

**PENNINGTON COUNTY BOARD OF COMMISSIONERS
PROPOSED SPECIAL MEETING AGENDA
FRIDAY, MARCH 27, 2020
9:00 A.M.
COMMISSION CHAMBERS
COUNTY ADMINISTRATION BUILDING**



*Deb Hadcock, Chair District 3
Gary Drewes, Vice Chair District 5*

*Ron Rossknecht, Commissioner District 1
Lloyd LaCroix, Commissioner District 2
Mark DiSanto, Commissioner District 4*

Agenda disclaimer: The preferred practice of the Board is to proceed thru the agenda in the order it is published. From time to time, agenda items may be disposed of quickly leaving a gap in the meeting agenda prior to the next advertised agenda item start time. To utilize time effectively in those circumstances, the Board may move items up on the agenda to fill those gaps.

*Welcome to the March 27th, 2020 Board of Commissioners Special Meeting.
Please silence cell phones, pagers and other electronic communication devices.
Agendas are located at the back of the Chambers.*

1. Call to Order
2. Moment of Silent Reflection
3. Pledge of Allegiance
4. Review and Approve Agenda
5. Items From Emergency Management
 - a. COVID-19 Update - Director Dustin Willett
6. Update from the Central States Fair - Ron Jeffries, General Manager
7. Update from the City of Rapid City
8. A resolution to set hours of operation for County Offices established by the Board of County Commissioners and declaring an emergency
9. A resolution to address a public health crisis by recommending certain measures to slow the community spread of Corona Virus (COVID-19) and to declare an emergency
10. Families First Coronavirus Response Act (HR 6201) – Pennington County Policies (*Cont. from the 3/21/20 BOC special meeting*)
11. Any and all other business related to the COVID-19 virus
Items may include but are not limited to the following:
 - County employees including leave benefits
 - County operations
 - Hiring freeze
 - Prohibiting all non-essential travel
 - Prohibiting all non-essential purchasing

Pennington County fully subscribes to the Americans with Disabilities Act. If you desire to attend this public meeting and need accommodations, please notify the Commissioners' Office at (605) 394-2171 at least 24 hours prior to the meeting so that appropriate services and auxiliary aids are available.

Scan the code to access the agenda packet online.



12. Future Board of Commissioners special meeting dates
 - a. Set a special meeting on Friday, April 3rd @ 3pm after Commission Retreat
 - b. Set future special meeting dates on Fridays
13. Executive Session per SDCL 1-25-2
 - a. Personnel Issue(s) per SDCL 1-25-2(1)
14. Adjourn

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PENNINGTON COUNTY RESOLUTION

A RESOLUTION TO SET HOURS OF OPERATION FOR COUNTY OFFICES ESTABLISHED BY BOARD OF COUNTY COMMISSIONERS AND DECLARING AN EMERGENCY

WHEREAS, SDCL § 7-7-2 requires the Board of County Commissioners to, by resolution, establish the hours of operation for each county government department and office, except for the offices of the Sheriff and State's Attorney; and

WHEREAS, SDCL § 7-7-2.1. states the Chair of the Board of County Commissioners may close the courthouse in case of emergency or severe weather. The public shall be adequately notified. An emergency for the purpose of this section is an unforeseen occurrence or combination of circumstances that calls for immediate action or remedy; and

WHEREAS, Pennington County Administration is not housed in the Pennington County Courthouse. The Presiding Judge of the 7th Judicial Circuit communicates with Emergency Management Staff in the closing of the Courthouse when an emergency or severe weather circumstances exist. The Chair of the Board of County Commissioners reserves the right to close County Offices in the event of emergency or severe weather; and

WHEREAS, an outbreak of the disease COVID-19, which is caused by the novel coronavirus and is transmitted by person-to-person spread or contact with contaminated surfaces, has been confirmed in more than 100 countries, including the United States and specifically in the State of South Dakota; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency; and

WHEREAS, on March 13, 2020 Governor Kristi Noem, issued Executive Order 2020-04 which declared a state of emergency to exist in the State of South Dakota in response to the spread of COVID-19; and

WHEREAS, the CDC and health experts have recommended social distancing to slow the spread of COVID-19; and

WHEREAS, on March 23, 2020 Governor Kristi Noem recommended, through Executive Order 2020-05, that local governments implement employee arrangements designed to reduce the likelihood of spreading the disease; and

WHEREAS, the failure to successfully implement social distancing will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of local health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of Pennington County residents; and

NOW, THEREFORE BE IT RESOLVED, by the Pennington County Board of Commissioners that the **County Administration Building** (Located at 130 Kansas City Street, Rapid City, SD) shall be closed to the public beginning Monday March 30, 2020 at 8:00 a.m.; and

BE IT FURTHER RESOLVED, that members of the public may still transact business with county offices by appointment. The public is encouraged to conduct as much business as possible on-line, by phone or by mail; and

BE IT FURTHER RESOLVED, that this resolution is deemed necessary for the immediate preservation of the public peace, health, and safety, and as an emergency measure this resolution shall become immediately effective upon approval.

NOTE: The Pennington County website will provide information for the public from all county agencies for purposes of conducting business during this building closure. The website will be updated as information becomes available.

Dated this _____ day of _____, 2020.

Deb Hadcock, Chair
Pennington County Board of Commissioners

Attest:

Pennington County Auditor/Deputy

DUE TO COVID-19

RESTRICTED PUBLIC ACCESS

**BEGINNING
MARCH
30**

OPTIONS FOR CONTACT:

- **CHECK ONLINE**
- **EMAIL, PHONE, US MAIL**
- **CONTACT FOR APPT.**

**ABSOLUTELY NO CHILDREN UNDER 10
ALLOWED IN BUILDING**



CHECK ONLINE OR CALL TO EXPLORE
ALTERNATE WAYS TO DO BUSINESS
WWW.PENNCO.ORG

PENNINGTON COUNTY RESOLUTION

A RESOLUTION TO ADDRESS A PUBLIC HEALTH CRISIS BY RECOMMENDING CERTAIN MEASURES TO SLOW THE COMMUNITY SPREAD OF CORONAVIRUS (COVID-19) AND TO DECLARE AN EMERGENCY.

Whereas, An outbreak of the severe respiratory disease, COVID-19, which is caused by and is transmitted by the person-to-person spread of the novel coronavirus, started in late 2019 and has currently been detected in more than 100 countries, including the United States; and,

Whereas, The World Health Organization has designated COVID-19 a pandemic, and the U.S. Centers for Disease Control and Prevention (CDC) has declared a public health emergency; and,

Whereas, The CDC has issued guidance to state and local governments and all citizens recommending steps to prevent community spread and guard against the COVID-19 outbreak; and,

Whereas, Governor Kristi Noem, through Executive Order 2020-04, declared South Dakota to be in a State of Emergency due to the COVID-19 pandemic; and,

Whereas, Governor Kristi Noem, through Executive Order 2020-05, ordered and directed the recommendations contained in this Resolution to all South Dakotans; and

Whereas, The Pennington County Board of Commissioners support the order of Governor Noem in enforcing social distancing guidelines; and,

NOW, THEREFORE, BE IT RESOLVED by the Pennington County Board of Commissioners that the citizens and businesses of Pennington County should do the following:

1. **Review and practice** the recommended CDC hygiene practices designed to stop the spread of the disease COVID-19 and encourage others to do so as well.
2. **Know** the signs and symptoms of COVID-19, call a health care provider if suffering symptoms in advance of a visit to a provider, and stay at home if sick.
3. **Understand** that those who are particularly vulnerable to COVID-19, including those over age 60 and those suffering from respiratory or cardiac conditions, should take extra precautions and remain home if possible.
4. **Implement** social distancing measures and support businesses who are adjusting their business model to reduce the spread of COVID-19.
5. **Assist** those who work in essential jobs such as emergency personnel, medical professionals, and law enforcement.

