

RESOLUTION NO. 20-12

**A RESOLUTION TO ADD PART XXI – CONTAGIOUS CONDITION POLICY TO THE PERSONNEL POLICIES; TO CREATE A NEW POLICY FOR FLU PANDEMICS OR SIMILAR ILLNESSES; TO PROVIDE FOR REPEAL OF CONFLICTING RESOLUTIONS; TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.**

**WHEREAS**, the duly elected governing authority of the City of Hampton, Georgia is the Mayor and Council thereof; and

**WHEREAS**, the City employs a workforce that must adhere to the Personnel Policies which provide various policies regarding employment with the City; and

**WHEREAS**, it has been determined that the City is in need of a policy regarding the staff's response to pandemic or of flu-like illnesses like the one experienced during COVID-19; and

**WHEREAS**, the Mayor and Council desires to amend the Personnel Policies to add Part XXI to include the Contagious Condition; and

**WHEREAS**, the attached policy (**Exhibit "A"**), incorporated by reference, shall be added to the Personnel Policy at Part XXI and take effect immediately.

**BE IT AND IT IS HEREBY RESOLVED** by the Mayor and Council of the City of Hampton, Georgia, that the Personnel Policy be amended to add the attached Policy as adopted and for it to be effective immediately.

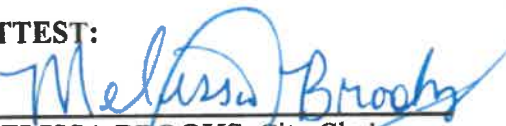
SO RESOLVED, this 12th day of May, 2020.

CITY OF HAMPTON, GEORGIA



STEVE HUTCHISON, Mayor

ATTEST:



MELISSA BROOKS, City Clerk

APPROVED AS TO FORM:



L'ERIN BARNES WIGGINS, City Attorney



## CITY OF HAMPTON POLICY AND PROCEDURE MANUAL UPDATE

Effective thru December 31, 2020

### **Introduction:**

The City strives to provide a safe and healthy workplace for all employees. This policy outlines our overall response to a pandemic flu outbreak or similar illness.

This policy outlines specific steps the City takes to safeguard employees' health and well-being during a flu pandemic, or similar illness, while ensuring the City's ability to maintain essential operations and continue providing essential services to our citizens. In addition, it provides guidance on how we intend to respond to specific operational and human resource issues in the event of a pandemic.

### **Section A-11 Contagious Symptoms and Contagious Condition**

Sick employees who report to work with Contagious Symptoms and/or a Contagious Condition, as those terms are defined in this Section, may significantly impact City operations due to the potential for spreading sickness, diminished productivity, and lack of quality or attention to safety.

Employees must consider options and practices that will reduce the risk of contracting a contagious condition or passing on a contagious condition by observing healthy practices such as: receiving flu vaccinations, covering their noses or mouths when coughing or sneezing, washing or sanitizing their hands, using sanitizers on common work areas, and other health practices that are designed to reduce infection and the spread of disease. Employees should also refrain from reporting to work with Contagious Symptoms and/or a Contagious Condition, so as not to spread a condition or disease.

In the interest of maintaining a safe and healthy workplace, the City may require persons with Contagious Symptoms and/or a Contagious Condition not to report to work and/or may send employees with Contagious Symptoms and/or a Contagious Condition home.

#### **(a) Contagious Symptoms and/or Condition**

For purposes of this Section, Contagious Symptoms and/or a Contagious Condition exist when:

- (1) An employee exhibits influenza-related symptoms (e.g., fever, vomiting, diarrhea, headache, cough, sore throat, runny or stuffy nose, muscle aches) or other symptoms, described by a public health organization as indicative of other contagion, such as Coronavirus, SARS, swine flu, H1N1, etc.; and/or

(c) Absence Due to Contagious Symptoms or Conditions through December 31, 2020.

The federal government has recently passed new employment provisions that affect how absences are treated due to Contagious Symptoms or Conditions. The Families First Coronavirus Response Act (FFCRA) includes the following provisions: the Emergency Family Medical Leave Expansion Act (EFMLEA), the Emergency Paid Sick Leave Act (EPSLA), and the Emergency Unemployment Insurance Stabilization and Access Act of 2020 (EUISAA).

1. Emergency Family Medical Leave Act (EFMLEA)

EFMLEA adds a new category of leave to FMLA. This leave is for employees who have to take care of their children (including stepchildren) because the children's schools or childcare providers are closed because of the COVID-19 outbreak. The law applies to all employees who have been employed for 30 days or more, and it applies to all government employers.

Employees can take up to 12 weeks of leave. The first two weeks are unpaid, but the final ten weeks are paid. Employees will not be paid their normal compensation. The employee receives two-thirds of their regular rate, up to \$200 a day and \$10,000 in total.

Employees have to provide notification of their intent to take leave "if practicable." The employee will be returned, when the leave is over, to the same or a similar position with the same compensation and benefits. If the same or a similar position no longer exists due to economic conditions, then the employer is obligated to contact the employee about returning to work if such a position becomes available in the 12 months after the employee's leave ended.

2. Emergency Paid Sick Leave Act (EPSLA)

EPSLA is new law that provides 80 hours of sick leave for employees who have COVID-19, are isolated/quarantined by government order or a health care provider's direction. Employees can also use the leave to care for other family members affected by COVID-19 or to care for their children who are out of school (similar to EFMLEA).

The law does not have a definite start date, but it must go into effect by April 2, 2020. It ends on December 31, 2020. It applies to all employees, regardless of the length of employment. Employees must use this leave before using any other form of leave. This leave is not added to the employee's current sick leave balance; it is a special form of leave that does not have to be credited to a retiring or resigning employee.



### City of Hampton Policy Acknowledgement

The acknowledge that I have been presented with the new policy on Contagious Symptoms and Contagious Conditions and I fully acknowledge that I am to follow the provisions as outlined. I will contact my immediate supervisor or Human Resources if I should have any questions about any part of the policy presented today.

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Signature

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Printed Signature

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Date