

RESOLUTION NO. 21-05-013

SPONSORED BY: Commissioners Jared Anderson, Dodd Crowe, Jim Hammontree, and Tom Stinnett

A RESOLUTION AMENDING THE FMLA EXPANSION AND EMERGENCY PAID SICK LEAVE POLICY TO EXPIRE ON MARCH 31, 2021

WHEREAS, the federal government approved the Families First Coronavirus Response Act (“FFCRA”) on March 18, 2020, which requires the County to provide both Emergency Paid Sick Leave and expanded Family and Medical Leave to eligible employees from April 1, 2020 through December 31, 2020; and

WHEREAS, the FFCRA contains both the Emergency Family and Medical Leave Expansion Act (EFMLA), which expands and provides an additional reason for leave under the FMLA, and the Emergency Paid Sick Leave Act (EPSL), which creates a new paid leave entitlement; and

WHEREAS, the FFCRA provides leave for eligible County employees who are ill with COVID-19, have symptoms and are waiting for a COVID-19 diagnosis, are quarantined due to a health care provider’s advisement due to concerns related to COVID-19, are caring for someone with COVID-19, cannot work due to needing to take care of children as a result of not having child care or a school closure due to COVID-19; and

WHEREAS, although the leave requirement under the FFCRA expired on December 31, 2020; the County elected to voluntarily continue to provide leave to employees in a manner consistent with the Act in 2021; and

WHEREAS, given the current decline in positive cases and increasing number of vaccinated individuals in our area, the County expired the FMLA Leave Expansion and Emergency Paid Sick Leave on March 31, 2021; and

WHEREAS, T.C.A. § 5-23-106 states once adopted and approved, personnel policies may be amended, modified, or repealed at any time by the same process used for the original adoption of the policies; and any personnel policies governing county employees shall be subject to change at any time, and shall not give rise to any contractual rights between the county and its employees; and

WHEREAS, the County finds it necessary to amend its personnel policies to add provisions related to the COVID-19 outbreak;

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Blount County, Tennessee, assembled in regular session this 20th day of May 2021 that the FMLA Leave Expansion and Emergency Paid Sick Leave Policy is hereby amended to expire on March 31, 2021.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION TAKE EFFECT FROM AND AFTER ITS PASSAGE, THE PUBLIC WELFARE REQUIRING IT; AND THAT ANY PRIOR RESOLUTION TO THE CONTRARY IS HEREBY DECLARED VOID.

CERTIFICATION OF ACTION

ATTEST

Chairman

County Clerk

Approved: _____

Vetoed: _____

County Mayor

Date