

ORDINANCE NO. 2021-007

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CLEBURNE, STATE OF 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 and this remains an issue in 2021;

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 County, its employees, and the public, that persons who have been exposed to COVID-19 or who have been diagnosed with COVID-19 be able to remain in quarantine for the full fourteen-day period;

WHEREAS, the County is attempting to ensure employees are able to quarantine without suffering undue hardship which may be created by limited availability of leave;

NOW, THEREFORE IT IS HEREBY ORDAINED AND ADOPTED:

- 1) During the state of public health emergency declared by the Governor due to COVID-19, the following rules will be in place:
- 2) An employee who needs leave for one of the following reasons may be placed on paid administrative leave until they are permitted to resume normal activities per current CDC or ADH guidelines at the time the leave is needed:
 - 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; or
 - b. An employee has tested positive for COVID-19; or
 - c. An employee is symptomatic for COVID-19 and is seeking a diagnosis.
- 3) After the first need for 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.
- 4) Employees who qualify for paid administrative leave under Section 2 above, may be paid the number of quarantine hours recommended by either:
 - a. Their healthcare provider;
 - b. The ADH by written recommendation; or,
 - c. The Elected Official or Supervisor of the employee.
- 5) This paid time shall not be taken out of any leave bank of the employee up to extension amount of 80 hours.
- 6) Employees who qualify for paid administrative leave due to a COVID-19 infection may be required to provide the following documentation upon the request of the employee’s Elected Official and/or supervisor; however, this information may not be necessary if the Elected Official and/or supervisor approves paid administrative leave without such documentation:
 - a. Evidence of a positive COVID-19 test, or pending test result; or
 - b. A written note from a healthcare professional or the Arkansas Department of Health recommending quarantine or isolation due to a COVID-19 exposure, positive COVID-19 test or a pending COVID-19 test; and

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- c. A written note from a healthcare professional or Arkansas Department of Health releasing the employee to return to work after their isolation period has ended is suggested for the employee to return to work, but this requirement shall be left up to the discretion of the Elected Official or employee supervisor.
- 7) 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 or until approved by their Elected Official or employee supervisor.
- 8) Employees who qualify for paid administrative leave due to quarantine based on close contact with a known positive individual may be required to provide the following documentation upon the request of the employee's Elected Official and/or supervisor; however, this information may not be necessary if the Elected Official and/or supervisor approves paid administrative leave without such documentation:
 - a. A written and signed statement with the following information:
 - i. The date of the close contact;
 - ii. The location the close contact occurred (i.e., 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.
- 9) Employees who have already taken time off under the originally awarded eighty (80) hours in year 2020 shall be allowed to use any remaining hours in 2021 but will not receive a new full eighty (80) hours in 2021. The purpose of this Ordinance is to extend the time for using these additional eighty (80) hours into year 2021 since COVID-19 continues to be a major factor in day-to-day activities.
- 10) 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 County Personnel Policy.
- 11) This temporary policy change shall not affect offices or employees who have been approved by their supervisor to telework or work from home based on COVID-19 exposure or COVID-19 related hardships. Those offices shall remain allowed to manage their personnel accordingly to their telework arrangement as approved by their Elected Official and/or supervisor.
- 12) 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.
- 13) This Ordinance and the provisions herein shall be retroactive back to January 1, 2021.
- 14) This Ordinance and the provisions herein shall expire on December 31, 2021, if this Ordinance has not been repealed, replaced, or amended on an earlier date.

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EMERGENCY CLAUSE

There is significant risk to public health and safety posed by the spread of COVID-19. The Cleburne County Quorum Court has determined that this Ordinance is necessary to help prevent the spread of the illness within the County and to members of the general public who may visit county 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 date of passage.

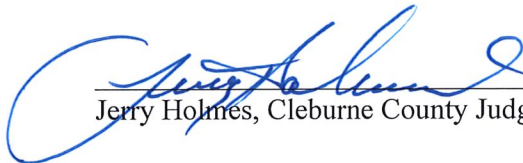
PASSED AND ADOPTED this 25th day of February 2021.

ATTEST:



Rachelle Evans, Cleburne County Clerk

APPROVED:



Jerry Holmes, Cleburne County Judge

Recorded: Book E Page(s) 253-259

FILED
2021 MAR -2 AM 11:45
RACHELLE EVANS
CLEBURNE COUNTY CLERK