

OPERATIONS & ADMINISTRATIVE COMMITTEE AGENDA

Called by: Keith McDonald, Chairman
Members: John Butitta, Jean Crosby,
Paul Arena, Joe Hoffman, Dorothy
Redd, Jaime Salgado

DATE: THURSDAY, JANUARY 7, 2021
TIME: 5:30 PM
LOCATION: VIRTUAL MEETING - ZOOM
(WINNEBAGO COUNTY YOUTUBE
LIVE)

The Winnebago County Board Chairman has determined that an in-person meeting is not practicable or prudent because of the COVID-19 pandemic.

AGENDA:

- A. Call to Order
- B. Roll Call
- C. Public Comment – This is the time we invite the public to address the Operations and Administrative Committee with issues and concerns. We ask you to limit your comments to three minutes. Personal attacks or inappropriate language of any sort will not be tolerated. We will allow a maximum of five speakers on a first come basis with sign up at the meeting. Speakers may not address zoning matters which are pending before the ZBA, the Zoning Committee or the County Board. Personnel matters or pending or threatened litigation may not be addressed in open session. An individual may speak a maximum of three times per calendar year on the same topic. This prohibition shall include the repetition of the same topic in a statement on what is purported to be a different topic. After acknowledgement by the chair, please stand and state your name. Thank you.
- D. Resolution Extending the Coronavirus Response Policy
- E. Other Matters
- F. Adjournment



Resolution Executive Summary

Prepared By: Patrick Thompson

Committee: Operations and Administration

Committee Date: January 7, 2021

Resolution Title: Resolution for Extension of the Coronavirus Response Policy

Board Meeting Date: January 14, 2021

Budget Information:

Was item budgeted?	Appropriation Amount:
If not, explain funding source:	
ORG/OBJ/Project Code:	Budget Impact:

Background Information: On April 10, 2020, Winnebago County adopted the Coronavirus Response Policy effective April 1, 2020 thru December 31, 2020. The United States Department of Labor has issued an extension of the FFCRA effective January 1, 2021 thru March 31, 2021. The cumulative hours of leave provided for under this policy does not change on January 1, 2021. Hours used in either 2020 or 2021 will be counted against the same limit. The updated policy does not add any new FFCRA Sick Leave Hours or renew any FFCRA Sick Leave Hours used prior to January 1, 2021.

Recommendation: The Operations and Administrative Committee, chaired by Keith McDonald has reviewed the resolution presented to the Board. The Board is asked to vote in favor of the Committee's recommendation at its January 14, 2021 meeting.

Contract/Agreement: Policy extension is effective January 1, 2021 thru March 31, 2021.

Legal Review: States Attorney's office

Follow-Up: N/A

RESOLUTION
of the
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS

Sponsored by: Keith McDonald

Submitted by: Operations and Administrative Committee

2021 CR

RESOLUTION EXTENDING THE CORONAVIRUS RESPONSE POLICY

WHEREAS, the significant global a significant global outbreak of Coronavirus Disease 2019 (COVID-19) emerged in early 2020; and

WHEREAS, the federal government approved the Families First Coronavirus Response Act (FFCRA) on March 18, 2020, to provide paid leave to employees impacted by COVID-19, the current Act is set to expire on December 31, 2020; and

WHEREAS, the FFCRA is applicable to the County of Winnebago as a public entity and we are extending the FFCRA effective on January 1, 2021 through March 31, 2021; and

WHEREAS, the United States Department of Labor has issued an extension of the FFCRA through March 31, 2021; and

WHEREAS, the revised Coronavirus Response Policy, attached hereto as Exhibit A, has been approved and implemented by the County Administrator and is submitted to the County Board for Approval.

NOW, THEREFORE BE IT RESOLVED, by the County Board of the County of Winnebago, Illinois, that the Coronavirus Response Policy effective January 1, 2021, attached hereto as Exhibit A, is adopted by the County of Winnebago and replaces the policy previously adopted on April 10, 2020.

BE IT FURTHER RESOLVED that this Resolution shall be in full force effective January 1, 2021 through March 31, 2021.

BE IT FURTHER RESOLVED, that the Clerk of the County Board is hereby directed to prepare and deliver a copy of this Resolution to the County Administrator, the County Human Resources Director, and the Winnebago County State's Attorney.

