



EXECUTIVE ORDER 2020-4

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

WHEREAS, Governor of the State of Delaware John Carney (“Governor Carney”) issued a Declaration of a State of Emergency on March 12, 2020, and has since issued five modifications to that Declaration; and,

WHEREAS, in his Fourth Modification to his Declaration of a State of Emergency, Governor Carney ordered State Offices to remain open until further notice, while also allowing State employees to telecommute; and,

WHEREAS, it is necessary to clarify the County’s actions in response to the preceding.

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

1. All County facilities are to remain open until further notice, 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. Employees who are able to perform their work by telecommuting shall do so with the consent of their General Manager and as permitted under Executive Order 2020-2 and applicable Personnel Policies.
3. Employees at highest risk of poorer outcomes from a COVID-19 infection, such as those age 60 and above with chronic underlying health conditions, should communicate with their General Manager regarding appropriate work arrangements that will exclude them to the extent possible from on-premises work.
4. The County may provide Paid Administrative Leave (“LAD”) to an employee who is unable to telecommute and who is unable to perform work at the employee’s place of employment due to County closures under Executive Order 2020-2, or due to work schedule restrictions imposed by General Managers to comply with social distancing requirements or similar restrictions. Eligibility for such leave shall terminate on May 15, 2020. Any conflicting provisions in Executive Orders 2020-2 and 2020-3 are hereby rescinded.
5. Eligibility for LAD under Executive Order 2020-3, for dependent care and for school crossing guards, is extended to May 15, 2020. Any conflicting provisions in Executive Orders 2020-2 or 2020-3 are hereby rescinded.
6. An employee may be eligible for up to 14 calendar days of LAD if the employee is unable to telecommute or to perform work at the employee’s place of employment as a result of a COVID-

19 illness or self-quarantining. The employee may be required to provide written documentation from a health care provider and/or a public health official of the requirement to be absent from work. The employee may also be required to provide a letter from a health care provider or a public health official indicating that the employee has completed the required monitoring, isolation or quarantine period, and may also be required to provide medical documentation releasing the employee to full-duty prior to returning to work. If the employee has been told by the Division of Public Health or a medical professional that they must be quarantined, the employee must provide clearance to return to work at the employee's place of employment before the employee may return onsite. Any conflicting provisions in Executive Orders 2020-2 or 2020-3 are hereby rescinded.

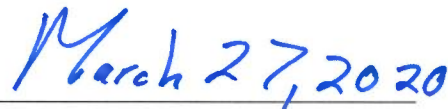
7. Effective April 12, 2020, employees receiving LAD under paragraphs four (4) to six (6) above shall not accrue sick or vacation leave while being permitted to use LAD.
8. County public bodies subject to the Freedom of Information Act, 29 Del. C. § 10001, *et seq.*, may conduct their meetings in accordance with Governor Carney's Proclamation 17-3292, allowing meetings to be conducted by video conference or telephone conference. Whenever feasible, video conferencing shall be utilized by members of the public body. Members of the public shall be provided means to hear the comments of and speak to such members of the public body contemporaneously. Public participants must be permitted to electronically access presentation materials and submit questions or comments.

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