

## BOARD OF COMMISSIONERS OF STARKE COUNTY

# TEMPORARY OPERATIONAL POLICIES RESPONSE TO THE COVID-19 PANDEMIC

Version 4.0 – Effective March 8, 2020

The health, safety and wellbeing of the citizens of Starke County, and of our county employees, staff and officials are our highest priorities. It is the policy of Starke County to take all necessary and proper measures to achieve this priority while simultaneously insuring the continuity of essential functions entrusted in County government and maintaining compliance with the Families First Coronavirus Response Act (“FFCRA”), and the Executive Orders of Governor Eric Holcomb relevant to this subject matter.

The Board of Commissioners of Starke County (the “Commissioners”) after consultation with the County Health Officer, the County Health Nurse, department heads, the County Attorney, review of published information from the Indiana Dept. of Health, and the US Dept. of Labor, and guidance from the State Board of Accounts (“SBOA”) hereby issues the following **TEMPORARY OPERATIONAL POLICIES**, version 4, superseding all prior versions of county policies relative to the COVID-19 pandemic, and effective at the open of work on Wednesday, April 8 2020:

I. **Resources:** The COVID-19 Pandemic is a serious and rapidly developing situation. It is the policy of Starke County that our response be fluid, timely and based on reliable information. Starke County hereby adopts the following resources as reliable sources for appropriate actions and policies:

- a. The Centers for Disease Control (“CDC”) COVID-19  
(<https://www.cdc.gov/coronavirus/2019-ncov/index.html>)
- b. The Indiana State Board of Health COVID-19 resources:  
(<https://coronavirus.in.gov/>)

II. **Use of Resources:** Starke County governmental officials, staff and employees are encouraged to familiarize themselves with the listed resources and to conduct themselves in accordance with the most current information provided there, so long as such conduct is consistent with the policies set forth herein.

III. **Applicability:** These policies apply to non-judicial employees, staff and officials of Starke County, Indiana. Applicability to the Sheriff’s Dept. is subject to the lawful authority of the Sheriff, and applicability to EMS is subject to the supervision of the EMS Executive Director.

**IV. Symptomatic Persons.** Persons with a fever in excess of 100.4°F (oral thermometer) and/or with a persistent cough or difficulty breathing or other symptoms of a respiratory ailment (or who have presented these symptoms within the past 24 hours) are considered symptomatic. Persons not presenting these symptoms are considered asymptomatic. Symptomatic employees, staff and officials must stay home and not come to work until they have free of symptoms for at least 24 hours or until being cleared to return to work by their treating health care professional, without the use of fever-reducing or other symptom-altering medication (e.g. cough suppressants). Those with concerns or questions about symptoms or seeking advice about whether to report to work are invited to email human resources (the Auditor's Office) or the County Health Dept./Nurse.

**V. Asymptomatic Persons.** Generally, asymptomatic personnel (i.e. persons not presenting the symptoms described in section IV above) are expected to report to work (or if possible, work from home) unless they have (a) had direct contact with a person diagnosed with Covid-19, or unless they are (b) caring for a person with a confirmed case of COVID-19 (in which they are required to self-isolate), (c) in a CDC Level 3 area of concern; (d) a person who has been instructed to refrain from attending work by the Starke County Health Department/Nurse.

**VI. Sick Time/Vacation Time and application of the FFCRA and FMLA.**

**A. FFCRA.** Notwithstanding any other provision of this Policy, it is the policy of Starke County to comply with the FFCRA. During the period of applicability of the FFCRA (i.e. from April 1, 2020 through December 31, 2020) the County will provide to all eligible employees as summarized in the official DOL Poster, attached hereto as Appendix A, and hereby incorporated herein.

**B. FFCRA CATEGORIES.** The FFCRA establishes two basic categories that may qualify for paid leave, Emergency Paid Sick Leave and FMLA Expansion. Additionally, FMLA benefits have been temporarily expanded. The impacts of these changes are summarized below, but in all instances federal law is controlling.

