

Metro FAQ | COVID-19 Impacts

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Note: more information on Family First emergency sick and family leave and Telework are available in separate FAQ documents and can be accessed at oregonmetro.gov/covid-19

Items added since last publish date are marked NEW or UPDATED.

LAYOFFS, FURLOUGHS, BUDGET AND DECISION-MAKING

What happened to employees at OCC, Expo, P'5 and the Zoo?

The severity and swiftness of Metro's revenue decline required us to lay off about 40% of our total workforce and targeted 5% to 20% schedule reductions in all departments. Metro venues have been the most significantly impacted by the COVID-19 public health crisis. Many colleagues at these Metro venues were notified at the beginning of April that their position was laid off or that there were no hours for their shifts. Most employees received a phone call, followed up by a letter via postal mail. Some employees were provided paid notification periods and that varied by representation and union contracts. All benefits eligible positions keep their health insurance for the month of April, and Metro is paying 100% of health insurance costs through July 31, 2020. For those who earned vacation pay, the value of any unused accruals is paid on their last date of pay.

What is Metro doing to help these employees?

A special webpage was created to provide resources on unemployment filing, hardship assistance and potential, other employment opportunities (oregonmetro.gov/resourcesforworkers) If you have ideas on ways to support our colleagues please send them to Grady Wheeler, grady.wheeler@oregonmetro.gov.

Metro senior leadership is in the process of setting up an assistance fund that uses savings from Director and Deputy-Director furloughs. We are still figuring out the details of how to distribute funds to workers in need.

Some of my colleagues were notified that their position was laid off or that there were no shifts available? What's the difference?

Both represented and non-represented positions were identified for layoff. Employees who worked regular schedules were given a layoff notice following their union collective bargaining agreement or Metro policy. Normally when a lay off occurs, employees continue working during the notification period. Due to the public health crisis not all employees who were laid off will work through the notification period. This determination is being made to ensure everyone's safety.

Some employees have schedules based upon events and when there are no events, there are no hours for these employees. Those employees were advised that they would not be scheduled for further shifts due to the prohibition on events.

How much of a pay cut/hour reduction did executive team members get?

Non-venue department directors and deputy directors will receive a mandatory furlough of 10% reduction in hours and pay. The funds that are saved through this furlough will be put into an Employee Assistance Fund that will be managed by a 3rd party and earmarked to help with rent, food and utility assistance for former Metro employees who were recently laid-off.

How were decisions made about what positions would be laid off? What factors were weighed?

The decisions to lay off employees was difficult. Management teams, financial analysts, human resources specialists and others researched and reviewed options based on immediate and forecasted financial impacts. It was a little different for each venue due to existing conditions and unique operational needs.

Are there restrictions in place for public agencies, like Metro, against saving financial reserves in order to protect against financial losses like this? Is the finance team considering plans to provide more cushion in case of possible future weather/health disasters? *NEW*

No. It's considered a best practice to maintain reserves in all funds and Metro has a reserve policy that is adopted by the Metro Council annually. Metro's reserves were never of sufficient size to keep the agency from being affected with an economic crisis at the scale we are currently experiencing. In a situation like we're in now, reserves give the agency time to figure out what hard decisions need to be made.

What guarantee do front line workers have if, through innovation and sacrifice, cut costs by 10% that, those savings will go towards saving their jobs? *NEW*

There is no guarantee that any cost savings will be earmarked for any specific positions, but the values we are using to make budget decisions put our employees' welfare and retaining jobs as

top priorities. Marissa Madrigal, Metro COO, has asked employees to seek out innovations that could save money for the agency as a whole, as front-line staff are the experts in the work they do and likely have ideas for how to increase efficiencies.

When will departments now what percent they need to cut from their budget for FY 2021? *NEW*

Next year's budget begins July 1, 2020 and runs to June 30, 2021. Budget planning was underway prior to this public health crisis and now each department is considering reductions. Department directors were asked to develop 5 and 10% reduction scenarios and the COO office is currently reviewing those proposals. Proposed changes to next year's budget will be presented to Metro Council during their scheduled work session on Tuesday, April, 28. Council meetings are streamed live on Metro's website and recordings of meetings are archived. You can access a calendar of meetings, agendas, streaming and recordings of Metro Council meetings at oregonmetro.gov/council.

Are there still impending layoffs, furloughs and schedule reductions for Q4 or next budget year? What is the timeline for when staff would learn about changes to their position? *NEW*

Q4 is the last quarter of Metro's budget year, April 1 to June 30, 2020. Some Q4 budget reductions were implemented over the past few weeks and included things like leaving most vacancies open and shifting funding sources for specific projects and staff. Non-venue directors and deputy directors are taking a mandatory 10% furlough and savings from this will go toward an employee assistance fund for Metro employees who were laid off due to COVID-19. We are still working on the details for other options around voluntary and mandatory furloughs

We are still weighing budget reductions for next fiscal year. As part of our regular budget planning process, the proposed budget is scheduled to be sent to the Tax Supervising and Conservation Commission (TSCC) on Thursday, May 7. The TSCC is an oversight committee that provides budget and tax guidance to local governments. There may be limitations to the scale of changes that can be made based on their review. Once budget decisions for next fiscal year are finalized, directors and managers will communicate those decisions with staff.

