLA Paid Sick Leave waiver applies to all local waivers including City of Los Angeles COVID-19 Supplemental Paid Sick Leave.	From the effective date of the City of L.A. PSL
	<u>MOU – City of Los Angeles/COVID-19 05.19.2020</u>	Provides express waiver of City of Los Angeles COVID-19 Supplemental Paid Sick Leave.	From the effective date of the City of L.A. PSL
	<u>MOU – Waiver of L.A. County and City of Long Beach Supplemental Paid Sick Leave</u>	Amends Article XX of the MLA to waive County of Los Angeles Worker Protection Ordinance and City of Long Beach COVID-19 Paid Supplemental Sick Leave.	Amends Section N of the MLA to waive County of Los Angeles Worker Protection Ordinance and City of Long Beach COVID-19 Paid Supplemental Sick Leave.
	<u>MOU – Paid Leave AB 1867 09.10.2020</u>	Confirms that no fringe benefits are required for paid sick leave provided under AB 1867, but that employers may contribute the full fringe package for those hours if they wish.	From September 10, 2020
	<u>MOU – Paid Leaves/COVID-19 04.09.2021</u>	- Confirms that the provisions of the 04.01.2020 MOU are extended for voluntary FFCRA. - Clarifies that no fringes are owed for SB 95 SPSL. - Allows for paying contributions to all funds on these hours if employer wishes.	During the effective dates of the applicable laws

UNION	REFERENCE	SUMMARY OF PROVISIONS INCLUDED	EFFECTIVE DATE(S)
Laborers (SoCal)	<u>Letter re COVID-19 Measures 03.17.2020</u>	- Allows for taking temperatures of employees with non-invasive methods. - Clarifies how employees who are sent home are to be paid. - Allows for payment to employees who have to stay home.	From March 17, 2020
	<u>MOA – FFCRA Sick Leave Contributions Under the MLA 04.29.2020</u>	- Clarifies wage calculations for FFCRA-mandated leaves with no fringe benefits except for H&W. - Clarifies Trust Fund reporting procedures for the above.	From April 1, 2020 to December 31, 2020
	<u>MOA – Waiver of City of Los Angeles Supplemental Paid Sick Leave 04.29.2020</u>	Provides express waiver of City of Los Angeles COVID-19 Supplemental Paid Sick Leave.	From the effective date of the City of L.A. PSL
	<u>MOA – Waivers of Paid Leave Requirements Including COVID-19 Regarding Supplemental Sick Leave 09.01.2020</u>	- Provides express waiver of City of Los Angeles and County of Los Angeles COVID-19 Supplemental Paid Sick Leave. - Amends MLA waiver to apply to future City, County or Local paid leave ordinances including those related to COVID-19. - Exempts any ordinances that provide for any reimbursement to the employer for providing leave.	Effective while applicable PSL ordinances are in effect, for the term of the current MLA
	MOA – Second Extension Regarding FFCRA Sick Leave Contributions Under the MLA	Extends provisions of 04.20.2020 MOA for voluntary payments under ARPA.	Through September 30, 2021.
Operating Engineers Local No. 12	<u>Letter – Contributions to H&W Under FFCRA 04.13.2020</u>	Clarifies how to make H&W payments for FFCRA-mandated leave	During the effective dates of the FFCRA
	MOU – Supplemental Paid Sick Leave	Amends the MLA to waive City of Los Angeles COVID-19 Supplemental Paid Sick Leave.	From the effective date of the City of L.A. PSL
	<u>MOU – Supplemental Paid Leave Due to COVID-19 05.2020</u>	Amends the MLA to waive City of Los Angeles COVID-19 Supplemental Paid Sick Leave, County of Los Angeles Worker Protection Ordinance and City of Long Beach COVID-19 Paid Supplemental Sick Leave.	Effective while applicable PSL ordinances are in effect.

STATE OF CALIFORNIA AND VICINITY

UNION	REFERENCE	SUMMARY OF PROVISIONS INCLUDED	EFFECTIVE DATE(S)
Iron Workers	<u>MOU – COVID-19 Layoff & Rehiring Procedures 03.20.2020</u>	Modifies rehire procedures for employees laid off due to COVID-19 related reasons	From March 20, 2020 – extended through September 30, 2020
	<u>Iron Workers Letter – Waiver of SFPHELO, San Jose COVID-19 PSL, City of L.A. COVID-19 PSL 05.12.2020</u>	- Confirms that MLA Paid Sick Leave waiver applies to San Francisco & San Jose COVID-19 PSL ordinances. - Amends the MLA to waive City of Los Angeles COVID-19 Supplemental Paid Sick Leave	From the effective dates of the PSL ordinances