RESOLUTION NO. <u>6-0420</u>

EXCLUDING EMERGENCY RESPONDERS AND HEALTH CARE PROVIDERS FROM THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

WHEREAS, the Families First Coronavirus Response Act, known as FFCRA or Act herein this document, modifies the requirements of the Family and Medical Leave Act (Emergency Family and Medical Leave Expansion Act) and creates paid sick leave (Emergency Paid Sick Leave Act) for employees while the employee or his/her family members are impacted by COVID-19, as set forth in the FFCRA, which will take effect on April 1, 2020, with a sunset date of December 31, 2020; and

WHEREAS, the FFCRA provides that certain "health care providers" and "emergency responders", as defined by the Secretary of Labor, may be excluded or exempted, from paid sick leave or expanded family and medical leave benefits available under the FFCRA, by their employer; and

WHEREAS, the Department of Labor has issued Guidance Explaining Paid Sick Leave and Expanded Family and Medical Leave under the Families First Coronavirus Response Act, defining who is a "health care provider" for purposes of such exclusions/exemptions, including anyone employed at any doctor's office, hospital, health care center, clinic, post-secondary educational institution offering health care instruction, medical school, local health department or agency, nursing facility, retirement facility, nursing home, home health care provider, any facility that performs laboratory or medical testing, pharmacy, or any similar institution, employer, or entity, as well as anyone employed by any entity that provides medical services, produces medical products, or is otherwise involved in the making of COVID-19 related medical equipment, tests, drugs, vaccines, diagnostic vehicles, or treatments; and

WHEREAS, the employees employed by the County working at the Bloomfield Healthcare and Rehabilitation Center fall within the definition of "health care provider"; and

WHEREAS, the Department of Labor's Guidance Explaining Paid Sick Leave and Expanded Family and Medical Leave under the Families First Coronavirus Response Act, also defines who is a "emergency responder" for purposes of such exclusions/exemptions, as any employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of patients, or whose services are otherwise needed to limit the spread of COVID-19, including but not limited to, military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency, as well as individuals who work for such

facilities employing these individuals and whose work is necessary to maintain the operation of the facility; and

WHEREAS, Law Enforcement Deputies, Detectives and Dispatcher/Correctional Officers, Emergency Management personnel, Environmental Services and Public Health employees employed by the County fall within the definition of "emergency responders; and

WHEREAS, after applying the provisions of the FFCRA and the above Guidance, it has been determined that Iowa County, as a local government employer covered under the FFCRA, can elect to exclude "emergency responders" and "health care providers", as defined therein, from sick leave and expanded family medical leave benefits under the FFCRA.

NOW THEREFORE, BE IT RESOLVED, that Iowa County defines "emergency responders" as Law Enforcement Officers and Detectives, Emergency Management Personnel, Dispatcher/Correctional Officers, Environmental Services and all of Public Health and defines "health care providers" as County employees at Bloomfield Healthcare and Rehabilitation Center; and hereby elects to exclude them from benefits under the FFRCA (Emergency Paid Sick Leave Act and Emergency Family and Medical Leave Expansion Act).