

EXECUTIVE COMMITTEE

APPROVED MINUTES

January 19, 2022 at 8:30 AM

41550 Eclectic St. Palm Desert, CA 92260

To Join Zoom Meeting: <https://us02web.zoom.us/j/89282040997>

Meeting ID: 892 8204 0997

Committee members: Chair: C. Borba, Vice-Chair J. Pye, Treasurer: M. Gonda, Secretary: M. Gialdini,
Members: M. Moran, A. Wilson, B. Kroonen, J. Hayes.

I. **CALL TO ORDER by Vice Chair J. Pye at 8:30 AM and ROLL CALL: M. Gonda, M. Gialdini, M. Moran, A. Wilson, J. Hayes and J. Pye. Also present: L. De Lara. Absent: C. Borba and B, Kroonen.**

II. APPROVAL OF THE AGENDA

In order to meet Brown Act requirements, items may be added to the agenda only upon decision by a majority of the Board of Directors to add the item because of a need for immediate action.

Motion: M. Moran to approve the agenda as is. Second: M. Gonda Approved: 7 Opposed: 0 Abstention Name(s): 0

III. PUBLIC COMMENT / PRESENTATIONS - **None**

IV. Approval of the Executive Committee Draft Minutes for Joint Executive-Audit November 15 meeting (Attach. #1a), November 15 (Attach. #1b), Special Meeting on November 23 (Attach. #1c), Special Meeting of Dec. 8 (Attach. #1d), Special Meeting on Dec. 10 (attach. #1e).

Motion: M. Moran to approve with no changes. Second: A. Wilson Approved: 7 Opposed: 0 Abstention Name(s): 0

V. New Business – Action Required

- A. Review the Employee Handbook for 2022(Attach. #2 Summary of Changes) and make recommendation to the Board for adoption. RAP's HR Consultant has updated our annual Handbook for the past Five Years. She is familiar with all the State and Federal Laws and has made the changes to ensure compliance.

The following substantive changes were made to the RAP handbook for Board Approval on January 2022

Please note the COVID policy **DOES NOT MEET** the CAL OSHA requirement for a COVID prevention program which is different than the infectious disease addendum of 2020. It offers general guidance only.

Added Parent-in-law to CFRA and PTO policies in accordance with [Assembly Bill 1033](#) (AB 1033), which provides that employers must grant eligible employees up to 12 weeks of job-protected time off from work annually for the purposes of providing care to a parent-in-law with a serious medical condition under the California Family Rights Act (CFRA).

Revised Benefits Overview to include the following language per BOARD approval in 2021:

- Employees are given a reimbursement maximum amount of \$1,100 per month to cover insurance premiums costs. This benefit can be used to cover that employee and eligible family member (s). ~~The amount will be increased to cover the insurance premium for a RAP employee. RAP requires employees to apply for Medi Care once eligible.~~

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Motion by J. Hayes and seconded by M. Gialdini to add (s) to "member" and delete the 3rd sentence.

Yes: 7 No: 0 Abstentions: 0

Revised the Holiday schedule for 2022:

- For the 2022 calendar year, RAP Foundation observes the following 11 paid holidays:
 - New Year's Day
 - Martin Luther King Jr.'s Birthday
 - Presidents' Day – **Replace with Floating Holiday**
 - Cesar Chavez Day -**Replace with Floating Holiday**
 - Memorial Day
 - **Juneteenth (June 19, observed 6/20/22) - Removed**
 - July 4th (Independence Day)
 - Labor Day
 - Veterans Day
 - Thanksgiving Day and the Friday after
 - Christmas Day

When a holiday falls on a Saturday or Sunday it is usually observed on the preceding Friday or the following Monday. However, Regional Access Project Foundation may close on another day. Holiday observance will be announced in advance.

RAP offices are closed from December 27 through December 29 for the holiday season.

Motion by J. Hayes and seconded by M. Gonda to not increase the number of holidays. To send to the Finance Committee to determine the financial impact of current holidays and report back. Yes – 7 No – 0 Abstentions: 0

There was discussion by committee members that there were too many approved holidays (11) and anticipate Election Day being added in the future, along with the closure between Christmas and New Years (3 in 2022). The CEO proposed creating a "Floating Holiday" for the 11th holiday so that employees can choose to recognize the holidays of their choice from a group including: Cesar Chavez, President's Day could be replaced with Juneteenth. There would not be an increase of holidays proposed but instead President's Day and Cesar Chavez Day would be considered "floating holidays", but there was no support for this idea.

Confidential Information Policy revised to address SB 331, which prohibits employers from requiring employees to sign an agreement or other document that restricts the employee's ability to disclose information about unlawful acts in the workplace and requires particular language to be included in confidentiality provisions. This policy includes statutorily required language that advises employees they aren't prevented from discussing or disclosing information about unlawful acts in the workplace such as harassment or discrimination or any other conduct that they have reason to believe is unlawful.

