

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 210729

Providing certain City employees up to 80 hours paid leave for Coronavirus 2019 isolation due to a positive test, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act and Ordinance No. 210029.

WHEREAS, the United States Congress provided up to 80 hours Emergency Paid Sick Leave under the Families First Coronavirus Response Act, Pub. L. No. 116-127, 134. Stat. 195, to employees of local governments when they were required to quarantine or isolate for various reasons related to the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, the provision of paid leave to local government employees under the FFCRA expired December 31, 2020 and were not renewed by the United States Congress; and

WHEREAS, the Council provided paid leave for City employees required to quarantine who had not already utilized the leave previously provided under the FFCRA by Ordinance No. 210029; and

WHEREAS, Ordinance No. 210029 expired on May 14, 2021 when Mayor Lucas' emergency order was rescinded; and

WHEREAS, Kansas City currently has a vaccination rate of only forty percent; and

WHEREAS, cases of COVID-19 have increased with high community transmission of COVID-19 throughout Missouri, threatening both unvaccinated and vaccinated employees; and

WHEREAS, the Health Department has noted COVID-19 cases among vaccinated and unvaccinated people in Kansas City; and

WHEREAS, the symptoms of COVID-19 and the Delta variant are milder among vaccinated people than unvaccinated, but may still be spread by people who have tested positive whether vaccinated or not; and

WHEREAS, employees of the City who test positive must isolate themselves from others if ordered by the Health Department; and

WHEREAS, employees of the City may not be able to telework if their work is not conducive to telework, or due to symptoms of COVID-19; and

WHEREAS, the City wishes to provide paid leave for City employees required to isolate because they tested positive for COVID-19 who have not already utilized the leave previously provided under the FFCRA and Ordinance No. 210029 and who have been fully vaccinated against COVID-19; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That a total of eighty hours of paid leave be available to employees of the City of Kansas City who have not exhausted the Emergency Paid Sick Leave provided by the Families First Coronavirus Response Act, Pub. L. No. 116-127 or Ordinance No. 210029, who are fully vaccinated against COVID-19 or have been granted an accommodation regarding COVID-19 vaccination, who are required to isolate by the City of Kansas City Health Department because the employee tests positive for COVID-19, and who are unable to telework.

Section 2. That employees will be eligible for a maximum of eighty hours paid leave, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act and Ordinance No. 210029.

Section 3. That this leave will be available retroactively to May 14, 2021. Employees who were vaccinated or have been granted an accommodation regarding COVID-19 vaccination, tested positive, were required to isolate by the Health Department and unable to telework between May 14, 2021 and the effective date of this ordinance shall have any leave up to eighty hours, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act and Ordinance No. 210029, used during the required isolation period restored, or shall have back pay issued for any leave without pay used during the required isolation period.

Section 4. That this leave will be available until December 31, 2021.

Approved as to form and legality:



Lana K. Torczon  
Assistant City Attorney



Authenticated as Passed

  
Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

SEP 16 2021

Date Passed