What is the difference between furlough and layoff?

Layoff is a separation from employment for involuntary reasons. Usually a furlough is either a temporary separation from employment or a reduction of hours and pay often with a defined duration of time.

Can employees who have been laid off ask for a furlough instead?

No. Decisions on furlough and layoff were made based on finance and operational needs. These decisions were not made lightly, as we understand the serious impacts of layoff and furlough on our employees.

Can I request to furlough my position and reduce my hours? *UPDATED*

Possibly. We are still working on the details for furloughs so employees can make informed decisions. Many Directors and Deputy Director positions will be taking a mandatory 10% furlough. Options for additional mandatory and voluntary furloughs are still under review.

Are there restrictions on using contractors to fulfill work previously done by laid off employees?

As soon as we are able to bring jobs back we will. Work previously completed by Metro employees laid off from this crisis will not be contracted out.

If there are lay offs in my department will there be a new reporting structure?

Possibly as there have been changes to both managers and non-supervisory positions. Management teams that have been impacted are examining options to change to reporting structures as needed. Check in with your supervisor for more specific information.

How permanent will any reorganization be? When will staff be reinstated?

The COVID-19 pandemic happened rapidly and changed all our lives. While Metro finance teams and analysts are researching and forecasting impacts, it is unclear right now how long positions will be impacted.

Are there additional benefits for staff who are required to report to a work site during the stay at home order? *NEW*

Not at this time. Metro leadership is looking at ways to recognize employees who have prolonged exposure to the public and/or have limited personal protective equipment.

What science and public health information is being used to project that we could be reopening for regular office and venue business this summer?

Right now, we are approaching this public health crisis as a moderate disruption and expect most workplaces to be closed until this summer. We are monitoring the situation as we look to revise the FY 2020-21 budget, which starts July 1, 2020. The approach is to balance the likelihood that closures will extend beyond July, and that continued social distancing, improved access to testing and other measures remain in place and allow us to be able to return to operations.

The term “racial equity lens” keeps being used. Can you explain what this means on a functional level? For example, what was the lens or tool or set of questions relating to racial equity that was used in the layoff decisions up to this point? And can the DEI tool related to budgeting and racial equity be shared to all staff? *NEW*

Metro’s adopted Strategic Plan to Advance Racial Equity, Diversity and Inclusion is one of the principle documents guiding our response and recovery. The plan sets specific goals for hiring and retaining a racially diverse workforce, providing welcoming programs, services and

destinations, and investing in meaningful community engagement and partnerships. Metro's DEI program also developed a tool that Andrew Scott, Metro's Deputy Chief Operating Officer, provided directors to use to assess budget reduction impacts. That tool can be viewed at oregonmetro.gov/covid-19

REHIRE, BUMPING, RECALL AND SENIORITY

Will these employees be guaranteed a job back at Metro? What are recall rights?

Depending on union representation, some positions have recall rights that require notification and placement to open positions within a prior classification for a determined amount of time. Recall rights usually require positions to be filled in order of seniority.

For non-represented employees or those who are represented with no recall rights, each department, at their discretion will be able to administer a notification list of employment opportunities for employees who lost their jobs. Metro's updated recruitment policy allows for the potential to re-hire prior Metro staff.

What is bumping? I heard some positions that have been laid off may be able to fill other positions, in other departments? *UPDATED*

Yes. Some union contracts have what is called bumping rights. During a layoff, employees may elect to "bump" into the least senior position of their current or former classification. Rights vary from union to union contract and timelines can vary. Employees who were laid off that have bumping rights have been provided information on positions held by employees with least seniority. Supervisors of these positions have been notified and as required, other employees will be contacted should decisions change their employment. Choices on bumping can be complicated and are sensitive. Employees who have concerns about their seniority relative to their current position should contact Human Resources, their manager or a union representative for more information.

Will the seniority list be published *NEW*

Not at this time. Labor partners have this information and it is also shared, as needed, with any employee and their supervisor whose positions was laid off or might be in a less senior hire date in the same classification. Employees who are concerned about their seniority date should contact Human Resources, their supervisor or a union representative.

LEAVE BENEFITS, SICK LEAVE, VACATION AND FAMILY FIRST EMERGENCY LEAVE

Can I use my paid sick and vacation leave right now? *UPDATED*

Employees not impacted by the layoff can use any accrued leave to cover missed work hours. Vacation and sick leave cannot be used to cover hours that have been reduced. If you have low

paid leave accruals and are concerned about loss of income please contact Metro Human Resources staff at 503-797-1570 or human.resources@oregonmetro.gov or a union steward.