All employers, both for profit and not-for-profit, within Pennington County, outside of the exterior boundaries of an incorporated municipality, should:

6. **Implement** the recommended CDC hygiene practices and other business strategies designed to reduce the likelihood of spreading the disease.

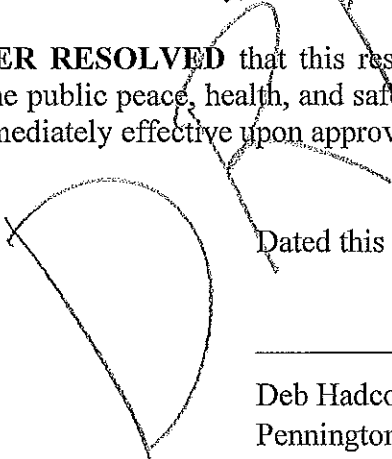
7. **Understand** that the COVID-19 is not a short-term challenge, and operations will need to endure a difficult and limited social environment for potentially eight weeks or more.
8. **Innovate** and continue to demonstrate entrepreneurial excellence in their operations during this difficult and uncertain environment.
9. **Encourage** staff to telework if possible, implement social distancing measures, limit unnecessary work gatherings, limit non-essential travel, and consider regular health checks including CDC guidance for COVID-19 screening if possible.
10. **Offer**, to the extent possible, special shopping times or access periods for populations particularly vulnerable to COVID-19.

Any “enclosed retail business that promotes public gatherings” within Pennington County, outside of the exterior boundaries of an incorporated municipality, should:

11. **Suspend or modify** business practices as recommended by CDC guidance that involve ten or more people to be in an enclosed space where physical separation of at least six feet is not possible.
12. **Continue offering** or consider offering business models that do not involve public gatherings, including takeout, delivery, drive-through, curbside service, off-site services, social distancing models, or other innovative business practices that do not involve public gatherings in an enclosed space.
13. **Consider** business arrangements and innovative ideas intended to support the critical infrastructure sectors, as defined by the Department of Homeland Security.

For the purpose of sections 11 through 13, an “enclosed retail business that promotes public gatherings” means any enclosed facility operating as a bar, restaurant, brewery, cafe, casino, coffee shop, recreational or athletic facility, health club, or entertainment venue.

BE IT FURTHER RESOLVED that this resolution is deemed necessary for the immediate preservation of the public peace, health, and safety, and as an emergency measure this resolution shall become immediately effective upon approval.



Dated this _____ day of _____, 2020.

Deb Hadcock, Chair
Pennington County Board of Commissioners

Attest:

Pennington County Auditor/Deputy

Families First Coronavirus Response Act (HR 6201) – Pennington County Policy

This shall be a temporary policy. It shall be in effect from April 1, 2020 through December 31, 2020, unless extended by the United States Secretary of Labor or the Pennington County Board of County Commissioners.

The Families First Coronavirus Response Act (FFCRA or H.R. 6201) takes effect on April 1, 2020. It contains two primary employment provisions; which expand eligibility for Family and Medical Leave Act (FMLA) leave and make emergency paid sick leave available to specific workers. These provisions will remain in effect through Dec. 31, 2020.

FMLA Eligibility Expanded

Under the FFCRA, all public sector employees qualify to request and use FMLA leave if they:

- Have been employed by the County for at least 30 calendar days,
- Are unable to work remotely or report to their worksite, and
- Have one of the following qualifying reasons under this Act to take FMLA leave:
 - They must care for their child who is younger than 18 whose school or place of care is closed.
 - They must care for their child because the usual care provider is unavailable due to a public health emergency.
 - They are subject to a federal, state or local quarantine or isolation order related to COVID-19.
 - They have been advised by a health care provider to self-quarantine due to COVID-19 concerns.
 - They are experiencing COVID-19 symptoms and seeking a medical diagnosis.
 - They are caring for an individual who is subject to a federal, state or local quarantine order or for someone who has been advised to self-quarantine due to COVID-19 concerns.
 - They are experiencing conditions substantially similar, as specified by the U.S. Department of Health and Human Services in consultation with the U.S. Department of Treasury and the U.S. Department of Labor.

The first 10 days of qualifying FMLA leave may be taken as unpaid leave, or the employee can substitute any accrued leave for the unpaid portion. The County may not require employees to use accrued leave if the employee decides to take unpaid leave during those 10 days of leave.

The County will provide paid leave for qualifying FMLA for up to ten (10) additional weeks of leave at a rate that is capped at \$200/day and \$10,000 in total.

Further, the County will make reasonable efforts to restore employees who return from approved FMLA leave to their same or an equivalent position. If those efforts fail, the County will make reasonable efforts to contact the employee if an equivalent position becomes available during the next year.

The Secretary of Labor has the authority to exclude certain healthcare providers and emergency responders from coverage under the Act. Until such guidance is provided, Pennington County shall consider guidance the Critical Infrastructure Workers memo from the Dept. of Homeland Security as applicable.

Emergency Paid Sick Leave

Under this provision, full-time employees are eligible to take up to 80 hours of paid leave if the employee:

1. Has been ordered by the government to quarantine or isolate because of COVID-19.
2. Has been advised by a health care provider to self-quarantine because of COVID-19.
3. Has symptoms of COVID-19 and is seeking a medical diagnosis.
 - Paid sick leave must be paid at the employee's regular rate of pay*, or minimum wage, whichever is greater, for leave taken for reasons 1-3 above.
4. Is caring for someone who is subject to a government quarantine or isolation order or has been advised by a health care provider to quarantine or self-isolate.
5. Needs to care for a son or daughter whose school or child care service is closed due to COVID-19 precautions.
6. Is experiencing substantially similar conditions as specified by the US Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.
 - Employees taking leave for reasons 4-6 above may be compensated at two-thirds** their regular rate of pay, or minimum wage, whichever is greater.
 - *Part-time employees are eligible to take paid emergency sick leave for one of the above reasons, as well, but on a prorated basis.*

Under this policy, all County employees are eligible for paid emergency sick leave as established by the FFCRA regardless of how long they have worked for the County. Pay during the emergency leave will be calculated based on the employee's regular rate* but is limited to a maximum of \$511/day and \$5,110 in total. Where the emergency sick time is for employees to be caregivers, it is based on 2/3** of the regular rate and limited to a maximum of \$200/day and \$2,000 in total.

Under this policy, emergency paid sick leave is available in addition to other forms of existing County paid leave. Employees may not be required to use other paid leave before using the paid sick leave provided by this law. Employees may not be required to find someone to cover their hours as a condition for taking paid sick time. The County may not retaliate against any employee who takes leave in accordance with the act. The County may not retaliate against an employee who files a complaint or participates in a proceeding related to the act—including a proceeding that seeks to enforce the Act.

The law directs the United States Secretary of Labor to establish emergency temporary standards to protect healthcare workers under OSHA and expand which hospitals and other medical facilities are subject to such standards.

The Department of Labor will provide a model notice for use by County offices to advise employees of the emergency family and medical leave and emergency paid sick leave provisions. Each office or department will be required to display the notice in a conspicuous place.

