



City of Charles Town

101 East Washington Street, P.O. Box 14, Charles Town, WV 25414
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RESOLUTION

A Resolution to Provide Special Emergency Pay

WHEREAS, on March 16, 2020, Governor Jim Justice declared a state of emergency for all counties in West Virginia to allow agencies to coordinate and create necessary measures to prepare for and respond to the outbreak of respiratory disease caused by a novel coronavirus now known as COVID-19; and

WHEREAS, on March 23, 2020 Governor Jim Justice issued Executive Order 09-20 requiring West Virginians to stay-at-home and non-essential businesses within the state to temporarily cease operations as a means for slowing the spread of COVID-19 to take effect at 8:00 pm, Eastern Standard Time, on March 24, 2020; and

WHEREAS, the intent of the Executive Order is to ensure the maximum number of people self-isolate in their places of residence to the greatest extent feasible, while enabling essential services to continue; and

WHEREAS, Governor Justice ordered that essential businesses and operations shall continue to operate, including essential government functions as determined by the political jurisdiction, to ensure continued operation of the government and to provide for or support the health, safety, and welfare of the public; and

WHEREAS, the Charles Town city offices remain open to the public during this emergency, but with unique restrictions for public access and with the maximum number of employees working remotely to meet the Governor's intent to self-isolate and limit the size of gatherings; and

WHEREAS, under previous state of emergency declarations, the City of Charles Town has provided premium pay for all non-salaried, essential workers who are required to report to work during the emergency; and

WHEREAS, on March 25, 2020 when the Governor's Executive Order was fully implemented, city staff initiated a similar premium pay plan for all non-salaried, essential personnel who reported to work.

NOW, THEREFORE BE IT RESOLVED, that given the uniqueness of this state of emergency, which includes both essential workers reporting to work and others working remotely, that the City of Charles Town will provide the same premium pay provided during previous emergencies to all

non-salaried, essential personnel reporting to work but only for a maximum of thirty (30) hours worked during the period of March 25, 2020 through April 1, 2020; and

NOW, THEREFORE LET IT BE FURTHER RESOLVED, that during this same period of time, employees, including those working from home or some other remote location, will be entitled to pay at their regular rate of pay; and

NOW, THEREFORE LET IT BE FURTHER RESOLVED, that any non-salaried, essential employee reporting to work beginning April 2, 2020 or who has accumulated thirty (30) hours of premium pay before April 2, 2020, and until such time as Governor Justice revokes Executive Order 09-20 or any subsequent Executive Order that is primarily intended to address the public health emergency and spread of COVID-19 by restricting public gatherings and invoking physical distancing, shall be entitled to a new category of pay, titled Special Emergency Pay, at a rate of one and one-half times their regular rate of pay and all other employees, including those working from home or some other remote location, will be entitled to pay at their regular rate of pay; and

NOW, THEREFORE LET IT BE FURTHER RESOLVED, all personnel will be paid their regular rate of pay while working from home or some other remote location. Non-salaried, essential personnel earning compensation while in the Special Emergency Pay status will receive pay at a rate of one and one-half times their regular rate of pay only for hours worked while reporting to work on-site. Overtime pay for hours worked in excess of 40 hours will be calculated based on the hours worked at each rate.

NOW, THEREFORE LET IT BE FURTHER RESOLVED, it is the intent of the Charles Town City Council to consider whether a Special Emergency Pay category should be included as a new category of pay in the City's Employee Handbook and will refer this matter to the Charles Town Personnel Committee at a future regular meeting of the Council for further review.

Adopted the 30th day of MARCH, 2020.


Robert M. Trainor
Mayor

Attest:


Daryl Hennessy
City Manager/Clerk