COUNTY OF DAUPHIN

COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 2020- 11

Adopted: April 1, 2020

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF DAUPHIN COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE FURLOUGH OF CERTAIN COUNTY EMPLOYEES.

WHEREAS, the County of Dauphin (hereafter, County), is a political subdivision of the Commonwealth of Pennsylvania, and it is governed under The County Code (hereafter, County Code), Act of August 9, 1955, P.L. 323, No. 130, as amended, 16 P.S. §101 et seq.; and

WHEREAS, under Section 203 of the County Code, 16 P.S. §203, a board of county commissioners (hereafter, Board) is fully vested with the County's corporate power; and

WHEREAS, under Section 1701 of the County Code, 16 P.S. §1701, the Board "shall be the responsible managers and administrators of the fiscal affairs of [the County];" and

WHEREAS, on March 6, 2020, Tom Wolf, the Governor of the Commonwealth of Pennsylvania, proclaimed the existence of a disaster emergency throughout the Commonwealth (hereafter, the Governor's Proclamation); and

WHEREAS, the Governor's Proclamation recites that, inter alia, "COVID-19 is a disease capable of causing severe symptoms or loss of life, particularly to older populations and those individuals with pre-existing conditions;" and

WHEREAS, the Governor's Proclamation further recites that "it is critical * * * to implement measures to mitigate the spread of COVID-19;" and

WHEREAS, the Governor's Proclamation further recites that "this threat of imminent disaster and emergency has the potential to cause significant adverse impacts upon the population throughout the Commonwealth;" and

WHEREAS, the Governor's Proclamation further recites that "this threat of imminent disaster and emergency has already caused schools to close, and will likely prompt additional local measures, **including affected county * * * governments** to declare local disaster emergencies because of COVID-19;" (emphasis added) and

WHEREAS, the Governor's Proclamation specifically urges "the governing bodies * * * of all political subdivisions affected by this emergency to **act as necessary to meet**

the current exigencies as legally authorized under this Proclamation * * *[;]" (emphasis added) and

WHEREAS, in the days and weeks following the Governor's Proclamation, Pennsylvanians have begun to experience the "significant adverse impacts" which the Proclamation warns of; and

WHEREAS, in an effort to mitigate the spread of COVID-19, Governor Wolf has ordered all non-life-sustaining businesses in Pennsylvania to close their physical locations; and

WHEREAS, in a further effort to mitigate the spread of COVID-19, Governor Wolf has issued stay-at-home orders for residents in twenty-two counties, with more Pennsylvanians expected to be subject to such orders; and

WHEREAS, our state government is bracing for hundreds of millions of dollars in lost revenues as businesses shut down, unemployment claims spike, and more people seek other public assistance benefits; and

WHEREAS, in recognition of the severe economic dislocation which may result from the prolonged closure of businesses, the Wolf administration has commenced a measured approach to managing the state's finances by laying off certain part-time and seasonal employees and interns; and

WHEREAS, the Board has promptly responded to the Governor's Proclamation and the current exigencies by declaring a local disaster emergency; and

WHEREAS, the Board has responsibly managed and administered the fiscal affairs of the County consistent with its duties under the County Code, and it will continue to do so; and

WHEREAS, consistent with the Governor's Proclamation, the Board will act as necessary to meet the current exigencies caused by the growing COVID-19 emergency; and

WHEREAS, such exigencies require that the Board take forthwith the measured approach of furloughing certain County employees in order to responsibly manage and administer the County's fiscal affairs in the face of the growing COVID-19 emergency.

NOW, THEREFORE, be it resolved by the Board as follows:

1.   The County hereby furloughs certain full-time and part-time County employees, all pursuant to a plan (hereafter, the Furlough Plan) prepared and carried out by the Board's senior administrative staff, including the Office of Chief Clerk and the Department of Personnel and Payroll as well as the President Judge and Court Administration. For the affected County Employees, such furloughs will constitute temporary leaves of absence without pay.

2.   For many furloughed employees, this leave of absence <u>without</u> pay will last for thirty calendar days. However, where practicable, it is the present intention of the Board to administer the Furlough Plan on a rotating basis so as to minimize any hardships that may result from such leaves of absence. However, the severity of the current exigencies and the Board's statutory duties under the County Code severely limit the Board's power to minimize resulting hardships.

3.   To the extent that the Board is required to take additional official action to effectuate the Furlough Plan, the Board shall take such action as the current exigencies necessitate, with ratification to follow at the next public meeting of the Board.

4.   The furlough of certain full-time and part-time County employees is being undertaken as a measured step in the face of the current exigencies. Nonetheless, the economic dislocation resulting from the growing COVID-19 emergency may necessitate the eventual layoff of certain County employees. As the responsible managers and administrators of the County's fiscal affairs, the Board will make that determination as circumstances necessitate.

5.   This Resolution shall take effect immediately.

DULY ADOPTED, this 1st day of April, 2020, by the governing Board of Commissioners of Dauphin County, in lawful session duly assembled.

ATTEST

Chad Saylor, Chief Clerk/
Chief of Staff

DAUPHIN COUNTY
BOARD OF COMMISSIONERS

By: _____
        Jeffrey T. Haste, Chairman

By: _____
        Mike Pries, Vice Chairman

By: _____
        George P. Hartwick, III, Secretary

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