Respectfully Submitted,
OPERATIONS AND ADMINISTRATIVE COMMITTEE

AGREE

DISAGREE

KEITH McDONALD, CHAIRMAN

KEITH McDONALD, CHAIRMAN

JOHN BUTITTA, VICE CHAIRMAN

JOHN BUTITTA, VICE CHAIRMAN

PAUL ARENA

PAUL ARENA

JEAN CROSBY

JEAN CROSBY

JOE HOFFMAN

JOE HOFFMAN

DOROTHY REDD

DOROTHY REDD

JAIME SALGADO

JAIME SALGADO


The above and foregoing Resolution was adopted by the County Board of the County of Winnebago, Illinois this ____ day of _____ 2021.

ATTESTED BY:

JOSEPH CHIARELLI
CHAIRMAN OF THE COUNTY BOARD
OF THE COUNTY OF WINNEBAGO, ILLINOIS

LORI GUMMOW

CLERK OF THE COUNTY BOARD
OF THE COUNTY OF WINNEBAGO, ILLINOIS

Description:		CORONAVIRUS RESPONSE POLICY		Policy Number:	
	WINNEBAGO COUNTY			Revision Date:	4/1/20
				Issue Date:	3/27/20
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I. PURPOSE

To set forth the County of Winnebago’s policy and procedures regarding leave, payment and benefits when an employee requires time off related to Coronavirus/COVID-19.

II. SCOPE

Except as otherwise provided herein, this policy applies to all employees at Winnebago County, including those of elected officials, if so adopted.

III. EFFECTIVE DATE

This policy was originally effective April 1, 2020 through December 31, 2020 and is being extended through March 31, 2021.

As authorized by law, the County hereby extends the pay and leave provisions contained in the Families First Coronavirus Response Act (FFCRA) for all County employees for the period of time from January 1, 2021 through March 31, 2021. This policy update provides an extension of time for the use of FFCRA sick leave hours under specific circumstances and expanded leave eligibility under the Family and Medical Leave Act of 1993 for specified reasons related to COVID-19 as originally implemented in the County’s Policy issued on March 27, 2020 and revised on April 1, 2020.

The cumulative hours of leave provided under this policy does not change on January 1, 2021. Hours used in either 2020 or 2021 will be counted against the same limit. This policy update does not add any new FFCRA sick leave hours.

IV. POLICY

Winnebago County is committed to ensuring that employees that require quarantine and/or isolation for exposure to COVID-19 or time off related to COVID-19 are compensated in accordance with current County policies, the federal Families First Coronavirus Response Act, and any and all other applicable state and federal laws.


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V. FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The Families First Coronavirus Response Act (FFCRA) provides Emergency Paid Sick Leave to employees for reasons related to COVID-19 and expands qualifying leave under the Family and Medical Leave Act to include leave for specified reasons related to COVID-19. On April 2, 2020, the U.S. Department of Labor issued a temporary rule to implement the FFCRA (the “Rule”). To the extent that this policy conflicts with the FFCRA and/or the Rule, or any subsequent amendments, the provisions of the FFCRA and/or Rule will apply, with the portions of this policy that do not conflict remaining in full force and effect.

VI. DEFINITIONS

- A. Quarantine: A situation in which a person who is not symptomatic but is suspected to have been exposed to COVID-19 is asked to remain separated from other people in order to prevent the possible spread of the virus.
- B. Isolation: The separation from other people of a person known or reasonably believed to be infected with COVID-19.
- C. Qualifying Reasons for Sick Leave: An employee is entitled to take up to 80 hours of paid leave related to COVID-19 (at either full pay or two-thirds pay, depending on the reason for the leave) if the employee is unable to work, including telework, 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 due to concerns 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) above or self-quarantine as described in (2) above;
 - 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 precautions; or
 - 6. Is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services.

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D. Qualifying Need Related to a Public Health Emergency: An employee is unable to work (or telework) due to a need for leave to care for the son or daughter under 18 years of age of such employee if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to a public health emergency.

VII. EXCLUSIONS

The FFCRA permits employers of employees who are health care providers and emergency responders, as defined by the United States Department of Labor, to exclude those employees from the application of the Emergency Paid Sick Leave and the Expanded FMLA. Based upon this authorization and the need to maintain essential services, the following employees are excluded from the leave and pay provisions for leave: (a) as defined in Section VI(C)(2) above – only to the extent that the leave is requested due to the health care provider’s opinion that the employee is particularly vulnerable to COVID-19; (b) Section VI(C)(5) above; and (c) Section VI(D) above:

1. All employees at River Bluff Nursing Home; and
2. All employees of the Winnebago County Sheriff’s Department.


VIII. PAID FFCRA SICK LEAVE

A. Any employee taking paid leave under the FFCRA must notify their supervisor following established practices (or as required by their collective bargaining agreement, if applicable), and support their request with the documentation set forth in Section X below.