(To be removed prior to issue-Note: While private employers will receive a payroll tax credit to cover the wages they pay to employees who take qualified emergency leave under this law, public sector employers will not receive a tax credit.)



CISA
CYBER+INFRASTRUCTURE

March 19, 2020

MEMORANDUM ON IDENTIFICATION OF ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS DURING COVID-19 RESPONSE

FROM: Christopher C. Krebs
Director
Cybersecurity and Infrastructure Security Agency (CISA)

As the Nation comes together to slow the spread of COVID-19, on March 16th, the President issued updated Coronavirus Guidance for America. This guidance states that:

“If you work in a critical infrastructure industry, as defined by the Department of Homeland Security, such as healthcare services and pharmaceutical and food supply, you have a special responsibility to maintain your normal work schedule.”

The Cybersecurity and Infrastructure Security Agency (CISA) executes the Secretary of Homeland Security’s responsibilities as assigned under the Homeland Security Act of 2002 to provide strategic guidance, promote a national unity of effort, and coordinate the overall federal effort to ensure the security and resilience of the Nation’s critical infrastructure. CISA uses trusted partnerships with both the public and private sectors to deliver infrastructure resilience assistance and guidance to a broad range of partners.

In accordance with this mandate, and in collaboration with other federal agencies and the private sector, CISA developed an initial list of “Essential Critical Infrastructure Workers” to help State and local officials as they work to protect their communities, while ensuring continuity of functions critical to public health and safety, as well as economic and national security. The list can also inform critical infrastructure community decision-making to determine the sectors, sub-sectors, segments, or critical functions that should continue normal operations, appropriately modified to account for Centers for Disease Control (CDC) workforce and customer protection guidance.

The attached list identifies workers who conduct a range of operations and services that are essential to continued critical infrastructure viability, including staffing operations centers, maintaining and repairing critical infrastructure, operating call centers, working construction, and performing management functions, among others. The industries they support represent, but are not necessarily limited to, medical and healthcare, telecommunications, information technology systems, defense, food and agriculture, transportation and logistics, energy, water and wastewater, law enforcement, and public works.

We recognize that State, local, tribal, and territorial governments are ultimately in charge of implementing and executing response activities in communities under their jurisdiction, while the Federal Government is in a supporting role. As State and local communities consider COVID-19-related restrictions, CISA is offering this list to assist prioritizing activities related to continuity of operations and incident response, including the appropriate movement of critical infrastructure workers within and between jurisdictions.

Accordingly, this list is advisory in nature. It is not, nor should it be considered to be, a federal directive or standard in and of itself.

In addition, these identified sectors and workers are not intended to be the authoritative or exhaustive list of critical infrastructure sectors and functions that should continue during the COVID-19 response. Instead, State and local officials should use their own judgment in using their authorities and issuing implementation directives and guidance. Similarly, critical infrastructure industry partners will use their own judgment, informed by this list, to ensure continued operations of critical infrastructure services and functions. All decisions should appropriately balance public safety while ensuring the continued delivery of critical infrastructure services and functions.

CISA will continue to work with you and our partners in the critical infrastructure community to update this list as the Nation's response to COVID-19 evolves. We also encourage you to submit how you might use this list so that we can develop a repository of use cases for broad sharing across the country.

Should you have questions about this list, please contact CISA at CISA.CAT@cisa.dhs.gov.

Attachment: "Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response"



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DEFEND TODAY, SECURE TOMORROW

Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response

Version 1.1 (March 23, 2020)

THE IMPORTANCE OF ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS

Functioning critical infrastructure is imperative during the response to the COVID-19 emergency for both public health and safety as well as community well-being. Certain critical infrastructure industries have a special responsibility in these times to continue operations.

This guidance and accompanying list are intended to support State, Local, and industry partners in identifying the critical infrastructure sectors and the essential workers needed to maintain the services and functions Americans depend on daily and that need to be able to operate resiliently during the COVID-19 pandemic response.

This document gives guidance to State, local, tribal, and territorial jurisdictions and the private sector on defining essential critical infrastructure workers. Promoting the ability of such workers to continue to work during periods of community restriction, access management, social distancing, or closure orders/directives is crucial to community resilience and continuity of essential functions.

CONSIDERATIONS FOR GOVERNMENT AND BUSINESS

This list was developed in consultation with federal agency partners, industry experts, and State and local officials, and is based on several key principles:

1. Response efforts to the COVID-19 pandemic are locally executed, State managed, and federally supported
2. Everyone should follow guidance from the CDC, as well as State and local government officials, regarding strategies to limit disease spread.
3. Workers should be encouraged to work remotely when possible and focus on core business activities. In-person, non-mandatory activities should be delayed until the resumption of normal operations.
4. When continuous remote work is not possible, businesses should enlist strategies to reduce the likelihood of spreading the disease. This includes, but is not necessarily limited to, separating staff by off-setting shift hours or days and/or social distancing. These steps can preserve the workforce and allow operations to continue.

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5. All organizations should implement their business continuity and pandemic plans, or put plans in place if they do not exist. Delaying implementation is not advised and puts at risk the viability of the business and the health and safety of the employees.
6. In the modern economy, reliance on technology and just-in-time supply chains means that certain workers must be able to access certain sites, facilities, and assets to ensure continuity of functions.
7. Government employees, such as emergency managers, and the business community need to establish and maintain lines of communication.
8. When government and businesses engage in discussions about critical infrastructure workers, they need to consider the implications of business operations beyond the jurisdiction where the asset or facility is located. Businesses can have sizeable economic and societal impacts as well as supply chain dependencies that are geographically distributed.
9. Whenever possible, jurisdictions should align access and movement control policies related to critical infrastructure workers to lower the burden of workers crossing jurisdictional boundaries.

IDENTIFYING ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS

The following list of sectors and identified essential critical infrastructure workers are an initial recommended set and are intended to be overly inclusive reflecting the diversity of industries across the United States. CISA will continually solicit and accept feedback on the list (both sectors/sub sectors and identified essential workers) and will evolve the list in response to stakeholder feedback. We will also use our various stakeholder engagement mechanisms to work with partners on how they are using this list and share those lessons learned and best practices broadly. We ask that you share your feedback, both positive and negative on this list so we can provide the most useful guidance to our critical infrastructure partners. Feedback can be sent to CISA.CAT@CISA.DHS.GOV.



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HEALTHCARE / PUBLIC HEALTH

- Workers providing COVID-19 testing; Workers that perform critical clinical research needed for COVID-19 response
- Caregivers (e.g., physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists)
- Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.)
- Workers in other medical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Rural Health Clinics and Federally Qualified Health Centers)
- Manufacturers, technicians, logistics and warehouse operators, and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals (including materials used in radioactive drugs), blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products
- Public health / community health workers, including those who compile, model, analyze and communicate public health information
- Blood and plasma donors and the employees of the organizations that operate and manage related activities
- Workers that manage health plans, billing, and health information, who cannot practically work remotely
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely
- Workers performing cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely
- Workers conducting research critical to COVID-19 response
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely
- Workers who support food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing in shelters
- Pharmacy employees necessary for filling prescriptions
- Workers performing mortuary services, including funeral homes, crematoriums, and cemetery workers
- Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident

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LAW ENFORCEMENT, PUBLIC SAFETY, FIRST RESPONDERS

- Personnel in emergency management, law enforcement, Emergency Management Systems, fire, air medical, and corrections, including front line and management
- Emergency Medical Service Technicians
- 911 call center employees
- Fusion Center employees
- Hazardous material responders from government and the private sector.
- Workers – including contracted vendors – who maintain, manufacture, or supply digital systems infrastructure supporting law enforcement emergency service, and response operations.

