

RESOLUTION 2020-06

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF WARRICK COUNTY, INDIANA, ESTABLISHING
CERTAIN EMPLOYMENT POLICIES DURING EMERGENCY**

WHEREAS, the Board of Commissioners of Warrick County passed and adopted Resolution 2020-03 at an emergency meeting held on March 18, 2020;

WHEREAS, the Board of Commissioners of Warrick County passed and adopted Restated Resolution 2020-03 at an emergency meeting held on March 20, 2020, which fully restated and replaced Resolution 2020-03;

WHEREAS, the Board of Commissioners of Warrick County passed and adopted Resolution 2020-04 at an emergency meeting held on March 30, 2020, which fully replaced and superseded certain provisions of Restated Resolution 2020-03, with all other provisions of Restated Resolution 2020-03 unaddressed by Resolution 2020-04 remaining in full effect;

WHEREAS, the Board of Commissioners of Warrick County passed and adopted Resolution 2020-05 at an emergency meeting held on April 6, 2020, which fully replaced and superseded those certain provisions of Restated Resolution 2020-03 that were unaddressed by Resolution 2020-04;

WHEREAS, the Board of Commissioners of Warrick County desire to replace and supersede certain provisions of Resolution 2020-04, with all other provisions of Resolution 2020-04 unaddressed by this Resolution 2020-06 remaining superseded by Resolution 2020-05;

WHEREAS, on March 18, 2020, the 116th Congress of the United States of America enacted the Families First Coronavirus Response Act (“FFCRA”), which provides for expanded family and medical leave and emergency paid sick leave to employees for specified reasons related to the novel Coronavirus Disease 2019 (“COVID-19”) with such leave provisions applying to leave taken on or after April 1, 2020 through December 31, 2020;

WHEREAS, certain steps need to be taken under these extraordinary circumstances to protect the health and safety of employees of Warrick County during the emergency while at the same time avoiding disruption of essential County government services to which the citizens of Warrick County are entitled to continue receiving during the COVID-19 public health emergency; and

WHEREAS, the Board of Commissioners of Warrick County desires to incorporate those provisions of the FFCRA relating to the provision of expanded family and medical leave to employees of Warrick County for specified reasons related to COVID-19.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Warrick County, Indiana, that, through December 31, 2020, the following constitutes the policy of Emergency Leave benefits available to eligible employees of Warrick County in accordance with the Family First Coronavirus Response Act, as amended, and that if any policies and procedures of the Warrick County Employee Handbook conflict with this Emergency Leave policy, then this policy shall control until such time as this policy terminates, which shall be 12:00 a.m. on January 1, 2021:

From April 1, 2020 through December 31, 2020, Warrick County shall provide to each employee of Warrick County paid sick time to the extent that the employee is unable to work (or telework) due to a need for leave because:

- (1) The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- (2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- (3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
- (4) The employee is caring for an individual who is subject to an order as described in subparagraph (1) or has been advised as described in subparagraph (2);
- (5) The employee is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the childcare provider of such son or daughter is unavailable due to COVID-19 precautions;
- (6) The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

A full-time employee of Warrick County who meets any of the criteria provided in subsections (1), (2), (3), (4), or (6) above, is eligible for up to eighty (80) hours of leave, and a part-time employee of Warrick county who meets any of said exceptions is eligible for the number of hours of leave that the employee works on average over a two (2) week period.

A full-time employee of Warrick County who meets the criterion provided in subsection (5) is eligible for up to twelve (12) weeks of leave at forty (40) hours per week, and a part-time employee of Warrick County who meets said exception is eligible for leave for the number of hours that the employee is normally scheduled to work over a twelve (12) week period.

An employee of Warrick County who takes leave due to meeting any of the criteria provided in subsections (1), (2), or (3), above, shall be paid at either the employee's regular rate of pay or the applicable minimum wage, whichever is higher, up to Five Hundred Eleven and 00/100 Dollars (\$511.00) per day and Five Thousand One

Hundred Ten and 00/100 Dollars (\$5,110.00) in the aggregate over the two (2) week period.

An employee of Warrick County who takes leave due to meeting either of the criteria provided in subsections (4) or (6), above, shall be paid at two-thirds ($\frac{2}{3}$) of the employee's regular rate of pay or two-thirds ($\frac{2}{3}$) of the applicable minimum wage, whichever is higher, up to Two Hundred and 00/100 Dollars (\$200.00) per day and Two Thousand and 00/100 Dollars (\$2,000.00) in the aggregate over the two (2) week period.

An employee of Warrick County who takes leave due to meeting the criterion provided in subsection (5), above, shall be paid at two-thirds ($\frac{2}{3}$) of the employee's regular rate of pay or two-thirds ($\frac{2}{3}$) of the applicable minimum wage, whichever is higher, up to Two Hundred and 00/100 Dollars (\$200.00) per day and Twelve Thousand and 00/100 Dollars (\$12,000.00) in the aggregate over the twelve (12) week period. Notwithstanding the foregoing, the compensation of an employee who takes twelve (12) weeks of paid leave pursuant to this paragraph shall be structured such that the first two (2) weeks of such leave shall constitute paid sick leave and the remaining ten (10) weeks shall be comprised of paid expanded family and medical leave.

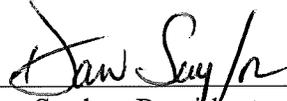
Prior to an employee of Warrick County who meets any of the criteria provided in subsections (1) through (6), above, receiving any leave under this Resolution, said employee is required to email such request for leave to the Warrick County Human Resources Manager and provide any supporting information and/or documentation that may be requested.

The above Emergency Leave benefits shall be available to an employee of Warrick County who meets any of the criteria provided in subsections (1) through (6), above, beginning on April 1, 2020 through December 31, 2020.

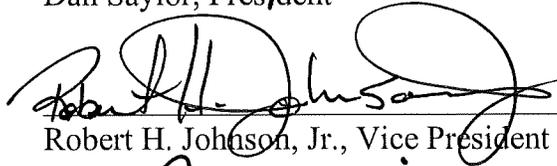
In the event of any conflict between this Resolution and applicable law, then the applicable law shall apply.

The above Resolution is passed and adopted by the Board of Commissioners of Warrick County, Indiana, this 27th day of April, 2020.

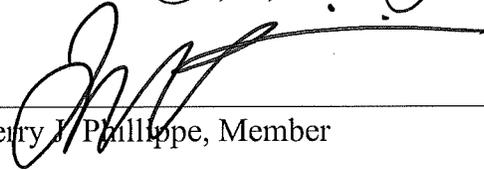
BOARD OF COMMISSIONERS
OF WARRICK COUNTY, INDIANA



Dan Saylor, President



Robert H. Johnson, Jr., Vice President



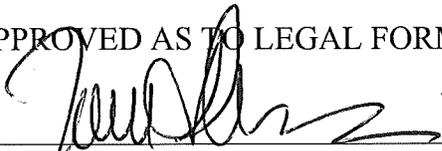
Terry J. Phillippe, Member

ATTEST:



Deborah K. Stevens, Auditor
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:



Todd I. Glass, Esq.
Warrick County Attorney