- *In the course of your work, you may have access to trade secrets or similarly protected proprietary or confidential information regarding RAP's business (such as financial data, research and development, marketing, business plans or strategies, suppliers, business partners or customers). You have a responsibility to prevent revealing or divulging any such information unless it is necessary for you to do so in the performance of your duties or as required by law.*

Removed language from Rest Periods to comply with Augustus Vs. ABM Security Supreme Court decision.

- *“you may not leave the premise for” removed*

Added a general COVID Policy and Voluntary COVID Vaccination Policy (see attached for BOARD members only ETS requirement for COVID Prevention Program)

COVID Policy

This company policy provides general guidance regarding what actions RAP is actively taking to mitigate the spread of coronavirus. Employees are required to follow all these COVID prevention measure diligently, to sustain a healthy and safe workplace in this unique environment.

[This coronavirus \(COVID-19\) company policy is susceptible to changes with the introduction of additional governmental guidelines.](#) If so, RAP will update you as soon as possible in the manner with which the company normally communicates (email, posting etc.). This policy applies to all employees who physically work in the office.

Symptoms

Employees experiencing any symptoms of COVID such as but not limited to cough, headache, sudden loss of taste and smell without another explanation, sneezing, runny nose or fever are required to stay home, we strongly recommend you test for COVID within 3-5 days of experiencing symptoms. Please refer to our Injury Illness and Prevention Plan (IIPP) addendum for further information regarding testing, quarantine and isolation.

General Safety Measures

All employees are required regardless of vaccination status to wear masks when social distancing is not possible. Employees who are unvaccinated must wear a mask at all times unless they are alone or eating/drinking.

All employees are required to disinfect common areas after use, and are encouraged to disinfect their workspace at least twice daily or after visitors have left.

Injury Illness and Prevention Program

RAP has developed an addendum to the IIPP in accordance with the CLA OSHA Emergency ETS updated 12/28/2021. This program contains at a minimum the following information:

- Communicates to employees about the employer's COVID-19 prevention procedures.
- How RAP will identify, evaluate and correct COVID-19 hazards.
- Requires and provides face coverings and respirators in the manner and in the circumstances specified in the ETS.
- Advises employees they can wear face coverings at work, regardless of their vaccination status, without fear of retaliation by the employer.
- Use engineering controls, administrative controls and personal protective equipment under certain circumstances.
- The procedures RAP will follow to investigate and respond to COVID-19 cases in the workplace.
- RAP Provides COVID-19 training links in the IIPPP addendum to employees that must be completed with 14 days of the rollout of the program, or within 14 days of hire.
- RAP will make testing available at no cost to employees who have had a “close contact” (as defined in the ETS) with a person with COVID-19, and in the case of multiple infections or a major outbreak, make

testing available at no cost on a regular basis for employees in the exposed work areas. This requirement does not apply to exposed employees who are fully vaccinated and have no symptoms, except during major outbreaks.

- RAP will exclude COVID-19 cases and exposed employees from the workplace until they are no longer an infection risk. Exposed employees who are fully vaccinated and have no symptoms do not need to be excluded.
- RAP follows return to work criteria.
- RAP will maintain records of COVID-19 cases and report serious illnesses to Cal/OSHA and to the local health department when required.

COVID Vaccination Policy (voluntary)

In accordance with RAP's duty to provide and maintain a workplace that is free of known hazards, we are adopting this policy to safeguard the health of our employees and their families; our customers and visitors; and the community at large from infectious diseases, such as COVID-19 or influenza, that may be reduced by vaccinations. [This policy will comply with all applicable laws and is based on guidance from the Centers for Disease Control and Prevention and local health authorities, as applicable.](#)

Scope

All employees are encouraged to receive vaccinations as determined by the California Department of Public Health (CDPH) and the Center for Disease Control (CDC)

Procedures

Employees must notify the CEO and arrange where possible for their vaccinations to occur during normal scheduled working hours. All employees will be paid for time taken to receive vaccinations.

J. Hayes made a motion seconded by M. Gonda to:

- 1. Spell out ETS = Emergency Temporary Standards**
- 2. Okay with removing requirement that employees can not leave work place during Break Time.**
- 3. Remove sections regarding to COVID, except the following 2 paragraphs:**

COVID Policy

This company policy provides general guidance regarding what actions RAP is actively taking to mitigate the spread of coronavirus. Employees are required to follow all these COVID prevention measures diligently, to sustain a healthy and safe workplace in this unique environment.