FOOD AND AGRICULTURE

- Workers supporting groceries, pharmacies, convenience stores, and other retail that sells human food, animal/pet food, and beverage products
- Restaurant carry-out and quick serve food operations - Carry-out and delivery food employees
- Food manufacturer employees and their supplier employees—to include those employed in food processing (packers, meat processing, cheese plants, milk plants, produce, etc.) facilities; livestock, poultry, seafood slaughter facilities; pet and animal feed processing facilities; human food facilities producing by-products for animal food; beverage production facilities; and the production of food packaging
- Farm workers to include those employed in animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; truck delivery and transport; farm and fishery labor needed to produce our food supply domestically
- Farm workers and support service workers to include those who field crops; commodity inspection; fuel ethanol facilities; storage facilities; and other agricultural inputs
- Employees and firms supporting food, feed, and beverage distribution, including warehouse workers, vendor-managed inventory controllers and blockchain managers
- Workers supporting the sanitation of all food manufacturing processes and operations from wholesale to retail
- Company cafeterias - in-plant cafeterias used to feed employees
- Workers in food testing labs in private industries and in institutions of higher education
- Workers essential for assistance programs and government payments
- Employees of companies engaged in the production, storage, transport, and distribution of chemicals, medicines, vaccines, and other substances used by the food and agriculture industry, including pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids
- Animal agriculture workers to include those employed in veterinary health; manufacturing and distribution of animal medical materials, animal vaccines, animal drugs, feed ingredients, feed, and bedding, etc.; transportation of live animals, animal medical materials; transportation of deceased animals for disposal; raising of animals for food; animal production operations; slaughter and packing plants, renderers, and associated regulatory and government workforce
- Workers who support the manufacture and distribution of forest products, including, but not limited to timber, paper, and other wood products
- Employees engaged in the manufacture and maintenance of equipment and other infrastructure necessary to agricultural production and distribution

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ENERGY

Electricity industry:

- Workers who maintain, ensure, or restore, or are involved in the development, transportation, fuel procurement, expansion, or operation of the generation, transmission, and distribution of electric power, including call centers, utility workers, reliability engineers and fleet maintenance technicians
- Workers needed for safe and secure operations at nuclear generation
- Workers at generation, transmission, and electric blackstart facilities
- Workers at Reliability Coordinator (RC), Balancing Authorities (BA), and primary and backup Control Centers (CC), including but not limited to independent system operators, regional transmission organizations, and balancing authorities
- Mutual assistance personnel
- IT and OT technology staff – for EMS (Energy Management Systems) and Supervisory Control and Data Acquisition (SCADA) systems, and utility data centers; Cybersecurity engineers; cybersecurity risk management
- Vegetation management crews and traffic workers who support
- Environmental remediation/monitoring technicians
- Instrumentation, protection, and control technicians

Petroleum workers:

- Petroleum product storage, pipeline, marine transport, terminals, rail transport, road transport
- Crude oil storage facilities, pipeline, and marine transport
- Petroleum refinery facilities
- Petroleum security operations center employees and workers who support emergency response services
- Petroleum operations control rooms/centers
- Petroleum drilling, extraction, production, processing, refining, terminal operations, transporting, and retail for use as end-use fuels or feedstocks for chemical manufacturing
- Onshore and offshore operations for maintenance and emergency response
- Retail fuel centers such as gas stations and truck stops, and the distribution systems that support them

Natural and propane gas workers:

- Natural gas transmission and distribution pipelines, including compressor stations
- Underground storage of natural gas
- Natural gas processing plants, and those that deal with natural gas liquids
- Liquefied Natural Gas (LNG) facilities
- Natural gas security operations center, natural gas operations dispatch and control rooms/centers natural gas emergency response and customer emergencies, including natural gas leak calls
- Drilling, production, processing, refining, and transporting natural gas for use as end-use fuels, feedstocks for chemical manufacturing, or use in electricity generation
- Propane gas dispatch and control rooms and emergency response and customer emergencies, including propane leak calls
- Propane gas service maintenance and restoration, including call centers

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- Processing, refining, and transporting natural liquids, including propane gas, for use as end-use fuels or feedstocks for chemical manufacturing
- Propane gas storage, transmission, and distribution centers

WATER AND WASTEWATER

Employees needed to operate and maintain drinking water and wastewater/drainage infrastructure, including:

- Operational staff at water authorities
- Operational staff at community water systems
- Operational staff at wastewater treatment facilities
- Workers repairing water and wastewater conveyances and performing required sampling or monitoring
- Operational staff for water distribution and testing
- Operational staff at wastewater collection facilities
- Operational staff and technical support for SCADA Control systems
- Chemical suppliers for wastewater and personnel protection
- Workers that maintain digital systems infrastructure supporting water and wastewater operations

TRANSPORTATION AND LOGISTICS

- Employees supporting or enabling transportation functions, including truck drivers, bus drivers, dispatchers, maintenance and repair technicians, warehouse workers, truck stop and rest area workers, and workers that maintain and inspect infrastructure (including those that require cross-jurisdiction travel)
- Employees of firms providing services that enable logistics operations, including cooling, storing, packaging, and distributing products for wholesale or retail sale or use.
- Mass transit workers
- Workers responsible for operating dispatching passenger, commuter and freight trains and maintaining rail infrastructure and equipment
- Maritime transportation workers - port workers, mariners, equipment operators
- Truck drivers who haul hazardous and waste materials to support critical infrastructure, capabilities, functions, and services
- Automotive repair and maintenance facilities
- Manufacturers and distributors (to include service centers and related operations) of packaging materials, pallets, crates, containers, and other supplies needed to support manufacturing, packaging staging and distribution operations
- Postal and shipping workers, to include private companies
- Employees who repair and maintain vehicles, aircraft, rail equipment, marine vessels, and the equipment and infrastructure that enables operations that encompass movement of cargo and passengers
- Air transportation employees, including air traffic controllers and maintenance personnel, ramp workers, aviation and aerospace safety, security, and operations personnel and accident investigations
- Workers who support the maintenance and operation of cargo by air transportation, including flight crews, maintenance, airport operations, and other on- and off- airport facilities workers

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PUBLIC WORKS

- Workers who support the operation, inspection, and maintenance of essential dams, locks and levees
- Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues
- Workers such as plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences
- Support, such as road and line clearing, to ensure the availability of needed facilities, transportation, energy and communications
- Support to ensure the effective removal, storage, and disposal of residential and commercial solid waste and hazardous waste

COMMUNICATIONS AND INFORMATION TECHNOLOGY

Communications:

- Maintenance of communications infrastructure- including privately owned and maintained communication systems- supported by technicians, operators, call-centers, wireline and wireless providers, cable service providers, satellite operations, undersea cable landing stations (including cable marine depots and submarine cable ship operators), Internet Exchange Points, and manufacturers and distributors of communications equipment
- Workers who support radio, television, and media service, including, but not limited to front line news reporters, studio, and technicians for newsgathering and reporting
- Workers at Independent System Operators and Regional Transmission Organizations, and Network Operations staff, engineers and/or technicians to manage the network or operate facilities
- Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables
- Installation, maintenance and repair technicians that establish, support or repair service as needed
- Central office personnel to maintain and operate central office, data centers, and other network office facilities
- Customer service and support staff, including managed and professional services as well as remote providers of support to transitioning employees to set up and maintain home offices, who interface with customers to manage or support service environments and security issues, including payroll, billing, fraud, and troubleshooting
- Dispatchers involved with service repair and restoration

