

ORDINANCE NO. 2021- 3

**BE IT ORDANINED BY THE CITY COUNCIL OF THE CITY OF OZARK,
ARKANSAS, AN ORDINANCE TO BE ENTITLED:**

**AN EMERGENCY ORDINANCE TO ADDRESS LEAVE POLICIES IN TIMES OF A
PUBLIC-HEALTH EMERGENCY DECLARED BY THE GOVERNOR OF THE STATE
OF ARKANSAS.**

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

WHEREAS, quarantine is one of the recommended management tools by the CDC to prevent the spread of COVID-19;

WHEREAS, it is in the best interest of the City, its employees, and the public, that persons who have been in close contact with a known positive or who have tested positive for COVID-19 be able to remain in quarantine for the full fourteen-day period;

WHEREAS, the City is attempting to ensure employees are able to remain in quarantine for the full fourteen-day period, or are able to remain in quarantine after having a confirmed case of COVID-19, without suffering undue hardship which may be created by limited availability of leave;

NOW THEREFOER;

1) During the state of public health emergency declared by the Governor due to COVID-19, the following rules will be in place:

A) An employee who needs leave for one of the following reasons shall be placed on paid administrative leave for a period of up to 80 hours or until they are permitted to resume normal activities per current CDC and ADH guidelines at the time the leave is needed, whichever times is less:

- a. An employee has been in close contact with a known COVID-19 positive person and is subject to quarantine by the ADH and the Elected Official has not requested the employee continue to report to work under the "critical infrastructure worker" exception found in the ADH May 22, 2020 Quarantine Order.
- b. An employee has tested positive for COVID-19
- c. An employee is symptomatic for COVID-19 and is seeking a diagnosis.

2) After the first portion of paid administrative leave under Section 2 above is completed, and the employee has returned to work, an employee shall only be eligible for additional paid administrative leave time under this Ordinance for a new exposure, or new diagnosis, if the exposure occurred in the workplace. Provided however, the total paid administrative leave for an employee for exposure to Covid shall not exceed 90 hours during a calendar year.

- a. An exposure shall be considered to have occurred in the workplace if there has been a known positive in the workplace and the employee requesting leave has had close contact with the known positive during the requesting employee's scheduled work shift.

3) Employees who qualify for paid administrative leave under Section 2 above, shall be paid the lesser of 80 hours or the number of days recommended for quarantine, based on their specific scenario, by the ADH. If the ADH has not provided guidance, the recommended quarantine period by the CDC shall be used. If neither agency has a clear guideline, the employee shall provide documentation from their health care provider regarding the number of days they need to self-isolate. Provided, however, no administrative paid leave shall be provided in excess of 80 hours and an employee that is on leave in excess of 80 hour shall be required to use paid time off per the Personnel Policy.

4) Employees who qualify for paid administrative leave due to a COVID-19 infection shall be required to provide the following documentation:

- a. Evidence of a positive COVID-19 test; or
- b. a written note from a healthcare professional recommending quarantine or isolation due to a positive COVID-19 test; and
- c. a written note from a healthcare professional releasing the employee to return to work after their isolation period has ended.

5) Employees who qualify for paid administrative leave due to experiencing symptoms of COVID-19 and seeking a medical diagnosis shall not be permitted to return to work until a release from a healthcare professional is provided.

6) Employees who qualify for paid administrative leave due to quarantine based on close contact with a known Covid-19 infected person, shall be required to provide the following documentation:

- a. A written and signed statement with the following information:
 - i. The date of the close contact;

- ii. The location of the close contact occurred (i.e., whether work, home, church, etc.);
- iii. Whether the employee has consulted with the ADH or health care professional regarding the close contact and need to quarantine.
 - 1. If the employee has consulted with the ADH or a healthcare provider due to close contact, they shall provide written documentation regarding the quarantine period.

8) Employees who choose to take time off during the declared public-health emergency for any reason other than those listed above, are still subject to the regular leave provisions as outlined in the Personnel Policy.

9) **SEVERABILITY CLAUSE.** The provisions of this Ordinance are severable. If any provision hereof shall be held to be invalid or inapplicable to any person or circumstance, such holding or invalidity shall not affect the validity or applicability of the remainder of the provisions hereof.

10) **EMERGENCY CLAUSE.** There is significant risk to public health and safety posed by the spread of COVID-19. The City Council has determined that this Ordinance is necessary to help prevent the spread of the illness within the City and to members of the general public who may visit city 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 passage.

Passed this 8 day of February, 2021

APPROVED:

Roxie Hall
Roxie Hall, Mayor
Approved date: Feb 8, 2021

ATTEST:

Susan Stevens
Susan Stevens, City Clerk
Attest date: 2-8-2021