



Ohio Township Association

Legislative Alert

March 20, 2020

Legislative Action This Week

COVID-19 Updates

Potential Open Meetings Changes Coming

Governor DeWine announced on Thursday that the General Assembly intends to address Open Meetings Act limitations for public bodies next week. This likely includes allowing remote meetings during a state of emergency, such as the coronavirus outbreak we are now facing. Your township should prepare to make adjustments for electronic meetings if you are able and have not already. Any changes are still contingent on Legislative action.

Families First Coronavirus Response Act

The federal government passed the Families First Coronavirus Response Act ([H.R. 6201](#)) this week as well. The legislation makes two important changes to leave in response to the coronavirus outbreak:

Emergency Family Leave

The new law creates an emergency paid leave program to directly respond to the coronavirus. Private sector employers with fewer than 500 workers and public/local government entities must provide up to 12 weeks of job-protected leave under the Family and Medical Leave Act (FMLA) for employees who are unable to work or telework because they have to care for a child younger than 18 whose school or day care has closed because of the coronavirus. The Department of Labor is authorized to issue regulations that would exclude certain health-care providers and emergency responders from paid leave benefits and exempt small businesses with fewer than 50 employees from the paid leave requirements.

The 12 weeks of job-protected leave includes two weeks of unpaid leave, followed by 10 weeks of paid leave. Eligible employees may elect or be required to overlap the initial two weeks of unpaid leave with two weeks of other paid leave they have available. Eligible employees will receive a benefit from their employers that will be no less than two-thirds of the employee's usual pay. The law also exempts employers with fewer than 25 workers from requirements to restore an employee's original position if it no longer exists because of economic conditions or changes to operations due to the public health emergency. The Emergency Family and Medical Leave Expansion Act provisions will become effective no later than April 2, 2020 and run through December 31, 2020.

Emergency Sick Leave

Private sector employers with fewer than 500 workers and public/local government entities will have to provide employees who are unable to work or telework with immediate paid sick time off to comply with a federal, state, or local quarantine, or isolation order; self-quarantine per a healthcare provider's advice; obtain a medical diagnosis for coronavirus; or care for an individual who is in quarantine or for a child whose school or day care have closed due to coronavirus.

Full-time employees will receive 80 hours of sick leave under the new emergency leave program and part-time workers are granted time off that's equivalent to their scheduled or normal work hours in a two-week period. Workers must be paid at least their normal wage or the federal, state, or local minimum wage, whichever is greater. If providing care to another individual or child, they would be paid at two-thirds of wages.

Leave assistance is capped at \$5,110 (i.e., up to \$511 per day over two weeks) for a worker to self-quarantine, seek a diagnosis or preventative care, or receive treatment for COVID-19 and \$2,000 (i.e., up to \$200 per day over two weeks) to provide care for a family member or to care for a

child whose school has closed, or if their childcare provider is unavailable due to COVID-19. Employers are prohibited from requiring a worker to find a replacement to cover their hours during time off; and discharging or discriminating against workers for requesting paid sick leave or filing a complaint against the employer.

An employer will be subject to civil penalties for a violation of paid sick leave requirements. The Department of Labor is authorized to issue regulations to exclude certain healthcare providers and emergency responders from the paid leave benefits; and exempt small businesses with fewer than 50 employees from paid leave requirements. The Emergency Paid Sick Leave Act provisions will be in effect no later than April 2, 2020 and run through December 31, 2020.

You can find a more detailed summary of the law [here](#).

OTA Meetings

The OTA participated in several calls this week with various levels of government, including the Governor's office, Auditor of State's office, local health districts and other local partners, and NATaT (our federal counterpart). We are actively seeking answers and solutions to the questions posed by our membership. We will continue to update you with new developments as they come.

Bills Recently Introduced

[HB 556 EMERGENCY WORKERS - PTSD COMPENSATION](#) (Lang, Antani) -Concerning compensation, medical benefits, and disability retirement for peace officers, firefighters, and emergency medical workers diagnosed with post-traumatic stress disorder arising from employment without an accompanying physical injury.

[HB 557 EMERGENCY TELECONFERENCE - PUBLIC BODIES](#) (Sobecki, L) - To authorize public bodies to meet via teleconference and video conference during a public health state of emergency as declared by the Governor, and to declare an emergency.

Recent Supreme Court Decision

Columbus Bituminous Concrete Corp v. Harrison Township Board of Zoning Appeals
Zoning-Townships-Township trustees may regulate mining under R.C. 519.02(A) only in the interest of public health and safety-R.C. 519.141(A) does not provide board of zoning appeals with basis for denying an application to engage in mining when an application fails to meet a township's general conditions-Court of appeals' judgment reversed and cause remanded to the board of zoning appeals.

You may read the full opinion [here](#).

DAS Cooperative Purchasing

Ohio's Cooperative Purchasing Program requirements and fees have been temporary waived due to COVID-19. You can find more information on the Department of Administrative Services [website](#) or in the program [brochure](#).

Resources for Businesses

The Ohio Chamber of Commerce has create a page for coronavirus-related business resources. You can access their website [here](#).

Additionally, Governmental Policy Group has summarized information for businesses. You can

2020 Sunshine Manual

The 2020 Sunshine Law Manual is now available. You can view the updated version [here](#).

Federal Update



Congressional Action

After passage of the Families First Coronavirus Response Act ([H.R. 6201](#)), Congressional leaders are working on a third emergency response package to the coronavirus outbreak, which will follow more of a "regular order" path, offering committees more input, even with the House in recess. Over the weekend, Senate Majority Leader Mitch McConnell (R-KY) spoke with the chairs of several committees to discuss additional steps to provide further financial assistance, assist small businesses, and better support the health care system. McConnell has indicated a goal to have the third package wrapped up before the scheduled two-week Easter recess beginning April 3rd. However, Congressional leaders will likely want this third package approved by the House and Senate well before that date. House Speaker Nancy Pelosi (D-CA) has also recently stated that "the House will begin work on a third emergency response package to protect the health, economic security and well-being of the American people."

2020 Census



All Your Information for the Upcoming 2020 Census

The U.S. Census Bureau continues to carefully monitor the coronavirus (COVID-19) situation and follow the guidance of federal, state and local health authorities. We are adjusting some operations as outlined below with two key principles in mind: protecting the health and safety of our staff and the public and fulfilling our statutory requirement to deliver the 2020 Census counts to the President on schedule.

As of today, over 5 million have responded online to the 2020 Census. Currently, the planned completion date for data collection for the 2020 Census is July 31, 2020, but that date can and will be adjusted if necessary as the situation dictates in order to achieve a complete and accurate count.

It has never been easier to respond on your own, whether online, over the phone or by mail - all without having to meet a census taker.

Learn more about these updates and ways to be counted [here](#).

[US Census Website](#)
[Ohio Census Website](#)

The 2020 Census is headed your way! And it's so important that your township gets an accurate count. This section will help you get information out to your friends and neighbors to ensure residents in your area are counted. Check here for weekly information and links to important documents and resources.

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