Information Technology:

- Workers who support command centers, including, but not limited to Network Operations Command Center, Broadcast Operations Control Center and Security Operations Command Center
- Data center operators, including system administrators, HVAC & electrical engineers, security personnel, IT managers, data transfer solutions engineers, software and hardware engineers, and database administrators
- Client service centers, field engineers, and other technicians supporting critical infrastructure, as well as

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manufacturers and supply chain vendors that provide hardware and software, and information technology equipment (to include microelectronics and semiconductors) for critical infrastructure

- Workers responding to cyber incidents involving critical infrastructure, including medical facilities, SLTT governments and federal facilities, energy and utilities, and banks and financial institutions, and other critical infrastructure categories and personnel
- Workers supporting the provision of essential global, national and local infrastructure for computing services (incl. cloud computing services), business infrastructure, web-based services, and critical manufacturing
- Workers supporting communications systems and information technology used by law enforcement, public safety, medical, energy and other critical industries
- Support required for continuity of services, including janitorial/cleaning personnel

OTHER COMMUNITY-BASED GOVERNMENT OPERATIONS AND ESSENTIAL FUNCTIONS

- Workers to ensure continuity of building functions
- Security staff to maintain building access control and physical security measures
- Elections personnel
- Federal, State, and Local, Tribal, and Territorial employees who support Mission Essential Functions and communications networks
- Trade Officials (FTA negotiators; international data flow administrators)
- Weather forecasters
- Workers that maintain digital systems infrastructure supporting other critical government operations
- Workers at operations centers necessary to maintain other essential functions
- Workers who support necessary credentialing, vetting and licensing operations for transportation workers
- Customs workers who are critical to facilitating trade in support of the national emergency response supply chain
- Educators supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other essential functions, if operating under rules for social distancing
- Hotel Workers where hotels are used for COVID-19 mitigation and containment measures

CRITICAL MANUFACTURING

- Workers necessary for the manufacturing of materials and products needed for medical supply chains, and for supply chains associated with transportation, energy, communications, food and agriculture, chemical manufacturing, nuclear facilities, the operation of dams, water and wastewater treatment, emergency services, and the defense industrial base. Additionally, workers needed to maintain the continuity of these manufacturing functions and associated supply chains.

HAZARDOUS MATERIALS

- Workers at nuclear facilities, workers managing medical waste, workers managing waste from pharmaceuticals and medical material production, and workers at laboratories processing test kits
- Workers who support hazardous materials response and cleanup
- Workers who maintain digital systems infrastructure supporting hazardous materials management operations

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FINANCIAL SERVICES

- Workers who are needed to process and maintain systems for processing financial transactions and services (e.g., payment, clearing, and settlement; wholesale funding; insurance services; and capital markets activities)
- Workers who are needed to provide consumer access to banking and lending services, including ATMs, and to move currency and payments (e.g., armored cash carriers)
- Workers who support financial operations, such as those staffing data and security operations centers

CHEMICAL

- Workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, workers who transport basic raw chemical materials to the producers of industrial and consumer goods, including hand sanitizers, food and food additives, pharmaceuticals, textiles, and paper products.
- Workers supporting the safe transportation of chemicals, including those supporting tank truck cleaning facilities and workers who manufacture packaging items
- Workers supporting the production of protective cleaning and medical solutions, personal protective equipment, and packaging that prevents the contamination of food, water, medicine, among others essential products
- Workers supporting the operation and maintenance of facilities (particularly those with high risk chemicals and/or sites that cannot be shut down) whose work cannot be done remotely and requires the presence of highly trained personnel to ensure safe operations, including plant contract workers who provide inspections
- Workers who support the production and transportation of chlorine and alkali manufacturing, single-use plastics, and packaging that prevents the contamination or supports the continued manufacture of food, water, medicine, and other essential products, including glass container manufacturing

DEFENSE INDUSTRIAL BASE

- Workers who support the essential services required to meet national security commitments to the federal government and U.S. Military. These individuals, include but are not limited to, aerospace; mechanical and software engineers, manufacturing/production workers; IT support; security staff; security personnel; intelligence support, aircraft and weapon system mechanics and maintainers
- Personnel working for companies, and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense, and government-owned/contractor-operated and government-owned/government-operated facilities

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Families First Coronavirus Response act

aka the FFCRA

Effective April 1, 2020 – December 31, 2020

Before we get to the FFCRA, let's look at some common sense things we can influence or control at work

All employers need to consider how best to decrease the spread of COVID-19 and lower the impact in their workplace. This may include activities in one or more of the following areas:

- reduce transmission among employees,
- maintain healthy business operations, and
- maintain a healthy work environment

Actively encourage sick employees to stay home:

- Employees who have symptoms (i.e., fever, cough, or shortness of breath) should notify their supervisor and stay home.
 - Yes, if they are sick at work we can send them home.
- Sick employees should follow CDC-recommended steps. Employees should not return to work until the criteria to discontinue home isolation are met, in consultation with healthcare providers and state and local health departments.
- Employees who are well but who have a sick family member at home with COVID-19 should notify their supervisor and follow CDC recommended precautions.

Separate Sick Employees

- Employees who appear to have symptoms (i.e., fever, cough, or shortness of breath) upon arrival at work or who become sick during the day should immediately be separated from other employees, customers, and visitors and sent home.
- If an employee is confirmed to have COVID-19 infection, employers should inform fellow employees of their possible exposure to COVID-19 in the workplace but maintain confidentiality as required by the Americans with Disabilities Act (ADA). The fellow employees should then self-monitor for symptoms (i.e., fever, cough, or shortness of breath).

Identify where and how workers might be exposed to COVID-19 at work:

- See OSHA COVID-19 webpage for more information on how to protect workers from potential exposures and guidance for employers, including steps to take for jobs according to exposure risk.
- Be aware that some employees may be at higher risk for serious illness, such as older adults and those with chronic medical conditions. Consider minimizing face-to-face contact between these employees or assign work tasks that allow them to maintain a distance of six feet from other workers, customers and visitors, or to telework if possible.

Educate employees about how they can reduce the spread of COVID-19:

- Employees can take steps to protect themselves at work and at home. Older people and people with serious chronic medical conditions are at higher risk for complications.
- Follow the policies and procedures of your employer related to illness, cleaning and disinfecting, and work meetings and travel.
- Stay home if you are sick, except to get medical care. Learn what to do if you are sick.
- Inform your supervisor if you have a sick family member at home with COVID-19. Learn what to do if someone in your house is sick.
- Wash your hands often with soap and water for at least 20 seconds. Use hand sanitizer with at least 60% alcohol if soap and water are not available.
- Avoid touching your eyes, nose, and mouth with unwashed hands.

