

**CITY MANAGER'S EXECUTIVE ORDER NO. 20-002
CITY OF DES MOINES**

AN EXECUTIVE ORDER OF THE CITY MANAGER OF THE CITY OF DES MOINES establishing a paid administrative leave policy and a sick leave advancement program, during the public emergency of the novel coronavirus as declared by United States Department of Public Health and Human Services Secretary Alex Azar and a Proclamation of Emergency in the City of Des Moines issued on March 5, 2020.

RECITALS

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public emergency for the novel coronavirus (COVID-19) beginning on January 27, 2020; and

WHEREAS, on February 29, 2020, Governor Jay Inslee signed a Proclamation declaring a State of Emergency exists in all counties in the State of Washington due to the number of confirmed cases of COVID-19 in the state and directed that the plans and procedures of the Washington State Comprehensive Emergency Management Plan be implemented; and

WHEREAS, on March 1, 2020, King County Executive Dow Constantine signed a Proclamation of Emergency due to the number of confirmed cases of COVID-19 in King County thus enabling King County government to take extraordinary measures; and

WHEREAS, the Emergency Manager for the City of Des Moines has reported to the City Manager that the number of confirmed cases of COVID-19 in King County is increasing daily; and

WHEREAS, the City of Des Moines believes that the increased number of confirmed cases of COVID-19 constitute a civil emergency as defined by the Des Moines Comprehensive Emergency Management Plan and necessitates the utilization of emergency powers granted pursuant to chapter 2.36 DMMC, RCW 36.40.180, and RCW 38.52.070(2); and

WHEREAS, the City Manager is authorized by Des Moines Municipal Code 2.12.100 to promulgate personnel policies and regulations; and

WHEREAS, in the judgment of the undersigned, extraordinary measures are required to protect the public health, safety and welfare of Des Moines' residents and may go beyond the capability of local resources,

NOW, THEREFORE, it is hereby **ORDERED** as follows:

(1) A paid administrative leave policy, **Supplemental Pandemic COVID-19 Leave (SPL19)** has been established. All regular and extra-hire employees shall be eligible upon approval by the City Manager, to receive (SPL19), subject to budgetary constraints and current recommendations from the Center for Disease Control and King County Health Department, under one of the following conditions:


- (a) The employee's position does not lend itself to telework options.
- (b) There is a lack of work due to business closures and cancellation of programs and activities.
- (c) Required social distancing protocols as mandated by public health officials does not allow the employee to perform essential job functions.
- (d) The employee has been assigned to a rotational work schedule.
- (e) The employee has been advised by a doctor to quarantine due to concerns related to COVID-19.
- (f) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.

(2) **A Pandemic COVID-19 Sick Leave Advancement Program** is established, subject to budgetary constraints, to allow full-time or part time employees to request an advancement of up to forty (40) hours of their remaining 2020 unearned State and/or City sick leave accruals under the following conditions:

- (a) The employee has a State and/or City sick leave balance of twenty (20) hours or less.
- (b) The employee has exhausted all other forms of leave to include vacation, holiday, compensatory time and Kelly time.
- (c) The employee has abided by City policies regarding sick leave use both prior and during the use of front-loaded sick leave.
- (d) The employee is ineligible to receive federally mandated paid leave covered under the Families First Coronavirus Response Act, state paid family or medical leave and/or City Shared Leave.
- (e) The employee agrees that the advancement of sick leave is a debt and the employee will be responsible for repaying the City of Des Moines by applying their future sick leave accruals against their balance owed to the City. Should the employee separate from the City of Des Moines prior to full repayment, the employee will have their wages and/or leave cash-out owed to them deducted to satisfy the debt to the City.

This Executive Order will be in effect until the Proclamation of State of Emergency by Governor Jay Inslee ends or until the City Manager rescinds this order.

DATED this 7th day of April, 2020.



 Michael Matthias, City Manager
 City of Des Moines

APPROVED AS TO FORM:

/S/ Tim George

 City Attorney

ATTEST:


 City Clerk