This coronavirus (COVID-19) company policy is susceptible to changes with the introduction of additional governmental guidelines including, but not limited to, Federal, State and Local. If so, RAP will update you as soon as possible in the manner with which the company normally communicates (email, posting etc.). This policy applies to all employees who physically work in the office.

Yes: 4 No: 3 Abstentions: 0

The CEO stated her disagreement with removing the recommended content from our HR consultant since she is the expert. The HR consultant provides updates from Federal, State and Local governments and health agencies on a regular basis and then make reference to this policy that has been "incomplete". The CEO added she would include the HR consultant's response to this action as staff comments forwarded to the Board. Also, asked if the Committee preferred a legal opinion, that would be sought, even though the HR consultant has the confidence of the CEO, but maybe not the Exec. Committee.

B. Earthquake Insurance Policy

The policy is due to expire in early February 8, 2022. The cost for the policy with Desert Insurance Solutions (DIS) for last year was \$6826.19. DIS requested that RAP obtain a replacement Earth Quake Quote for this with our new agent so all of our insurance policies are with the same agent. The quote is attached (Attach#3)

Motion: J. Hayes to authorize CEO to proceed with this policy so long as it is not more than 10% increase from current policy. Second: M. Gonda Approved: 7 Opposed: 0 Abstention Name(s): 0

C. Review Resolution 2022.01 (attach. #4) Renewal of Existing Policies and Procedures.

The following Resolutions have been deleted:

- 2014.02 Authorizing the establishment of a new bank account at First Foundation Bank for the benefits of the Senior Inspiration Awards (SIA) luncheon.
- 2015.24 Authorizing the establishment of a new money market bank account at First Foundation Bank for the benefit of the Regional Access Project Foundation.
- 2016.05 Transfer of Investment Funds and Beneficial Interest
- 2016.06 Transfer of Investment Funds and Beneficial Interests
- 2018.04 Amending Authorized signatures required on Bank Accounts – Amending Resolution 2015.23. Replaced in 2019
- 2018.08 Authorizing the Establishment of a New Bank Account at Provident Bank for the Benefits of Lift to Rise - Replaced in 2020
- 2019.02 Amending Authorized Signatures Required on Mechanics Bank Account
- 2020.01 Renewal of Existing Policies and Procedures – Amending Resolution 2021.01
- 2020.03 To address COVID – 19 Impacts

Resolutions included in Resolution 2022.01 have been reviewed by Staff and have been determined as being relevant and correct.

Motion: M. Gonda to approve Resolution 2022.01 Second: M. Moran Approved: 7 Opposed: 0 Abstention Name(s): 0

D. Resolution 2022.02 Organizations Must Be In “Good Standing” In Order To Receive Funding -Resolution of the Regional Access Project (RAP) Foundation, Inc. (Attach. #5)

Governance Committee Recommendation: The Governance Committee will meet on January 18. Staff will provide update.

Motion: M.Moran to direct CEO to advance this to the Grants Committee and return to Executive Committee. Second: M. Gialdini Approved: 7 Opposed: 0 Abstention Name(s): 0

E. Resolution 2022.03 -The Credit Authorized Use and Maintenance Policy for RAP Foundation Funds

(Attach. #6). This Resolution amends Resolution 2019.06 and incorporates changes approved by the Board to authorize the positions included to be authorized users.

***Motion: J. Hayes to remove #1, #4, and #2 and add the word "monthly" Second: M.
Gonda Approved: 7 Opposed: 0 Abstention Name(s): 0***

F. Resolution 2022.04 Amending the Investment Accounts and Restating Signatories (Attach. #7)
This Resolution amends Resolution 2015.03 which included the investment accounts with Desert Community Foundation and Inland Empire Community Foundation previously. Subsequently the RAP Board decided to close those two accounts and only has the one investment account at Well Fargo Investments.

***Motion: J. Hayes to recommend approval as submitted Second: M.
Gonda Approved: 7 Opposed: 0 Abstention Name(s): 0***

G. Decision on Information Technology (IT) Support
The IT 3-year contract with Acorn expired in October and we have continued on a month-to-month basis. Seven entities were reviewed and the two finalists were ACORN and Google Workspace. Due to limited knowledge of Google Workspace, the Executive Committee granted Staff's request to allow until December to provide an opportunity to explore the two options further (Attach. #8)

***Motion: J. Hayes to approve one year contract with ACORN at \$1325/month. Second: A.
Wilson Approved: 7 Opposed: 0 Abstention Name(s): 0
Vice-Chair suggested that IT education be a goal.***

VI. Board Member/Staff Comments

CEO gave update on status of the Mariachi Tuesday project.

SCHEDULE next meeting for Monday February 14, 2022 at 9:00 AM MEETING?

VII. ADJOURNMENT: ***at 10:55***