

ORDINANCE NO. 04-06-20-B

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF
HAMILTON COUNTY DECLARING SECOND EMERGENCY
CLOSING OF COUNTY OPERATED FACILITIES

WHEREAS, the Governor of the State of Indiana has extended a health emergency arising out of the COVID-19 virus; and,

WHEREAS, the Board of Commissioners of Hamilton County are desirous of passing an Ordinance to comply with the terms and conditions of the Order of the Governor of the State of Indiana.

IT IS THEREBY ORDAINED by the Board of Commissioners of Hamilton County as follows:

1. Pursuant to Section 5.2 of the Hamilton County Employee Handbook, the Board of Commissioners of Hamilton County declare a Second Emergency Closing and extend the order that all Hamilton County offices closed to the public beginning at 4:30 p.m., on the 6th day of April, 2020 through the 17th day of April, 2020.

2. During the Second Emergency Closing, all full time employees shall be paid based upon their normal number of scheduled hours, multiplied by their hourly rate of pay. Employees whose pay is calculated by means other than hourly, shall be paid their full rate of pay during the Second Emergency Closing. However, beginning April 7, 2020, all directors or elected officials shall require all employees who are not excused from their employment under Section 4 below, to either report to work to perform their assigned duties, or perform their job duties at home.

3. Directors and elected officials may temporarily deviate from the requirement in Section 2 above, if the employees do not have adequate space for proper separation from other employees, or other reasonable health safety concerns. If the director or elected official has no, or inadequate, work for the employee to perform, or the employees cannot work safely within the department, the director or elected official shall provide the employee's name and skills to the Human Resource Department by the end of

business on April 8, 2020, to determine if the employee can perform tasks safely in other County departments.

4. All employees not included in Section 3 or 5, shall be required to report to work at the time, and perform services directed by their director and/or elected official. Any overtime worked during the Emergency period shall be compensated pursuant to the Fair Labor Standards Act.

5. Employees meeting the following criteria during the Emergency Closing shall be excused from work and paid their normal rate of pay:

- a. To comply with employer directive to leave work as a result of a temperature of 100.4 degrees Fahrenheit or higher or other at-risk factors as determined by the employer related to COVID-19; or
- b. If an employee is subject to a federal, state or local quarantine or isolation order related to COVID-19; or
- c. An employee is advised by a health care provider to self-quarantine due to COVID-19 concerns; or
- d. An employee is experiencing COVID-19 symptoms and seeking medical diagnosis; or
- e. To care 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; or
- f. To care for the employee's child under eighteen (18) years old if the child's school or place of care has been closed or the child's care provider is unavailable due to public health emergency, or to care for a disabled child more than eighteen (18) years old; or
- g. An 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; or
- h. A member of an employee's household or immediate family* is presenting or experiencing symptoms of COVID-19; or
- i. An employee or member of an employee's household or immediate family* has tested positive for COVID-19; or

- j. An employee or member of an employee's household or immediate family* work(s) or goes to school with someone who has tested positive for COVID-19; or
- k. An employee or member of an employee's household or immediate family* has been informed by a public health agency that they have been exposed to another person who has tested positive for COVID-19; or
- l. An employee or member of an employee's household or immediate family* recently returned from a foreign country that has received a CDC Level 3 Travel Health Notice; or
- m. An employee has an elevated health risk due to pregnancy, age (over 60), compromised immune system or chronic disease and has been advised by a health care provider to self-quarantine.

6. Requests for leave under Section 5 of this Ordinance shall be on a signed COVID-19 Leave Affidavit form as provided by the Payroll Department of the Auditor's Office. All forms must be returned to the elected official/director for approval; forwarded to the Payroll Department of the Auditor's Office on the bi-weekly payroll voucher; and copied to the Human Resources Department upon completion.

7. During the Emergency Closing, eligible part-time employees shall be compensated for hours worked during the Emergency or hours authorized for part-time employees under the FFCRA, as adopted in Ordinance No. 04-06-20-C.

8. The Emergency Closing declared in this Ordinance is effective at 4:30 p.m., on April 6, 2020, through April 17, 2020, and may be extended by the Board of Commissioners of Hamilton County in its sole discretion.

ALL OF WHICH IS ORDAINED by the Board of Commissioners of Hamilton County this 6th day of

April, 2020.

BOARD OF COMMISSIONERS
OF HAMILTON COUNTY

Christine Altman

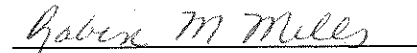


Mark E. Hairbrandt



Steven C. Dillinger

ATTEST:



Robin M. Mills, Auditor