

MEMORANDUM OF UNDERSTANDING  
Between  
WASHINGTON COUNTY  
And  
AMERICAN FEDERATION OF STATE,  
COUNTY AND MUNICIPAL EMPLOYEES

Washington County (“County”) and the American Federation of State, County, and Municipal Employees (“Union”) are parties to a collective bargaining agreement (CBA) which has been extended through June 30, 2021.

It is the County’s position that the provisions of County Policy T-315, Covid-19 Risk and Protection Framework, Section 2) Covid-19 Vaccinations, applies to employees receiving vaccination incentive pay since the County has determined that it is inappropriate to pay overtime to any employees for time spent receiving the Covid-19 vaccine during their regularly scheduled work time; and

The County acknowledges that misrepresentations may have been made regarding the allowance of overtime pay for Union employees utilizing the County’s Covid-19 Vaccinations incentive on January 18, 2021; and

The County and Union have entered into this Memorandum of Understanding (MOU) on the date below for the purpose of effecting a one-time, non-precedent setting, settlement agreement related to the recent County overtime payment allowed for employees receiving the Covid-19 Vaccinations on January 18, 2021; and

In consideration of the mutual benefit to each of the parties, the County and Union agree as follows:

1. County and Union agree that the provisions of County Policy T-315 Covid-19 Risk and Protection Framework Policy, Section 2 - Covid-19 Vaccinations, was not applied appropriately to the Union vaccination events that occurred on Monday, January 18, 2021.
2. County and Union agree that the no overtime provisions in Section 2 of the County Policy T-315, Covid-19 Risk and Protection Framework, apply to AFSCME represented employees.
3. Based on certain mistaken representations, the County and Union agree in good faith to the following on a one-time basis which Union agrees shall not be raised as or relied upon as establishing any future precedent:
  - Some Union employees working in the Community Corrections Center and may have received overtime pay for two hours worked, if they were scheduled and received their Covid-19 vaccine on Monday, January 18, 2021 and worked an additional 80 hours within the pay period.

- County and Union agree that County will not contest or seek to recover any overtime payments made to Union employees as a result of the misapplication of County Policy T-315 Covid-19 Risk and Protection Framework Policy on January 18, 2021.
4. County and Union agree that for any future instances of employees utilizing the Covid-19 Vaccination incentive, the use of the incentive time off and pay will not be counted as time worked and included in calculating overtime pay for all employees, including all Union employees.

Agreed on this \_\_ day of March, 2021.

WASHINGTON COUNTY

AMERICAN FEDERATION OF STATE,  
COUNTY AND MUNICIPAL  
EMPLOYEES

//Signature on file 3/29/2021//  
By Deputy Administrative Officer

//Signature on file 3/24/2021//  
By Union President