

ORDINANCE NO.

Providing certain City employees up to 80 hours paid leave for Coronavirus Disease 2019 quarantine due to a positive test, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act and Ordinances 210029 and 210729.

WHEREAS, the United States Congress provided up to 80 hours Emergency Paid Sick Leave under the Families First Coronavirus Response Act, Pub. L. No. 116-127, 134. Stat. 195, to employees of local governments when they were required to quarantine for various reasons related to the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, the provision of paid leave to local government employees under the FFCRA expired December 31, 2020 and were not renewed by the United States Congress; and

WHEREAS, the Council provided paid leave for City employees required to quarantine who had not already utilized the leave previously provided under the FFCRA by Ordinance 210029; and

WHEREAS, in Committee Substitute for Ordinance 210729, the Council renewed the provisions of Ordinance 210029 for employees who had not already utilized the leave previously provided under the FFCRA and Ordinance 210029 and who had taken the additional precaution of getting vaccinated against COVID-19; and

WHEREAS, Ordinance 210729 expired December 31, 2021; and

WHEREAS, Kansas City currently has a fully vaccinated rate of only fifty-four percent; and

WHEREAS, cases of COVID-19 have increased with high community transmission of COVID-19 throughout Missouri, threatening both unvaccinated and vaccinated employees; and

WHEREAS, the Health Department has noted breakthrough cases and Delta variant cases among vaccinated and unvaccinated people in Kansas City; and

WHEREAS, Omicron variant cases has been rising across the country, spreading across much of Missouri and Kansas; and

WHEREAS, the symptoms of COVID-19 and the Delta and Omicron variants are milder among vaccinated people than unvaccinated, but may still be spread by people who have tested positive whether vaccinated or not; and

WHEREAS, employees of the City who test positive must isolate themselves from others if ordered by the Health Department; and

ORDINANCE NO.

WHEREAS, employees of the City may not be able to telework if their work is not conducive to telework or due to symptoms of COVID-19; and

WHEREAS, the City wishes to provide paid leave for City employees required to quarantine because they tested positive for COVID-19 who have not already utilized the leave previously provided under the FFCRA and Ordinances 210029 and 210729, and who have been fully vaccinated against COVID-19; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That a total of eighty hours of paid leave be available to employees of the City of Kansas City who have not exhausted the Emergency Paid Sick Leave provided by the Families First Coronavirus Response Act, Pub. L. No. 116-127 or Ordinance 210029 or Ordinance 210729, who are fully vaccinated against COVID-19, who are required to isolate by the City of Kansas City Health Department because the employee tests positive for COVID-19, and who are unable to telework.

Section 2. That employees will be eligible for a maximum of eighty hours paid leave, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act and Ordinances 210029 and 210729.

Section 3. That this leave will be available retroactively to January 1, 2022. Employees who were vaccinated or have been granted an accommodation regarding COVID-19 vaccination, tested positive, were required to isolate by the Health Department between January 1, 2022 and the effective date of this ordinance shall have any leave up to eighty hours, offset by the number of Emergency Paid Sick Leave hours utilized under the Families First Coronavirus Response Act, Ordinance 210029 and Ordinance 210729, used during the required isolation period restored, or shall have back pay issued for any leave without pay used during the required isolation period.

Section 4. That this leave will be available until December 31, 2022.

---

Approved as to form and legality:

---

Assistant City Attorney