

**RESOLUTION NO. 03-31-20-02**  
*Designation of "Emergency Responder" Employees*

**WHEREAS**, in December, 2019, a novel strain of the coronavirus was detected, now named COVID-19, and it has spread throughout the world, including every state in the United States;

**WHEREAS**, on January 3, 2020, the World Health Organization declared COVID-19 to be a Public Health Emergency of International Concern;

**WHEREAS**, on March 12, 2020, Governor Tony Evers declared a public health emergency to direct all resources needed to respond to and contain COVID-19 in Wisconsin;

**WHEREAS**, on March 13, 2020, President Donald Trump proclaimed a National Emergency concerning COVID-19;

**WHEREAS**, on March 17, 2020, the City of Waupun proclaimed a local state of emergency concerning COVID-19;

**WHEREAS**, on March 18, 2020, President Donald Trump signed the Families First Coronavirus Response Act ("FFCRA"), which expands the Family and Medical Leave Act (Emergency Family and Medical Leave Expansion Act), and creates a paid sick leave entitlement for certain eligible employees (Emergency Paid Sick Leave Act);

**WHEREAS**, the provisions of the FFCRA allows employers to exempt "emergency responders" and "health care provider" from coverage of the FFCRA;

**WHEREAS**, on March 24, 2020, the State of Wisconsin issued a Safer at Home Emergency Order, Emergency Order #12, in response to the emergency;

**WHEREAS**, Paragraphs 1 and 12 of that Order recognize that all services provided by local governments to ensure the continuing operation of the government body and provide and support the health, safety, and welfare of the public are considered "Essential Governmental Functions" that must continue for the duration of Emergency Order #12;

**WHEREAS**, Emergency Order #12 categorically exempts broad categories of local government employees from the restrictions contained therein and otherwise provides local governments with broad discretion to identify employees and contractors necessary for the performance of a local government's "Essential Governmental Functions;" and

**WHEREAS**, the purpose of this Resolution is to provide the process for identifying employees, categories of employment, positions and/or departments that are "emergency responders" or "health care providers" under the FFCRA and, as a result, exempt from the provisions of the FFCRA.

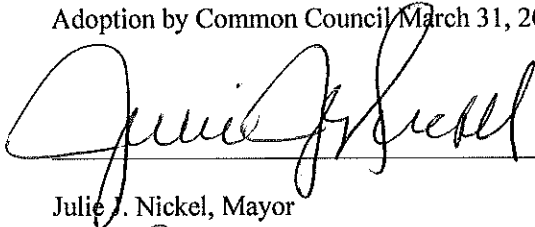
**NOW, THEREFORE, BE IT RESOLVED:**

1. The following positions in the City of Waupun are hereby designated as "emergency responders" for purposes of identifying employees who are exempted for purposes of the application and implementation of the FFCRA: City Administrator; HR Director;

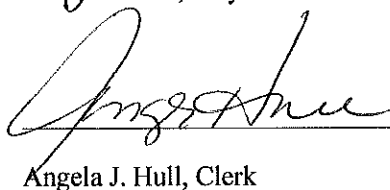
Economic Development Coordinator; Police Chief; Deputy Police Chief; Police Lieutenants; Police Officers; Police Detectives; all sworn law enforcement personnel; Fire Chief; Assistant Fire Chief; all firefighting personnel; Utility General Manager and Finance Director; all Utility personnel; Public Works Director; Public Works Foreman; all Public Works personnel; Clerk; Finance Director; Clerk Secretary.

2. It is the intent of this Resolution to define the term "emergency responder" in the broadest sense possible consistent with the law in an effort to ensure and continue our essential functions during this time of emergency. Final determinations regarding the definition of emergency responder as applied to any employment position with Waupun shall be determined by the City Administrator, with such decision being final.
3. This Resolution is effective immediately.

Adoption by Common Council March 31, 2020

  
Julie J. Nickel, Mayor

3-31-20  
Date

  
Angela J. Hull, Clerk

3-31-20  
Date