What about the interim sick leave policy that was announced in March?

On March 5, Metro implemented an interim sick leave policy in response to the emerging COVID-19 pandemic to support employees with low accrued leave balances. That policy included an advance of sick leave hours and removed requirements for illness documentation or FMLA approvals. That policy expired March 30, 2020.

What is the Families First Coronavirus Response Act?

For more information see the Families First Coronavirus Response Act factsheet updated on April 17, 2020 and posted at oregonmetro.gov/COVID-19

The Families First Coronavirus Response Act was recently passed by Congress and expands leave protections for employees impacted by the COVID-19 pandemic. The law went into effect April 1, 2020. All regular and variable hour part-time and full-time employees are eligible and benefits are available beginning April 1, 2020 through Dec. 31, 2020. The law has two leave benefits:

- **Emergency *sick* leave:** Allows up to 80 hours paid sick leave for full-time employees. Part-time employees will be provided sick leave hours equal to the average hours per week the employee typically works. This sick leave applies to employees experiencing COVID-19 symptoms; under government quarantine order or health care provider advised self-quarantine; and/or caring for a person under quarantine.
- **Emergency *family* leave:** Provides expanded child care leave. An employee who has worked for Metro for at least 30 days and is unable to work or telework due to the need to care for a child whose school or place of care is closed due to a public health emergency qualifies to take emergency family medical leave. The leave is paid at 2/3 of their regular rate of pay up to a maximum of \$200 per day or a \$12,000 total for 12 weeks.

Can I defer paid parental leave benefits? *NEW*

Not at this time. Employees have a 12-month period in which to use this leave benefit.

If my hours are reduced because of lack of work, can I use my Family First emergency leave, or sick or vacation leave to make up the difference in pay? *NEW*

No. Accrued leave cannot be used to make up the pay difference resulting from a reduced work schedule.

What happens to accrued leave balances when someone loses their job? *NEW*

Vacation leave balances and comp time are paid out on an employee's last paycheck. Personal leave should be used prior to last day of work. Sick leave banks are reinstated if an employee is rehired within 6 months of separation.

Can I donate sick time or do anything else to bring a co-worker's compensation up?

Not at this time. Metro's sick leave donation policy is currently being reviewed to determine the best use of this option to support employees.

HEALTH INSURANCE

What happens to my health insurance if I am laid off?

Employees who have Metro provided health insurance or are eligible through the ACA receive health insurance benefits for 3 months. Metro will cover 100% of premium costs for the months where there is no paid hours.

What happens to flexible spending account after employment ends? *NEW*

Right now, existing FSA funds are available for use until May 31, 2020. Employees are encouraged to use fsastore.com to spend funds. Employees may elect to continue use of their FSA after May 31, through COBRA enrollment.

Can I increase my FSA contributions? *NEW*

Yes

UNEMPLOYMENT *NEW*

Are Metro employees who lost their jobs eligible for unemployment?

Employees are eligible to file for unemployment as soon as they are aware that they have been laid off, or after their last paid date of employment. The Oregon Employment Division determines eligibility.

Are Metro employees considered employer attached when they file for unemployment?

Yes. Generally speaking, positions are expected to be hired back (timing currently unknown) and the job loss is related to COVID-19. For these reasons the Oregon Employment Division considers former Metro employees as "employer attached".

RETIREMENT

I want to retire early. What should I do?

Contact the Oregon State PERS to start the process and receive an overview of potential benefits. Once you have made a decision to retire contact Metro HR staff at benefits.help@oregonmetro.gov or 503-797-1588 and your supervisor to discuss your retirement date.

Can Metro pay me the employer portion of the PERS contribution on my last paycheck, instead of sending it to PERS?

No. Oregon state law does not allow employers to alter contributions types, amounts or processes.

Will Metro be offering an early retirement package or packages for Tier 1 and Tier 2 PERS employees? *NEW*

For anyone who agrees to retire by June 30, 2020, Metro will offer them extended paid benefits for 3 months.

If I decide to retire early, how will that affect my health care coverage?

Employees who decide to retire early or within the normal retirement eligibility, can remain on Metro's health coverage until they are Medicare eligible. In such cases the employee pays the full premium amount for the coverage.

OTHER QUESTIONS

I pay for parking and can't use this right now? Do I have to keep paying for the space?

Currently no parking costs will be deducted from paychecks. *UPDATED*

What happens to donation deductions from paychecks right now?

Employees can change donation deductions at any time, contact payrollconfidential@oregonmetro.gov

How does a reduction of hours change eligibility for the Public Service Loan Forgiveness Program? *NEW*

For the Public Service Loan Program, you are generally considered to work full-time if you meet your employer's definition of full-time or work at least 30 hours per week, whichever is greater.

What is the status of tenants of Metro such as Table 6 and Metrokids? *NEW*

Both are closed while the stay at home order is in place. Currently, both tenants plan on reopening as soon as it is safe to resume operations.