Educate employees about how they can reduce the spread of COVID-19:

- Cover your mouth and nose with a tissue when you cough or sneeze or use the inside of your elbow. Throw used tissues in the trash and immediately wash hands with soap and water for at least 20 seconds. If soap and water are not available, use hand sanitizer containing at least 60% alcohol. Learn more about coughing and sneezing etiquette on the CDC website.
- Clean AND disinfect frequently touched objects and surfaces such as workstations, keyboards, telephones, handrails, and doorknobs. Dirty surfaces can be cleaned with soap and water prior to disinfection. To disinfect, use products that meet EPA's criteria for use against SARS-CoV-2, the cause of COVID-19, and are appropriate for the surface.
- Avoid using other employees' phones, desks, offices, or other work tools and equipment, when possible. If necessary, clean and disinfect them before and after use.
- Practice social distancing by avoiding large gatherings and maintaining distance (approximately 6 feet or 2 meters) from others when possible.

Implement flexible sick leave and supportive policies and practices:

- Ensure that sick leave policies are flexible and consistent with public health guidance and that employees are aware of and understand these policies.
- Maintain flexible policies that permit employees to stay home to care for a sick family member or take care of children due to school and childcare closures. Additional flexibilities might include giving advances on future sick leave and allowing employees to donate sick leave to each other.
- Employers that do not currently offer sick leave to some or all of their employees may want to draft non-punitive “emergency sick leave” policies.
- Employers should not require a positive COVID-19 test result or a healthcare provider’s note for employees who are sick to validate their illness, qualify for sick leave, or to return to work. Healthcare provider offices and medical facilities may be extremely busy and not able to provide such documentation in a timely manner.

Implement flexible sick leave and supportive policies and practices:

- Review human resources policies to make sure that policies and practices are consistent with public health recommendations and are consistent with existing state and federal workplace laws (for more information on employer responsibilities, visit the Department of Labor's and the Equal Employment Opportunity Commission's websites).
- Connect employees to employee assistance program (EAP) resources (if available) and community resources as needed. Employees may need additional social, behavioral, and other services, for example, to cope with the death of a loved one.
- Be prepared to change your business practices if needed to maintain critical operations (e.g., identify alternative suppliers, prioritize existing customers, or temporarily suspend some of your operations if needed).

Determine how you will operate if absenteeism spikes from increases in sick employees, those who stay home to care for sick family members, and those who must stay home to watch their children if dismissed from childcare programs and K-12 schools.

- Plan to monitor and respond to absenteeism at the workplace.
- Implement plans to continue your essential business functions in case you experience higher than usual absenteeism.
- Prepare to institute flexible workplace and leave policies.
- Cross-train employees to perform essential functions so the workplace can operate even if key employees are absent.

- **Advise employees before traveling to take additional preparations:**
- Check the CDC's Traveler's Health Notices for the latest guidance and recommendations for each country to which you will travel. Specific travel information for travelers going to and returning from countries with travel advisories, and information for aircrew, can be found on the CDC website.
- Advise employees to check themselves for symptoms of COVID-19 (i.e., fever, cough, or shortness of breath) before starting travel and notify their supervisor and stay home if they are sick.
- Ensure employees who become sick while traveling or on temporary assignment understand that they should notify their supervisor and promptly call a healthcare provider for advice if needed.
- If outside the United States, sick employees should follow County policy for obtaining medical care or contact a healthcare provider or overseas medical assistance company to assist them with finding an appropriate healthcare provider in that country. A U.S. consular officer can help locate healthcare services. However, U.S. embassies, consulates, and military facilities do not have the legal authority, capability, and resources to evacuate or give medicines, vaccines, or medical care to private U.S. citizens overseas.

Health Alert: Coronavirus Disease 2019 (COVID-19)

You have traveled to **an area** with an outbreak of COVID-19 and are at higher risk.

COVID-19 is a respiratory illness that can spread from person to person.

Stay Home

Stay home for the next 14 days and monitor your health. Take your temperature with a thermometer two times a day and watch for symptoms.

If you feel sick and have symptoms:

- Call ahead before you go to a doctor's office or emergency room.
- Tell the doctor about your recent travel and your symptoms.
- Avoid contact with others.
- Do not travel while sick.

Symptoms

Illnesses have ranged from mild symptoms to severe illness and death. Symptoms may appear 2–14 days after exposure.

Symptoms can include:



Fever (100.4°F/38°C or higher)



Cough



Shortness of breath

Visit the website for more information on monitoring your health and how to contact local public health officials. Visit: www.cdc.gov/COVIDtravel



HEALTH ALERT



**For 2 weeks after your trip —
WATCH YOUR HEALTH.**

STAY HOME if you feel sick with fever,
cough, or have difficulty breathing,

- Call a doctor.
- Tell the doctor about your travel.



Now, let's look at the law

- The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19.[\[1\]](#) The Department of Labor's (Department) Wage and Hour Division (WHD) administers and enforces the new law's paid leave requirements. These provisions will apply from the effective date through December 31, 2020.
- Generally, the Act provides that covered employers must provide to **all employees**:[\[2\]](#)
- *Two weeks (up to 80 hours) of **paid sick leave** at the employee's regular rate of pay* where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
- *Two weeks (up to 80 hours) of **paid sick leave** at two-thirds the employee's regular rate of pay* because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor.

Now, let's look at the law

- A covered employer must provide to **employees that it has employed for at least 30 days:**[\[3\]](#)
- *Up to an additional 10 weeks of **paid expanded family and medical leave** at two-thirds the employee's regular rate of pay* where an employee is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.
- **Covered Employers:** The paid sick leave and expanded family and medical leave provisions of the FFCRA apply to certain public employers, and private employers with fewer than 500 employees.[\[4\]](#) Most employees of the federal government are covered by Title II of the Family and Medical Leave Act, which was not amended by this Act, and are therefore not covered by the expanded family and medical leave provisions of the FFCRA. However, federal employees covered by Title II of the Family and Medical Leave Act are covered by the paid sick leave provision.
- Small businesses with fewer than 50 employees may qualify for exemption from the requirement to provide leave due to school closings or child care unavailability if the leave requirements would jeopardize the viability of the business as a going concern.

Now, let's look at the law

Qualifying Reasons for Leave:

- Under the FFCRA, an employee qualifies for paid sick time if the employee is unable to work (**or unable to telework**) due to a need for leave because the employee:
 1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
 2. has been advised by a health care provider to self-quarantine related to COVID-19;
 3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
 4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
 5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
 6. is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.
- Under the FFCRA, an employee qualifies for expanded family leave if the employee is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19.

Now, let's look at the law

Duration of Leave:

- **For reasons (1)-(4) and (6):** A full-time employee is eligible for up to 80 hours of leave, and a part-time employee is eligible for the number of hours of leave that the employee works on average over a two-week period.
- **For reason (5):** A full-time employee is eligible for up to 12 weeks of leave at 40 hours a week, and a part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

Calculation of Pay:[\[5\]](#)

- **For leave reasons (1), (2), or (3):** employees taking leave shall be paid at either their regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate (over a 2-week period).

Now, let's look at the law

Calculation of Pay:

- **For leave reasons (4) or (6):** employees taking leave shall be paid at $\frac{2}{3}$ their regular rate or $\frac{2}{3}$ the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).
- **For leave reason (5):** employees taking leave shall be paid at $\frac{2}{3}$ their regular rate or $\frac{2}{3}$ the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period—two weeks of paid sick leave followed by up to 10 weeks of paid expanded family and medical leave).[\[6\]](#)

Now, let's look at the law

- [\[2\]](#) Employers of Health Care Providers or Emergency Responders may elect to exclude such employees from eligibility for the leave provided under the Act.
- [\[3\]](#) Employers of Health Care Providers or Emergency Responders may elect to exclude such employees from eligibility for the leave provided under the Act.
- [\[4\]](#) Certain provisions may not apply to certain employers with fewer than 50 employees. See Department FFCRA regulations (expected April 2020).
- [\[5\]](#) Paid sick time provided under this Act does not carry over from one year to the next. Employees are not entitled to reimbursement for unused leave upon termination, resignation, retirement, or other separation from employment.
- [\[6\]](#) An employee may elect to substitute any accrued vacation leave, personal leave, or medical or sick leave for the first two weeks of partial paid leave under this section.

