



## Kanawha County Commission

### Kanawha County Commission Emergency Policy Declaration:

#### **Public Access, Attendance and Remote Work due to 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 Kanawha 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<sup>th</sup>, 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**, the spirit of this policy declaration is obvious and based on best practices and scientific and medical recommendations; 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 Kanawha 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 Kanawha County Commission, County Clerk, Circuit Clerk, Assessor, Sheriff and Prosecuting Attorney. This policy

is not applicable to the Judicial Annex Building and Magistrate, Family, 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 Kanawha 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 provide financial assistance by allocating overtime payroll funding for all Elected Offices for employees who may be required to work additional hours due to staffing shortages.

**Public Access to the Kanawha County Courthouse:**

1. Unless changed by further notice the County Courthouse will remain open during regular hours, 8:00am to 5:00pm, Monday through Friday.
2. The public is encouraged to visit the Kanawha County Courthouse Offices only if necessary and for essential services. Please call before visiting to determine if you can conduct business over the phone. The following numbers can be used: County Commission at 304-357-0101, Circuit Clerk at Circuit Clerk's Office 304-357-0440, County Clerk at 304-357-130, Assessor at 304-357-0250, Prosecuting Attorney at 304-357-0300, and Sheriff at 304-357-0200
3. Also, check the county website [www.Kanawha.us](http://www.Kanawha.us) to determine if you can conduct business without visiting the Courthouse in person.
4. All Elected officials and offices are instructed to allow the public to conduct business via phone, email or mail when at all possible.

**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 should make plans now to avoid missing work if you become sick or if you are needed to care for a loved one or family member. Public Schools have been closed. Please make every effort to have a plan in place for your family.
3. If you are healthy, you should plan to work as scheduled unless otherwise directed by your supervisor.

**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 Kanawha 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 Elected Official. It will be up to each Elected Officer holder, or her or his designee, to determine if an employee 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 the courthouse or other location 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 will review and determine if an 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 Elected Official may elect or require the employee to work from home until further notice. **All decision authorizing remote work or telework will be documented in writing for purposes of public transparency.**
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.

5. All **non-exempt**, hourly employees, that are approved to work from home shall be required to work a preapproved schedule and, further, shall be required to contemporaneously record, document, and submit time worked via sworn statement at least once each week to their supervisor and the Accounting Office. Any overtime must be preapproved by a supervisor.
6. All **exempt**, salary employees, that are approved to work from home shall be required to document and submit work duties to their supervisor. Work performed must be primarily of an exempt nature. Exempt employees will not be paid overtime.
7. Elected Officials 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.
8. Each Elected Official should implement a remote work policy with the utmost care and due diligence and with full respect the to the public.

**Funding due to staff shortages:**

1. So far as practicable the Commission will strive to supplant the budgetary needs for overtime during the covid-19 outbreak. The Commission intends to provide funding in an amount up to \$400,000 in a special overtime payroll budget due to the staffing shortages that will be caused by the Covid-19 outbreak and related school closures.
2. In addition, it may be necessary for Elected Officials to adjust the duties and schedules of personnel to reduce the impact county budget in general.

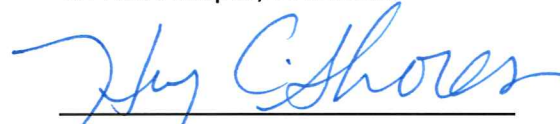
**Implementation; Amendments; Applicable Law:**

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 childcare. 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.
6. **The Policy will be effective immediately until cancelled or modified by the Kanawha County Commission.**

Dated this 16<sup>th</sup> day of March, 2020.

  
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W. Kent Carper, President

  
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Henry C. Shores, Commissioner

  
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Ben Salango, Commissioner

Approved by:   
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Marc J. Slotnick, County Attorney