



EXECUTIVE ORDER 2020-3

WHEREAS, it is necessary for the government of New Castle County to act flexibly in connection with the monitoring or management of Coronavirus, also known as COVID-19, to ensure the safety of its employees and the continued functionality of its governmental services; and

WHEREAS, many schools and dependent care facilities in the State of Delaware and in neighboring states have been closed as a precautionary measure in connection with the monitoring or management of COVID-19; and

WHEREAS, New Castle County employees may have dependents who they must care for as a result of closures of schools and dependent care facilities.

NOW THEREFORE, I, the County Executive, direct that the following policy be implemented:

1. All New Castle County facilities are to remain open unless otherwise provided by Executive Order 2020-2. Personnel Policy 1.03 (Emergency Conditions) is not in effect for any facility or employee as of this time, and no pay plan under that policy is in effect.
2. This Executive Order addresses and clarifies the procedure for paid administrative or emergency leave requests due to school and dependent care facility closures in connection with the monitoring or management of COVID-19, as referenced in paragraphs seven and eight of Executive Order 2020-2. This Executive Order supersedes any conflicting provision in Executive Order 2020-2.
3. Personnel Policy 2.03 (Administrative Leave with Pay) is hereby invoked, subject to the conditions below, for employees who are required to care for their dependents due to closures of schools or dependent care facilities in connection with the monitoring or management of COVID-19.
4. An employee may request LAD from his or her general manager to care for a dependent due to a closure as described in paragraph 2. The term "general manager" as used here shall mean the highest officer in the employee's particular department, division, or office who reports directly to the Chief Administrative Officer (e.g., Chief of Police, Department General Manager, Chief Human Resources Officer, Chief Financial Officer, Row Officer). The following conditions apply to the employee's request for LAD:
 - a. The general manager may grant the request only if he or she determines that such leave will not result in harm to the interests of New Castle County as an employer. The general manager may deny the request for LAD in his or her complete discretion.
 - b. The employee's request for LAD shall be made by submitting the form attached to this Executive Order, titled "Request for Paid Administrative Leave Resulting from Closure

of School or Dependent Care Facility.” The employee may deliver the form in person at his or her place of work, or by e-mail to the employee’s general manager.

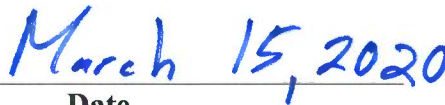
- c. The general manager may revoke LAD at any time in his or her complete discretion. The basis for revoking LAD shall include, but shall not be limited to, the general manager’s determination that the employee’s presence at work is required, or the general manager’s determination that the employee has failed to satisfy any condition the general manager placed on the employee’s LAD.
 - d. Any LAD granted under this Executive Order shall terminate at 6:00 p.m. on March 27, 2020. Any extension of this eligibility period will be made by separate Executive Order.
5. School crossing guards who have no work due to a school closing are immediately eligible for LAD for the hours the crossing guards would have worked if the school had remained open. Crossing guards are entitled to such LAD until 6:00 p.m. on March 27, 2020. Any extension of this eligibility period will be made by separate Executive Order.
6. LAD granted under this Executive Order is subject to revocation at any time, and particularly if the County Executive declares an emergency condition triggering Personnel Policy 1.03. In that event, general managers shall make appropriate designations of “essential” and “non-essential” personnel, and revoke LAD as necessary to ensure continued operation of the New Castle County government’s essential functions.

This Executive Order shall become enforceable immediately upon signature by the New Castle County Executive. This Executive Order will remain in effect until and unless rescinded by subsequent order of the New Castle County Executive.

So Ordered:



Matthew Meyer
New Castle County Executive



Date