EXECUTIVE ORDER \_\_\_\_\_\_\_\_

EXECUTIVE ORDER SUSPENDING OUTSIDE EMPLOYMENT AUTHORIZATIONS AND

ESTABLISHING A TEMPORARY POLICY REGARDING OUTSIDE EMPLOYMENT DURING THE STATE OF EMERGENCY 2020

WHEREAS, the President declared a national state of emergency on March 13, 2020 in response to the COVID-19 pandemic;

WHEREAS, Governor Andy Beshear declared a state of emergency in the Commonwealth of Kentucky on March 6, 2020 in response to the COVID-19 pandemic;

WHEREAS, the Centers for Disease Control and Prevention identified COVID-19 as a respiratory disease spread from person to person causing illness that can range from very mild to severe, including death;

WHEREAS, Governor Andy Beshear issued Executive Order 2020-257 on March 25, 2020 prohibiting in-person work that is not necessary to protect or sustain life;

WHEREAS, Mayor \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ issued an executive order declaring a state of emergency in the City of \_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in response to the COVID-19 pandemic;

WHEREAS, regulatory oversight serves the critically important purpose of protecting and promoting the health, safety, and welfare of the City of \_\_\_\_\_\_ citizens, resources, and businesses; and

WHEREAS, during a state of emergency declaration issued under KRS 39B.080, the Mayor is authorized to make any city employees available for duty for disaster and emergency response purposes.

NOW, THEREFORE, BE IT ORDERED AS FOLLOWS:

1. All permissions for city personnel to engage in outside employment are suspended during the state of emergency in the Commonwealth of Kentucky under Governor Andy Beshear’s March 6, 2020 declaration.
2. Employees receiving emergency sick leave under the Families First Coronavirus Act or Emergency FMLA, sick leave provided through the City personnel policies, including paid time off, FMLA and workers’ compensation leave, or who is approved for limited duty, are prohibited from engaging in secondary employment. Employees who engage other employment or in self-employment while on authorized leave of absence or light duty will be terminated unless written authorization has been granted prior to commencement of the secondary employment or self-employment. The above limitations specifically do not apply to an employee’s use of annual leave, vacation leave, or absences resulting from a temporary reduction in force.
3. Employees requesting outside employment must submit a written request through the chain of command for the Mayor’s approval.
4. Employees may only work in approved positions defined as “Low Exposure Risk” by OSHA’s “Guidance on Preparing Workplace for COVID-19” while following all other necessary precautions as follows:
   1. Employees may not work for an employer that has violated an executive order in effect during the state of emergency;
   2. Employees may not work with others who are showing symptoms if illness, who have family members showing symptoms of illness, or who work other jobs that are defined as “very high exposure”, “high exposure”, or “medium exposure” risk categories as defined by OSHA.
   3. Work conducted independently is permitted as long as there is no in-person contact with an individual who is not living with the employee.
   4. Employees may not ride in vehicles with any person who does not live with the employee for outside employment purposes.
   5. Employees may not work in positions that require out of state travel or travel to an area of Kentucky that has more than 10 confirmed cases of COVID-19.
   6. Employees must utilize tele-conferencing for meetings whenever possible and take all available steps to avoid in-person meetings regardless of whether social distancing protocols can be maintained.
   7. Employees may only work in positions that comply with the Governor’s executive order mandating the following:
      1. Availability of frequent hand washing with soap and water;
      2. Availability of hand sanitizer with at least 60% alcohol; and
      3. All workplaces, desks, and any frequently touched surface must be cleaned and disinfected frequently.
5. Emergency Medical Service employees must receive approval from the licensed medical director before submitting a request for outside employment.
6. An outside employment request can be rescinded by the Mayor at any time if it is determined necessary to provide for the health, safety, and welfare of citizens.
7. This outside employment policy can be amended as necessary to assist the Commonwealth of Kentucky, \_\_\_\_\_\_\_\_\_\_\_\_\_ County, and/or the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to respond to the COVID-19 pandemic.
8. The Mayor can temporarily discontinue approval of all outside employment to respond to the COVID-19 pandemic.
9. This order may be superseded by an Executive Order issued by Governor Andy Beshear during the state of emergency.

Signed on this the day of April, 2020,

Mayor City of