



**Cumberland County
Board of Chosen Freeholders**

164 West Broad Street
Bridgeton, NJ 08302



ADOPTED

RESOLUTION 2020-164

Meeting: March 17, 2020 6:00 PM

**RESOLUTION DECLARING EMERGENCY BY THE COUNTY OF
CUMBERLAND WITH RESPECT TO THE CORONA VIRUS (COVID-19)**

WHEREAS, State and Federal authorities have declared that the Corona Virus presents a state and national emergency; and

WHEREAS, the Board of Chosen Freeholders of the County of Cumberland are desirous of declaring a County wide emergency resulting from the Corona virus spread in New Jersey; and

WHEREAS, the Board of Chosen Freeholders of the County of Cumberland have a need to set forth temporary policies and procedures affecting employees during the Corona virus emergency; and

WHEREAS, any and all state and Federal policies or emergency shall take precedence over County declarations, where appropriate and applicable; and

WHEREAS, the Board of Chosen Freeholder of the County of Cumberland are desirous of adopting a Memorandum, which is attached hereto and made a part hereof which shall be issued to County employees with respect to procedures to be followed by employees, the County Administration and Department Head during the Corona virus crisis; and

WHEREAS, we appreciate the assistance from the Governor's Office and the 1st and Third Legislative District; and

WHEREAS, the Board of Chosen Freeholders of the County of Cumberland deem the Corona virus to present a public emergency warranting the declaration of an emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF CUMBERLAND, as follows:

1. That the Board hereby declares that an emergency exists in Cumberland County arising from and related to the Corona virus emergency; and

BE IT FURTHER RESOLVED that the Memorandum attached hereto and made part hereof regarding work attendance policy during the COVID-19 Public health Crisis is hereby adopted and shall apply to Cumberland County employees during such time that the County Administrator deems appropriate to implement same. The policy will be in effect until the end of the public health crisis as declared by federal and state authorities or the broad powers to change the policy and to notify employees of changes during the emergency crisis unless otherwise altered or amended by the County Administrator and until such time as this Board shall determine that the work attendance policy during the public health crisis is no longer necessary; and

BE IT FURTHER RESOLVED that the State of New Jersey and the Federal government are urged to respond as quickly as is possible to the public need for additional medical testing kits so that the tracking of the COVID-19 virus can be better and timely responses can be generated to reduce the spread of the disease.

Passed and adopted at a regular meeting of the Board of Chosen Freeholders held at the Cumberland County Administration Building, 164 West Broad Street, Bridgeton, New Jersey on Tuesday, March 24, 2020 at 6:00 p.m. prevailing time.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Darlene Barber, Deputy Director
SECONDER: Jack Surrency, Freeholder
AYES: Castellini, Albrecht, Musso, Quinn, Surrency, Barber, Derella

Work Attendance Policy During COVID-19 Public Health Crisis

Date: March 17, 2020

As everyone is well-aware, there is both a national and state wide emergency in New Jersey with respect to the health crisis. There are various categories and employment status that need to be addressed pending a resolution of that health care crisis. For purposes of this memorandum employees shall be classified by their respective Department Heads as follows:

1. Essential Employee (must report)
2. Essential Employees (working remotely)
3. Non-essential Employees(not working remotely and not required to report)
4. Employees with child care needs
 - a. Immediate; or
 - b. Extended family members
 - c. Employees with other types of health conditions apart from Covid-19

I. CATEGORIES OF EMPLOYEES

A. Essential Employees (reporting to duty)

The first group of employees will generally be employees whose services are required in order to meet public health and safety needs, law enforcement or some other function that is deemed essential. These employees will be required to report to duty because their functions are deemed essential at the work place.

