

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, on October 15, 1996, Buncombe County adopted the Buncombe County Personnel Ordinance;

WHEREAS, the COVID-19 the state of emergency continues and this Board has organized and approved the holding of a public hearing at a regular meeting of the Board on February 2, 2021 to discuss extension of Emergency Paid Sick Leave hours after December 31 and to provide designated employees' salary continuation, if quarantined, due to a suspected workplace COVID-19 exposure; and

WHEREAS, this Board of Commissioners is of the opinion that it is in the best interests of the citizens and residents of Buncombe County to approve such Emergency Sick Leave and COVID Quarantine Leave and include such provisions as a temporary appendix to the Personnel Ordinance.

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 by inclusion of the attached Appendix: Emergency Sick Leave and COVID Quarantine Leave.

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 All ordinances or portions of ordinances in conflict herewith are hereby repealed.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 this Ordinance provision shall be effective from January 1, 2021 and shall remain in effect during the COVID-19 crisis, or until otherwise repealed, replaced, or rescinded. For clarity, should the federal government extend or reinstate the Families First Coronavirus Response Act (FFCRA) provisions that expired on Dec. 31, 2020 pertaining to paid sick leave and expanded family and medical leave requirements, by any means and by whatever name, then this Personnel Ordinance Appendix shall be deemed replaced and will automatically expire and be of no effect.

This the 2<sup>nd</sup> day of February, 2021.

ATTEST

BOARD OF COMMISSIONERS FOR THE  
COUNTY OF BUNCOMBE

\_\_\_\_\_  
Lamar Joyner, Clerk

By: \_\_\_\_\_  
Brownie Newman, Chairman

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney