EXECUTIVE ORDER NO. 04-15-20

EXECUTIVE ORDER REGARDING COVID-19 LEAVE FOR EMERGENCY RESPONDERS, CITY OF MENDOTA, LASALLE COUNTY, ILLINOIS (COVID-19 – April 20, 2020)

WHEREAS, the City of Mendota (the "City") is a non-home rule unit of local government, as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, COVID-19 is a dangerous disease which has spread around the world, including in the United States, the State of Illinois and LaSalle County; and

WHEREAS, COVID-19 is a direct and serious threat to the public's health, safety and welfare; and

WHEREAS, on April 1, 2020, the Mayor declared a Local State of Emergency and extended the Local State of Emergency on April 15, 2020 (the "Declaration"); and

WHEREAS, the Declaration was made pursuant to authority granted to the Mayor pursuant to City Ordinances 03-16-20 and 03-31-20, Section 11-1-6 of the Illinois Municipal Code (65 ILCS 5/11-1-6) and Section 11 of the Illinois Emergency Management Agency Act (20 ILCS 3305/11); and

WHEREAS, the Families First Coronavirus Recovery Act (FFCRA) was signed into law on April 2, 2020, which created the Emergency Family and Medical Leave Expansion Act and the Emergency Paid Sick Leave Act;

WHEREAS, prior to passage of the FFCRA, the City adopted policies providing its emergency responders with paid sick leave benefits; and

WHEREAS, it is the desire of the City to provide additional paid leave benefits to emergency responders who are unable to work due to a confirmed or suspected case of COVID-19 caused by an act of duty; and

WHEREAS, in providing additional paid leave benefits to emergency responders for COVID-19 related reasons, it is necessary to balance the provision of additional leave benefits with the urgent and essential need to have emergency responders available to combat the deadly impact of COVID-19 on the public; and

WHEREAS, the Mayor has determined that it is necessary to make this Executive Order to best protect the public's health, safety and welfare regarding COVID-19;

NOW, THEREFORE, BE IT ORDERED, by the Mayor of the City of Mendota, LaSalle County, Illinois, as follows:

SECTION 1: Incorporation. That the recitals above shall be and are incorporated in this Section 1 as if restated herein.

SECTION 2: Executive Order. That it is ordered as follows:

1. For purposes of this Executive Order, "Emergency Responder" is defined as sworn police officers, sworn firefighters and public works employees.

2. The City of Mendota hereby implements the paid sick leave benefits provided under the FFCRA, pursuant to the Emergency Paid Sick Leave Act, subject to the following exemptions:

   a. An Emergency Responder shall not be entitled to paid sick leave under the Emergency Paid Sick Leave Act to care for an individual subject to a Federal, State or local quarantine or isolation order related to COVID-19, or to care for an individual who is under self-quarantine on the advice of a health care provider.

   b. An Emergency Responder shall not be entitled to paid sick leave benefits under the Emergency Paid Sick Leave Act to care for a son or daughter if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions.

   c. An Emergency Responder shall only be entitled to paid sick leave benefits under the Emergency Paid Sick Leave Act where the qualifying condition is caused by an act of duty.

3. The City hereby exempts Emergency Responders from the Emergency Family and Medical Leave Expansion Act.

SECTION 3: Duration. That this Executive Order shall expire upon the earlier of: (a) the Declaration ending; or (b) withdrawal of this Executive Order by the Mayor.

David W. Boelk, Mayor

Date: April 15, 2020