

## CITY OF NEW CASTLE POLICY

<b>Chapter:</b>	<b>Health and Safety</b>
<b>Subject:</b>	<b>COVID-19 Emergency Paid Leave Policy</b>
<b>Policy:</b>	<b>6.2</b>
<b>Issue Date:</b>	<b>March 2020</b>
<b>Revision Date:</b>	<b>March 30,2020</b>
<b>Authorized by:</b>	<b>Board of Public Works and Safety</b>

### **The City of New Castle COVID-19 Employee and Operations Policy**

The City of New Castle continues to place the highest priority on the health, safety and wellbeing of the community AND its employees, while protecting the continuity of essential City functions. Above all else, however, we **MUST** keep health care up and running in our community.

Effective April 2, 2020, and extending until December 31,2020, City of New Castle's workplace policies are being enhanced for certain specified employees under the City's Personnel Policy Handbook, regardless of current length of employment, due to the recent enactment of federal laws providing additional employee benefits. These policies will be revisited regularly, and are subject to change. Employees should continue to check with their Department Head / HR for updates.

The policies below do not apply to emergency responders.

#### **Emergency Family and Medical Leave**

Any individual employed by The City of New Castle for at least 30 days (before the first day of leave) may take up to 12 weeks of job-protected leave to allow an employee, who is unable to work or telework, to care for the employee's child (under 18 years of age) if the child's school or place of care is closed or the childcare provider is unavailable due to a public health emergency. While on emergency leave under this Section, the employee shall be entitled to compensation and other benefits as provided under the Emergency Family Medical Leave Act.

If an employee wishes to take leave pursuant to the Emergency Family and Medical Leave Act, the employee must complete the Emergency Leave Form, if applicable, and return the form to HR or the employee's Department Head.

#### **Emergency Paid Sick Leave**

Our primary goal is to keep operating as normal as possible for as long as possible. The public sector plays a critical role in the community. **YOU** play a critical role in the community. Employees who are **able and healthy** are expected at work as scheduled.

An eligible employee, as defined under the Emergency Paid Sick Leave Act, may take paid leave because the employee is:

1. subject to a federal, state or local quarantine or isolation order related to COVID-19;
2. advised by a health care provider to self-quarantine due to COVID-19 concerns;

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3. experiencing COVID-19 symptoms and seeking medical diagnosis;
4. caring for an individual subject to a federal, state or local quarantine or isolation order or advised by a health care provider to self-quarantine due to COVID-19 concerns;
5. caring for the employee's child if the child's school or place of care is closed or the child's care provider is unavailable due to public health emergency; or
6. 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.

Employees must have an **Emergency Leave Form** signed by their Department Head on file with Human Resources / Payroll to receive benefits under this policy. An employee, who knowingly provides false or misleading information in connection with a request for leave under this Section, may be subject to disciplinary action up to, and including, termination.

An employee who receives Emergency Paid Sick Leave shall be entitled to receive pay during the period of leave in accordance with the Emergency Paid Sick Leave Act. Following the expiration of any period of leave pursuant to the Emergency Paid Sick Leave Act, an employee that remains unable to work as a result of any of the events or circumstances listed above may be eligible for additional paid or unpaid leave in accordance with the applicable Collective Bargaining Agreement, the FMLA and other policies of the City of New Castle.

If an employee on Emergency Paid Sick Leave under this Section has a change in status and the event or circumstances change such that an employee no longer qualifies for Emergency Paid Sick Leave, he or she shall return to work as scheduled.

**Modifications to Normal Operations**

While the primary goal is to keep operating as normal as possible for as long as possible, there may be situations in which modifications to department operations or service offerings must take place. Departments should immediately enact social distancing practices (separation of at least six feet) where possible. This may lead to limits on public interactions with your department. Please balance these considerations with the goal of ensuring continuity of operations.

Employees at increased risk for complications from COVID-19 due to diagnosed health conditions and whose job function requires **\*close contact**, but who are otherwise able and healthy, may request temporary modifications to their job in coordination with their Department Head. This may include a temporary change in job location, modifications of work assignment or duties, or

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implementation of additional protective measures to reduce exposure to others or chances of being infected.

Except for employees who formally request a change in job circumstances due to underlying health conditions, employees will generally not be reassigned to new duties, locations, or roles or be provided with paid sick/release time solely to address concerns about the potential for COVID-19 infection.

If recommended social distancing measures are insufficient, departments may need to consider further reductions in physical proximity to the public, up to and including closing offices to the general public to reduce further spread of COVID-19. Departments should ensure that the public is informed of alternate methods of conducting business with the department and if no alternate methods exist, may need to consider temporary modifications of processes, procedures, rules, and deadlines. Departments may also need to consider alternate methods of conducting business due to a lack of available employees. To increase employee availability, departments may need to permit flexible work hours or permitting remote work where feasible and manageable.

In the event that neither recommended social distancing measures, nor any additional enhanced measures taken by Departments are sufficient to reduce the risk of spread of COVID-19, or if recommendations or directives of the Henry County Health Department or Governor of Indiana require that certain employees not be present at work, of the City of New Castle may take other measures, including directing non-essential employees to not report to work. In the event a non-essential employee (as determined by the employee's Department Head) is directed not to report to work and the employee is unable to work remotely, the non -essential employee will be placed on Emergency Paid Sick Leave, as if he or she qualifies for leave under paragraph six (6) and shall be entitled to paid leave as an employee qualifying under such section. Essential Personnel named in a Department's Continuity of Operations Plan, who must report to work during the existence of this public health emergency, may be eligible for **additional benefits yet to be determined**.

**Symptoms of COVID-19**

According to the Centers for Disease Control and Prevention, symptoms of COVID-19 include a fever, cough, and/or shortness of breath. A fever is defined as a body temperature of 100.4 degrees Fahrenheit taken by an oral thermometer. Temperature should be measured without the use of a fever-reducing medicine that contains ibuprofen or acetaminophen.

An employee who develops ANY COVID-19 symptom should not report to work, should promptly call a physician for further direction and if possible, should notify promptly notify his or her

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supervisor or Department Head. Employees with symptoms should not go directly to a doctor, a clinic, or hospital without first calling a medical professional for guidance.

**This policy is subject to modification by The City of New Castle. Changes to this policy will be communicated to employees as promptly as possible. To the extent anything in this policy conflicts with federal law, the federal law will be controlling. Nothing in this policy should be construed or interpreted to otherwise restrict the rights of management of the City of New Castle under any applicable Collective Bargaining Agreement or as otherwise provided by law.**

*\*The Centers for Disease Control defines **close contact** as a) being within approximately 6 feet of a COVID-19 case for a prolonged period of time; close contact can occur while caring for, living with, visiting, or sharing a healthcare waiting area or room with a COVID-19 case or b) having direct contact with infectious secretions of a COVID-19 case (e.g., being coughed on).*