

County Commission of Jefferson County Policy Declaration:

Public Access, Attendance, and Remote Work in Response to the COVID-19 Novel Coronavirus Outbreak

WHEREAS, on March 11, 2020, the World Health Organization declared the Coronavirus to be a worldwide pandemic; and

WHEREAS, the Jefferson County Commission takes notice that on March 13, 2020, the President of United States declared a National Emergency; and

WHEREAS, the Governor of the State of West Virginia, on Friday, March 13, 2020, ordered all public and private schools closed until at least March 27, 2020; and

WHEREAS, several neighboring states have ordered the closure of schools, restaurants, and other establishments, in an effort to curb the spread of the novel coronavirus; and

WHEREAS, both state offices and surrounding municipal and county governments have restricted access to or closed public buildings; and

WHEREAS, the Governor of the State of West Virginia on March 16, 2020, declared a State of Emergency for the entire state of West Virginia; and

WHEREAS, several neighboring counties have experienced positive cases of the COVID-19 virus; and

WHEREAS, the spirit of this policy declaration is obvious and based on best practices and scientific and medical recommendations, the guidance of the CDC, and President Trump's updated guidelines, "15 Days to Slow the Spread," issued on March 16, 2020; and

WHEREAS, the Commission has determined the actions contemplated herein to be in the best interest of the public welfare, public employees, and our children; and

WHEREAS, the policy will become effective immediately and shall remain in effect until modified or changed by the Jefferson County Commission; and

WHEREAS, the authority for this policy comes from Article IX of the Constitution of West Virginia; W.Va. Code 7-1-1 *et seq.*, and W.Va. Code 15-5-1 *et seq.*; and

WHEREAS, this policy shall be applicable to the employees and offices of the Jefferson County Commission, County Clerk, Circuit Clerk, Assessor, Sheriff and Prosecuting Attorney. To the extent permitted by law, this policy is applicable to the Judicial Annex Building and Magistrate, Family, and Circuit Courts, which are under the direction of the

Supreme Court of Appeals of West Virginia. (see attached order).

THEREFORE, the General Purpose of this policy is as follows:

1. To provide guidance to the Public and to establish attendance protocols for Jefferson County Elected Officials and employees during the COVID-19 (novel coronavirus) outbreak.
2. To establish a policy for employees that are unable to attend work due to the statewide closure of public schools or due to COVID-19 related illness or potential exposure.
3. To establish financial policy concerning non-essential spending and travel through the end of the Fiscal Year 2020.
4. To establish emergency personnel policies needed to safeguard both the public and County employees.

Public Access to the Jefferson County Courthouse and Other County Buildings:

1. Unless changed by further notice the County Courthouse and other county buildings will be closed to the public until April 1, 2020. At that time, the County will re-evaluate the situation to determine if an extension is needed.
2. During this time, County staff will remain on duty and ready to assist citizens with their needs, primarily via telephone and other online services (i.e. email, Facebook messaging, county website, etc.). The Commission is confident we can continue to serve the community through the use of these tools.
3. In the rare instance Commission Staff is not able to accommodate your needs via the telephone or other online tools, a member of the public may request an appointment with County staff by calling (304) 728-3284. This is the County Commission main number. For general assistance, the public should begin with this number and will be forwarded to the appropriate staff person.
4. Most county business can be conducted online via the county website at www.jeffersoncountywv.org. The following are specific links for each type of county business:
 - Registering to vote: <https://ovr.sos.wv.gov/Register/Landing>
 - Inquiries regarding Assessments: assessor@jeffersoncountywv.gov
 - Tax Payments: <http://jefferson.softwaresystems.com/index.html>
 - Ambulance Fee Payments: <http://www.jeffersoncountywv.org/find-it-fast/pay-ambulance-fee-online>
 - Recording in the County Clerk's Office: <http://www.jeffersoncountywv.org/county-government/elected->

