

**City of South Daytona**  
**Human Resources Department**

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386/322-3069 • Fax 386/322-3068



**MEMORANDUM**

**To:** James L. Gillis Jr., City Manager

**From:** Trudy A. O'Dell, Human Resources Department

**Date:** January 7, 2021

**Re:** Resolution No. 2021-02 Extending the Protections and Relief Offered by the Families First Coronavirus Response Act (FFCRA) for Three Months Expiring on March 31, 2021

**AGENDA ITEM**

# E 14 DATE 1/12/2021

The purpose of the attached Resolution (No. 2021-02) is to request an extension on the protection and relief offered by the Families First Coronavirus Response Act (FFCRA) for three months expiring on March 31, 2021. The Act, which provided employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19, expired on December 31, 2020 and has not been extended to date.

It is beneficial to the health and safety of all City employees and City operations to continue to encourage employees to not risk exposing themselves, coworkers, or the general public by offering additional paid sick leave related to COVID-19. It is also important to note that a COVID-19 vaccine has not been made available to all employees as of this date. Therefore, it is recommended that the City Council approve the request for an extension on the FFCRA for three months expiring on March 31, 2021. This date may be extended by City Council action dependent on when vaccinations have been made available to all employees.

## **RESOLUTION NO. 2021-02**

**A RESOLUTION OF THE CITY OF SOUTH DAYTONA, FLORIDA, EXTENDING THE PROTECTIONS AND RELIEF OFFERED BY THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA) FOR THREE MONTHS EXPIRING ON MARCH 31, 2021; PROVIDING FOR REPEAL OF RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on March 19, 2020, the President of the United States signed in to law the Federal Families First Coronavirus Response Act (FFCRA), providing coverage for South Daytona employees under the Emergency Family and Medical Leave Expansion Act and Emergency Paid Sick Leave Act; and

**WHEREAS**, the Act provided employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19; and

**WHEREAS**, the provisions of the FFCRA were applied from April 1, 2020 through December 31, 2020; and

**WHEREAS**, the FFCRA's sick and family leave provisions were not extended as part of the pandemic relief package that was signed by the President of the United States on December 27, 2020; and

**WHEREAS**, it is beneficial to the health and safety of all City employees and City operations to continue to encourage employees to not risk exposing themselves, coworkers, or the general public by offering additional paid sick leave related to COVID-19; and

**WHEREAS**, it is recognized that a COVID-19 vaccine has not been made available to all employees as of this date.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, FLORIDA:**

**SECTION 1.** The City Council of the City of South Daytona hereby extends the FFCRA's sick and family leave provisions until March 31, 2021. This date made be extended by City Council action dependent on when vaccinations have been made available to all employees.

**SECTION 2. Conflicts.** Any provision of this Resolution in conflict with any City of South Daytona code or policy is hereby repealed to the extent of any conflict.

**SECTION 3. Severability.** In the event that any word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Resolution, is contrary to law, or against public policy, or shall for any reason whatsoever held to be invalid, illegal or unconstitutional, by any court of competent jurisdiction, such word(s), phrase(s), portion(s), sub-sub-section(s), sub-

section(s), or section(s) of this Resolution shall be null and void, and shall be deemed severed, and a separate, distinct, and independent provision from the remaining provisions of this Resolution, and such holding shall in no manner affect the validity of the remaining words, phrases, portions, sub-sub-sections, sub-sections, or sections of this Resolution, which shall remain in full force and effect. This Resolution shall be construed in a manner to accomplish, to the greatest extent legally possible, the purposes of this Resolution as expressed herein. It will be presumed that the City Council for the City of South Daytona did not intend to enact any invalid or unconstitutional provision. It shall further be presumed that the City Council would have enacted the remainder of this Resolution without any invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

**SECTION 4. Effective Date.** This Resolution shall become effective as of January 1, 2021.

**APPROVED AND ADOPTED** upon first and final reading at the regular public hearing held by the City Council of the City of South Daytona, Florida, on the 12<sup>th</sup> day of January 2021.

SIGNED:

\_\_\_\_\_  
William C. Hall, Mayor

ATTEST:

\_\_\_\_\_  
James L. Gillis, Jr., City Manager  
as Appointed City Clerk

Approved as to form and sufficiency

\_\_\_\_\_  
Wade C. Vose, City Attorney