

**Oregon Home Care Commission 2021-2023**  
**Summary of Tentative Agreements**

Article 3 – TERM OF AGREEMENT

- Contract would be effective upon ratification by the Union
- 2 Year Contract (July 1, 2021 – June 30, 2023)

Article 4 – COMPLETE AGREEMENT

- Requires State to bargain with Union if there is an increase in funding during the term of our contract

Article 7 – UNION RIGHTS

- Minor housekeeping language to align language with the parties practices
- Incorporates the letter of agreement on timely processing of dues

Article 8 – PAYROLL SYSTEMS

- Updates language to eliminate the voucher system for Homecare and Personal Care Attendants and to comply with new payroll practices implemented through the OR PTC DCI system
- Allows HCW and PCA to submit time without a Consumers signature
- Provides clarity about how a HCW and PCA can submit their time
- Add clarifying language about what a Provider should do if they are paid late
- Updates language for background checks to include the new ORCHARDS system

Article 10 – OREGON HOME CARE COMMISSION REGISTRY (Registry)

- Requires OHCC to move all registry and referral services to the new Carewell Registry
- Deletes Sections 1-11 upon implementation of the new Carewell Registry
- Requires a communication plan for the new registry roll out
- Requires the OHCC to rebrand the current OHCC registry which they plan to continue using for the specific purpose of Providers registering and keeping track of training that a Provider has completed

## Article 11 – GRIEVANCE PROCEDURE

- Streamlines grievance procedure including;
  - Updates grievance timelines to allow Union 30 days to file a grievance
  - Makes late pay easier to grieve by removing language that created an alternative timeline for filing grievances related to pay
  - Instead of just the OHCC Director and an HR person from DHS hearing and deciding grievances we now will be able to take grievances to the APD, ODDS and OHA Medicaid Directors before bumping a grievance to the Department of Administrative Services (this is a new grievance step prior to arbitration)

## Article 13 – WORKERS' COMPENSATION

- Add language about where to find information on how to file a workers comp claim

## Article 14, 14.1 & 14.2 – SERVICE PAYMENTS

- \$0.90 Raise on 1/1/2022 (\$16.67 Base Pay)
- \$1.10 Raise on 1/1/2023 (\$17.77 Base Pay)
- Updates language to eliminate voucher system and to account for the new OR PTC DCI system
- Allows for the \$0.50 PDC Differential to be combined with the Enhanced and Job Coach Differentials (but not Exceptional and VDQ)
- Moves Travel Time language to Article 15
- Clarifies when hourly compensation is provided for required training
- Requires worker with the VDW differential to complete the new VDQ training by June 30 of 2022 in order to continue receiving the differential
- Creates a process to make the Exceptional differential available for Homecare workers
- Would allow PSW 'legacy' workers to qualify for the PDC Differential
- Increases Relief worker pay to \$14.75 (\$236 per day) in January 2022 and \$15.25 (\$244 per day) in January 2023

## Article 15 – TRAVEL TIME, TRANSPORTATION AND MILEAGE REIMBURSEMENT

- Effective 1/1/22 - Increases Mileage Reimbursement to \$0.56 per mile (Current IRS Rate and an increase of 7.5 cents)

- Effective 1/1/22 - Would create a bank of money (\$120,000) to pay for parking reimbursement (for instance when a consumer lives in downtown Portland and free parking is not available)
- Adds the Travel Time language from Article 14

#### Article 19 – SERVICE PAYMENT OVERPAYMENTS

- Requires immediate notification of an overpayment issue
- Adds timeline for OHCC to respond when a worker disputes an overpayment

