



## MEMORANDUM

To: All City Employees  
From: R. Thomas Homan, City Manager  
Date: March 20, 2020  
Re: **Emergency Declaration Workplace Directive**

Later today I will be issuing a State of Emergency for the City of Delaware as a result of the coronavirus (COVID-19) pandemic which poses a significant threat to the health, safety, and wellbeing of our public, commerce and our employees. This Declaration is consistent with the Emergency Declarations already made at the State and Federal levels of Government, and as recently as yesterday, Delaware County. Further, this Declaration will be made in an effort to provide for the continuation of the City's essential and necessary services.

By way of this Declaration, each Department Director shall designate all employees (full-time, permanent part-time, seasonal, and intermittent) based on operational need as follows:

**Required Employees:** Employees designated as "required" are critical to business operations and their physical presence at work during a Declared Emergency is required. These employees are expected to continue to perform their assigned duties, at their normal workplace, or in the field, whichever is practical for the work to be performed. Further, these employees may be required to report on a modified schedule based on the needs of the office. If an employee is absent, he/she will be expected to follow normal call-off procedures. If a required employee has a documented/verifiable COVID-19 diagnosis, or is required by either a physician or local health department to quarantine for any reason, then that employee will not be required to report to work until they are cleared, but may be expected to telecommute.

**Required (REMOTE) Employees:** Employees designated as "required (remote)" are required to work but have been identified as being able telecommute for some or all of their duties. These employees are expected to perform duties as assigned from a remote location, and may physically report to work, as their duties necessitate. Department Directors will execute a Telecommuting Acknowledgment Agreement with the employee prior to telecommunicating work being performed. The employee will be responsible for the connectivity (including the cost of internet access), accountability of issued equipment, and appropriate cybersecurity protocols.

**Non-Required Employees:** Employees designated as "non-required" shall not physically report to work unless directed to do so by their Director. Non-required employees may be required to work remotely and in that case shall execute a Telecommuting Acknowledgment Agreement. These employees may be re-designated to perform essential work in other work units for which they may be qualified and/or can safely perform the work. Non-required employees are subject to recall at any time and are to remain reachable and available should the City need to contact them during their regular working hours. Failure to respond or report during

the employee's regular work hours may result in discipline or deduction of accrued leave. Employees who do not wish to remain available may choose to use accrued leave.

**Notification & Changes in Designation:**

Each Department Director will be responsible for notifying their employees of the following:

1. Whether they must report to work and under what schedule based on operational need (above)
2. Whether they are permitted to telecommute
3. If they are telecommuting, what their responsibilities are
4. If they are not telecommuting and not reporting to work, what their responsibilities are (check in times, etc.)
5. Any changes in an employee's reporting/telecommuting status

**Pay & Benefits:**

Effective at midnight tonight, all non-required full-time employees will be directed to stay home and will be granted paid administrative leave at 100% of their regular bi-weekly pay and will maintain current health coverage eligibility. Required employees (including remote employees) will be expected to continue to perform their duties as assigned. Any work performed by a required employee in excess of their normally-scheduled work hours will still be considered overtime (or compensatory time) as it would under normal circumstances. Employees should follow their department's procedures for overtime approval prior to working overtime. In the event the finance department is unable to manually process payroll during the declared emergency, employees may be paid their default regular bi-weekly pay during the emergency, with the excess time credited when the emergency is over.

All non-required permanent part-time employees will be directed to stay home and will be paid based on the average regular hours they worked during the preceding three (3) completed pay cycles prior to the emergency declaration, provided they continue to be available to work, if directed. Required permanent part-time employees (including remote employees) will be compensated for any hours worked, but at a minimum will be compensated according to the three (3) pay cycle average.

Employees who are currently on an unpaid leave of absence will remain in unpaid status until they are officially return to work, at which time their reporting and work requirements will be established. Employees out on FMLA or Injury Leave will remain in that status and continue to use the appropriate leave until they are released to return to work, at which time their reporting and work requirements will be established.

Employees required to report or work remotely who are unable to do so will have their time charged to the appropriate leave. Required employees scheduled to work but who do not report for work and do not contact their supervisor appropriately will be considered absent without leave and will be subject to leave without pay, or at the discretion of the Department Director may be charged an appropriate form of leave.

**Expiration:**

These procedures will cease upon the expiration of the Emergency Declaration and upon resuming normal City operations. All normal leave and workplace policies as set forth in the respective collective bargaining agreements, pay plan or ordinance shall resume at the expiration of the Emergency Declaration.

**Personal Travel:**

Employees required to report or who are working remotely may still utilize their accrued leave at this time, absent a department directive as a result of this Declaration. Non-required employees are expected to remain at home and available during their normal working hours unless they have requested and been approved the use of accrued leave. All employees shall be required to report all personal travel outside of a 50-mile radius to their Supervisor or Department Director. Depending upon the latest advice from the applicable health agencies, the employee may be required to self-quarantine for up to 14 days prior to returning to work, even if the employee is currently not required to report into work. Such quarantine shall be executed by using the employee's available leave banks unless the employee is telecommuting.



### Telecommuting Acknowledgement and Agreement during COVID-19 Pandemic

<b>Name:</b>	
<b>Department/Division:</b>	
<b>Supervisor:</b>	
<b>Date:</b>	

Please be advised that effective \_\_\_\_\_ you are assigned to telecommute in order to perform your normally assigned work duties and other duties assigned by your supervisor. Once the pandemic crisis is over, you will no longer be permitted to telecommute and will be further notified by your Department Director when telecommuting privileges have ceased. Please be advised that you may be required to come into the office if necessary to continue to work or due to staffing changes.

