

Dr. Steve Gallon III, Vice-Chair

**SUBJECT: COMPENSATION OF PART TIME/HOURLY EMPLOYEES
DURING CURRENT COVID-19 MANDATED SCHOOL CLOSURE**

BLUEPRINT: HIGHLY EFFECTIVE TEACHERS, LEADERS AND STAFF

At the end of 2019, the world acknowledged Coronavirus disease (COVID-19) as an infectious disease caused by a newly discovered coronavirus. Most people infected with the COVID-19 virus experience mild to moderate respiratory illness and recover without requiring special treatment. Others, such as older people, and those with underlying medical problems like cardiovascular disease, diabetes, chronic respiratory disease, and cancer are more likely to develop serious illness.

Since that time, the world has witnessed an ongoing worldwide pandemic of coronavirus disease 2019 (COVID-19) which spread to all 50 U.S. states, the District of Columbia, and inhabited U.S. territories. As of March 22, the U.S. has the second highest number of active cases in the world (26,382), only after Italy (42,681).

On March 13, 2020, following State of Emergency declarations at local, state, and national levels, Miami-Dade County Public Schools followed suit with a declaration of emergency school closures beginning March 16, 2020. Subsequently, Florida Governor Ron De Santis ordered schools to be closed throughout the state through April 15, 2020. This was followed by a similar order from the President directing the adherence to certain provisions outlined by the CDC for the minimization and/or elimination of social contact and related gatherings of groups of no more than 10 persons---referred to as social distancing. This has resulted in the virtual shutdown of places of business such as malls, restaurants, shops, and places that allow for the personal gathering of more than 10 persons.

As Miami-Dade County and throughout the world and economic markets continue to witness, the COVID-19 pandemic is causing severe strain on the lives of every American. The inconspicuous harm in most instances pales in comparison to the personal, emotional, and financial toll that the pandemic will impose because of a related loss of pay on hourly/part-time M-DCPS employees that would include but were not limited to custodians, bus drivers, teacher aides, and food service workers. This damage would be acutely felt by many of these hourly/part-time employees that face continued financial challenges, and would result in significant economic and personal hardships on individuals, children, and families across Miami-Dade County due to mandated school and district office closures.

These hardships were exacerbated among these hourly and part-time employees, many who were already facing hardships before the virus. These employees are forced to struggle with the exorbitant costs of living and working in Miami-Dade County---an area that has been deemed as one of the costliest in the country to reside.

At the School Board Meeting of February 21, 2018, Item H-13, Exploration of Compensation for Part-time/Hourly Employees During Mandated School/District Closures, was brought by Dr. Steve Gallon III to address this issue. During the School Board meeting, this item was subsequently withdrawn in deference to School Board Agenda Item H-10, Hourly/Part Time Employees Compensation During State of Emergencies, a similar item proposed by School Board Member Dr. Lawrence S. Feldman. The item proposed by Dr. Feldman authorized the Superintendent “to explore the feasibility of initiating rulemaking procedures, in accordance with the Administrative Procedure Act , to codify, in either existing or new School Board Policy, the provision for ensuring that after each declared state of emergency in which regularly scheduled work days were lost, all available options be considered in allowing hourly and part-time employees, who were regularly scheduled to work, to make up for potential time not worked...” The fulcrum of the items and related actions was to provide a retroactive as opposed to a prospective resolution as may also be required due to the current COVID-19 mandated school and district closures.

M-DCPS adopts and implements policies governing the emergency closure of schools, critical incidence/emergency response, and related compensation guidelines for employees when mandated school closures are implemented. A recent request for a legal review to the School Board Attorney from the Superintendent was made to clarify “options” available to the School Board to compensate hourly/part-time employees during the mandated closure of schools and/or district offices caused by the current declaration of a state of emergency. Subsequently, the Superintendent indicated his intent to develop and implement a plan to address this matter. In the event that the legal opinion on current School Board policy impedes or significantly limits the ability of the District to compensate part-time/hourly employees during the mandated school and district closures, this item seeks to direct and authorize the Superintendent to develop and implement an immediate plan of action to provide for the legal work related engagement and compensation of part-time/hourly employees within the approved financial resources reflected and funded in the 2019-2020 district budget, and consistent with recommended CDC guidelines that include but are not limited to social distancing.

This item has been reviewed and approved by the School Board Attorney's office as to form and legal sufficiency.

**ACTION PROPOSED BY
DR. STEVE GALLON III:**

That The School Board of Miami-Dade County, Florida direct and affirm, the Superintendent's development, and upon review, implementation of an immediate plan of action to provide for legally permissible work related engagement and compensation of part-time/hourly employees within the approved financial resources reflected and funded in the 2019-2020 district budget ending June 30, 2020. This plan is to be developed and implemented in a manner consistent with and inclusive of recommended CDC guidelines that include but are not limited to social distancing.