

ORDINANCE 909

AN ORDINANCE OF THE CITY OF TENINO, WASHINGTON REGARDING COMPENSATION FOR EMPLOYEES OF THE CITY OF TENINO DURING CERTAIN DECLARED EMERGENCY HEALTH CRISES

WHEREAS, the Tenino City Council duly adopted Resolution 2019-01 on May 28, 2019, outlining the basic personnel policies for City employees; and

WHEREAS, under the provisions of RCW 35A.33.105, the City Council may, by ordinance, change the wages, hours, and conditions of employment of any or all of its employees; and

WHEREAS, the City has reviewed the Washington State Attorney General Opinions of August 2, 2006, and March 17, 2010 in which it states that individual cities may adopt specific policies regarding payment of employees during times of public health crises declared by public health agencies with jurisdiction over the City, such as pandemic flu or the COVID-19 virus; and

WHEREAS, the City Council of the City of Tenino desires to establish a policy whereby full-time regular employees who are ready, willing, and able to work, but for health and safety reasons are precluded from doing so due to social distancing requirements imposed by the State of Washington, Thurston County Department of Public Health, or the City of Tenino due to risk of contagion, would receive their normal compensation.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TENINO WASHINGTON as follows:

Section I. The City of Tenino hereby adopts a policy where, in the event of an emergency health crisis in which the State of Washington, Thurston County Department of Public Health, or the City of Tenino requires social distancing to reduce the likelihood of contagion, full-time regular City employees shall receive their normal compensation, consistent with applicable law and audit standards, provided:

- A. When the tasks normally performed by an employee can be performed from a remote location, the employee may be required by their supervisor to perform those tasks from their remote location where the City has provided the employee with the technologies to do so.
- B. On a daily basis, no employee shall be required to perform more hours of work from a remote location than they would if they reported to work for their regularly scheduled shift(s) unless they are paid (or choose to accept Compensatory Time) at the rate specified by the City Official Handbook, as amended.

Section 2. This policy applies to those employees who are ready, willing and able to work, but for health and safety reasons would be precluded from doing so by the requirement for social distancing. The Mayor is further authorized to implement this Ordinance and execute any administrative policies and procedure deemed necessary and appropriate.

Section 3. With respect to each declared emergency public health crisis, the Mayor is authorized to provide the compensation provided herein until withdrawn by the Mayor, or until the particular public health crisis is declared over by the public health agency, or until withdrawn by the City Council.

Section 4. Effective Date. This Ordinance shall be effective 5 days after publication as required by law.

ADOPTED by the City Council at a regularly scheduled meeting this 14th day of April, 2020.

Wayne Fournier, Mayor

ATTEST:

John C. Millard, Clerk/Treasurer

Approved as to form:

Richard L. Hughes, City Attorney