Essential Workers



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Essential Healthcare/Public Health

- Workers providing COVID-19 testing; Workers that perform critical clinical research needed for COVID-19 response
- Caregivers (e.g., physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists)
- Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.)
- Workers in other medical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Rural Health Clinics and Federally Qualified Health Centers)
- Manufacturers, technicians, logistics and warehouse operators, and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products
- Public health / community health workers, including those who compile, model, analyze and communicate public health information.

Essential Healthcare/Public Health

- Blood and plasma donors and the employees of the organizations that operate and manage related activities
- Workers that manage health plans, billing, and health information, who cannot practically work remotely
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely
- Workers performing cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely
- Workers conducting research critical to COVID-19 response
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely
- Workers who support food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing in shelters
- Pharmacy employees necessary for filling prescriptions
- Workers performing mortuary services, including funeral homes, crematoriums, and cemetery workers
- Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident.

Essential Law Enforcement/ Public Safety, First Responders

- Personnel in emergency management, law enforcement, Emergency Management Systems, fire, and corrections, including front line and management
- Emergency Medical Technicians
- 911 call center employees
- Fusion Center employees
- Hazardous material responders from government and the private sector.
- Workers – including contracted vendors -- who maintain, manufacture, or supply digital systems infrastructure supporting law enforcement emergency service, and response operations.

Essential Communications

- Maintenance of communications infrastructure- including privately owned and maintained communication systems- supported by technicians, operators, call-centers, wireline and wireless providers, cable service providers, satellite operations, undersea cable landing stations (including cable marine depots and submarine cable ship operators), Internet Exchange Points, and manufacturers and distributors of communications equipment
- Workers who support radio, television, and media service, including, but not limited to front line news reporters, studio, and technicians for newsgathering and reporting
- Workers at Independent System Operators and Regional Transmission Organizations, and Network Operations staff, engineers and/or technicians to manage the network or operate facilities
- Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables
- Installation, maintenance and repair technicians that establish, support or repair service as needed
- Dispatchers involved with service repair and restoration
- Central office personnel to maintain and operate central office, data centers, and other network office facilities
- Customer service and support staff, including managed and professional services as well as remote providers of support to transitioning employees to set up and maintain home offices, who interface with customers to manage or support service environments and security issues, including payroll, billing, fraud, and troubleshooting

Essential Information Technology

- Workers who support command centers, including, but not limited to Network Operations Command Center, Broadcast Operations Control Center and Security Operations Command Center
- Data center operators, including system administrators, HVAC & electrical engineers, security personnel, IT managers, data transfer solutions engineers, software and hardware engineers, and database administrators
- Client service centers, field engineers, and other technicians supporting critical infrastructure, as well as manufacturers and supply chain vendors that provide hardware and software, and information technology equipment (to include microelectronics and semiconductors) for critical infrastructure
- Workers responding to cyber incidents involving critical infrastructure, including medical facilities, SLTT governments and federal facilities, energy and utilities, and banks and financial institutions, and other critical infrastructure categories and personnel
- Workers supporting the provision of essential global, national and local infrastructure for computing services (incl. cloud computing services), business infrastructure, web-based services, and critical manufacturing
- Workers supporting communications systems and information technology used by law enforcement, public safety, medical, energy and other critical industries
- Support required for continuity of services, including janitorial/cleaning personnel

Essential Financial Services

- Workers who are needed to process and maintain systems for processing financial transactions and services (e.g., payment, clearing, and settlement; wholesale funding; insurance services; and capital markets activities)
- Workers who are needed to provide consumer access to banking and lending services, including ATMs, and to move currency and payments (e.g., armored cash carriers)
- Workers who support financial operations, such as those staffing data and security operations centers

Essential –Other Government Operations

- Workers to ensure continuity of building functions
- Security staff to maintain building access control and physical security measures
- Elections personnel
- Federal, State, and Local, Tribal, and Territorial employees who support Mission Essential Functions and communications networks
- Trade Officials (FTA negotiators; international data flow administrators)
- Weather forecasters
- Workers that maintain digital systems infrastructure supporting other critical government operations
- Workers at operations centers necessary to maintain other essential functions
- Workers who support necessary credentialing, vetting and licensing operations for transportation workers
- Customs workers who are critical to facilitating trade in support of the national emergency response supply chain

COVID-19 Leadership Guidance

Employee Situation	Use of Benefit Time
1. Is subject to a Federal, State or local quarantine, or isolation order related to COVID-19	Accrued Sick Leave eligible with approval; may qualify for alternative work arrangement; or may qualify for up to 2 weeks of paid* sick leave or Extended Family and Medical Leave (EFMLA) under Families First Coronavirus Response Act.
2. Self-Isolation related to COVID-19 due to physician recommendation.	Accrued Sick Leave eligible with approval; may qualify for alternative work arrangement; or may qualify for up to 2 weeks of paid* sick leave or Extended Family and Medical Leave (EFMLA) under Families First Coronavirus Response Act.
3. Exhibiting symptoms of COVID-19 (such as fever, cough and shortness of breath) and seeking a medical diagnosis.	Accrued Sick Leave eligible with approval; may qualify for alternative work arrangement; or may qualify for up to 2 weeks of paid* sick leave or Extended Family and Medical Leave (EFMLA) under Families First Coronavirus Response Act.

COVID-19 Leadership Guidance

Employee Situation	Use of Benefit Time
4. Caring for an individual for an initial or ongoing illness related to COVID-19.	Accrued Sick Leave eligible with approval; may qualify for alternative work arrangement; or may qualify for up to 2 weeks of paid** sick leave or Extended Family and Medical Leave (EFMLA) under Families First Coronavirus Response Act.
5. Is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons.	Accrued Sick Leave eligible with approval; may qualify for alternative work arrangement; or may qualify for up to 12 total weeks of paid*** sick leave or Extended Family and Medical Leave (EFMLA) under Families First Coronavirus Response Act.
6. Is experiencing any other substantially-similar condition(s) as specified by the US Dept. of Health and Human Services.	Accrued Sick Leave eligible with approval; may qualify for alternative work arrangement; or may qualify for up to 2 weeks of paid** sick leave or Extended Family and Medical Leave (EFMLA) under Families First Coronavirus Response Act.

