



WHERE THE FOREST MEETS THE PRAIRIE

Todd County
MINNESOTA • EST. 1855

BOARD OF COMMISSIONERS
Emergency Board Meeting Agenda

Wednesday, April 1, 2020

9:00 AM

*Meeting to be held in the County Board Room via teleconference,
hosted at the Historic Courthouse, 215 1st Ave S, Long Prairie, MN.*

PUBLIC WILL NOT BE ALLOWED TO ATTEND IN PERSON.

MEETING WILL BE LIVE-STREAMED AT: [HTTPS://WWW.CO.TODD.MN.US](https://www.co.todd.mn.us)

Agenda Item #

Agenda Time:

- | | | |
|----------|--|-------------|
| 1 | Call to Order and Roll Call | 9:00 |
| 2 | Pledge of Allegiance | 9:01 |
| 3 | Amendments to the Agenda | 9:02 |
| 4 | Administration | 9:03 |
| 4.1 | Approve Resolution Addendum to County Policy - Families First Coronavirus Response Act (FFCRA) | |

Adjourn



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Board Action Form

Requestor to Complete:

Type of Action Requested (Check one):		Board Action Tracking Number : <i>(Issued by Auditor/Treasurer Office)</i>
<input type="checkbox"/> Action/Motion	<input type="checkbox"/> Report	20200401-01
<input type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Resolution	
<input type="checkbox"/> Information Item	<input type="checkbox"/> Other	

Agenda Topic Title for Publication:	Approve Resolution Addendum to County Policy - Families First Coronavirus Response Act (FFCRA)
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Date of Meeting: 4/1/2020	Total Topic Time Requested: 10 minutes
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Organization / Department Requesting Action: Administration

Person Presenting Topic at Meeting: Coordinator Chris Pelzer

Background: Supporting Documentation enclosed

The Todd County Board of Commissioners recognizes the great importance protecting the health, safety and well-being of the citizens of Todd County, as well as the employees of Todd County. Todd County also recognizes employees of Todd County provide key services that impact the health, safety and wellbeing of our citizens.

The Todd County Board of Commissioners has reviewed the Families First Coronavirus Response Act. Guidance has been provided by the US Department of Labor in determining employees defined as health care providers and emergency responders. The Board of Commissioners will use this guidance in determining the implementation of the Families First Coronavirus Response Act. Currently the Families First Coronavirus Response Act is in place from 4/1/2020 to 12/31/2020.

This is a temporary addendum to policy and will be inactivated by the Board of Commissioners on 12/31/2020 or as determined by the Federal Government as it relates to the Families First Coronavirus Response Act.

Options:

1. Approve the resolution
2. Do not approve the resolution

Recommendation:

The Todd County Board of Commissioners approves the following by Motion:
Option 1, approve the resolution.

Additional Information:	Budgeted:	Comments
Financial Implications: \$	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Funding Source(s):		

Auditor/Treasurer Archival Purposes Only:

Action Taken:	Voting in Favor	Voting Against
Motion:	<input type="checkbox"/> Kircher	<input type="checkbox"/> Kircher
Second:	<input type="checkbox"/> Becker	<input type="checkbox"/> Becker
<input type="checkbox"/> Passed	<input type="checkbox"/> Erickson	<input type="checkbox"/> Erickson
<input type="checkbox"/> Failed	<input type="checkbox"/> Neumann	<input type="checkbox"/> Neumann
<input type="checkbox"/> Tabled	<input type="checkbox"/> Kneisl	<input type="checkbox"/> Kneisl
<input type="checkbox"/> Other:	Notes:	

Official Certification

STATE OF MINNESOTA }
COUNTY OF TODD }
I, Denise Gaida, County Auditor-Treasurer, Todd County, Minnesota hereby certify that I have compared the foregoing copy of the proceedings of the County Board of said County with the original record thereof on file in the Auditor-Treasurer's Office of Todd County in Long Prairie, Minnesota as stated in the minutes of the proceedings of said board and that the same is a true and correct copy of said original record and of the whole thereof, and that said motion was duly passed by said board at said meeting. Witness my hand and seal:

Seal



RESOLUTION FOR THE PURPOSES OF FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)

WHEREAS, the health, safety and well-being of the citizens of Todd County, as well as the employees of Todd County, is of great importance; and,

WHEREAS, employees of Todd County provide key services that impact the health, safety and well-being of our citizens; and,

WHEREAS, The Families First Coronavirus Response Act (FFCRA) requires certain employers to provide their employees with paid sick time and expanded family and medical leave for specified reasons related to COVID-19, and the provisions will apply from April 1, 2020 through December 31, 2020.

WHEREAS, employers of health care providers or emergency responders, as defined by the US Department of Labor, may elect to exclude such employees from eligibility for the paid sick leave or paid emergency family medical leave (EFMLA) provided under the FFCRA Act.