B. Additionally, while under a quarantine period, an employee:

1. Is not to come onto work premises. For COVID-19, the quarantine period is expected to be 14 days;
2. Is urged to discuss the possibility of telework with their supervisor, which would negate the need to use paid COVID-19 leave. If permitted to telework, the employee must be available to their supervisor during working hours by phone; and
3. Must keep their supervisor informed of the projected end date of their quarantine.

An employee must provide documentation from the respective Public Health Authority and/or health care provider clearing them to return to work prior to coming back onto work premises. Employees are expected to cooperate with reasonable requests to facilitate

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access to health information, if necessary, to confirm that returning to work is safe.

C. Additionally, while under a treatment/isolation period, an employee:

1. Is not to come onto work premises;
2. Is not permitted to perform any work, including telework or fulfillment of any on-call status duties;
3. Should contact County Human Resources to discuss leave under the Family and Medical Leave Act (FMLA) or other applicable leaves; and
4. Must keep their supervisor informed of the date they anticipate being able to return to work.

An employee must provide documentation from the respective Public Health Authority and/or health care provider clearing them to return to work prior to coming back onto work premises. Employees are expected to cooperate with reasonable requests to facilitate access to health information, if necessary, to confirm that returning to work is safe.

IX. EXPANDED FMLA

Employees (part-time or full-time) who have been employed for at least 30 calendar days can take FMLA for a “Qualifying Need Related to a Public Health Emergency.” In order to use FMLA under the FFCRA, you must:

- A. Let your supervisor know as soon as possible in the event you are seeking leave based on a qualifying need related to a public health emergency; and
- B. Complete FMLA paperwork and provide appropriate supporting documentation, as set forth in Section X below.

X. DOCUMENTATION

Employees must provide documentation containing the following information prior to taking paid FFCRA sick leave or expanded FMLA under this policy:

- (1) Employee’s name;
- (2) Date(s) for which leave is requested;
- (3) Qualifying reason for the leave; and
- (4) Oral or written statement that the employee is unable to work or telework

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because of the qualified reason for leave.

In addition, documentation of the following information is required, depending on the qualified reason for the leave:


- (1) For leave as defined in Section VI(C)(1), the name of the government entity that issued the quarantine or isolation order;
- (2) For leave as defined in Section VI(C)(2), the name of the health care provider who advised the employee to self-quarantine;
- (3) For leave as defined in Section VI(C)(4), the name of the government entity that issued the quarantine or isolation order or the name of the health care provider who advised the individual being cared for to self-quarantine, whichever is applicable; and
- (4) For leave as defined in Section VI(C)(5) or leave under the expanded FMLA:
 - (a) The name of the son or daughter being cared for;
 - (b) The name of the school, place of care, or child care provider that has closed or become unavailable;
 - (c) A representation that no other suitable person will be caring for the son or daughter during the period for which the employee take paid sick leave or expanded FMLA; and
 - (d) For the care of a child older than 14 years of age during daylight hours, a statement that special circumstances exist requiring the employee to provide care.

XI. PAYMENT AND LEAVE PRACTICES

A. Starting April 1, 2020, the County will adhere to the pay and leave requirements as contained in the FFCRA, except as otherwise provided herein.

B. Use of accruals:

1. Employees who are receiving two-thirds of their pay under the FFCRA for leave as defined in Section VI(C)(4) may elect to use vacation, personal time, compensatory time, and/or sick accruals to make up the remaining one-third in order to receive full pay.
2. Employees who are receiving two-thirds of their pay under the FFCRA for leave as defined in Section VI(C)(5) or Section VI(D) may elect to use vacation, personal

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time, and compensatory time accruals to make up the remaining one-third in order to receive full pay.

3. Employees must notify their supervisor if electing to use accruals under this subsection.

XII. DISCLOSURE OF INFORMATION

All employees are asked to make their supervisor aware if they have been in close contact with someone whom they know has been given a directive to isolate by a Public Health Authority or health care provider due to concerns related to COVID-19.