

State Disability and Paid Family Leave Benefits for Management, Confidential and Unrepresented Employees

Legislative/Human Resources Committee

December 12, 2017

SDI and PFL



- California State Disability Insurance (SDI) and Paid Family Leave (PFL) are partial wage replacement programs paid by employees through payroll deductions
- Elective coverage for EBMUD
- Management can determine if unrepresented groups can participate

- **SDI and PFL Benefits**

- Seven calendar day waiting period
- Benefits are approximately 60% of pay
- District allows coordination of sick leave/vacation/comp time with SDI and PFL

- **District Short Term Disability Leave (STDLE)**

- Must exhaust all available sick leave first
- Pays 60% of wages due to personal illness or injury for up to 6 months of leave
- Does not include PFL benefits

SDI and PFL



- Locals 39, 444, and 2019 participate in SDI and PFL
- Management, Confidential and Local 21 declined to participate in the past
 - They are covered by District STDL

SDI and PFL



- Some Management, Confidential and Unrepresented employees are interested in participation in SDI and PFL
- Some members of Local 21 have expressed interest in joining SDI and PFL
- Employment Development Department (EDD) confirmed that employees in Management, Confidential and Unrepresented groups may be added for SDI and PFL coverage
- Local 21 members must vote on participation

Next Steps



- Resolution of the Board
- File an application with EDD. Application approval process takes 3-4 weeks
- Once approved, employees have a 7-day window to opt out of participation in SDI and PFL
- Option to opt out is irrevocable throughout the employee's employment with the District unless the employee moves to a position represented by Locals 39, 444 or 2019

Next Steps



- Employees who opt out of SDI and PFL will remain eligible for District's STDL
- Newly hired employees will have an opportunity to opt out at time of hire

Questions



Regulation of Cannabis Facilities

Planning Committee

December 12, 2017



Agenda



- **Cannabis Law Overview**
- **Initial Wastewater Discharge Concerns**
- **Wastewater Permit Requirements and Best Management Practices**
- **Wastewater Treatment Rates**
- **Summary and Next Steps**

Cannabis Law Overview



Proposition 64, *Adult Use of Marijuana Act*, passed November 8, 2016

- Allows recreational use and commercial production of cannabis in California beginning January 1, 2018
 - Compassionate Care Act (1996), previously allowed cannabis consumption for medical purposes
- Cities are revising local ordinances to clarify rules for commercial cannabis in their jurisdictions
- Commercial cannabis business categories include:
 - Cultivation
 - Manufacturing
 - Dispensary (Retail)



Status of Cannabis Law by City or County before Prop. 64



City	Primary Business Categories Allowed by City		
	Cultivation	Manufacturing	Dispensary (Retail)
Alameda	X	X	X
Albany	X	X	X
Berkeley	X	O	O
El Cerrito	X	X	X
Emeryville	X	X	X
Kensington (Contra Costa County)	X	X	X
Oakland	X	X	O
Piedmont	X	X	X
Richmond*	X	X	X

**Richmond Annex has not been zoned for commercial cannabis.*

O Legal under City or County Ordinance

X Not legal under City or County Ordinance

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Initial Wastewater Discharge Concerns from Cannabis Operations



Contaminant	Source	Concern
Nutrients	Cultivation	Potential for high levels of nitrates, nitrogen, and phosphorous, while concerns are mounting regarding nutrients in SF Bay
Pesticides, Fungicides, and Herbicides	Cultivation	Could cause plant upset, pass-through, or effluent toxicity
Solvents	Manufacturing - Extraction	Hexane and alcohols are highly flammable
Fats, Oils, and Grease	Manufacturing - Edibles	Fats, oils, and grease - clog sewer pipes, cause Sanitary Sewer Overflows

Cannabis Permit Categories



- Categories requiring wastewater permits:
 - Cultivation
 - Manufacturing – Edibles
 - Manufacturing - Extraction
- Permits not required:
 - Dispensaries (Retail)
 - Testing Labs
 - Cannabis delivery services
 - Cottage cultivation (cultivation less than 500 sqft of plant canopy)



Wastewater Discharge Permit Types



Business Category	Permit Type	Permit Descriptions
Cultivation ≥10,000 sqft OR ≥25,000 gals/day OR local concern	Industrial Wastewater Discharge Permit	<ul style="list-style-type: none"> • Issued to industries that discharge pollutants of local concern, high flow and/or high strength • Contains specific requirements, often including limits on pollutants • Monitoring and testing will be required
Manufacturing Extraction Depends on operations		
Cultivation <10,000 sqft AND <25,000 gals/day	Pollution Prevention (P2) Permit	<ul style="list-style-type: none"> • Requirements to reduce the discharge of pollutants in wastewater from commercial businesses of local concern • Contains Best Management Practices (BMPs) but no discharge limits • Monitoring and testing may be required
Manufacturing Extraction Depends on operations		
Manufacturing Edibles		

Best Management Practice Examples



Business Category	Example BMPs
Cultivation	<ul style="list-style-type: none">• Proper storage, handling and disposal of pesticides, herbicides and fungicides• Minimize water waste, implement water recycling/reuse when applicable
Manufacturing Extraction	<ul style="list-style-type: none">• Closed loop systems• Chemicals are labeled and are in appropriate containers• Chemical spill kits• Proper storage, and handling and disposal of chemicals
Manufacturing Edibles	<ul style="list-style-type: none">• Installation of grease control devices• Collection and proper disposal of fats, oils and grease

Wastewater Treatment Rates by Cannabis Business Category



Business Category	Wastewater Permit Fee	Wastewater Treatment Rate	San Francisco Bay Pollution Prevention Rate
Cultivation ≥10,000sqft OR ≥25,000 gals/day OR local concern	\$2,580/yr. + Monitoring/ Testing	BCC 0100 Agriculture OR Dependent on wastewater strength	\$5.48/mo. applied to all commercial accounts regardless of operations
Cultivation <10,000sqft AND <25,000 gals/day	No Permit Fee	BCC 0100 Agriculture Rate = \$2.59/Ccf	
Manufacturing - Extraction <i>If Wastewater Discharge Permit</i>	\$2,580/yr. + Monitoring/ Testing	BCC 2830 Drug Manufacturing OR Dependent on wastewater strength	
Manufacturing - Extraction <i>If P2 Permit</i>	No permit Fee	BCC 2830 Drug Manufacturing Rate = \$2.66/Ccf	
Manufacturing - Edibles	No permit Fee	BCC 2050 Bakeries Rate = \$8.40/Ccf	

Summary and Next Steps



- Staff will remain in contact with city officials as they formalize and begin to implement local cannabis laws
 - For Alameda, Berkeley, Emeryville, and Oakland, District staff will finalize process to require completion of the District’s wastewater discharge permit application as a prerequisite for completing the city’s licensing process
- Staff is finalizing wastewater discharge permit terms and conditions, monitoring and testing requirements, and BMPs
- Staff will also provide info on water efficiency for cannabis cultivators