

**CITY OF BROKEN BOW  
CITY COUNCIL AGENDA  
April 10, 2020 @ 3:00 PM**

*The format of this meeting is by conference call. The meeting is being conducted in this manner in order to comply with social distancing guidelines due to the COVID-19 outbreak and intended to follow the authorization of Executive Order No. 20-03 issued by Governor Ricketts on March 17, 2020.*

Teleconference Call Information: Please dial 1-301-715-8592 and enter the Meeting ID 800 661 166

**A. Call to Order**

- B. Open Meeting Law:** In accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and is posted on the wall of the Council chambers and available on the City of Broken Bow website under the City Clerk.

**C. Roll Call**

- D. Closed Session -** Consideration of entering closed session for the purpose of a strategy session regarding potential litigation.

**E. New Business:**

- a. COVID 19 Quarantine & Pay Issues**
- b. Utility Board Duties**

**F. Adjournment**

The Council will review the above matters and take such action as they deem appropriate. The Council may enter into closed session to discuss any matter on this agenda when it is determined by the Council that it is clearly necessary for protection of the public interest or the prevention of needless injury to the reputation of any individual and if such individual has not requested a public meeting, or as otherwise allowed by law. Any closed session shall be limited to the subject matter for which the closed session was called. If the motion to close passes, immediately prior to the closed session the Mayor shall restate on the record the limitation of the subject matter of the closed session.

**ACKNOWLEDGMENT OF RECEIPT OF  
NOTICE OF MEETING**

The undersigned members of the governing body of the City of Broken Bow, Nebraska, hereby acknowledges receipt of advance notice of the meeting of the Mayor and City Council of the City of Broken Bow, Nebraska, and a copy of the agenda for such meeting held on April 10, 2020 by teleconference.

Dated this 10<sup>th</sup> day of April, 2020.

Attended by teleconference  
Mayor Sonnichsen

Attended by teleconference  
Councilmember Holcomb

Attended by teleconference  
Councilmember Myers

Attended by teleconference  
Councilmember Miller

Attended by teleconference  
Councilmember Schmidt


## **NOTICE OF SPECIAL MEETING CITY OF BROKEN BOW**

NOTICE IS HEREBY GIVEN, that the Mayor and City Council of the City of Broken Bow, Nebraska will meet on Friday, April 10, 2020 at 3:00 P.M. by teleconference. Said meeting will be open to the public. An agenda for such meeting, kept continuously current, is available for public inspection at the office of the City Clerk in the Municipal Building at 314 South 10<sup>th</sup> Avenue.

Please contact the City Clerk at 308-872-5831 for information about joining the teleconference.

The Mayor and City Council reserve the right to adjourn into executive session as per Section §84-1410 of the Nebraska Revised Statutes.

I certify that I posted this notice by 12:00 p.m. Wednesday, April 8, 2020 at the Broken Bow Municipal Building, Custer County Courthouse, and Broken Bow Post Office.

  
Stephanie M. Wright, City Clerk



# Families First Coronavirus Response Act: Employer Paid Leave Requirements

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19.<sup>[1]</sup> The Department of Labor's (Department) Wage and Hour Division (WHD) administers and enforces the new law's paid leave requirements. These provisions will apply from the effective date through December 31, 2020.

Generally, the Act provides that covered employers must provide to **all employees**:<sup>[2]</sup>

- *Two weeks (up to 80 hours) of **paid sick leave** at the employee's regular rate of pay* where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
- *Two weeks (up to 80 hours) of **paid sick leave** at two-thirds the employee's regular rate of pay* because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor.

A covered employer must provide to **employees that it has employed for at least 30 days**:

<sup>[3]</sup>

- *Up to an additional 10 weeks of **paid expanded family and medical leave** at two-thirds the employee's regular rate of pay* where an employee is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.



**For reason (5):** A full-time employee is eligible for up to 12 weeks of leave at 40 hours a week, and a part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

#### **Calculation of Pay:**<sup>[5]</sup>

**For leave reasons (1), (2), or (3):** employees taking leave shall be paid at either their regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate (over a 2-week period). 12.7814

**For leave reasons (4) or (6):** employees taking leave shall be paid at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).

**For leave reason (5):** employees taking leave shall be paid at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period—two weeks of paid sick leave followed by up to 10 weeks of paid expanded family and medical leave).<sup>[6]</sup>

**Tax Credits:** Covered employers qualify for dollar-for-dollar reimbursement through tax credits for all qualifying wages paid under the FFCRA. Qualifying wages are those paid to an employee who takes leave under the Act for a qualifying reason, up to the appropriate per diem and aggregate payment caps. Applicable tax credits also extend to amounts paid or incurred to maintain health insurance coverage. For more information, please see the Department of the Treasury's website.

**Employer Notice:** Each covered employer must post in a conspicuous place on its premises a notice of FFCRA requirements.<sup>[7]</sup>

**Prohibitions:** Employers may not discharge, discipline, or otherwise discriminate against any employee who takes paid sick leave under the FFCRA and files a complaint or institutes a proceeding under or related to the FFCRA.

**Penalties and Enforcement:** Employers in violation of the first two weeks' paid sick time or unlawful termination provisions of the FFCRA will be subject to the penalties and enforcement described in Sections 16 and 17 of the Fair Labor Standards Act. 29 U.S.C. 216; 217. Employers in violation of the provisions providing for up to an additional 10 weeks of paid leave to care for a child whose school or place of care is closed (or child care provider is unavailable) are subject to the enforcement provisions of the Family and Medical Leave Act.

- Topics
- For Workers
- For Employers
- Resources
- Interpretive Guidance
- State Laws
- News



Wage and Hour Division

An agency within the U.S.  
Department of Labor

200 Constitution Ave NW  
Washington, DC 20210  
1-866-4-US-WAGE  
1-866-487-9243

[www.dol.gov](http://www.dol.gov)

FEDERAL GOVERNMENT

- White House
- Coronavirus Resources
- Severe Storm and Flood Recovery Assistance
- Disaster Recovery Assistance
- DisasterAssistance.gov
- USA.gov
- No Fear Act Data
- U.S. Office of Special Counsel

LABOR DEPARTMENT

- About DOL
- Guidance Search
- Español
- Office of Inspector General
- Subscribe to the DOL Newsletter
- Read the DOL Newsletter
- Emergency Accountability Status Link
- A to Z Index

WHD PORTALS

- YouthRules!
- Wage Determinations