

ORDINANCE NO. _____

AN ORDINANCE AMENDING BUNCOMBE COUNTY'S PERSONNEL ORDINANCE

- WHEREAS, pursuant to N.C. Gen. Stat. § 153A-94, a county may by ordinance adopt personnel rules that promote the hiring and retention of capable, diligent and honest career employees;
- WHEREAS, the Buncombe County Personnel Ordinance was originally adopted by the Buncombe County Board of Commissioners on October 15, 1996;
- WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization;
- WHEREAS, the Governor of North Carolina first declared a State of Emergency on March 10, 2020 and a local State of Emergency was declared by Buncombe County Commissioners on March 12, 2020, and supplemental and superseding local declarations have been issued to limit local public gatherings and the operations of specified businesses as the community transmissions toward safely re-opening all business sectors;
- WHEREAS, recognizing that County employees have played a crucial role in the response to COVID-19 this Board desires to award of up to two (2) weeks of Personal Time Off ("PTO") to County employees who demonstrated extraordinary personal and professional sacrifice of time and effort in response to this emergency through the mobilization and operations associated with the Buncombe County Emergency Operations Center and County government between March 12, 2020 and May 31, 2020; and
- WHEREAS, the Buncombe County Board of Commissioners desires to amend the Personnel Ordinance for this limited purpose.

NOW THEREFORE, BE IT ORDAINED BY THE BUNCOMBE COUNTY BOARD OF COMMISSIONERS THAT:

Section 1. The Personnel Ordinance of Buncombe County as referenced in Section 3-1 of the Buncombe County Code of Ordinances on file with Buncombe County Clerk to the Board of Commissioners shall be amended as follows:

- ARTICLE VI. HOLIDAYS AND LEAVE, Section 33. Personal Time Off (PTO) is amended by adding the following:

G. COVID PTO. On recommendation of the County Manager and in recognition of the extraordinary personal and professional sacrifice of time and effort in response to the COVID-19 state of emergency in connection with support of the mobilization and operations of the Buncombe County Emergency Operations Center and County Government between March 12, 2020 and May 31, 2020, a grant of COVID-19 Personal Time Off (" COVID PTO") is awarded to County employees whose efforts during this period of time meet the following criteria:

1. Two (2) Weeks COVID PTO:

Eligible employees:

- Logged 300 COVID hours or more between March 12, 2020 and May 31, 2020; or
- Worked as a communicable disease nurse; and
- Are salaried employees (hourly workers already received time and half pay or comp time and are not eligible)

2. One (1) Week COVID PTO:

Eligible employees:

- Worked outside of the home between March 12, 2020 and May 31, 2020; or
- Attended the EOC in-person

3. Three (3) days of COVID PTO:

Eligible employees:

- Logged more than 24 COVID hours between March 12, 2020 and May 31, 2020

Two (2) weeks of COVID PTO shall be deemed to mean ten (10) days for any full-time regular employee working within the basic work week (forty hours).

One (1) week of COVID PTO shall be deemed to mean five (5) days for any full-time regular employee working within the basic work week (forty hours).

An employee awarded COVID PTO must use this leave between the date of award and June 30, 2021.

The remaining terms and conditions of said Section 33. Personal Time Off (PTO) shall apply.

Section 2. All ordinances or portions of ordinances in conflict herewith are hereby repealed.

Section 3. Should any provision of the attached personnel ordinance be declared invalid or unconstitutional by any court of any competent jurisdiction, such declaration shall not affect the validity of the personnel ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Section 4. That the ordinance amendments set forth above shall take effect and be in force as of this date and shall expire on June 30, 2021.

This the 21st day of July, 2020.

ATTEST

BOARD OF COMMISSIONERS FOR THE

COUNTY OF BUNCOMBE

Lamar Joyner, Clerk

APPROVED AS TO FORM

County Attorney

By: _____
Brownie Newman, Chairman