

Executive Order No. 6: COVID-19 Emergency Pandemic Leave

Issue Date: January 8, 2021

Subject: COVID-19 Emergency Pandemic Leave

Authority Signature: Erin Mendenhall, Mayor

Preface:

On March 10, 2020, the Mayor of Salt Lake City issued a “Proclamation Declaring a Local Emergency” (the “Emergency Proclamation”) in response to the global outbreak of COVID-19. Subsequently, on March 12, 2020, the Mayor of Salt Lake City issued a second emergency proclamation entitled “Mayor’s Exercise of Emergency Powers Related to Salt Lake City Emergency Proclamation No. 1 of 2020” (the “Exercise of Emergency Powers Proclamation”). That same day (i.e. March 12, 2020), and pursuant to the Emergency Proclamation and the Exercise of Emergency Powers Proclamation, the Mayor of Salt Lake City also executed an Executive Order entitled “COVID-19 Emergency Pandemic Leave” (“First COVID-19 Executive Order”).

On March 20, 2020, in response to the increasing community spread of COVID-19, the Mayor of Salt Lake City rescinded the First COVID-19 Executive Order and executed a second Executive Order entitled “COVID-19 Emergency Pandemic Leave, Pandemic-related Work Modifications, and Contracts Procurement” (“Second COVID-19 Executive Order”). Eleven days later (i.e. on March 31, 2020), in response to the federal government’s enactment of the “Families First Coronavirus Response Act” (“FFCRA”), the Mayor of Salt Lake City rescinded the Second COVID-19 Executive Order and executed a third Executive Order entitled “Families First Coronavirus Response Act (“FFCRA”), Pandemic-related Work Modifications, and Contracts Procurement” (“Third COVID-19 Executive Order”).

With the expiration of the FFCRA on December 31, 2020, Salt Lake City Corporation hereby creates and implements a new form of paid leave entitled “COVID-19 Emergency Pandemic Leave.”

Therefore, the Mayor of Salt Lake City enacts the following Sixth Executive Order regarding “COVID-19 Emergency Pandemic Leave” (“Sixth COVID-19 Executive Order”).

This Sixth COVID-19 Executive Order is effective January 1, 2021 and will remain in effect through June 30, 2021 unless otherwise amended or rescinded.

1. Definitions.

- 1.1. “COVID-19” means a human infectious disease identified and classified by the World Health Organization and the Centers for Disease Control and Prevention (“CDC”) as “coronavirus disease 2019.”

- 1.2. "Symptomatic" means experiencing symptoms (as designated by the CDC) of COVID-19.
- 1.3. "Self-quarantine" means: i) the separation of an individual reasonably believed to have been exposed to COVID-19 from others; or ii) any other practice classified as such by the CDC.
- 1.4. "City employee" includes all full-time employees (defined as City employees who are regularly scheduled and work 30 or more hours per week), part-time employees (defined as City employees who work up to 28 hours per week or less than 130 hours per month), and seasonal employees (defined as City employees who perform work that: i) by its nature, is not performed continuously throughout the year; ii) may only be performed at certain times during the year; and iii) lasts six (6) months or less).
- 1.5. "Emergency responder" includes all City employees classified as such in Section 2.2 of the Third COVID-19 Executive Order.
- 1.6. "Personal leave" means and refers to the leave described in Section XV of City Policy 3.03.05 (Leave Practices).
- 1.7. "Sick leave" means and refers to the leave described in Section XVI of City Policy 3.03.05 (Leave Practices).
- 1.8. "Hospitalization leave" means and refers to the leave described in Section X of City Policy 3.03.05 (Leave Practices).
- 1.9. "Vacation leave" means and refers to the leave described in Section XVII of City Policy 3.03.05 (Leave Practices).
- 1.10. "COVID-19 Emergency Pandemic Leave" means and refers to the form of paid leave created and implemented by this Sixth COVID-19 Executive Order.

2. COVID-19 Emergency Pandemic Leave.

- 2.1. A City employee who is not an emergency responder; is unable to telecommute (as determined by the employee's department director and/or their designee(s)); AND is
 - i. advised by a federal, state, or local government entity or a health care provider to self-quarantine due to concerns related to COVID-19; OR
 - ii. is symptomatic and seeking medical diagnosis

is eligible to receive up to 80 hours of COVID-19 Emergency Pandemic Leave at 100 percent of their regular rate of pay (in lieu of using personal leave, sick leave, hospitalization leave, and/or vacation leave).

- 2.2. A City employee who is not an emergency responder; is unable to telecommute (as determined by the employee's department director and/or their designee(s)); AND is
- i. caring for an individual in the employee's household who has been advised by a federal, state, or local government entity or health care provider to self-quarantine due to concerns related to COVID-19; OR
 - ii. caring for their child (defined as an individual under fifteen (15) years of age) who lives in the employee's household and whose school, place of care, or child care provider is closed or unavailable due to COVID-19 related reasons; OR
 - iii. experiencing any other substantially-similar condition that may arise, as specified by the Secretary of Health and Human Services

is eligible to receive up to 80 hours of COVID-19 Emergency Pandemic Leave at 66.66 percent of their regular rate of pay (in lieu of using personal leave, sick leave, hospitalization leave, and/or vacation leave). In addition, if the employee has other forms of paid leave (i.e. personal leave, sick leave, hospitalization leave, and/or vacation leave) available, they may elect (but are not required) to utilize such available paid leave to account for the difference between 66.66 percent of their regular rate of pay and 100 percent of their regular rate of pay.

- 2.3. COVID-19 Emergency Pandemic Leave (regardless of whether taken under Section 2.1 above, Section 2.2 above, or a combination of both Section 2.1 and Section 2.2 above) is limited to a total time period not to exceed 80 hours.
- 2.4. A City employee who is not an emergency responder; is unable to telecommute; has been employed for at least 30 calendar days but is not an eligible employee as defined by the Family and Medical Leave Act of 1993; AND is caring for their child (defined as an individual under fifteen (15) years of age) who lives in the employee's household and whose school, place of care, or child care provider is closed or unavailable due to COVID-19 related reasons is also eligible to receive up to ten (10) weeks of additional COVID-19 Emergency Pandemic Leave at 66.66 percent of their regular rate of pay (in lieu of using personal leave, sick leave, hospitalization leave, and/or vacation leave). In addition, if the employee has other forms of paid leave (i.e. personal leave, sick leave, hospitalization leave, and/or vacation leave) available, they may elect (but are not required) to utilize such available paid leave to account for the difference between 66.66 percent of their regular rate of pay and 100 percent of their regular rate of pay.
- 2.5. The Human Resources Department and Finance Department are empowered to, and shall be responsible for, the administration of COVID-19 Emergency Pandemic Leave.

Dated this 8th day of January, 2021,

Erin Mendenhall, Mayor

Approved as to Form:

Salt Lake City Attorney's Office



Katherine Lewis (Jan 8, 2021 12:50 MST)

Katherine N. Lewis, City Attorney

Signature: 

Erin Mendenhall (Jan 8, 2021 13:11 MST)

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Executive Order 6 (pandemic leave)

Final Audit Report

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