

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 21-01

AN ORDINANCE AMENDING GREENWOOD MUNICIPAL CODE (1993), CHAPTER 2, ARTICLE 8, SECTION 2-69, PAID TIME OFF POLICY, AND SECTION 2-72, FAMILY AND MEDICAL LEAVE, TO EXTEND FEDERAL EMERGENCY PAID SICK LEAVE AND EMERGENCY FAMILY AND MEDICAL LEAVE PROVISIONS RELATED TO COVID-19

WHEREAS, in response to the federal Families First Coronavirus Response Act (“FFCRA”) effective April 1, 2020 that required certain employers, including public employers, to provide Paid Sick Leave and Family and Medical Leave Act (FMLA) leave for certain absences related to novel coronavirus COVID-19 (“COVID-19”), the City of Greenwood adopted Ordinance No. 20-13 to temporarily amend the City’s Paid Time Off and Family and Medical Leave Act policies to include required provisions of the FFCRA;

WHEREAS, the temporary amendments of the Paid Time Off and Family Medical Leave Act made to comply with the FFCRA expired January 1, 2021; however, employers may voluntarily extend the COVID-19 related paid sick leave and emergency Family and Medical Leave Act provisions of the FFCRA through March 31, 2021;

WHEREAS, the public health emergency caused by COVID-19 continues and it has been determined it is the best interest of the City of Greenwood (“City”) and its employees to extend the amendments through January 31, 2021 for those employees who have not exhausted those leave benefits,

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, THAT:

Section 1. Greenwood Municipal Code, Chapter 2, Article 8, Section 2-69 Paid Time Off Policy, subsection (l) is hereby amended to read as follows:

“(l) Emergency Paid Sick Leave – The City shall provide paid sick leave to employees for certain absences related to novel coronavirus COVID-19 who meet the criteria set forth in, and in accordance with, the Emergency Paid Sick Leave Act, H.R. 6201, Division E, as may be amended or extended from time to time, who have not exhausted the paid sick leave benefit as of January 1, 2021. The City shall provide the paid sick leave to eligible employees for the remaining number of hours available for the leave for a period up to, and including, January 31, 2021. The provisions of that Act are incorporated herein by reference.”

Section 2. Greenwood Municipal Code, Chapter 2, Article 8, Section 2-72 Family and Medical Leave, subsection (p) is hereby amended to read as follows:

“(p) Emergency Family Medical Leave (EFMLA)– The City shall provide emergency family and medical leave to employees for certain absences related to novel coronavirus COVID-19 who meet the criteria set forth in, and in accordance with, the Emergency Family and Medical Leave Expansion Act, H.R. 6201, Division C, as may be amended or extended from time to time, who have not exhausted the EFMLA benefit as of January 1, 2021. The City shall provide the EFMLA benefit to eligible employees for the remaining number of weeks available for the leave for a period up to, and including, January 31, 2021. The provisions of that Act are incorporated herein by reference.”

Section 3. Ordinances not directly contradicted by the provisions of this ordinance and all provisions of the Municipal Code not specifically mentioned herein shall remain in full force and effect.

Section 4. The sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are separable, and if any section, paragraph, sentence, clause, phrase or word shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences or words of this Ordinance.

Section 5. This Ordinance shall be in full force and effect retroactive to January 1, 2021 from and after its passage, approval and publication according to law.

Passed by the Common Council of the City of Greenwood, Indiana, this 4th day of January, 2021.

Michael Campbell

, President
Greenwood Common Council

FOR:

AGAINST:

Linda S. Gibson

Linda S. Gibson _____

Ezra J. Hill

Ezra J. Hill _____

Michael Williams

Michael Williams _____

Ronald Bates

Ronald Bates _____

J. David Hopper

J. David Hopper _____

David Lekse

David Lekse _____

Michael Campbell

Michael Campbell _____

Robert Dine

Robert Dine _____

Bradley Pendleton

Bradley Pendleton _____

ATTEST:

Jeannine Myers

Jeannine Myers, Clerk

The foregoing within and attached Ordinance passed by the Common Council of Greenwood, Indiana, on the 4th day of January, 2021 is presented by me this 4th day of January, 2021 at _____ O'Clock in the 7.M. to the Mayor of the City of Greenwood, Indiana.

Jeannine Myers

Jeannine Myers, Clerk

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 4th day of January, 2021, is signed and approved by me this 5th day of January, 2021 at 10:00 O'Clock in the 7.M.

Mark W. Myers

MARK W. MYERS, Mayor of
the City of Greenwood, Indiana