

EXECUTIVE ORDER NO. 2020-04

**THE BOARD OF COMMISSIONERS OF
THE COUNTY OF CARROLL
STATE OF INDIANA**

An Order Authorizing Deviation from the Policy Prohibiting Work from Home for Certain Departments and Offices Under the Jurisdiction of the Board of Commissioners and Establishing the Conditions and Responsibilities of Employees and Their Supervisors

Findings

The Board of Commissioners of the County of Carroll, of the State of Indiana (“the Board”), finds as follows:

On March 6, 2020 the governor of Indiana declared a public health disaster emergency for the Coronavirus Disease 2019 (“COVID-19”) for the entire State of Indiana. On March 13, 2020 the President of the United States declared a national emergency for the same. Effective 11:59 p.m. on March 24, 2020, and until 11:59 p.m. April 6, 2020 (unless rescinded, modified or extended), the governor of Indiana ordered all individuals to stay at home and prohibited all non-essential activities and travel, as defined in the governor’s executive order 20-08 (the “governor’s order”). For employees and contractors of local government, including counties, the governor’s order exempted as “essential governmental functions” the services needed to support “essential businesses and operations” and the “continuing operation of government agencies or to provide for the health, safety and welfare of the public, and including contractors performing these functions. The governor’s order charges each governmental body with responsibility to determine its “essential governmental functions and identify employees and/or contractors necessary to the performance of those functions.”

Pursuant to the governor’s order, which was issued March 23, 2020, and which supplemented and was deemed part of the governor’s March 6, 2020 order, the Board convened an emergency meeting on March 25, 2020 at 4:15 p.m. The Board heard reports from elected and appointed heads of county departments and offices, some under the jurisdiction of the Board and some not, how the essential governmental functions of departments whose work is office-based can be performed by various combinations of working from home, performing some tasks in the office, staggering staff time in the office, and self-scheduling. After consideration of the reports, the Board unanimously decided, with certain exceptions, to authorize elected and appointed heads of county departments and offices under the Board’s jurisdiction to determine the manner and means of performance of the essential governmental functions of each department or office, including working at home, so long as the governor’s order remains in effect. The Board excepted from its authorization the custodian, emergency management, and health department.

And now, pursuant to the findings and decision of the board and to the powers granted by the statutes of Indiana to the executives of municipal corporations under a declared state of public health disaster emergency, and in accordance with the guidance of the state board of accounts for policies regarding the response of governing bodies to the COVID-19 outbreak

IT IS ORDERED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CARROLL, STATE OF INDIANA, AS FOLLOWS:

1. For the duration of the governor's order, the elected and appointed heads of county departments and offices under the Board's jurisdiction, with the exceptions contained in paragraph 2, are authorized to determine the manner and means of performance of the essential governmental functions of each department or office, including working at home, subject to the further provisions of this Order.
2. The head custodian, for up to 20 hours per week, shall continue the performance of his work in the courthouse. Emergency management shall maintain regularly scheduled non-overtime hours. The Health department is the lead agency designated by the governor's order, and its employees are under the statutory supervision of the health officer.
3. Employees who are directed to refrain from coming to their usual places of work shall receive pay (hourly and/or salaried) for their regularly scheduled non-overtime work hours ("Emergency Stay Home Pay"), subject to the following conditions:
 - a. If some or all of the employee's job functions can be performed from home, the employee is expected to perform those job functions from home during the employee's regularly scheduled non-overtime work hours.
 - b. During the employee's regularly scheduled non-overtime work hours during the emergency, the employee is considered "on-call" and, therefore, must be available by phone to respond to calls from their supervisors and must be available to return to their work station within two (2) hours of notice from their supervisor, the Board of Commissioners, or its designee.
 - c. The employee may not work or earn compensation from any other source during the employee's regularly scheduled non-overtime work hours (i.e., for which the employee would earn Emergency Stay Home Pay).
4. Time sheets for the days embraced by the governor's order and for which Emergency Stay Home Pay was earned shall be marked in a manner as the auditor may prescribe to indicate that the employee complied with this executive order.
5. This Order shall be effective beginning at 11:59 p.m. March 24, 2020 and remain in effect for the period coterminous with the effective term of the governor's order, if rescinded, modified or extended.

SO ORDERED this 26th day of March 2020.

**THE BOARD OF COMMISSIONERS
OF THE COUNTY OF CARROLL**

William R. Brown

William R. Brown, Chairman

Signed for the Board under the authority of Executive Order 2020-03.

ATTEST:

Beth L. Myers

Beth L. Myers, Auditor