B. Essential Employees (working remotely)

Essential employees working remotely shall be those employees whose functions are deemed essential but not to such an extent that they must report to work and can otherwise be enabled to work remotely. If they cannot work remotely, then they will either be deemed to be essential and required to report or non-essential and their work status will be handled as set forth in this memorandum. Essential non-reporting employees shall be enabled, to the extent possible, to work remotely with equipment, facilities and arrangements. To the extent that these employees are required to report to work they should do so. If they have been designated as essential, work from home, they will continue to be paid if they are performing work remotely. If that cannot be accommodated, then such employees will be deemed non-essential.

C. Non-Essential Employees

Non-essential employees are those whose functions are not deemed essential to the day to day operations of the County nor are involved in law enforcement, health care or health and safety related functions. Non-essential employees will not be working remotely. Non-essential employees who are not working will be paid in accordance with Section V. below.

D. Employees with Child Care Needs

Employees having child care needs are divided into those with (a) immediate family member needs and (b) child care needs that do not arise from immediate family member. An immediate family member is someone who is related to a worker as a natural or adopted child or someone for whom that individual is a guardian or is caring for a disabled individual for whom care and supervision cannot otherwise be provided.

II. ALTERNATIVE WORK ARRANGEMENTS & WORK FUNCTIONS

The County of Cumberland will address and announce alternative work arrangements in accordance with the foregoing classifications. Essential personnel who are required to report shall continue to report to work unless they are otherwise directed to self-quarantine by a medical provider or health official, or they actually contract the COVID-19 virus. Such persons shall be required to report to perform functions as may be required. Department Heads shall make all determinations as to alternative work arrangements.

Non-essential employees may be requested to work on a flex schedule with time on and time off to reduce employee interactions in order to reduce the spread of the illness.

Employees may be requested to perform functions not part of their existing titles. The Civil Service Commission has issued a memorandum allowing departures from existing work titles for alternative work week programs (N.J.A.C. 4A:6-2.7) and the allowance of flex time programs (N.J.A.C. 4A:6-2.6) or adjustment to daily and/or shift hours (N.J.A.C. 4A:6-2.8) as may be needed and in accordance with Executive Order 103 or any other federal, state, or county orders issued to address changing circumstances or needs. These immediate changes do not require prior approval of the Civil Service Commission. Department Heads shall make recommendations to County Administration regarding proposed changes.

III. CORONA/NON-CORONA RELATED CONDITIONS

Employees who are ill with the corona virus or directed by a medical professional to self-isolate or quarantine should provide documentation.

Those persons who are ill due to causes not related to COVID-19 shall use sick or other personal or vacation time in order to address absences from work based upon non-COVID-19 related illnesses or conditions.

Employees who otherwise have illnesses unrelated to COVID-19 shall provide a doctor's note within three (3) days.

During this national or state declaration of the public health crisis related to COVID-19, County policies regarding the provision of doctor's notes are hereby suspended. All employees shall provide evidence of their illnesses or requirements to quarantine while the County is operating at less than full staff because the County needs to ensure that necessary personnel are taking time off from work due to a medical need. Doctors or other medical providers' notes or

evidence of the need to be out of work shall be provided within three (3) business days of the first absence.

Vacations and personal days will ordinarily not be granted during the crisis unless pre-existing travel arrangements have been made and employees can still take trips by state or national order.

IV. APPLICABLE LEAVE TIME PROCEDURES

If an employee is (i) diagnosed with COVID-19, (ii) directed by a medical professional or government agency to self-isolate or quarantine due to suspicion of exposure to or diagnosis with COVID-19, and/or (iii) undergoing a period of self-quarantine or isolation pursuant to public health assessment recommendations, then the employee will not be required to utilize accumulated leave time if they provide documentation verifying the same within three work days of the initial absence. As with any documentation of an illness, the documentation should be provided to the County's Human Resources representative or office tasked with receiving sick or FLA-FMLA leave documentation and maintaining its confidentiality under the Health Insurance Portability and Accountability Act. If an employee does not provide such documentation, then the employee will be required to utilize their own accumulated leave time.