You and your supervisor/Director shall agree on the number of hours of telecommuting work allowed each week and shall establish a general work schedule to include a regular meal break period. Work generally should occur during normal business hours, similar to the hours when you are in the office. You and your supervisor/Director may agree on exceptions to this. In the case of a shortened work week due to a holiday, vacation or illness, hours spent telecommuting shall be discussed with your supervisor/Director in advance. Non-exempt (overtime eligible) employees will be required to record all hours worked. Any overtime worked is to be pre-approved by an employee's supervisor or Director.

Narrative of agreed upon arrangement:

You will be required to forward your work phone to your personal cell phone, City provided cell phone, if applicable, or call into your voicemail at least three (3) times a day. If an employee incurs additional cell phone charges due to the use of their personal cell phone, documentation can be provided to Human Resources staff and considered for possible reimbursement.

Please be advised that you may be called to work (at worksite) to meet workload requirements outside of your normally scheduled work hours. (*For OT eligible employees: You may also be required to work overtime.*) You may also be asked to adjust your daily schedule to include hours outside of the regular 8-5 workday.

Any telecommuting work arrangement may be discontinued at any time at the request of the employee or the employee's supervisor/Director.

**Please note the following:**

- You and your supervisor/Director will agree on the manner and frequency of communication. You are required to coordinate and communicate with your supervisor via email no less than one (1) time per workday to document work and obtain guidance.
  - Update to supervisor via email at the end of each day should be what you accomplished that day along with what your workplan is for the following day. A daily updated Time card should be provided.
- You must be available to your supervisor by phone and email during work hours, the same as you would be if you were physically in the office.
- You must follow and adhere to the guidelines set forth in the City's Internet and Information Systems Policy.
- Telecommuting equipment has been provided to you by the City at time of approval. You may not use any City of Delaware equipment for private purposes, nor allow family members' or friends' access to that equipment. You must follow and adhere to the guidelines set forth in the Employee Handbook; Use of City Property, Equipment & Supplies.
- You shall promptly return all temporarily issued City-owned equipment and data documents when requested by (*your immediate supervisor*).
- You must follow all software licensing provisions agreed to by the City of Delaware.
- You are responsible to establish and maintain a safe telecommuting work environment.
- You must report all work-related injuries sustained in the course and scope of your duties to Human Resources staff. Failure to timely report an injury may result in denial of a workers' compensation claim.
- The City of Delaware may pursue recovery from you for any City property deliberately or negligently damaged or destroyed while in your care, custody and control.
- The City of Delaware is not responsible for the private property that you use, lose, or destroy.
- The City of Delaware is not responsible for the cost of private internet service.
- With the exception of teleconferencing, you may not meet with customers or clients in your home. If necessary, face-to-face meetings should be scheduled in City facilities or City office space.
- If you are unavailable to work during your regular work time (due to appointments, vacation etc.), you will use your accrued leave. Otherwise, telecommuting employees who satisfy the responsibilities assigned by their supervisor will be paid for the regular work week even if there is insufficient work.
- Routine office supplies normally provided by the City in the course of performing your work responsibilities may be provided upon approval.
- Telecommuting work arrangements do not change the conditions of employment or required compliance with the City's policies, accessibility, accountability or job performance criteria.

I certify that I have adequate internet capability, a safe workspace and environment from which to telecommute, and can perform the essential functions of my position. Further, I certify that I will abide by the guidelines above.

_____ Employee Signature	_____ Date
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_____ Supervisor Signature	_____ Date
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cc: *Human Resources*



## Acknowledgement and Guidelines for Non-Required Employees during the COVID-19 Pandemic

Employees designated as “non-required” shall not physically report to work unless directed to do so by their Director. Non-required employees may be required to work remotely and in that case shall execute a Telecommuting Agreement. These employees may be re-designated to perform essential work in other work units for which they may be qualified and/or can safely perform the work. Non-required employees are subject to recall at any time and are to remain reachable and available should the City need to contact them during their regular working hours. Failure to respond or report during the employee’s regular work hours may result in discipline or deduction of accrued leave. Employees who do not wish to remain available may choose to use accrued leave.

1. You are directed to stay at home.
2. You will be granted paid administrative leave at 100% of your regular bi-weekly pay and will maintain current health coverage availability.
3. You must be available by phone during your normal work hours for your supervisor or others in the City to contact you and be ready for work during your normal work hours. While we hope to limit the necessity for this, there could be situations that would require us to call you to report for work. Being ready for work includes not being under the influence of alcohol.
4. Keep your phone nearby. Emergency or urgent messages will be sent by phone.
5. The City has established a general call-in number to share updates in addition to updates you will receive from your immediate supervisor. **Employees are encouraged to call into this number daily for any updated messaging.** This number is: **740/203-1020.**
6. You are to follow the normal call in procedures established by your department/division if you become ill and would be unable to be recalled to work. If you are unable to be recalled to work due illness, you should be utilizing appropriate accrued leave.
7. Because we are in the midst of a worldwide pandemic, you are REQUIRED to notify Human Resources staff if you test positive for COVID-19. Please call 740/203-1025.
8. Check your work email on a daily basis. We will be communicating pertinent, but not urgent information via work email.
9. Follow the guidelines set forth by the CDC to help prevent the spread of COVID-19. Use proper social distancing, hand washing and follow guidelines related to being in public. While we cannot control what you do outside of your paid work time, we strongly encourage you to follow the guidelines for your own health and those you care about.
10. Failure to comply with the terms of this acknowledgement (for example, failure to maintain communications or being unavailable for work) could result in the loss of this leave for that employee.

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Supervisor Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date