

ORDINANCE 20 - 09

**Be it enacted by the Quorum Court of Faulkner County, State of Arkansas.
An Emergency Ordinance to be entitled: Special Pay for Employees due to Covid-19 Pandemic.
Sponsored by Justices Higgins and Pickett**

WHEREAS, Governor Asa Hutchinson has declared a public-health emergency due to the COVID-19 virus entering Arkansas;

WHEREAS, it is in the best interest of the County, it's employees, and the public, that persons who cannot or should not be present at their job or work from home, should be able to remain at their home;

WHEREAS, the County is attempting to ensure employees are able to remain at home to prevent further spread of the virus without suffering undue hardship which may be created by limited availability of leave;

NOW THEREFORE;

- 1) During the state of public health emergency declared by the Governor due to COVID-19, the following rules will be in place:
- 2) Special leave is hereby defined as any leave associated with the prevention or treatment of the COVID-19 virus, and such leave will not be taken out of the employee's leave bank.
- 3) Special leave may apply, with approval from the employee's elected official, to the following circumstances if the employee is unable to work from home, and such special leave shall end on December 31, 2020:
 - a. Employees who are quarantined because of a health care provider or a public official recommended or ordered that the employee's physical presence at work would jeopardize the health of others due to exposure or symptoms of COVID-19; or
 - b. Employees who care for a family member who is under a COVID-19 quarantine; or
 - c. Employees who care for a minor son or daughter if the school or childcare has been closed, or the child care provider of such son or daughter is unavailable due to COVID-19; or
 - d. Employees who are sent home because the County Judge has closed their office in response to the COVID-19 virus; or
 - e. Employees who are not scheduled to work because of vacation, sick, or other leave will not receive special pay under paragraph 3.

- 4) The terms “family member,” “son,” “daughter,” and other terms in Section 3 shall be interpreted, when possible, by the standards established by the Family Medical Leave Act of 1993.
- 5) Employees who choose to take time off during this declared public-health emergency for any reason other than those listed above, are still subject to the regular leave provisions as outlined in the County Personnel Policy.
- 6) Part-time employees on special leave shall be paid their average weekly wages based on their time worked for the previous four weeks of employment. Only weeks in which the employee worked will be used to determine the average weekly wage.
- 7) EMERGENCY CLAUSE. There is significant risk to public health and safety posed by the spread of COVID-19. The Faulkner County Quorum Court has determined that this Ordinance is necessary to help prevent the spread of the illness within the County and to members of the general public who may visit county offices. Therefore, an emergency is hereby declared to exist, and this Ordinance, being necessary for the preservation of public health, safety and welfare, shall be effective from and after its date of passage.

Dated: March 17, 2020

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Attest: _____
Margaret Darter
Quorum Court Secretariat
Faulkner County, AR

Approved: _____
Jim B. Baker
Faulkner County Judge
Faulkner County, AR