

SPECIAL SESSION

March 31, 2020

The Council of the City of Chardon met in Special Session on Tuesday, March 31, 2020 at 6:30 P.M. via video-conference.

Daniel Meleski, President of Council presiding.

The meeting opened with the pledge of allegiance and roll call.

Members of Council present: Andrew Blackley, Deborah Chuha, Chris Grau, Nancy McArthur, Heather Means, Daniel Meleski, Jeffrey Smock.

Members of Council absent: none.

Others Present: City Manager Randal Sharpe, Finance Director Mate Rogonjic, Law Director Benjamin Chojnacki, Clerk of Council Amy Day, Heidi Delaney, Colin Cunningham, David Jevnikar.

Mr. Sharpe updated Council on current activities of City departments.

**Regarding changes to leave policy adjustment during Coronavirus Pandemic - 2020**, Mr. Sharpe stated that Council is being asked to consider the City's leave policy as it relates to the Families First Coronavirus Response Act (FFCRA) which takes effect on April 1, 2020.

Mr. Sharpe first reviewed details of the Families First Coronavirus Response Act. He added that the Act will change over time and the City needs to be prepared to react to the changes.

Mr. Sharpe reviewed the Emergency Paid Sick Leave Act, a section of the FFCRA, which allows employees to take up to 10 days or 80 hours of paid sick leave when the employee cannot work or telework for any of 6 specified reasons.

Employees who fall under any of the first 3 reasons below are entitled to paid sick leave at their regular rate of pay, up to \$511 per day.

1. The employee is subject to a quarantine or isolation order related to COVID-19.
2. The employee has been advised by a healthcare provider to self-quarantine due to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis.

Employees who are unable to work or telework due to the remaining 3 reasons below are provided up to 10 days of paid sick leave and are entitled to paid sick leave at two-thirds (2/3) the employee's regular rate of pay up to \$200 per day:

4. The employee is caring for a person subject to a quarantine or isolation order or who has been advised by a health care provider to self-quarantine.
5. The employee is caring for a son or daughter of the employee whose school or daycare is closed or the

childcare provider is unavailable due to the COVID-19 public health emergency.

6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health & Human Services, the Secretary of the Treasury, and/or the Secretary of Labor.

Mr. Sharpe stated that the eligibility of the City's first responders under the Emergency Paid Sick Leave Act is up to the discretion of the City.

Mr. Sharpe explained that the FMLA has been extended to include leave related to COVID-19.

Mr. Sharpe reviewed the City's policy adjustments based on the Act including:

- The City considers emergency responders to be police department personnel and street and water/sewer employees.
- Verification from the quarantining or isolating agency will be required.
- Self-quarantining would be vacation or unpaid time.
- For a parent having to stay home due to no child care, they would be eligible for up to 80 hours of emergency paid sick leave at 2/3 regular rate of pay and would be eligible for up to 10 additional weeks under the FMLA.

Mr. Sharpe stated that he is asking Council to consider approval of the policy as in agenda item #4. He stated that he also has a question he would like Council's feedback on. If someone uses up all their benefits under the Federal Act, would the City allow the City employees to use their sick leave if it goes beyond the Employee Paid Sick Leave Act.

Mrs. McArthur inquired how employees earn sick time and asked how the sick time is used.

Mr. Sharpe stated that employees earn 10 hours of sick time per month which accrues. Employees may use it for illness and if it goes beyond 3 days, a physician's note is required.

Ms. McArthur asked the effect of extending time off beyond 12 weeks would affect departments.

Mr. Sharpe stated that the policy would not extend a leave beyond 12 weeks.

Mr. Grau asked if employees may donate their time to other employees.

Mr. Sharpe stated that employees may donate their time but there are some stipulations associated with it, and the employee receiving the time must use up all of their current bank before they are able to receive time from another employee.

Mrs. McArthur moved and Mr. Grau seconded to approve the adjustments to the Leave Policy during COVID-19 Pandemic as proposed by the City Manager and authorize the City Manager to make subsequent amendments, revisions and updates to make sure the policy is consistent with Federal, State Law, Order or Declaration.

Mrs. McArthur asked if the motion will allow the City Manager to make amendments to the policy if Federal law changes.

Mr. Chojnacki stated that Council would be giving the City Manager authority to make changes to the policy if the Federal law and regulations change or the State Department of Health or Governor make changes that require the City to change the policy, without having Council reconvene to address the issue.

Upon roll call vote the motion passed unanimously.

Mr. Smock moved and Mrs. Chuha seconded to authorize employees to use leave time subsequent to the 80 hours of paid leave under the Employee Paid Sick Leave Act.

Mrs. McArthur asked for clarification that this is concurrent with the 12-week policy and it is to allow employees to supplement their pay and that they need to use vacation or sick time to do this.

Mr. Sharpe stated that this is concurrent with the 12-week policy and it is to allow employees to supplement their pay and that they need to use vacation or sick time to do this.

Heidi Delaney added that the current sick leave policy also does not allow employees to use sick leave if they need to stay home with a child because their daycare is closed.

Upon roll call vote the motion passed unanimously.

**EXECUTIVE SESSION** - none.

**ANY OTHER BUSINESS**

Mrs. McArthur inquired about the status of the Maple Highlands Trail Project.

Mr. Sharpe reported on plan adjustments needed for the Maple Highlands Trail.

Mr. Sharpe reported on topics for upcoming meetings.

Mr. Smock inquired about spring leaf pickup.

Mr. Sharpe stated that at this time, leaf pickup is still planned for April 13.

**ADJOURN**

Mr. Smock moved and Mrs. Chuha seconded to adjourn. Upon roll call vote the motion passed unanimously.

The meeting adjourned at 7:12 PM.

Attest:

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DANIEL MELESKI, Mayor  
President of Council

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AMY DAY  
Clerk of Council