

Health & Safety Waiver Increases

NLACRC Webinar September , 2016





Health & Safety Waiver Request

Effective July 1, 2016

Effective July 1, 2016, both the City of Los Angeles and the County of Los Angeles passed local ordinances that increase worker minimum wages.



Heath & Safety Waiver Request

Effective July 1, 2016

For Employers with 26 or More Employees	For Employers with 25 or Fewer Employees
<u>July 1, 2016:</u> from \$10.00 per hour to \$10.50 per hour	<u>July 1, 2017:</u> from \$10.00 per hour to \$10.50 per hour
<u>July 1, 2017:</u> from \$10.50 per hour to \$12.00 per hour	<u>July 1, 2018:</u> from \$10.50 per hour to \$12.00 per hour
<u>July 1, 2018:</u> from \$12.00 per hour to \$13.25 per hour	<u>July 1, 2019:</u> from \$12.00 per hour to \$13.25 per hour
<u>July 1, 2019:</u> from \$13.25 per hour to \$14.25 per hour	<u>July 1, 2020:</u> from \$13.25 per hour to \$14.25 per hour
<u>July 1, 2020:</u> from \$14.25 per hour to \$15.00 per hour	<u>July 1, 2021:</u> from \$14.25 per hour to \$15.00 per hour

On July 1, 2022, and annually thereafter, the minimum wage will increase based on the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the Los Angeles metropolitan area (Los Angeles-Riverside-Orange County, CA) which is published by the Bureau of Labor Statistics. The DDA shall announce the adjusted rates on January 1st and publish a bulletin announcing the adjusted rates, which shall take effect on July 1 of each year.



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Which service providers are Eligible to request a Health & Safety Waiver Exemption to comply with local minimum wage ordinances?

The following types of service providers may be eligible to request a health and safety waiver exemption directly from the vendoring regional center to comply with local minimum wage ordinances:

8, 17, 21, 28, 34, 48, 55, 56, 62, 63, 73, 77, 90, 91, 93, 94, 96, 101, 102, 103, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 455, 465, 470, 475, 490, 491, 605, 610, 612, 613, 615, 616, 625, 627, 630, 635, 645, 650, 670, 672, 674, 676, 678, 680, 691, 692, 693, 694, 720, 850, 851, 855, 860, 869, 875, 880, 882, 883, 894, 896, 904, 905, 910, 915, 920, 950, 952, 954



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Which service providers are NOT Eligible to request a Health & Safety Waiver Exemption?

Service providers, as described in Section 1 above, with either (i) a Usual and Customary rate, (ii) a Medi-Cal set rate, (iii) a Schedule of Maximum Allowances set rate, or (iii) for which rates are determined by other entities, including but not limited to, the State Department of Health Care Services, or the State Department of Social Services are not eligible for the Health & Safety Waiver Exemption.



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What are the allowable reasons for a Health & Safety Waiver Exemption?

Welfare and Institutions Code (“WIC”), sections 4648.4(b), 4681.6, 4684.55, 4689.8, 4691.6 and 4691.9 authorizes the Department of Developmental Services (“DDS”) to approve exemptions to rate freezes and other budget control measures to mitigate risks to consumer health and safety.

Due to local minimum wage increases, eligible service providers are eligible to request a Health and Safety Waiver Exemption from the vendoring regional center to comply with local minimum wage increases.



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Who reviews and makes the decision regarding the Health & Safety Waiver Exemption Request?

Service providers shall submit their request for a health and safety waiver exemption request directly to the vendoring regional center.

The regional center will review the request to verify the service provider's information is complete and that the service provider meets eligibility requirements. The regional center will submit all complete and eligible service provider health and safety waiver exemption requests to DDS for review and approval. Statute provides that DDS is responsible for reviewing and making all decisions on all Health & Safety Waiver Exemption requests received from the regional centers on behalf of service providers.



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What documents do I submit for the Health & Safety Waiver Exemption Request?

Service providers shall submit:

- ❖ Health & Safety Tool located in the web page.
- ❖ The file in Excel should be submitted in electronic format.
- ❖ The Summary & Certification needs to be printed, signed and sent as PDF.

You are not required to submit supporting documentation with the Health and Safety waiver exemption request. However you must keep all supporting documentation such as payroll records, workers compensation, unemployment insurance, and the original signed summary & certification which are subject to NLACRC's review and/or audit.



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Where do I find the instructions and documents to submit for the Health & Safety Waiver Exemption Request?

Service providers can find:

Health & Safety Tool located in the web page:

www.nlacrc.org

Click on Service Providers > Announcements & Training.



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Where should Service Providers submit their written request for a Health & Safety Waiver Exemption Requests?

raterequest@nlacrc.org

In the event that you can not submit electronically:

North Los Angeles County Regional Center
15400 Sherman Way, Suite 170
Van Nuys, CA 91406

NLACRC address will change after October 3rd, 2016

9200 Oakdale Ave., Chatsworth, CA. 91311



Health & Safety Waiver Request

Effective July 1, 2016

When must a Service Provider submit their Health & Safety Waiver Exemption request to the regional center to comply with local minimum wage and/or paid sick time ordinances?

For the minimum wage increase/paid sick time increase that was effective on July 1, 2016, NLACRC requests that all eligible service providers submit their Health & Safety Waiver Exemption request to NLACRC no later than **November 29, 2016**. NLACRC will seek approval from DDS of an effective date of July 1st for all health & safety requests submitted by eligible service providers.



Health & Safety Waiver Request

Effective July 1, 2017

When must a Service Provider submit their Health & Safety Waiver Exemption request to the regional center to comply with local minimum wage and/or paid sick time ordinances?

(Cont)

For the minimum wage increase scheduled on July 1, 2017 and annually in July thereafter, NLACRC will accept Health & Safety Waiver Exemption requests from service providers up to ninety (90) days prior to the effective date of the local minimum wage. NLACRC requests that all eligible service providers submit their Health & Safety Waiver Exemption request to comply with local minimum wage ordinances no later than **sixty (60) days** from July 1st, the effective date of the City of Los Angeles or County of Los Angeles minimum wage increase, or by **August 29th of each calendar year.**



Health & Safety Waiver Request

Effective July 1, 2016

When must a Service Provider submit their Health & Safety Waiver Exemption request to the regional center to comply with local minimum wage and/or paid sick time ordinances?

(Cont)

Please be informed that although NLACRC will accept requests for Health & Safety Waiver Exemptions from eligible service providers after the effective date of the local minimum wage and/or paid sick time ordinances, the final decision regarding the effective date of the Health & Safety Waiver Exemption will be determined by DDS.



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What is the timeline for Regional Center's review and submission to DDS?

NLACRC will review the submission within 30 days upon receipt. If the service provider is not eligible or is incomplete, NLACRC will notify the service provider.

If the service provider is eligible for the Health & Safety Waiver Exemption and the information is complete, NLACRC will submit the Health & Safety Waiver Exemption request to DDS within forty-five (45) days after its review.



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This presentation provides you a summary of the process to seek an Health & Safety Waiver Exemption rate increase due to the mandated local minimum wage ordinances. NLACRC encourages you to visit the City of Los Angeles website at: <http://wagesla.lacity.org> or the County of Los Angeles website at: <http://www.lacounty.gov> regarding the local minimum wage ordinances and DDS's website at <http://www.dds.ca.gov> or NLACRC's website at <http://www.nlacrc.org> to obtain additional information regarding the Health & Safety Exemption Waiver process.



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QUESTIONS?