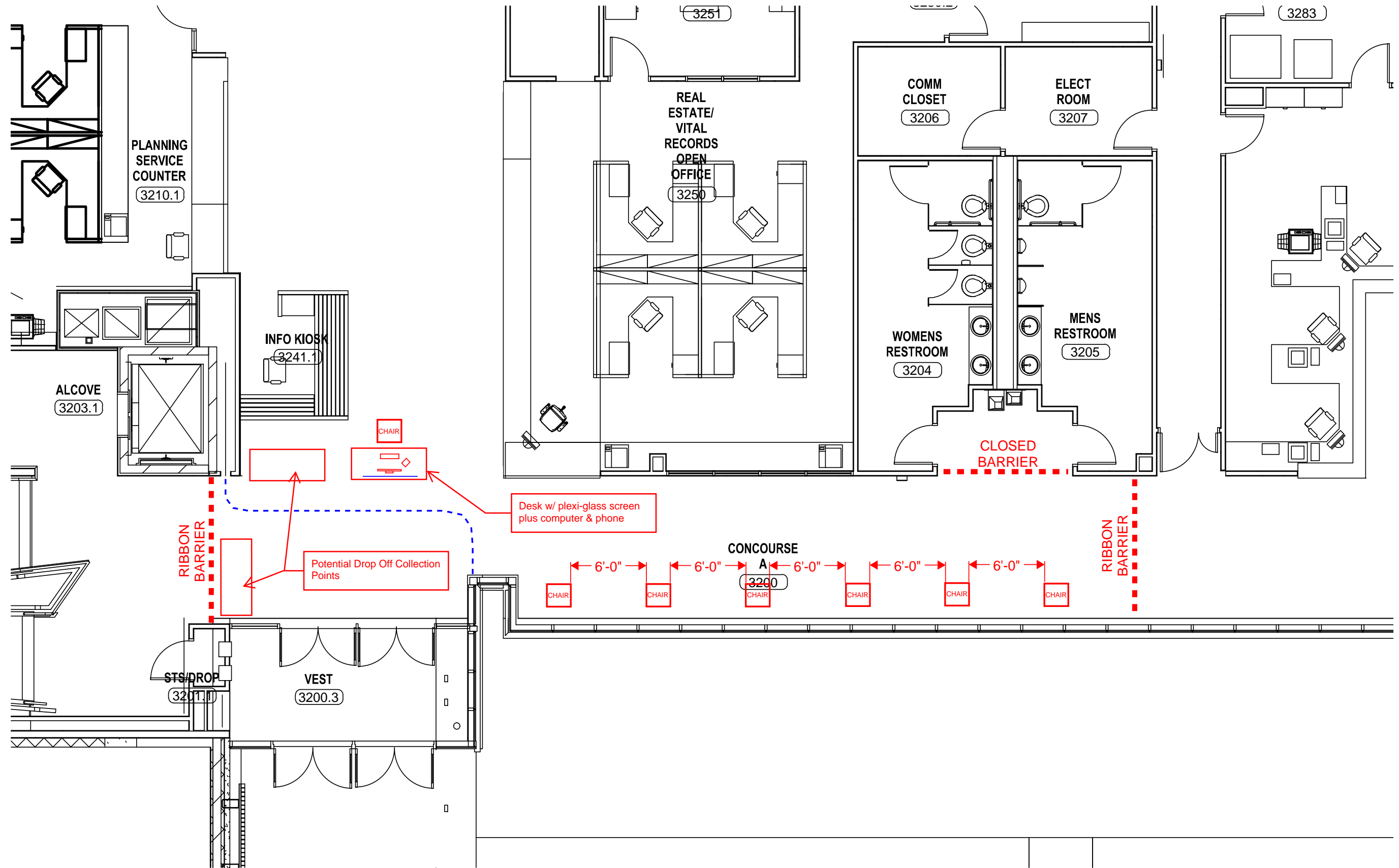
COVID-19 Leadership Guidance

Employee Situation	Use of Benefit Time
7. Had close contact within the past 14 days with someone that has traveled international areas under a CDC Level 2-3 travel notice, or in certain areas of the United States with high concentrations of COVID-19.	Accrued sick leave eligible with approval, or alternative work arrangement.
8. Caring for an immediate family member for an initial or ongoing illness or injury NOT related to COVID-19.	Emergency Personal Leave (sick leave) eligible (FMLA qualified if applicable)
9. Illness (initial or ongoing), off-duty injury/surgery, or other serious health conditions NOT related to COVID-19.	Accrued Sick Leave eligible (FMLA qualified if applicable)

*Items 1, 2 & 3: Eligible to receive 100% of their regular pay for up to 10 days/80 hours, up to a maximum of \$511/day or \$5110 in total.

**Items 4 & 6: Eligible to receive 2/3 of their regular pay for up to 10 days/80 hours, up to a maximum of \$200/day or \$2000 in total.

***Item 5 only: Eligible to receive up to 10 additional weeks of FMLA and 2/3 of their regular pay up to a maximum of \$200/day or \$12,000 in total.





Memorandum

DATE: March 26, 2020
FROM: Jon Morrill
TO: Pennington County Board of Commissioners
RE: Travel and Hiring Guidance During COVID-19 Period

Per recent discussions with County Commissioners and COVID-19 experts, it's recommended the Board of County Commissioners consider issuing a formal directive limiting all business-related travel. This would limit potential exposure incidents and reduce overall risks to County employees and the citizens we serve.

The directive could include a provision to allow essential travel related to law enforcement activities or court-related activities that could potentially harm the County, employees or citizens of the County if delayed or prevented.

In addition, it's also recommended the Board of County Commissioners reduce or eliminate the hiring of new or replacement employees during the COVID-19 period. This action would reduce or eliminate any additional financial burden to the County during this period of uncertainty, and help ensure continued efficient use of available or anticipated future financial resources.

Suggested motions would be as follow:

1. I move to restrict all business-related travel, with the exception of required law enforcement or court-related activities until further notice.
2. I move to halt the hiring of new or replacement employees into County positions without Board of Commissioners approval until further notice.

I will be present at the March 27, 2020 Board of Commissioners meeting to answer any questions you may have.

Thank you,

A handwritten signature in black ink, appearing to read "Jon Morrill", is written over the typed name.

Jon Morrill

Human Resources Director
Pennington County



Memorandum

DATE: March 26, 2020
FROM: Jon Morrill
TO: Pennington County Board of Commissioners
RE: Personal Travel During COVID-19 Period

Following multiple conference calls and training webinars in the past weeks, I'd suggest the Board of County Commissioners consider issuing a formal directive suggesting limited employee personal travel to areas of heightened COVID-19 infection. This would limit potential exposure incidents and reduce overall risks to the health of County employees and the citizens we serve.

The directive would include provisions outlining processes for employees to communicate to their Department Head or Elected Official of their interest in travel to areas with COVID-19 infections. The reason for travel should be considered by the Department Head or Elected Official, and used in their decision to support or not support the travel request. i.e. to pick up a child from college because the campus is closed until further notice, etc.

The process could follow this structure:

1. Employee makes Dept. Head/Elected Official aware of their intent to travel, including general purpose of the travel.
2. Dept. Head/Elected Official makes employee aware of potential health risks, and outlines the return to work procedures.
3. Employee travels, returns from travel, and notifies their Dept. Head/Elected Official of any details regarding the trip that would be related to COVID-19 exposure. i.e. no contact with virus, no temp upon return, etc.
4. Employee returns to work as scheduled in cases where no symptoms or exposure.
5. Employee is asked to stay away from the workplace for up to 14 days in cases of symptoms or potential exposure. During the time away employee would be able to access accrued sick or vacation leave hours to provide pay for the period away from the workplace.

Suggested motion could be as follow:

1. I move to implement the personal travel provisions outlined in this memo effective immediately and continuing through the current COVID-19 outbreak or until December 31, 2020, whichever comes first.

I will be present at the March 27, 2020 Board of Commissioners meeting to answer any questions you may have.

Thank you,

A handwritten signature in black ink, appearing to read "Jon Morrill", is written over the typed name.

Jon Morrill-Human Resources Director
Pennington County