



RE: PANDEMIC SICK LEAVE POLICY REMOVAL

Background:

In March 2020 a pandemic was declared by the World Health Organization (WHO). The federal government implemented a Pandemic Sick Leave (PSL) policy. This was to cover salaries for employees if they or their family members were to test positive for COVID-19. The City of Nixa adopted this policy shortly after the pandemic started to help employees and their families, especially those that didn't have leave time.

Analysis:

It has been almost three (3) years since the pandemic started, and the World Health Organization has lessened its pandemic guidelines. The City feels that we can now safely retire this policy.

Recommendation:

Staff is in agreement with this change.

MEMO PREPARED BY:

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RESOLUTION NO. 2022-115

1 **A RESOLUTION OF THE COUNCIL OF THE CITY OF NIXA AMENDING THE CITY'S**
2 **PERSONNEL CODE BY REPEALING POLICY 7.1.8 WHICH RELATES TO PANDEMIC**
3 **SICK LEAVE.**

4 _____
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6 **WHEREAS** City Charter Section 7.2 requires the Council to adopt a Personnel
7 Code; and

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9 **WHEREAS** the City maintains its Personnel Code in the Personnel Handbook,
10 which is modified by Resolution from time to time; and

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12 **WHEREAS** the City Council desires to repeal Policy 7.1.8 to remove the current
13 pandemic sick leave program.

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15 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**
16 **NIXA, AS FOLLOWS, THAT:**

17
18 **SECTION 1:** The City's Personnel Code is hereby amended by repealing, as set
19 forth in "Resolution Exhibit A," the current Policy referenced within the Personnel Code
20 as "7.1.8 Pandemic Sick Leave (PSL)." "Resolution Exhibit A" is attached hereto and
21 incorporated herein by this reference as though fully set forth herein.

22
23 **SECTION 2:** This Resolution shall be in full force and effect from and after its final
24 passage by the City Council and after its approval by the Mayor, subject to the provisions
25 of section 3.11(g) of the City Charter.

26
27 **ADOPTED BY THE COUNCIL THIS 28th DAY OF November, 2022.**

28
29 ATTEST:

30
31 _____
32 PRESIDING OFFICER

31 _____
32 CITY CLERK

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35 **APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2022.**

36
37 ATTEST:

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39 _____
40 MAYOR

39 _____
40 CITY CLERK

41
42
43 APPROVED AS TO FORM:

44
45 _____
46 CITY ATTORNEY

RESOLUTION EXHIBIT A

(Note: Language to be added is indicated by being underlined. Language to be removed is indicated by being ~~stricken~~.)

~~7.1.8 Pandemic Sick Leave (PSL)~~

~~During a pandemic declared by the World Health Organization (“WHO”), the following sick leave policy will be used for all pandemic-related absences.~~

~~1. In the event the state or federal government enact any laws providing for paid or unpaid leave associated with the declared pandemic applicable to the City of Nixa, Missouri:~~

- ~~• All eligible regular, full-time employees will be provided any leave, paid or unpaid, required by any state or federal law.~~

~~2. In the event the state or federal government has not passed any provision providing for paid leave associated with the declared pandemic that is applicable to the City of Nixa, Missouri:~~

- ~~• All eligible full-time employees will receive up to **ten (10)** Pandemic Sick Leave (PSL) days, in addition to any days already earned as regular sick time and any unpaid leave (FMLA or otherwise). To be eligible for PSL, an employee must have exhausted all eligible sick leave prior to the PSL request.~~
- ~~• In addition to PSL, all eligible full-time employees will receive any unpaid leave provided by state or federal law. Any such leave will be unpaid.~~

~~3. An employee becomes eligible for PSL when one of the following occurs:~~

- ~~a. the employee is medically diagnosed as having a pandemic disease-causing agent;~~
- ~~b. the employee’s spouse, child(ren) or other member of the employee’s immediate household is diagnosed as having the pandemic disease-causing agent;~~
- ~~c. the city receives notification that the employee’s community is under quarantine as a result of a pandemic event; and as a result, the employee is unable to come to work;~~
- ~~d. the city receives notification that the employee’s spouse’s workplace or child(ren)’s school is subject to an order of quarantine or is otherwise closed as a result of a pandemic event, and as a result, the employee is unable to come to work; or~~
- ~~e. when an employee, the employee’s spouse, child(ren), or a member of the employee’s immediate household is exhibiting symptoms of the pandemic disease-causing agent, the condition has not yet been diagnosed, PSL is requested by the employee, and is subsequently approved by the City Administrator.~~

~~4. Pandemic sick leave days will be treated the same as a non-PSL sick leave days for purposes of pay.~~

~~5. In the event of any conflicting language, this policy shall be deemed amended to comply with any state or federal law passed which is applicable to declared pandemics and the City of Nixa, Missouri.~~