

**Jefferson County  
Emergency Services Agency**



**Special Board Meeting**

**April 24, 2020**

**3:00 p.m.**



# JEFFERSON COUNTY EMERGENCY SERVICES AGENCY

419 Sixteenth Avenue ■ Ranson, WV 25438

Tel: 304-728-3287 ■ Fax: 304-728-6221 ■ [jcesa.org](http://jcesa.org)

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## AGENDA April 24, 2020

A special meeting of the Jefferson County Emergency Services Agency (JCESA) Board will be held at 3:00 p.m. on Friday, April 24, 2020 at the JCESA building located at 419 Sixteenth Avenue, Ranson, WV 25438.

In compliance with the Jefferson County Health Department Executive Order 20-20 Shelter in Place directive to avoid gatherings of more than 5 individuals in an effort to slow the spread of the COVID-19, this meeting will be held via video conferencing and the public will not be admitted into the building, but is invited to attend via live stream by following the link *Live Board Meeting* which will appear on [jcesa.org](http://jcesa.org) website.

### ROLL CALL

### CALL TO ORDER

### AGENDA ITEM

- Discuss and consider Interim Policy – Paid Leave Related to COVID-19  
(Discussion / Action) **Exhibit-A**

### ADJOURNMENT

Members of the public having any questions about the meeting may contact JCESA at 304-728-3287 during normal business hours.

***It's About Saving Lives***

*JCESA is an equal opportunity emergency service provider,  
Employer, and community partner of Jefferson County, WV.*

# Exhibit A



## Paid Leave Related to COVID-19

Approved:

Date: 4/21/2020

### I. FAMILIES FIRST CORONAVIRUS RELIEF ACT

The Families First Coronavirus Relief Act (FFCRA) provides paid sick leave and, not charged against the employee's leave balance, to certain employees for specified reasons related to COVID-19. A tax credit to offset the cost of paid leave, which is provided for in Division G of the FFCRA, *"does not apply to the Government of the United States, the government of any state or political subdivision thereof, or any agency or instrumentality of any of the foregoing."*<sup>1</sup> Government employers are not entitled to recoup the expense of this leave through tax credits.<sup>2</sup> The FFCRA allows employers to exempt employees who are healthcare providers or emergency responders from the paid leave provisions.<sup>3</sup>

#### A. Election to Exempt Emergency Responder Employees

JCESA is not in a financial position to absorb the cost of paid leave to the extent defined by the FFCRA. Therefore, the JCESA hereby exempts all employees who are emergency responders from the paid sick leave and paid expanded family and medical leave provisions of the FFCRA. Emergency responders employed by JCESA includes all employees with rank or title of; FF/EMT I, FF/EMT II, FF/EMT III, Technician, FF/Paramedic I, FF/Paramedic II, FF/Paramedic III, FF/Paramedic IV, Lieutenant, Captain, or Director.

#### B. Only Emergency Responder Employees Exempt

Although it is an unfunded mandate, JCESA fully intends to comply with the paid sick leave and paid expanded family and medical leave requirements of the FFCRA for employees who cannot be exempted, which is any employee that is not an emergency responder, as defined above.

### II. VOLUNTARY PAID LEAVE ALTERNATIVE FOR FULL-TIME EMPLOYEES

Although the Agency does not have the resources to include emergency responders in the application of paid leave defined by the FFCRA, it is the desire of the Agency to help full-time employees reduce financial hardship as much as possible by providing limited paid leave, not charged against the employee's leave balance, in certain situations related to COVID-19 that were not the direct result of the employee failing to follow safety and infection control procedures established by JCESA. Part-time employees are not eligible for this paid leave.

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<sup>1</sup> <https://www.dol.gov/agencies/whd/field-assistance-bulletins/2020-1>

<sup>2</sup> <https://www.irs.gov/newsroom/covid-19-related-tax-credits-for-required-paid-leave-provided-by-small-and-midsize-businesses-faqs>

<sup>3</sup> <https://www.federalregister.gov/d/2020-07237/p-103>



## Paid Leave Related to COVID-19

### A. Paid Leave Duration & Qualifying Situations

Full-time employees will be compensated at their regular hourly rate, without charge against their leave balance, for any scheduled shifts for up to 14 calendar days or a maximum of 96 hours, whichever is less, if the employee is unable to work because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19, provided that the order is not the direct result of a possible on-duty exposure where the employee failed to use PPE as directed by JCESA;
2. has been advised by a health care provider to self-quarantine related to COVID-19 provided that the order is not the direct result of a possible on-duty exposure where the employee failed to use PPE as directed by JCESA;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. has been tested for COVID-19 and is awaiting results;
5. has tested positive for COVID-19.

### B. Disqualifying Situations

Employees will NOT be compensated, unless they elect to use hours from their available leave balance, if the employee is unable to work because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19, as a direct result of a possible on-duty exposure where the employee failed to use PPE as directed by JCESA;
2. has been advised by a health care provider to self-quarantine related to COVID-19 as a direct result of a possible on-duty exposure where the employee failed to use PPE as directed by JCESA.

### C. Part-Time employees

All part-time employees of JCESA are emergency responders and JCESA has elected to exempt emergency responders from the paid leave provisions of the FFCRA. Part-time employees are not eligible for the voluntary paid leave alternative provided by JCESA.

## III. POLICY DURATION

This policy will remain in effect until December 31, 2020 or until repealed, whichever occurs first.