

BEFORE THE BOARD OF DIRECTORS
FOR THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS
In the matter of establishing a temporary MWVCOG Policy in Response to COVID-19.

RESOLUTION 2020-09

WHEREAS, the Mid-Willamette Valley Council of Governments (COG), an intergovernmental entity formed by agreement pursuant to ORS Chapter 190, has a personnel manual (aka employee handbook) that sets out the expectations and rules for the workplace;

WHEREAS, the Board of Directors has determined that on March 8, 2020, the Governor of the State of Oregon declared a state of emergency for Oregon and on March 13, 2020 the President of the United States declared a national state of emergency as a result of the novel infectious coronavirus (COVID-19) creating a threat to public health and safety and the MWVCOG Board of Directors acknowledges these declarations and declares a state of emergency for MWVCOG.

WHEREAS, the Board of Directors for the COG desires to address emergency implementation of certain policies in order to protect the health and well-being of our employees, which in turn allows them to care for their families and continue to provide the highest quality service to our members;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS:

Section 1. That the following temporary policy is adopted related to the permitted use of MWVCOG policies, procedures, and personnel manual, including accrued sick leave, to help employees to:

- A. deal with the rapidly evolving circumstances around the coronavirus (COVID – 19) including the recommended action to take steps to separate sick people with a contagious disease from people who are not sick, and enhance the ability of the COG to continue to provide service to the community, and
- B. allow the Acting Executive Director to work with the Management Team to enforce any amended policies or procedures, as may be adopted or directed by the CDC, Oregon Health Authority, and/or Governor of Oregon or President of the United States, related to office closures or other MWVCOG policies.

Section 2. The MWVCOG Executive Director, or designee, shall take all necessary steps authorized by law to coordinate with state and national organizations, as needed, including requesting assistance from the State of Oregon, Marion County, and other application Federal entities that may be able to offer financial or other assistance related to these emergency declarations.

ADOPTED by the Board of Directors of the Mid-Willamette Valley Council of Governments at Salem, Oregon this 17th day of March, 2020.

ATTEST

Jackie Franke, Chair
COG Board of Director

Renata Wakeley
Acting Executive Director

Temporary MWVCOG Policy in Response to COVID-19

The purpose of this temporary policy is to recognize that the novel coronavirus, also known as COVID-19, may impact our region and the Mid-Willamette Valley Council of Governments employees. Our employees are at the forefront of our concern as we work to adapt quickly to this emerging public health threat and also navigate our practices in order to continue to serve our community and members to the best of our ability.

DEFINITIONS:

Novel Coronavirus/COVID-19: A respiratory disease caused by a novel (new) coronavirus. The virus has been named "SARS-CoV-2" and the disease it causes has been named "coronavirus disease 2019" (abbreviated "COVID-19").

Curtailed Operations: A change or reduction to the routine services, service levels, activities and functions of any given office, department or division.

Household Member: Any other person who resides in the in the employee's household.

Family Member: As defined by the MWVCOG Personnel Manual, includes the eligible employee's grandparent, grandchild, spouse, registered same-gender domestic partner or opposite sex domestic partner living at the same residence, and the domestic partner's child or parent; the employee's stepchild, parent-in-law or a person with whom the employee was or is in a relationship of in loco parentis; and the employee's biological, adoptive or foster parent or child.

Isolation: A method to separate sick people with a contagious disease from people who are not sick. Isolation is a term applied to infection control actions that are taken by public health officials to stop or slow down the spread of a highly contagious disease.

Medical Advice: Information or advice received from a medical professional.

Quarantine: Quarantine separates and restricts the movement of people who were exposed to a contagious disease to see if they become sick.

Social Distancing: Measures taken to restrict when and where people can gather to stop or slow the spread of infectious diseases. Social distancing measures include limiting large groups of people coming together, closing buildings, and cancelling events.

Telecommuting: A work arrangement in which the employee works outside the normal work site, often working from home.

GENERAL POLICY:

The Mid-Willamette Valley Council of Governments (MWVCOG) is following the guidance of the Oregon Health Authority (OHA), Centers for Disease Control (CDC), and Marion County Health Department. The

MWVCOG is adhering to the recommendations of these agencies regarding preventative measures including social distancing, telecommute options for those that are eligible, and reduction or curtailment of non-essential functions. The MWVCOG will continue to adjust as the recommendations of these agencies change.

This policy applies to all employees, and specifically those who fall into one of the following categories:

1. An employee or an employee's dependent or household member who is under observation, being monitored or has been diagnosed with COVID-19;
2. An employee or a household member who falls into one of the categories identified by the CDC as being at high risk for serious complications from COVID-19 and has been advised by a medical professional or public health authority not to leave their home or come to work;
3. The school or daycare center of any employee's dependent has closed due to COVID-19;
4. Supportive services for an employee's dependent (such as medical transportation, in-home care providers, etc.) are unavailable due to COVID-19 which requires them to care for that dependent.
5. Public or alternative transportation is unavailable due to COVID-19 and an employee is unable to travel to and from work; OR
6. In the event that the CDC or OHA directs public agencies and/or cities to take advance steps such as social distancing, quarantines or curtailment of non-essential government/city functions, this policy would then pertain to all but a few staff providing essential services.

