

ORDINANCE NO. 36-20

AN ORDINANCE ADOPTING THE EMERGENCY FAMILY MEDICAL LEAVE EXPANSION ACT AND EMERGENCY PAID SICK LEAVE ACT FROM THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT FOR THE CITY OF AVON AND DECLARING AN EMERGENCY

WHEREAS, on March 19, 2020, the President of the United States signed into law the Families First Coronavirus Response Act, to go into effect on April 2, 2020 through December 31, 2020, to assist employees in dealing with certain issues caused by the coronavirus pandemic; and

WHEREAS, included in the Families First Coronavirus Response Act, the U.S. Congress expanded a part of the Family Medical Leave Act by enacting the Emergency Family Medical Leave Expansion Act and the Emergency Paid Sick Leave Act, all of which are codified at 29 U.S.C. 2601 et seq. and when read together forms a federal mandate for all employers with fewer than 500 employees; and

WHEREAS, in accordance with the federal mandate and to provide for such leave for its employees, Council for the City of Avon desires to adopt the provisions of these federal laws so as to afford protection to employees of the City of Avon and further the health, safety and welfare of the citizens of Avon.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:

Section 1 - The Emergency Family Medical Leave Expansion Act and Emergency Paid Sick Leave Act, both of which are attached hereto and incorporated herein as referenced in **Exhibit A** is hereby adopted by Council for the City of Avon. The enforcement of any and all leave policies for the City of Avon that pertain to the types of leave contemplated in, but in conflict with the Emergency Family Medical Leave Expansion Act and Emergency Paid Sick Leave Act, are hereby suspended until after December 31, 2020.

Section 2 - The Finance Director of the City of Avon shall post notice of the Emergency Family Medical Leave Expansion Act and the Emergency Paid Sick Leave Act in substantially similar form to the notice attached hereto and incorporated herein as reference in **Exhibit B** in conspicuous places throughout the various departments in the City of Avon.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to ensure that the City leave policies are consistent with the federal mandate during the COVID-19 crisis; therefore, this Ordinance shall be in full force and effect immediately upon passage and approval by the Mayor.

Ordinance No. 36-20 (Con't.)

PASSED: _____

DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director