**C. Emergency Paid Sick Leave.** Pursuant to the FFCRA the county will provide two weeks (up to 80 hours) paid sick leave at the employee full regular rate of pay immediately (without a ten day waiting period) if the employee is unable to work either on location or from home because they are: (1) subject to a quarantine or isolation order related to the novel Coronavirus, and/or (2) are experiencing COVID-19 symptoms and are seeking a medical diagnosis. Payments are subject to statutory qualifications and limitations. Paid sick leave is immediately available for use, regardless of how long the employee has worked for the county.

**D. FMLA Expansion.** Pursuant to FMLA expansion under the FFCRA the county will provide two weeks (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay if the employee is unable to work because of bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or care for a child under 18 years of age whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in



consultation with the Secretaries of the Treasury and Labor. Paid sick leave is immediately available for use, regardless of how long the employee has worked for the county.

E. **Expanded FMLA Leave.** In addition, employees who have been employed by the county for at least thirty days who are unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19 will be provided up to an additional ten (10) weeks of **paid expanded family and medical leave** at two-thirds the employee's regular rate of pay. This benefit is subject to a ten (10) day waiting period.

F. **Details of Benefits Calculation.** The details of calculations under the FFCRA are beyond the scope of this policy. Wage rates and cumulative caps apply, and individual situations may be complex. For details request assistance from your supervisor or elected official.

G. **Use of Accrued Sick and Vacation Time.** In addition, employees may use accrued paid sick time/vacation time in excess of the minimum requirements of FFCRA even if they are not sick, as required or recommended by public health authorities/guidelines or recognized professional health care providers. Employees may use FFCRA expanded benefits as described above before using regular accrued sick and/or vacation time.

H. In addition, employees may use accrued paid sick time and vacation time in excess of the minimum requirements of FFCRA to care for immediate family and household members who are not ill but need care due to any COVID-19 related closures of schools or day care centers, or for other interruptions of care arrangements. Employees may not bring affected children or elders to work with them, even if the children or elders are well.

I. **Employees working remotely** with relatively self-sufficient dependents or household members at home due to COVID-19 disruptions are not required to report the use of paid time off.

J. **Employees who have exhausted their Sick Time/Vacation Time** and who qualify for Family Medical Leave Act ("FMLA") unpaid leave may apply for FMLA. Employees who do not qualify for FMLA may nevertheless make a request in writing for unpaid leave, and such requests will be decided on a case-by-case basis.

VII. **High Risk Personnel.** Employees who are at increased risk for complications from COVID-19 due to being over age 60 or subject to underlying health conditions, but who are not in a category eligible for FFCRA benefits, are urged to consult their physician about steps they can take to protect their health. These may include requesting a temporary change in job location, hours, assignment or duties, or implementation of additional protective measures to reduce their exposure to others or chances of being infected. If an employee at risk for complications from COVID-19 and their physician agree that increased social distancing in the workplace is prudent, the employee should contact their local HR office to formally request a temporary change. Human Resources will confidentially evaluate the request, explore alternatives, and attempt to appropriately address the employee's health concerns while maintaining Starke County's operations. A doctor's note may be required. 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. High risk personnel will be 'on-call' during their usual work hours and must be prepared to report to work promptly.

VIII. **Public Closure.** An Order closing most non-judicial county offices to the public was issued by the Commissioners simultaneously with the first edition of this Policy. Under Public Closure offices will continue to function but with interactions with the Public to be by electronic or documentary means, and with no or extremely limited person-to-person contact. This Public Closure will not alter the duty of staff, employees and officials to continue working, though remote working is encouraged if feasible in keeping with continuing the essential services of county government.

All of which is approved as the official policy of Starke County by the Board of Commissioners of Starke County this \_\_\_\_ day of April 2020 by the following vote:

COMMISSIONERS OF STARKE COUNTY

VOTE

yes



Charles Chesak, President

yes



Kathryn Norem, Vice President

YES



Bryon Cavender, Commissioner

ATTEST:

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Rachel Oesterreich, Auditor  
Of Starke County Indiana