

**MSEA HAZARD PAY MEMORANDUM OF AGREEMENT  
DEPARTMENT OF HEALTH AND HUMAN SERVICES, June 2020**

In light of the declared civil emergency as a result of the COVID-19 emergency, the Maine Service Employees Association, SEIU Local 1989 (“MSEA”) and the Executive Branch of the State of Maine (“State”) hereby agree as follows:

1. The parties understand that due to the extraordinary circumstances caused by COVID-19 and the potential impact upon certain DHHS employees during this health emergency, additional compensation is in order for time these employees are engaged in certain activities.
2. The parties agree that as a result of this emergency, the below-listed DHHS employees shall receive the hazard pay stipend as described below for each hour of actual work performing the work described below for the duration of the civil emergency as declared by the Governor, or until 7/31/2020, whichever comes first, at which time the hazard pay stipends will cease unless the parties agree otherwise.
3. The hazard pay will be paid based upon the time spent in eligible activities as recorded on the covered employees’ TAMS.
4. The below-listed employees will receive a five dollar (\$5.00) per hour hazard pay stipend while they are actually working and engaged in the eligible activities described below.
5. The parties agree that the hazard pay stipend provided by this agreement will not be paid for any leave time, holiday pay benefit, or any other time the covered employees are not actively engaged in eligible work as described below.
6. In the Office of Aging and Disability Services (“OADS”), the eligible classifications are HS Caseworker, MH & DD Caseworker, HS Casework Supervisor, and Regional Supervisor. Time eligible for hazard pay for these OADS employees is time spent performing actual work in the field with client(s). Travel time is not eligible for hazard pay unless a client is in the vehicle. It is understood by the parties that not all OADS positions in these classifications perform work eligible for the hazard pay.
7. In the Office of Behavioral Health (“OBH”), the eligible classifications are Intensive Case Managers (“ICMs”) and the ICM supervisors (in the classification is Soc. Serv. Spec. II). Time eligible for hazard pay for these OBH employees is time spent performing actual work in the field with client(s), including work at facilities such as jail(s) and homeless shelter(s). Travel time is not eligible for hazard pay unless a client is in the vehicle.

8. In the Division of Licensing and Certification (“DLC”), the eligible classifications are Social Services Program Specialist I, Social Services Program Specialist II, Health Services Consultant, Health Services Consultant II, Health Services Supervisor, Health Facility Surveyor, Social Services Manager I, Quality Assurance Officer, Health Program Manager, and Health Facility Specialist.<sup>1</sup> Time eligible for hazard pay for these DLC employees is time spent performing actual work on-site in nursing homes, hospitals, congregate living facilities, or assisted living facilities, not to include travel time. The parties understand that not all DLC positions in these classifications perform work eligible for the hazard pay.
9. In the Office of Child and Family Services (“OCFS”), the eligible classifications are Child Protective Services Caseworker, Child Protective Services Caseworker Supervisor, Community Care Worker, Social Servs Program Spec. I, Social Servs Program Spec. II, Customer Rep. Assoc. II – HS. Time eligible for hazard pay for these OCFS employees is time spent performing actual work in the field with client(s). Travel time is not eligible for hazard pay unless a client is in the vehicle. The parties understand that not all OCFS positions in these classifications perform work eligible for the hazard pay, and that Customer Rep. Assoc. II --HS’s may spend a very limited amount of time engaged in covered activities, if at all.

Seen and agreed:

Breana D. Bissell      7/7/2020  
 Breana Bissell, Director      date  
 Bureau of Human Resources

/s/Tom Feeley  
 Tom Feeley      date  
 General Counsel, MSEA, SEIU Local 1989

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<sup>1</sup> Because DLC Health Facility Specialist Tony Ngyuen was inadvertently omitted from the Hazard Pay MOA signed 5/20/20, he shall receive retroactive payment to 3/29 for time he spent actually working performing work described in paragraph 8 above. The determination of the hours eligible for the retroactive payment will be calculated by his supervisor/program administrator/ similarly situated person in the chain of command, based upon agency records. Ngyuen will have the opportunity to review the calculation and provide the supervisor/PA/similarly situated person with any additional information prior to the calculation being submitted to payroll.