NOW, THEREFORE BE IT RESOLVED, that Todd County Board of Commissioners authorizes the Coordinator, along with the COVID-19 Emergency Executive Committee, to determine exclusions as defined by the US Department of Labor. The current determination of Health Care Providers and Emergency Responders are positions of Sheriff's Office, Health and Human Services, Public Works, Emergency Management Personnel, and MIS.

BE IT FURTHER RESOLVED, The Todd County Board of Commissioners authorizes future exclusions as defined by the US Department of Labor to be reviewed and determined by the Coordinator, along with the COVID-19 Emergency Executive Committee.

BE IT FURTHER RESOLVED, the Todd County Board of Commissioners authorizes using/not using defined exclusions in determining who is eligible for Emergency Paid Sick Leave in the FFCRA.

BE IT FURTHER RESOLVED, the Todd County Board of Commissioners authorizes using/not using defined exclusions in determining who is eligible for Paid Emergency Family and Medical Leave Expansion Act (EFMLA).

BE IT FURTHER RESOLVED, the Todd County Board of Commissioners authorizes the use vacation, comp or sick accruals, to supplement the 67% pay.

56. Who is a “health care provider” who may be excluded by their employer from paid sick leave and/or expanded family and medical leave?

For the purposes of employees who may be exempted from paid sick leave or expanded family and medical leave by their employer under the FFCRA, a health care provider is anyone employed at any doctor’s office, hospital, health care center, clinic, post-secondary educational institution offering health care instruction, medical school, local health department or agency, nursing facility, retirement facility, nursing home, home health care provider, any facility that performs laboratory or medical testing, pharmacy, or any similar institution, employer, or entity. This includes any permanent or temporary institution, facility, location, or site where medical services are provided that are similar to such institutions.

This definition includes any individual employed by an entity that contracts with any of the above institutions, employers, or entities institutions to provide services or to maintain the operation of the facility. This also includes anyone employed by any entity that provides medical services, produces medical products, or is otherwise involved in the making of COVID-19 related medical equipment, tests, drugs, vaccines, diagnostic vehicles, or treatments. This also includes any individual that the highest official of a state or territory, including the District of Columbia, determines is a health care provider necessary for that state’s or territory’s or the District of Columbia’s response to COVID-19.

To minimize the spread of the virus associated with COVID-19, the Department encourages employers to be judicious when using this definition to exempt health care providers from the provisions of the FFCRA.

57. Who is an emergency responder?

For the purposes of employees who may be excluded from paid sick leave or expanded family and medical leave by their employer under the FFCRA, an emergency responder is an employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of such patients, or whose services are otherwise needed to limit the spread of COVID-19. This includes but is not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility. This also includes any individual that the highest official of a state or territory, including the District of Columbia, determines is an emergency responder necessary for that state’s or territory’s or the District of Columbia’s response to COVID-19.

To minimize the spread of the virus associated with COVID-19, the Department encourages employers to be judicious when using this definition to exempt emergency responders from the provisions of the FFCRA.

Families First Coronavirus Response Act

In addition to the changes that have been enacted by state and county government, **Families First Coronavirus Response Act** will become available April 1st to employees providing programs with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19.

The following is a summary of the regulations:

Emergency Paid Sick Leave

1. Two weeks (up to 80 hours) of paid leave will be available for non-exempted full-time starting April 1 through December 31, 2020. Prorated for Part Time. For (1)-(3) below, the leave shall not exceed \$511 per day or \$5110 in aggregate. For (4)-(6) below, the leave will be for 67% the employee's wages, up to a maximum of \$200 per day and \$2000 in aggregate.
 - A. If a non-exempted employee is unable to work or telework because of:
 1. Employee is subject to a federal, state or local quarantine or isolation order
 - This does not apply to employees who have no work or telework to perform during the Stay at Home executive order by the Governor.
 2. Employee has been advised by a health care provider to self-quarantine
 3. Employee is experiencing COVID-19 symptoms & seeking a medical diagnosis
 4. Employee is caring for an individual (to which 1 or 2 apply)
 5. Employee cannot telework and is caring for son/daughter because school or place of care is closed due to COVID-19 precautions
 6. Employee is experiencing a substantially similar condition to 1-5.

Emergency FMLA Expansion Act

2. Family Medical Leave Act has been expanded to care for children under 18 years of age if the child's school or place of care has been closed or the childcare provider is unavailable.
 - A. Up to 12 weeks of leave **only** if the employee is unable to work (or telework) due to a need to care for the employee's child if the child's school or place of care has been closed due to a public health emergency.
 - B. First 10 days (2 weeks) can be:
 1. Unpaid
 2. Employee uses own vacation or comp time
 3. Emergency Paid Sick Leave (at 67% (at 2/3 pay – max of \$200/ day)
 - C. Remaining 10 weeks are paid at 2/3 pay (\$200/ day max)