

EATON COUNTY BOARD OF COMMISSIONERS

AUGUST 19, 2020

**RESOLUTION TO CLARIFY THE FAMILIES FIRST CORONAVIRUS
RESPONSE ACT (FFCRA) AS IT PERTAINS TO EMPLOYEES
OF EATON COUNTY**

Introduced by the Ways and Means Committee

Commissioner Brehler moved the approval of the following resolution. Seconded by Commissioner Pearl-Wright.

WHEREAS, the Families First Coronavirus Response Act (FFCRA) creates two categories of paid leave related to the outbreak of COVID-19: Expanded Emergency Family and Medical Leave and Emergency Paid Sick Leave; and

WHEREAS, in recognition of the indispensable role certain employees play for our communities during this crisis, the FFCRA and its implementing regulations specifically authorize employers to exclude emergency responders from use of this leave; and

WHEREAS, the United States Department of Labor has relevantly defined the positions included in this “emergency responder” category as:

[A]nyone necessary for the provision of transport, care, healthcare, comfort and nutrition of such patients, or others needed for the response to COVID-19. This includes but is not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, child welfare workers and service providers, public works personnel, and persons with skills or training in operating specialized equipment or their skills needed to provide aid in a declared emergency, as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility.

WHEREAS, to ensure we provide sufficient staffing to provide critical and essential services as this pandemic continues, the following are identified as emergency responder employees: All certified law enforcement personnel, all certified corrections personnel, Emergency Operations Center (EOC) personnel, Youth Facility Specialists and Supervisors and all Central Dispatch personnel.

NOW, THEREFORE, BE IT RESOLVED, that these emergency responders are not eligible for Emergency Family and Medical Leave and Emergency Paid Sick Leave.

BE IT FURTHER RESOLVED, that this exclusion does not alter/change and leave available under collective bargaining agreements, County policy or federal or state law; and

BE IT FURTHER RESOLVED, that this resolution shall have immediate effect. Carried.