[officials/county-clerk/recording-indexing](#)

- [Building Permits, Inspections, Planning and Zoning Applications: e-mail engineering@jeffersoncountywv.org](mailto:engineering@jeffersoncountywv.org)
5. All Elected officials and Department Heads are instructed to allow the public to conduct business via phone, email or mail when possible.
 6. A drop box located at 112 E. Washington Street, Charles Town, WV 25414 will be available for members of the public who need to deliver hard copies of documents to the County in person.
 7. The meetings of all county boards, commissions, committees or any other county body holding public meetings and public hearings shall be cancelled or continued through April 1, 2020.

General Attendance:

1. **ANY Employee who is currently sick and suffering from fever, cough, shortness of breath, or flu like symptoms should not report to work.** Employees who are at work must self-monitor, and if an employee begins experiencing the above symptoms, they should leave work immediately and inform their direct supervisor by phone or email.
2. Employees who are healthy should plan to work as scheduled unless otherwise directed by your supervisor.
3. At risk employees who are not eligible for telework or remote work must inform their Department Head or Elected Official that the employee needs be excused from work in order to have the absence excused. At risk employees are defined as those employees 60 years of age or over, employees with pre-existing respiratory or other chronic medical conditions that the CDC has determined place an individual at higher risk of becoming very ill from COVID-19.
4. Any employee who has an immediate family member who lives in the same household and who has been exposed to COVID-19 or any employee who has been advised that they should self-quarantine pursuant to the CDC guidelines should not report to work and will be excused from work.
5. Any employee excused from work may use sick, vacation, or other accrued leave to cover his or her absence. Otherwise, the employee will be placed on unpaid leave.

Remote work / telework due to school or daycare closure or illness related to COVID-19, or if job duties allow for remote work:

1. The Jefferson County Commission recognizes that childcare will be difficult for some due to the indefinite closure of schools and daycares. Therefore,

employees that are not able to attend work due to child care responsibilities (including parents, grandparents, legal guardians that are caring for age appropriate children, grandchildren, or foster children) may be permitted to work from home, or to alter their work schedule, if the conditions of the job allow such, with approval of the appropriate Department Head or Elected Official. It will be up to each Department Head or Elected Official to determine if an employee's duties are such that they can be performed from home or if an employee's schedule can be altered to allow them to continue to work at county buildings or other locations of work.

2. The above policy will also apply to any employee that is directed by a physician to quarantine or self-isolate due to potential coronavirus exposure.
3. In addition, each Elected Official and Department Head will review and determine if each employee's position is such that the employee can work remotely or work from home. If it is determined an employee's duties can be accomplished remotely, the Department Head or Elected Official should require the employee to work from home until further notice. All decisions authorizing remote work or telework will be documented in writing.
4. The County Commission recognizes that a telework and remote work will be difficult to implement with certain employees, such as deputy sheriffs, clerks, maintenance workers, and other types of employees. The Commission is committed to working hand in hand with Elected Officials to implement this policy. Department Heads and Elected Officials will make reasonable efforts to find work that can be accomplished remotely for high risk employees or for employees that must self-quarantine pursuant to the CDC guidelines.
5. All non-exempt, hourly employees that are approved to work from home shall be required to work a preapproved schedule, and any overtime must be preapproved by the Department Head or Elected Official.
6. All exempt, salaried employees that are approved to work from home should perform work that is primarily of an exempt nature. Exempt employees will not be paid overtime.
7. Elected Officials and Department Heads may decide to alter schedules and shifts, and further allow employees to work non-traditional hours in order to limit the amount of time off and leave used.

Financial Policy:

1. All non-essential travel shall be suspended until the end of the 2020 Fiscal Year.
2. No non-essential purchases from a Department's operating budget may be expended during the Fiscal Year 2020.

Outside Employment or Volunteering:

1. In an attempt to maintain staffing levels for county offices and limit potential exposure to the COVID-19, employees in the E-911 Communications Center are prohibited from working or volunteering as police, fire, or EMS first responders during this time.

