

RESOLUTION 2020—008

A RESOLUTION REQUIRING CERTAIN COUNTY CONTINUITY OF SERVICES AND EMPLOYEES TO WORK REMOTELY DURING DECLARED EMERGENCY

- WHEREAS, the President of the United States has declared a national emergency for the same; and
- WHEREAS, the Governor of Indiana has declared a public health emergency for Coronavirus Disease 2019 Outbreak ("COVID-19") pursuant to I.c. 10-14-3-12; and
- WHEREAS, it is imperative to allow certain county employees to work remotely in an effort to curtail the community spread of COVID-19; and
- WHEREAS, it is important for the continuity of services to the County, its vendors and employees; and
- WHEREAS, allowing certain employees to work remotely will further help promote the safety and well-being of both county employees and general public during the declared emergency; and
- WHEREAS, allowances need to be made for those employees whose position can not be performed remotely as to payment of salaries.
- WHEREAS, the Board of Commissioners that the following procedures shall be implemented effective March 23, 2020 until such time as the emergency from the COVID-19 virus has been lifted.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY that:

1. The procedure for the approval of claims pursuant to I. C. 36-4-8-5 shall be waived in the event that a regular public meeting of the Board of Commissioners can not be convened and the President of the Board of Commissioners (if they are able and if they are not then the Vice President) shall review and approve all valid claims that would have otherwise been presented at the meeting.
2. The Commissioners have required some or all of the employees of the County to refrain from coming into the County Offices during the time of this national emergency as per I. C. 10-14-13-12 and for those employees that are directed to refrain from coming to work they shall continue to receive their regular pay and this pay shall be determined to be Said compensation shall be deemed to be "Emergency Stay Home Pay" and shall be limited to the employee's regular salary in the County salary ordinance without any overtime.
3. Department heads and department supervisors shall implement a plan to allow essential county offices and departments to remain operational but to also allow certain county employees to work remotely until further notice.
4. Those employees that work remotely shall receive pay (hourly and/or salaried) for their regularly scheduled non-overtime work hours subject to the conditions set forth as follows:
 - a. If some or all of the employee's job functions can be performed from home, the employee is expected to perform those job functions from home during the employee's regularly scheduled non-overtime work hours;
 - b. During the employee's regularly scheduled non-overtime work hours during the emergency, the employee is considered "on-call" and, therefore, must be available by phone to respond to calls from other County officials and must be available to return to their work station within two (2) hours of notice from their supervisor, Commissioners, or his/her designee;

5. For those employees that cannot work remotely, they shall be considered to be "on call" in the event that during the emergency their services are needed. Said employees including temporary, seasonal or part-time employees shall be paid for hours regularly worked.

6. No employee may work or earn compensation from any other source during the employee's regularly scheduled non-overtime work hours (i.e., for which the employee would earn Emergency Stay Home Pay).

7. For those employees that are required to work remotely or to perform they shall receive their regular compensation as per the County salary ordinance unless they are required to perform services outside of the normal business hours of the county at which time they shall be compensated at the rate of one and half times their normal hourly rate and shall be entitled to be paid as compensatory time off for their efforts after the emergency declarations have been rescinded.

7. Accruals for the benefit of calculations such as vacation pay, sick leave pay, holiday pay and seniority determinations shall continue to accrue during the public emergency closing.

8. Nothing in this Resolution shall amend or modify any collective bargaining agreement or interpretation therein.

9. Employees on vacation, FMLA or sick leave while the county offices are closed to both the public and employees shall be charged with their vacation, FMLA or sick leave and at the conclusion of their paid time off shall be eligible to receive their regular income during the course of the pandemic emergency closing. Employees on sick leave or FMLA leave shall submit a medical release from their medical provider to qualify for Emergency Stay Home Pay during the pandemic emergency closing.

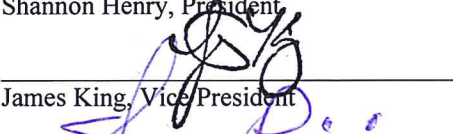
Dated this 23 day of March, 2020.

BOARD OF COMMISSIONERS

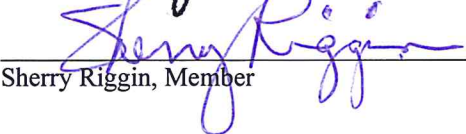
DELAWARE COUNTY, INDIANA



Shannon Henry, President




James King, Vice President



Sherry Riggin, Member

ATTEST:



Steven G. Craycraft, Auditor
Delaware County, IN