



**EMERGENCY ORDER**

**IN AND FOR THE CITY OF SEQUIM, WASHINGTON**

**No. 2020-11**

**Regarding the implementation of (1) a COVID Leave policy to allow City employees a certain number of paid leave hours in addition to normal leave for the purpose of creating safer working spaces and providing security and financial planning opportunities during the coronavirus emergency, and (2) recommending use of cloth face masks by staff.**

Policy/Budget  (Council)      **City Clerk use only:** Presented to Council 4/27/20  
Administrative (City Manager)

On March 16, 2020, at a special meeting of the City Council of the City of Sequim, the City Council issued a Proclamation of Civil Emergency due to the novel corona virus (COVID-19) outbreak that was identified as a pandemic by the World Health Organization on March 11, 2020.

The Proclamation of Civil Emergency was issued pursuant to Sequim Municipal Code 2.60, RCW 35A.38.010, and RCW 38.52.070(2) based on the public health threat posed by COVID-19 and is consistent with concurrent emergency declarations issued by the President of the United States and the Governor of the State of Washington.

As of March 16, 2020, the City of Sequim adopted an internal policy providing full-time employees a minimum of 104 hours of "COVID Leave" and part-time employees a pro-rated amount of COVID Leave based on their FTE. The COVID Leave is in addition to other leave accruals and is intended to be used when employees believe they may be experiencing symptoms of the disease or have been exposed to the virus, have family or personal reasons for their absence, or otherwise feel it is unsafe to come to work. COVID Leave can also be used in the interest of social distancing when an employee feels the emergency-forced modifications to their job duties result in insufficient tasks to support their physical presence on the job site and their duties cannot be conducted remotely. COVID Leave will expire on December 31, 2020 and has no cash-out value.

On March 23, 2020 Governor Inslee issued Proclamation 20-25 – "Stay Home Stay Healthy", which ordered everyone to shelter in place unless 1) performing essential activities and/or 2) working in essential business services.

On April 1, 2020, the federal Families First Coronavirus Response Act (FFCRA) took effect, allowing protected and partially-paid leave for employees who are forced to miss work when their child's school is closed due to the outbreak. It also provides for emergency paid sick leave for certain absences related to the outbreak.

On April 2, 2020 the Governor extended his emergency Proclamation (20-05) and his "Stay Home, Stay Healthy" Order until May 4, 2020 at 11:59 p.m.



On April 3, 2020, the Center for Disease Control modified its guidance to recommend wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain. On April 6, 2020, the City of Sequim Human Resources Department issued guidance to all staff that encourages, but does not mandate, wearing City-provided cloth masks in public facilities.

The Human Resources Department's policies are summarized as follows:

#### **Public Health Emergency Leave (expansion of FMLA)**

- Employee is unable to work (or telework) based on a need to care for the employee's child under 18 due to closure of the child's school or childcare due to COVID-19.
  - 12 weeks of leave
  - First 10 days are unpaid unless the employee chooses to use accrued/other paid leave
  - The remaining 10 weeks are paid at 2/3 of the employee's regular rate, not to exceed \$200 per day

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

- 10 days paid (or partially paid) sick leave if the employee is unable to work or telework for any of the following reasons:

The employee is:

- Subject to a federal, state, or local quarantine or isolation order (the Governor's "Stay at Home" order does not qualify. It must be individualized - specifically told, i.e. order by public health official)
- Advised by a health care provider to self-quarantine due to COVID-19
- Has symptoms of COVID-19 and is seeking medical diagnosis

The employee is caring for an individual who is:

- Subject to a federal, state, or local quarantine or isolation order (again, the Governor's "Stay at Home" order does not qualify)
- Advised by a health care provider to self-quarantine

The employee is caring for the employee's child where:

- Child's school or care provider is closed or unavailable due to COVID-19
- Child is either under 18 or older but incapable of self-care because of a mental/physical disability

- If Emergency Paid Sick Leave is taken for the employee's own health or quarantine, the employee is paid their regular rate of pay, up to \$511 per day.
- If Emergency Paid Sick Leave is taken for the employee to care for another individual or the employee's child, the employee is paid 2/3 of their regular rate of pay, up to \$200 per day.



**Face Masks**

In the latest guidance out last Friday, the CDC now recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies). Although here at work we should be practicing the social distancing at all times, in light of this recommendation, cloth masks will be distributed to all City employees. You are not mandated to wear the mask, but you are certainly encouraged to do so. One of our volunteers has offered to make these for our staff.

**NOW, THEREFORE, IT IS HEREBY DIRECTED AND ORDERED THAT:**

**Section 1.** The COVID Leave policy described herein is adopted.

**Section 2.** The City will distribute cloth face masks to its employees, who are encouraged but not mandated to wear them.

**Section 3. Presentation, Ratification, Termination.** Emergency Orders issued under the March 16, 2020 Proclamation of Civil Emergency will be filed with the Legal Department and presented by the City Clerk as soon as practicable to the City Council for ratification and confirmation, modification, or rejection, if applicable.

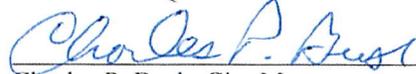
Rejected orders will be void after the Council vote rejecting them.

Until such time as Council acts, Emergency Orders will be considered in full force and effect.

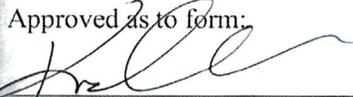
**Section 4. Duration.** Unless modified, extended, or terminated by the Sequim City Council or Sequim City Manager, as applicable, this Emergency Order is effective immediately and remains in effect until such date and time as the Governor's "Stay Home Stay Healthy" order is lifted.

SIGNED this 14<sup>th</sup> day of April, 2020, at — hours.

CITY OF SEQUIM

  
Charles P. Bush, City Manager

Approved as to form:

  
Kristina Nelson-Gross, City Attorney

Attest:

  
Sara McMillon, City Clerk