



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, January 12, 2021
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Consider approval of an extension of COVID-19 Temporary Employee Leave Policies
Background Information:	<p>In 2020, the federal government passed the Families First Coronavirus Response Act (FFCRA) in response to the COVID-19 pandemic, which required all public employers and employers with fewer than 500 employees to provide access to emergency paid sick leave and emergency public health leave. On April 14, 2020, the Council approved the Temporary COVID-19 Employee Leave Policies in compliance with the Act. The policies were retroactive to April 1, 2020, and in accordance with the Act, these policies expired on 12/31/2020.</p> <p>On December 27, 2020, the federal government passed a COVID relief bill, however, this bill does not extend the mandate that employers provide emergency paid sick leave and emergency public health leave past 12/31/2020. Rather, the relief bill allows employers to voluntarily continue to provide the benefit under the same provisions of the FFCRA into 2021.</p> <p>Because the passage of the relief bill occurred after the last Council meeting of 2020, the Council was not afforded the opportunity to determine the status of the policy going into 2021. On December 28, 2020, under the local peacetime emergency authority, the Mayor signed a resolution providing for an emergency extension of the City's COVID Temporary Employee Leave Policies thru January 12, 2021---the date of the first regular City Council meeting in January. This affords the City Council the opportunity to determine whether these policies will continue or expire. If the Council decides to discontinue the leave benefits, the policies will expire January 12, 2021. If the Council desires to continue these policies in 2021, staff recommend expiring the policies on June 30, 2021. Alternatively, the Council could establish another date to expire the policies on.</p> <p>If the Council chooses to continue to voluntarily provide the leave benefits, staff recommend the approval be an extension of the policies---this would provide for the "continuation" of leave benefits in accordance with the provisions of the Act, not a "reset" of leave benefits for employees. In the relief bill, Congress provided that employers could voluntarily continue the benefit under the same provisions of the FFCRA into 2021. For example, an employee who utilized the 80 hours of emergency paid sick leave in 2020 would not be eligible for additional hours if this extension were approved by the Council.</p> <p>These policies were originally developed by Congress to protect families' financial security and to mitigate the spread of the virus. Though Congress did not approve a mandatory employer extension, the voluntary extension of the policy by the Council would continue to serve these purposes. Other reasons to consider extension of the policy include employees who are needed to care for younger children who are in distance or hybrid learning schedules, or when child-care becomes unavailable due to the pandemic. In order to protect the health of our employees and customers, the City has been proactive in working with employees who experience or are otherwise impacted by this illness in permitting telework were possible,</p>

	<p>allowing the use of the employee’s sick leave accruals to care for dependents whose place of daycare or school has closed or is in a hybrid learning model, etc.</p> <p>If the Council decides to expire the policies today (01/12/2021), full-time employees will be required to utilize available leave accruals for absences due to COVID-19. Part-time and temporary employees are not eligible for leave benefits, and therefore, would have unpaid time for absences due to the virus. Staff recommend that full-time employees be permitted to continue to utilize their available sick leave accruals in the event of a school or daycare closings until June 30, 2021, or other date as directed.</p> <p>Staff requested information from our comparable cities and Lyon County on whether or not they were going to continue or expire the policies. The results are attached.</p>
Fiscal Impact:	
Alternative/ Variations:	<ol style="list-style-type: none"> 1) that the Council approves an extension of the Temporary COVID-19 Employee Leave Policies through an alternative date agreed upon by the Council. 2) that the Council expires the policies effective January 12, 2021.
Recommendations:	that the Council approves an extension of the Temporary COVID-19 Employee Leave Policies until June 30, 2021.