If the absence is caused by the employee's need to care for an immediate family member who (i) has been diagnosed with COVID-19, (ii) was directed by a medical professional or government agency to self-isolate or quarantine due to suspicion of exposure to or diagnosis with COVID-19, and/or (iii) is undergoing a period of self-quarantine or isolation pursuant to public health assessment recommendations, the employee shall submit documentation verifying the family member's COVID-19- related illness, exposure, and/or quarantine period to the County's Human Resources representative or office tasked with receiving sick or FLA-FMLA leave documentation within three days of the employee's initial absence. If no such documentation is received, the employee will be required to use accumulated leave time.

V. SCHOOL CLOSURES

Employees who are not under suspicion of having been exposed to the virus or diagnosed with the virus but must stay home with a child due to the closure of a preschool program, elementary or secondary school, or child care center related to COVID-19, will be required to provide documentation verifying the closure and dates of closing. Both essential and non-essential employees may be required to work from home during the period of school closure in order to ensure continued operation of county services. If a work from home arrangement cannot be accommodated, such employee will not be required to use accumulated leave during the period of the COVID-19 related closure. If an employee chooses not to work from home where a work arrangement is offered, the employee will be required to use accumulated leave time in accordance with existing policies or collective negotiations agreements. Certain employees working in the County Correctional Facility, Prosecutor's Office, County Health Department, Sheriff's Department, Public Works Department, Emergency Management or other Department,

may be required to report to their designated workplace or other place as directed, in spite of a school closure, if necessary for the public health and safety.

VI. SUSPENSION OF POLICIES

Employees who have no sick or personal or vacation time available and who have a history of absenteeism will not be charged with excessive absenteeism in violation of County policies during the crisis. Enforcement of those policies, except for essential employees, shall not occur for using sick time, subject to a doctor's note or medical documentation being provided within three (3) days of the employees absence for either a COVID related illness, quarantining or self-isolation by medical direction or for an unrelated illness.

If any such employees have child care needs that cannot otherwise be managed and are required to provide separate child care services, those employees must still report for work. Failure to report for work during the healthcare emergency who are not otherwise excused, may still be considered a disciplinary violation. Any employees having child care expenses should keep receipts for such expenses. While the County is not representing that it will pay for, or indemnify for such expenses, the receipts and proofs of payment should nonetheless be kept so that in the event the County either agrees to do so later, or funding becomes available to pay for such expenses later on, or the County agrees to make funding available, then employees who have proof of payment and receipts may be reimbursed while those who fail to provide or keep such evidence of payment or receipts may not be subject to reimbursement.

To the extent of a reassignment of employee duties is required the Civil Service Commission, pursuant to N.J.A.C. 4A:3-3.4 has authorized such changes, provided that the employee is otherwise qualified for the out of title work and the assignment is temporary. All employees will be returned to their regular duties at the conclusion of the healthcare crisis.

As to medical documentation, documentation from a healthcare provider or from a hospital, other medical professional or from the County Department of Health, as to the need to self-quarantine or self-isolation will be deemed to have satisfied medical documentation.

VII. EMPLOYEE TRAVEL

All County employees are directed that international travel shall not be allowed during the crisis and travel between states is restricted. Any travel to other states for County related purposes shall be cancelled or suspended unless authorized by the County Administrator. Any personal travel that employees wish to take should be brought to the attention of the Department Head in order that travel plans are known and can be evaluated in the event it is necessary to track an illness related to COVID-19. Any unnecessary travel is discouraged.

This memorandum shall take effect March 17, 2020 at 6:00 P.M. and shall continue until the Board of Chosen Freeholders of the County of Cumberland shall direct or until such time as the Board of Chosen Freeholders may direct the County Administrator to alter or modify these provisions to meet the changing exigencies of the emergency. In the interim, the Administrator is authorized to modify the provisions of this Memorandum from time to time as may be needed.