POLICY GUIDELINES:

1. Employees who fall into one of the six General Policy categories above and wish to use accrued sick leave may use Timesheet Code "Sick Leave-COVID-19" to account for the absence.
 - a) Employees must be aware that this is not an added sick leave benefit and will directly impact an employees' personal sick leave accrual.
 - b) This provides an opportunity for employees to use their accrued benefit for a temporarily, expanded qualifying reasons.
 - c) Employees with insufficient sick and other leave balances will be allowed to draw a negative leave balance, up to forty (40) hours. Negative leave balances will be repaid using all categories of accrued leaves - until the balance is restored back to zero.
 - d) If an employee utilizes "Sick Leave-COVID-19", they must complete the Coronavirus/COVID-19 Absence Form (see attachment A) and turn it in to their direct supervisor before submitting a timesheet with this reporting category.
 - e) If, at a future date, the MWVCOG were able to file and gain compensation or reimbursement from an outside agency or entity to cover expenses related to COVID-19, use of the "Sick Leave-COVID-19" will allow the COG to track the impact to an employee's accrued sick leave and reimburse the benefit- either financially or by re-instituting the used leave to the employees account. MWVCOG has no guarantee or understanding that this will be an option for the organization in the future, however, tracking the use provides the option which could benefit the COG as well as individual employees.
2. Employees who do not fall into one of the six categories listed in the General Policy section above must utilize their accruals per the MWVCOG's existing policies or procedures if they wish to be absent from work.
3. Telecommuting Option: The COG telecommute options remains as in the adopted MWVCOG Personnel Manual Section F. Telecommuting. Employees are reminded to review these policies and a MWVCOG Telecommuting Agreement must be signed by the employee and their supervisor as a prerequisite for telecommuting.

4. MWVCOG employees are not eligible for leaves of absence under the Oregon Family Leave Act (OFLA) or the federal Family Medical Leave Act (FMLA) due to the entity's small size. However, MWVCOG does want to meet the needs of our employees in this area and whenever feasible will basically follow the OFLA requirements for family medical leave. NO OFLA paperwork will be required for the first 40 hours of this leave. If an employee wishes to request OFLA leave in excess of the 40 hours they will be required to complete the appropriate paperwork. In this situation, their pay status will be converted to OFLA.
5. Exceptions: Exceptions to this temporary policy may only be granted by the Executive Director, or designee. Any situation or circumstance not covered in this temporary policy shall be governed by existing MWVCOG policies and procedures.
6. Implementation: Department directors and all supervisory staff are responsible for implementing this policy with their respective departmental staff. Observance of this policy is mandatory for all MWVCOG employees and violation may result in disciplinary action (up to including termination).
7. Review: The MWVCOG Board directs and authorizes the Executive Director, or designee, and MWVCOG Management Team to review this temporary policy every 14 days and either re-affirm, update or revoke this temporary policy as necessary. This temporary policy is only in effect during the time period covered by the COVID-19 state and national Emergency Declarations.

ATTACHMENT A: Coronavirus/COVID-19 Employment Absence Form

The Mid-Willamette Valley Council of Governments (MWVCOG) prioritizes the health and safety of its employees. We recognize that the current novel Coronavirus, also known as COVID-19, may impact the MWVCOG and its employees locally. Our employees are at the forefront of our concern as we work to adapt quickly to this emerging public health threat and also navigate our practices in order to continue to serve our community and members to the best of our ability.

The MWVCOG is following the guidance of the Oregon Health Authority, Centers for Disease Control and Marion County Public Health Division.

MWVCOG employees who need to be absent from work due to reasons outlined in the six categories below AND are unable to telecommute, please complete and submit this form. If you are able to telecommute and will not be accessing sick leave, this form is not necessary. Talk with your supervisor to make appropriate arrangements.

Once completed and submitted, this form will remain valid for 14 calendar days following its certification and submission. If an extension for the absence becomes necessary, a new form must be submitted.

The "Sick Leave- COVID-19" code is appropriately used on timesheets only for circumstances listed below. The timesheet code does not identify that an employee is ill; rather the code is used to track expenses associated with the MWVCOG's response to the COVID-19. **Please see "Temporary MWVCOG Policy in Response to COVID-19" for more information.**

If you must be absent from work for any of the following reasons, please complete this form and submit it to your supervisor. Use typed or electronic signatures. Do not print and sign this form.

For Instructions:

- 1. Answer the bolded question below without specifying which of the six categories applies to you. Simply check "Yes" or "No" below.***
- 2. Submit the form via email to your supervisor.***
- 3. Supervisors will forward the form to Finance at amathiesen@mwvcog.org
Supervisors- do not retain a copy of this form.***
- 4. If you record work hours on a paper timesheet please note "Sick Leave-COVID-19" for sick leave related absences and charge other project work codes as per normal procedures.***

I am unable to come to work due to one or more of the following reasons:

1. I, or a household member, are under observation, being monitored or have been diagnosed with COVID-19;
2. I, or a household member, fall into one of the categories identified by the CDC as being at high risk for serious complications from COVID-19 and have been advised by a medical professional or public health authority not to come to work;
3. My dependent's school or daycare center has closed due to COVID-19;
4. I rely on other supportive services for my dependent (such as medical transportation, in-home care providers, etc.) that are unavailable due to COVID-19 which requires me to care for that dependent.
5. Public or alternative transportation is unavailable to me due to COVID-19 and I am unable to travel to and from work; OR
6. The CDC or OHA have deemed it necessary for public agencies and/or cities to take advance steps such as social distancing, quarantines or curtailment of non-essential government/city functions.

Yes No

I certify that I am unable to come to work because of one of the six reasons listed above. I understand that this absence authorization expires 14 calendar days after submission.

I also understand that the MWVCOG is required to use any sick leave that I currently have accrued and, if an employee has depleted their accrued paid sick leave and misses work for a qualifying reason, included uses identified in the policy herein, the employee will be required to use other accrued leave to cover their absence from work before being placed on an unpaid leave status.

____ (Initial here)

Name: _____

Department: _____

Date Submitted: _____