



Chairperson
Tyrone Matthews, Esq.

President and CEO
Rudolph A. Johnson, III

VIA: **Email**

March 16, 2020

LEGAL DEPARTMENT
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Charles Leon
Worksite Organizer, SEIU Local 221
4004 Kearny Mesa Road
San Diego, CA 92111

Re: **Demand to Bargain Regarding COVID-19 (Coronavirus)**

Dear Mr. Leon:

This is in reply to your email message sent to Delonda Peppers, Assoc. V.P., Human Resources around 7:45 pm, Friday, March 13, 2020, regarding the above-captioned matter. The Neighborhood House Association (NHA) is actively monitoring the current health epidemic of COVID-19 (Coronavirus) along with the world health community at large. We have been in constant communication with the Office of Head Start (OHS) advising direction, as well as, looking for guidance from information issued by the Center of Disease Control (CDC) and public health departments of federal, state and county levels. Our main priority, as has been the preamble of our business model, which is out of constant concern for our client and staff populations' health and safety.

The attached OHS COVID-19 Informational Memorandum was made available on March 13. As a result, last week NHA announced all of its Head Start and Early Head Start locations would be closed from March 16, 2020, through April 6, 2020, unless conditions call for an extension. Head Start and Early Head Start program employees will be paid their full wages and eligible benefits throughout the closure.

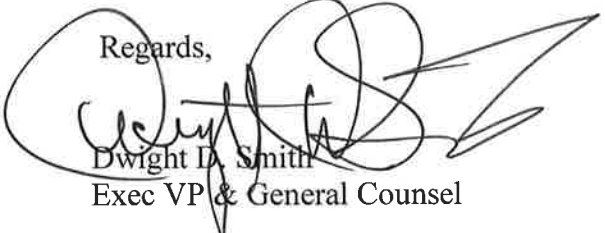
As stated in the current Collective Bargaining Agreement (CBA) between NHA and SEIU, "the Employer has the sole and exclusive right to manage its affairs and business, in general, and its Head Start operation." (Article 3: Managements Rights, page 3). In addition, "nothing in the agreement is intended to contradict or supersede the Head Start statutes, regulations, and/or rules applicable to the Employer or any other applicable federal, state, or local statutes, regulations, and/or rules.

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NHA is not aware of any individuals or employees that have been in contact with the COVID-19. On March 13, 2020, NHA sent the attached All Staff Memo indicating that NHA's health care providers are providing waived or cost sharing for medically necessary screening and testing for the COVID-19.

We can meet and discuss the list of demands SEIU proposed on or after April 6, 2020. Please provide dates, times, and how you desire to conduct such meetings during this declared National Emergency.

Regards,



Dwight D. Smith
Exec VP & General Counsel

Enclosures (COVID-19 IM, NHA Memo)

cc: Delonda Peppers, Associate VP, Human Resources



COVID-19 Wages and Benefits

In addition to the general flexibilities in [ACF-IM-HS-19-01](#), the Office of Head Start (OHS) is providing the following additional flexibility regarding wage and benefits for employees impacted by Coronavirus Disease 2019 (COVID-19) closures.

In response to COVID-19, OHS is advising grantees to coordinate with local health authorities and implement their existing policies and procedures related to closure of Head Start centers during infectious disease outbreaks. Closure of centers in areas heavily impacted by COVID-19 is an important element of containing and limiting its spread.

In recognition of the unique circumstances associated with COVID-19, OHS is directing programs to continue to pay wages and provide benefits for staff unable to report to work during center closures necessary to address COVID-19. During center closures, employees should continue to engage families and to deliver services to the extent possible, remotely.

This additional emergency response flexibility is important to ensure critical grants management activities can continue during closures. It will help ensure staff are ready and able to return to work as soon as it is possible to resume operations. This flexibility remains in effect through April 30, 2020 unless further extended by OHS.

Office of Head Start (OHS) | 330 C Street, SW | 4th Floor Mary E. Switzer Building | Washington, DC 20201

<https://eclkc.ohs.acf.hhs.gov> | 1-866-763-6481 | [Contact Us](#)

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Chairperson
Tyrone Matthews, Esq.



President and CEO
Rudolph A. Johnson, III

Date: March 13, 2020

To: All Staff

From: Rudolph A. Johnson III, President and CEO

A week ago today, I sent out communication to all staff providing information about 2019 Novel Coronavirus, basic steps to take if you come in contact with the virus and what NHA is doing in the wake of this current health crisis (focus on prevention and preparation).

As you know, the world health community continues to monitor closely the emergence of the SARS-CoV-2 virus and the disease it causes named coronavirus disease 2019 (COVID-19). At this time, no one knows how severe this outbreak will be. NHA is actively monitoring information issued by the Center of Disease Control (CDC) as well as guidance from public health departments at the state and county levels out of continued concern for our client and staff populations' health and safety.

On March 5, Governor Newsom of California, joined several other states in authorizing health plans regulated by the Department of Managed Health Care, to waive or cost-share medically necessary screening and testing for COVID-19.

Please be advised that NHA's health care providers, Kaiser, Sharp and SIMNSA are providing waived or cost sharing for medically necessary screening and testing for the COVID-19. Please reference the following links below for further details of cost sharing offered by each individual health care provider.

If you have any questions or concerns, please contact Delonda Peppers, AVP-Human Resources at (858) 715-2642, ext. 130 or via email at delonda@neighborhoodhouse.org.

Thank you.

Kaiser Permanente:

<https://www.kp.org>

Sharp Health Plan:

<https://www.sharp.com/services/coronavirus.cfm>

SIMNSA:

<https://www.SIMNSA.com>