#### Article 20 – HEALTH AND SAFETY

- Makes significant improvements to health and safety language
  - Updates definition of a safe and healthy work environment
  - Would allow case managers to share health and safety issues with a Provider prior to the Provider working hours for the Consumer as long as it does not violate the Consumers rights or choice under law
  - Creates two types of reporting mechanisms one for immediate threat and one for non-immediate (ongoing) threats
  - Would require OHCC or Case Managers to report back to the Provider on the outcome of a reported issue (as long as they are able to share this information)
  - Requires OHCC to provide Union with a monthly report of issues that were reported by Providers and what steps have been taken to resolve each issue
- Would require ODHS/OHA to provide PPE when required by law and to create a stockpile of such PPE for emergencies (like a pandemic)
- Would require gloves and masks to be provided in an unopened box to each Provider
- Reduces the amount of time a Case Management Entity to respond to a Provider's request for PPE other than gloves and masks (10 days instead of 20)
- Combines Article 20.1 and 20.2 into a single New Article 20 to reduce the confusion about what Provider rights are

#### Article 21 – OHCC TRAINING COMMITTEE

- Allows this committee to identify issues with training

#### Article 23 – HOMECARE AND PERSONAL SUPPORT WORKER NEW WORKER ORIENTATION, APD ONBOARDING SESSIONS, EXPRS ORIENTATION, AND ONLINE ORIENTATIONS

- Deletes this Article whose purpose, to deal with the roll out of the new legislatively required trainings, has been fulfilled

#### Article 24 – OVERTIME AND HOUR LIMITATIONS

- Eliminates the arbitrary monthly hours limitation for PSWs; meaning you won't have to get a Case Manager to approve your hours in a month where your work hours were greater than the monthly cap as long as your work hours didn't exceed the weekly limitation
- Add some language about how to seek an exception to the weekly hours limitation

#### Article 25 – PROVIDER NUMBER TERMINATION RIGHTS

- Retitles Article as "Provider Number Termination Rights"
- Moves Section 1-3 to other Articles
- Adds language about termination rights for each program (PSW, HCW, and PCA) so that it is clear what our rights are under a possible number termination

#### NEW Article – RETIREMENT SECURITY

- Makes Oregon Saves Permanent by adding the language to our contract

#### NEW Article – AMERICANS WITH DISABILITIES ACT (ADA) ACCOMMODATIONS

- Adds language to our contract about how to request an ADA accommodation

#### NEW Letter of Agreement – HOLIDAYS

- Beginning in 2023, Providers who work on July 4, Thanksgiving or Christmas will be paid time and a half for up to eight hours worked on a Holiday

#### NEW Letter of Agreement – PANDEMIC RECOGNITION "HAZARD PAY"

- Payments Issued on December 1, 2021 of at least \$2,000 to Providers
  - To qualify you have to have worked any month between March 2020 and April 2021 and still have an active Provider number on December 1, the date of the payment

- The actual payment will be a flat amount regardless of the number of hours worked
- The amount of the payment will be calculated on November 1.
  - Calculation = Total Amount of Funds Available for Hazard Pay DIVIDED BY the Total Number of Providers Who Worked Between March 2020 and April 2021

#### Letter of Agreement – Electronic Visit Verification for DD PSWs

- Would allow the Union to bargain over any changes to EVV requirement during the term of this Agreement

#### NEW Letter of Agreement – Homecare Workers, Personal Support Workers, and Personal Care Attendants (Providers) and State Employment

- Commits ODHS to undergo a rule making process by July 1, 2022 to clarify when a Provider can also work for a State Agency (Current rule doesn't allow PSWs to work for a State Agency)

#### NEW Letter of Agreement – Personal Support Workers – Enhanced and Exceptional

- Creates a process for the Parties to bargain over CIIS workers being able to qualify for the Enhanced and Exceptional differentials
- Would align CIIS pay rates with the current base pay without a reduction in pay for any current Provider

#### NEW Letter of Agreement – Pay Processing Dates

- Moves Pay Processing dates to the prior business day when the day fall on a Holiday or Weekend
- Would become effective in Phase 2 of the OR PTC DCI system roll out which is currently expected to be in the fall on 2022

#### NEW Letter of Agreement – COMPENSATION & PAYROLL SYSTEMS REDESIGN (STEPS)

- Effective in 2024 would commit the Parties to the creation of a Step System that rewards Provider longevity
  - Step System would be based on cumulative months worked

- For each 12 months a Provider works they would receive a Step Increase (Pay Raise)
- Step Increases would be assessed on January 1 and July 1 of each year