Implementation; Amendments; Applicable Law:

1. Given the exigent nature of the COVID-19 pandemic, the County Commission reserves the right to exercise discretion with the implementation of this policy and further reserves the right to immediately amend or alter this policy if doing so is in best interest of public safety or the employees of the county. Any change or amendment to the policy will be immediately communicated to the Elected Officials and employees and discussed and ratified at a properly noticed public meeting.
2. The Commission is monitoring Federal efforts to combat the pandemic, including **H.R. 6201, FAMILIES FIRST CORONAVIRUS RESPONSE ACT**, which if it becomes law would provide paid leave for employees dealing with COVID-19 related illness or quarantine as and also would expand the Family Medical Leave Act to cover COVID-19 related illness or quarantine or inability to work due to school closure or loss of child-care. The Commission intends to fully comply with this or any other federal act regarding COVID-19.
3. The Commission intends this policy to comply with all federal, state, and local laws, including by not limited to Fair Labor Standards Act, Family Medical Leave Act, West Virginia Human Rights Act, or any applicable order or decree or Act of the Federal or State Government.
4. The Policy will be effective at the close of business on March 17, 2020 until cancelled or modified by the Jefferson County Commission.

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BY ORDER OF THE COUNTY COMMISSION OF JEFFERSON COUNTY ON THIS 17th DAY OF MARCH 2020:



JANE M. TABB, PRESIDENT



Supreme Court of Appeals State of West Virginia

News

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Supreme Court Issues Order Suspending Court Proceedings Throughout W.Va. Due to Coronavirus

For immediate release Monday, March 16, 2020

CHARLESTON, W.Va. – Chief Justice Tim Armstead and the Supreme Court of Appeals of West Virginia today directed state courts to suspend all but emergency proceedings through April 10 due to public safety concerns about coronavirus (COVID-19).

The court order filed today says all civil and criminal trials and jury orientations should be postponed. The only exception would be a trial where a criminal defendant's speedy trial rights may preclude the postponement.

Emergency hearings arising from abuse and neglect petitions, domestic violence protective order petitions, mental hygiene petitions, and criminal arraignments and preliminary hearings with statutory time requirements can still be held, at the discretion of the presiding judge. Those emergency hearings should be held using technology to avoid person-to-person contact, if possible.

Circuit clerk's offices and judicial offices throughout West Virginia where public access has been restricted should remain available by phone and e-mail and have drop boxes for court filings. There is a drop box for filings at the Supreme Court of Appeals of West Virginia Clerk's Office and the office will remain open.

All cases scheduled to be heard by the Supreme Court on March 17, 18, 24, and 25 will be rescheduled.

The Supreme Court order issued Monday supplements the protocol issued March 12. Both are available on the West Virginia Judiciary website: <http://www.courtswv.gov/covid19/COVID19.html>.

"We are attempting to address the need to proceed with the critical work of our court system while also addressing the need to protect public safety. Any proceedings that either can be continued or that legally and technically can be held via telephone or video should be addressed in that manner so we can keep as many people outside of group settings as possible," Chief Justice Tim Armstead said.

Chief Justice Armstead announced the new order to judicial officers via Skype on Monday.

"With the Governor recommending that certain steps be taken, we want to make sure we are complying with those steps as well as those measures we believe are

necessary to address specific and unique issues,” Chief Justice Armstead said in his address to circuit judges, family court judges and magistrates.

“The West Virginia Supreme Court of Appeals has great confidence in the ability of our judges and court staff to handle these charges professionally,” Chief Justice Armstead said.

The March 12 protocol and notices posted in courthouses will remain in effect to give directions to parties, attorneys, witnesses, jurors and the public. “This is an ever changing situation. It is likely we will issue additional or revised protocols,” Chief Justice Armstead informed judicial officers today.

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