



CITY OF PATASKALA

RESOLUTION 2021-009

Passed February 1, 2021

A RESOLUTION CREATING, ESTABLISHING, AND ADOPTING A COVID-19 EMPLOYEE PAID LEAVE POLICY FOR THE CITY OF PATASKALA

WHEREAS, the City of Pataskala provides certain designated leave benefits for its employees, including but not limited to paid sick leave and family and medical leave; and

WHEREAS, due to the onset of the global COVID-19 pandemic, federal legislation was enacted under the Families First Coronavirus Response Act (“FFCRA”) requiring certain employers, including the City, to provide employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19; and

WHEREAS, the FFCRA’s paid sick leave and expanded family and medical leave requirements expired on December 31, 2020; and

WHEREAS, given the recently-expired leave requirements established by the FFCRA, and in light of the ongoing pandemic, the City Administrator and the City’s labor counsel have collaborated to create a recommended COVID-19 Employee Paid Leave Policy for the City; and

WHEREAS, Council for the City of Pataskala has reviewed and desires to create, establish, and adopt the recommended COVID-19 Employee Paid Leave Policy.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:

Section 1: In light of the continuing global COVID-19 pandemic and the continued State of Emergency declared by the Governor of the State of Ohio, as well as the expiration on December 31, 2020 of the Families First Coronavirus Response Act (“FFCRA”), the City Council for the City of Pataskala has passed the following policy for all employees.

Section 2: Effective immediately and retroactive to January 1, 2021, and until subsequently revoked by the City Council, any employee may apply for administrative leave with pay if they require an absence from work because the employee (1) is subject to a Federal, State, or local

quarantine or isolation order related to COVID-19; (2) has been advised by a health care provider to self-quarantine related to COVID-19; (3) is experiencing COVID-19 symptoms and is seeking a medical diagnosis; or (4) is caring for an individual subject to an order described in (1) or self-quarantine as described in (2). The application shall be made to the City Administrator or his designee, and the employee applicant shall provide all information additionally requested by the City Administrator or his designee. Although application of FFCRA leave is not being extended by the City Council, the City Administrator or his designee shall use the United States Department of Labor regulations which implemented the FFCRA as a guide in reviewing the employee's application for leave taken pursuant to this policy.

Section 3: The amount of administrative leave with pay available per employee is capped at eighty hours minus the number of hours the particular employee previously used, if any, under the FFCRA during the period of April 1, 2020 through December 31, 2020.

Section 4: The decision of the City Administrator or his designee will be made on a case by case basis, and it will take into account the prior actions of the employee, including whether the employee's actions were in violation of the Centers for Disease Control and Prevention and/or Ohio Department of Health orders or guidance.

Section 5: If the application for paid administrative leave is denied, employees may alternatively apply for the use of any accrued paid sick leave, and if accrued paid sick leave is unavailable, the employee may apply for use of accrued paid vacation leave, compensatory leave, personal leave, etc., in no particular order.

Section 6: Application of this policy to employees who are a member of a bargaining unit is contingent upon an agreement being reached with the exclusive representative of the bargaining unit.

Section 7: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section 8: This Resolution shall take effect at the earliest time allowed by the Charter of the City of Pataskala.

ATTEST:


Kathy M. Hoskinson, Clerk of Council


Michael W. Compton, Mayor

APPROVED AS TO FORM:

Brian M. Zets

Brian M. Zets, Law Director

