

## ORDINANCE NO. 2020-03

### AN ORDINANCE SETTING A COMMUNICABLE DISEASE POLICY

**WHEREAS**, THE Town Council of the Town of North Liberty, St. Joseph County, Indiana (the “Town”) believes that the health and safety of the Town and its residents is of paramount importance;

**WHEREAS**, THE Town believes that the services offered by the Town are most effectively administered by safe and healthy individuals;

**WHEREAS**, THE Town believes that an epidemic or pandemic demonstrates a risk to the health and safety of its employees and citizens and that a communicable disease policy can help ensure the health and safety of the Town employees and citizens.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of North Liberty, St. Joseph County, Indiana, that:

Section 1. General Guidelines. The Town Council shall review, evaluate, and respond to any suspected or confirmed instances of certain communicable illnesses among citizens and employees of the North Liberty community which may be transmitted in normal business settings. Such review, evaluation, and response will take into consideration applicable federal and state laws; recommendations of the U.S. Public Health Service, the Centers for Disease Control and Prevention, and various other professional associations and relevant medical, scientific, and legal literature. The expressed desires and opinions of any individual with such illness and that individual’s personal physician will also be taken into consideration.

Section 2. Employee Reporting/Screening. Any employee who reasonably believes they have contracted a communicable illness that may be transmitted in a business setting must contact their department head to report the symptoms or illness. The department head shall report the potential illness to the Town Council. During certain communicable disease outbreaks such as an epidemic or pandemic, all employees may be required to undergo mandatory health screenings and/or health status reporting on a regular basis. Such provisions will be activated upon direction from the Town Council or its designee(s) and will be implemented based on medical guidance, including recommendations from federal, state and local public health authorities.

Section 3. Community Reporting. Any employee who reasonably believes a citizen has contracted a communicable illness that may be transmitted in a business setting must contact their department head to report the symptoms or illness. The department head shall report the potential illness to the Town Council President or their Town Council liaison.

Section 4. Non-Highly Contagious Pathogens/Infections.

- (i) Employees. Employees with suspected or confirmed chronic blood-borne pathogen or other infections that are not highly contagious may be able to work safely, as long as they: (1) meet acceptable performance standards; (2) comply otherwise with all required health policies, including mandatory screenings and vaccinations; and (3) have medical evidence and physician opinions that their conditions are not a threat to others in the workplace and community. The Town shall not treat employees with chronic blood-borne pathogen or other infections that are not contagious differently solely on the basis of their health status. For infected employees, any restrictions on work assignments will be evaluated on a case-by-case basis and will be based on the type of illness, the employee's health status, and the nature of work or work, and other relevant factors.
- (ii) Citizens. Citizens of the Town who have infections that are not highly contagious shall be serviced with extra protective measures. Prudent safety protocols that reasonably protect employees and the public ("Public Service Plan") shall be implemented for citizens who have infections that are not highly contagious and the plan shall be followed when providing services to citizens.

Department heads shall submit information on employees and/or citizens who have non-highly contagious infections to the Town Council President or their Town Council liaison. The Department heads shall work with the Town Council, which shall approve work assignment(s) and/or Public Service Plan(s) on a case by case basis before they are implemented.

**Section 5. Contagious Pathogens/Infections Transmitted by Airborne, Droplet or Direct Contact.**

- (i) **Employees**. Employees with certain communicable illnesses transmitted by airborne, droplet or direct contact are not permitted to work until they are no longer contagious to minimize the risk of disease transmission in the workplace.
- (ii) **Citizens**. Citizens with certain communicable illnesses transmitted by airborne, droplet or direct contact shall also be serviced, to the extent possible, via a Public Service Plan that incorporates safety protocols developed in conjunction with the Health Department and other appropriate federal, state, and local public health authorities. Any such Public Service Plan shall be approved by the Town Council before it is implemented. In the setting of an epidemic or pandemic, case-by-case evaluation may not be possible and broad restrictions may be implemented by the Town Council.

**Section 6. Travel.** During a communicable disease outbreak the Town Council may require employees who travel to and from regions with active communicable illness outbreaks to report all such travel to their department head and to undergo testing and screenings considered medically appropriate prior to returning to work. Appropriate

medical clearance from a physician may be required. Travel for Town business may be suspended during outbreaks, epidemics, pandemics, or local, regional or national emergency conditions.

**Section 7. Quarantine Pay.** Where quarantine is medically imposed due to an employee's exposure, the employee will have Paid Time Off ("PTO") balances reduced during the period of quarantine. This applies whether quarantine is required due to work related or non-work related exposure, whether incidental or due to providing care to a family member. Should the Town receive funding from the State of Indiana or the Federal Government to compensate employees in quarantine then continuance of paid compensation during quarantine will continue pursuant to the state and/or federal program providing quarantine pay funding to the Town. A Covered Individual is expected to remain home during periods of quarantine and may work from home with appropriate pay during this period if permitted by their job duties and department head.

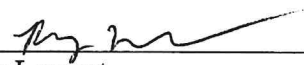
**Section 8. Illness Pay.** If an employee becomes actively ill with a communicable disease due to a work-related exposure, the employee will be paid according to the workers' compensation policy and/or other applicable leave or time off policies. Pay for periods of non-work related personal illness will be provided through the use of short-term medical disability and/or other applicable leave or time off policies.

**Section 9. Enforcement.** Failure to follow these provisions, and those set forth in the Town Personnel Policy as amended from time to time, could result in disciplinary action at the sole discretion of the Town Council. Actions that endanger the health and/or safety of employees and/or its citizens of the Town are grounds for Termination.

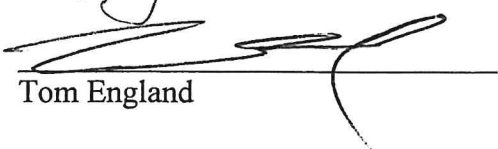
**Section 10. Duration and Effective Date.** The provisions of this Ordinance shall become effective immediately and remain in full force and effect until repeal by ordinance.

**ORDAINED** by the Town Council of the Town of North Liberty, St. Joseph County, Indiana on this 16<sup>th</sup> day of March, 2020 by a vote of 5 ayes and 0 nays.

TOWN COUNCIL  
TOWN OF NORTH LIBERTY  
ST. JOSEPH COUNTY, INDIANA

  
\_\_\_\_\_  
Randy Lemert

  
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Gerry E. Brown

  
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Tom England

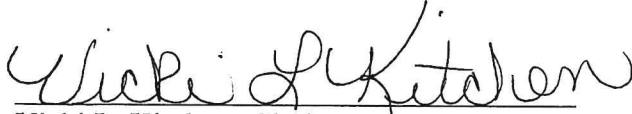


Will Groves



Ben Webb

ATTEST:



Vicki L. Kitchen, Clerk-Treasurer