

ORDINANCE O-2020-28

AN ORDINANCE TO ESTABLISH A POLICY AUTHORIZING SUPPLEMENTAL HAZARD PAY FROM THE CORONAVIRUS RELIEF FUND LOCAL GOVERNMENT ASSISTANCE PROGRAM FOR EMPLOYEES WHO ARE SUBJECT TO WORKING IN HAZARDOUS CONDITIONS DURING A DECLARED STATE OF EMERGENCY AND DECLARING AN EMERGENCY.

WHEREAS, on April 28, 2020 the Council of the Village of Windham adopted Resolution 2020-5 recognizing the effect of the COVID-19 strain of the Coronavirus on the Village of Windham and as a result declared a state of emergency within the Village; and

WHEREAS, among other actions, Resolution 2020-5 expressly indicated that by its terms the Resolution was to be broadly interpreted to make the Village, its employees and administrators, eligible for all grant and other funding of any nature related to COVID-19; and

WHEREAS, The Ordinance would apply to the Village of Windham Employees during the Coronavirus Pandemic and is intended to compensate employees with Hazard Pay for the exposure of employees to individuals potentially infected with COVID-19 during the time period beginning on March 1, 2020 and ending on December 30, 2020; and

WHEREAS, the Hazard Pay would be paid from the federal money received from the Coronavirus Relief Fund Local Government Assistance Program (hereinafter “CARES Act”) as part of a package Congress passed to offset the many effects of COVID-19; and

WHEREAS, Hazard Duty pay policy is designed to recognize the risk of exposure that certain infrastructure support personnel and those working directly to support the villages response to COVID-19 face when performing their responsibilities; and

WHEREAS, The hazard pay will be used for additional pay to Police, Firefighters, EMS, Public Works Department, Legal, Office and Clerical Personnel who may come in contact with coronavirus patients or waste during their work.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Windham, Portage County, Ohio, with at least two-thirds of the members thereto concurring that:

SECTION 1: In compliance with guidance from a publication from the Ohio Office of Budget and Management entitled Coronavirus Relief Fund (CRF) Local Government Assistance Program, Guidance & Frequently Asked Questions (Page 11), the Council finds that Hazard Pay should be awarded to certain employees in amounts set forth in this Ordinance and expressly finds that the payment of Hazard Pay can only be paid to those employees who are exposed to the public and as result are potentially exposed to COVID-19.

SECTION 2: In compliance with guidance provided by the United States Department of the Treasury on the Treasury website, in a document entitled Coronavirus Relief Fund Frequently Asked Questions, updated as of September 2, 2020, the Council acknowledges that Hazard Pay is defined as:

Hazard pay means additional pay for performing hazardous duty or work involving physical hardship, in each case that is related to COVID-19.

SECTION 3: Also in compliance with guidance from a publication from the Ohio Office of Budget and Management entitled Coronavirus Relief Fund (CRF) Local Government Assistance Program, Guidance & Frequently Asked Questions (Page 10), the Council hereby declares the job positions and/or specific duties within the Village of Windham, which are eligible for hazard pay as set forth below, in addition to the base salaries/wages:

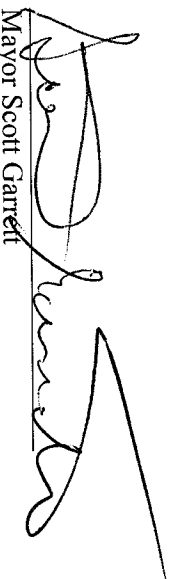
1. All Police Officers during those documented times who are exposed to the public. Hazard pay at the rate of \$1.25 per hour.
2. All Public Works Department employees during those documented times who are exposed to the public.
Hazard pay at the rate of \$1.25 per hour.
3. The Village Solicitor during those times he attends in person Village meetings and also during court appearances when he is exposed to defendants and other individuals in the courthouse. Hazard pay at the rate of \$1.25 per hour.
4. Office and Clerical Personnel during those documented times who are exposed to the public. Hazard pay at the rate of \$1.25 per hour.

SECTION 4: This Ordinance is declared an emergency measure becoming effective immediately upon its passage by Council and approval by the Mayor in order to have dedicated funds allocated before Federal CARES Act deadlines.

SECTION 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of the Council and any committees that resulted in such formal action were in meetings open to the public in compliances with all legal requirements including §121.22 of the Revised Code of the State of Ohio.

PASSED IN SPECIAL COUNCIL as an emergency on October 15, 2020

Vote of Council: Ayes: 6
 Nays: 0


Mayor Scott Garrett

ATTEST:


Fiscal Officer Cherece Taylor

Approved as to Form:


Village Solicitor Thomas Reitz