



**Contact:**

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**March 31, 2020**

**FOR IMMEDIATE RELEASE**

**BURLINGTON – COVID-19 (Update #5)**

**EMERGENCY DECLARATION**

The City of Burlington’s Emergency Declaration, issued by Mayor Jeannie Hefty on March 18, 2020, provides protection to the community and procedural flexibility for the City of Burlington’s governmental actions with respect to the COVID-19 (Coronavirus).

The Mayor of The City of Burlington, under the emergency powers granted to her pursuant to that Declaration, has authorized the City Administrator, Carina Walters, to execute and deliver this Emergency Declaration on her behalf.

**DECLARATION**

*Designation of “emergency responder” Employees under the Families First Coronavirus Response Act*

**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**, the City of Burlington declared a local state of emergency;

**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 provisions 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**, pursuant to Ch, 31 of the City’s Code regarding Emergency Government;

**WHEREAS**, Paragraphs 1 and 12 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 during 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 Declaration is to provide the process for identifying employees, categories of employment, positions and/or departments that are “emergency responders” under the FFCRA and, as a result, exempt from the provisions of the FFCRA.

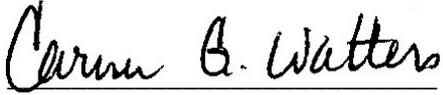
**NOW, THEREFORE, BE IT RESOLVED:**

1. The following positions in the City of Burlington are hereby designated as “emergency responder” for purposes of the application and implementation of the FFCRA and the EFMLEA and EPSLA:

- City Administrator
- Chief of Police
- All sworn law enforcement officers including but not limited to Lieutenants, Sergeants, and Patrol Officers
- Fire Chief
- All employees of the Fire Department including, but not limited to Fire Inspector, Firefighter/EMT, Firefighter/Paramedic and all emergency medical responding personnel and excluding only the Public Safety Administrative Assistant.
- All emergency medical responding personnel
- Director of Public Works
- Utility Manager
- Utility Foreman and Utility Operator
- WWTP Foreman and WWTP Operator
- Water Foreman and Water Operator
- Laboratory Technician
- All personnel identified in City of Burlington Code Chapter 31 Emergency Government

2. It is the intent of this Declaration to define the terms “emergency responder” in the broadest sense possible consistent with the law in an effort to ensure and continue our essential functions during this pandemic and time of emergency. Final determinations regarding the definition of emergency responder and/or health care provider as applied to any employment position with the City, including any position inclusions to this list or removals, shall be determined by the City Administrator, with such decision being final.

3. This Declaration is effective immediately. Dated March 31, 2020

A handwritten signature in cursive script that reads "Carina G. Walters". The signature is written in black ink and is positioned above a horizontal line.

By: City Administrator Carina Walters

\*\*\* END \*\*\*