

1 **RESOLUTION NO.**

2 **WHEREAS**, On March 6, 2020, the City of Austin issued a Declaration of
3 Local Disaster that allows the City to take measures to reduce the possibility of
4 exposure to COVID-19 and promote the health and safety of Austin residents; and

5 **WHEREAS**, hundreds of thousands of people have lost income or their jobs
6 due to the local disaster and there are a limited number of teleworking jobs that are
7 open and available; and

8 **WHEREAS**, Austin and the surrounding area must prioritize keeping
9 hospitalizations low and preventing deaths; and

10 **WHEREAS**, ensuring that high risk workers are not exposed to COVID-19
11 will help limit the number of people who need to be hospitalized or die from the
12 pandemic; and

13 **WHEREAS**, high risk workers include people who are over the age of 65 or
14 who have an underlying health condition that causes them to be at a high risk of
15 hospitalization and death due to COVID-19, and workers with people in their
16 households who are over the age of 65 or have such underlying health conditions;
17 and

18 **WHEREAS**, people who are unable to work from home, are lower income,
19 or live in larger households are more likely to become infected with COVID-19;
20 and

21 **WHEREAS**, communities of color, particularly Hispanic communities,
22 have been found more likely to become infected with COVID-19; and

23 **WHEREAS**, Congress passed an economic stimulus package called the
24 Coronavirus Aid, Relief, and Economic Security (CARES) Act in March 2020; and

25 **WHEREAS**, the CARES Act expanded unemployment benefits for people
26 who are unemployed through no fault of their own to be administered through state
27 agencies; and

28 **WHEREAS**, people may apply with the Texas Workforce Commission to
29 apply for unemployment benefits if they qualify for one of the following:

- 30 • Regular unemployment benefits for people who are unemployed
31 through no fault of their own and meet work and wage requirements
32 and any additional state requirements,
- 33 • Pandemic Unemployment Assistance (PUA) is for people who are
34 self-employed, seeking part-time employment, or who otherwise
35 would not qualify for regular unemployment compensation and are
36 unemployed, partially unemployed, or unable or unavailable to work
37 because of certain health or economic consequences of the COVID-19
38 pandemic,
- 39 • Pandemic Emergency Unemployment Compensation (PEUC) extends
40 regular unemployment benefits by 13 weeks for those who have
41 exhausted all rights to regular unemployment compensation under
42 state or federal law and who are able to work, available for work, and
43 actively seeking work as defined by state law, and
- 44 • Federal Pandemic Unemployment Compensation program provides an
45 additional \$600 per week to individuals who are collecting regular
46 unemployment compensation; and

47 **WHEREAS**, people who have been advised by a healthcare provider to self-
48 quarantine due to concerns about exposure or have been diagnosed with COVID-
49 19 by a qualified medical professional, who do not have the illness, but have health
50 complications may qualify for PUA; and

51 **WHEREAS**, the Texas Workforce Commission’s eligibility guidelines for
52 PUA include:

- 53 • At High Risk – People 65 years or older are at a higher risk for getting
54 very sick from COVID-19,
- 55 • Household member at high risk – People 65 years or older are at a
56 higher risk of getting very sick from COVID-19,
- 57 • Diagnosed with COVID - the individual has tested positive for
58 COVID-19 by a source authorized by the State of Texas and is not
59 recovered,
- 60 • Family member with COVID - anybody in the household has tested
61 positive for COVID-19 by a source authorized by the State of Texas
62 and is not recovered and 14 days have not yet passed,
- 63 • Quarantined – individual is currently in 14-day quarantine due to
64 close contact exposure to COVID-19, and
- 65 • Child care – Child’s school or daycare closed and no alternatives are
66 available.

67 Any other situation will be subject to a case by case review by the Texas
68 Workforce Commission based on individual circumstances; and

69 **WHEREAS**, Texas Governor Greg Abbott issued Executive Order No. GA-
70 18 that reopened the following businesses on May 1, 2020: retail services, dine-in
71 restaurant services, movie theaters, shopping malls, museums and libraries,
72 services provided by an individual working alone in an office, golf course
73 operations, and local government operations up to 25% of the total listed
74 occupancy; and

75 **WHEREAS**, Texas Governor Greg Abbot issued Executive Order No. GA-
76 19 to expand the list of reopened businesses to include wedding venues and
77 reception services at 25% capacity; for cosmetology salons, hair salons, barber
78 shops, nail salons and shops, tanning salons, and swimming pools (25% capacity)
79 to reopen on May 8; and for small offices, manufacturing services, gyms, exercise
80 facilities, and exercise classes to reopen on May 18 at 25% of the total listed
81 occupancy; and

82 **WHEREAS**, with more and more businesses reopening, high-risk workers
83 who do not qualify for unemployment benefits may be forced to work jobs that put
84 their lives at risk which will increase hospitalizations and deaths; and

85 **WHEREAS**, the Families First Coronavirus Relief Act generally requires
86 employers with fewer than 500 employees to provide paid sick time to workers
87 with COVID-19 symptoms, to workers whose families have COVID-19 symptoms,
88 and to workers lacking childcare because of the disaster; and

89 **WHEREAS**, a critical part of Austin’s COVID-19 public health strategy is
90 to ensure that all workers stay home if they feel sick or if their household is sick;
91 **NOW, THEREFORE,**

92

93 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

94 The City Manager is directed to establish a unified city strategy for high-risk
95 workers. High-risk workers are those who are most likely to be hospitalized if they
96 are infected with COVID-19, or are those workers who have members of their
97 household who face such risks.

98 Such a strategy could include, but would not be limited to, efforts to:

- 99 • ensure all employers are keeping high-risk workers at home through
100 telework, or at the bare minimum, are moving those workers into
101 isolated work settings with the lowest risk of interaction with COVID
102 carriers,
- 103 • ensure all high-risk workers are able to advocate for telework and safe
104 work conditions,
- 105 • ensure all high-risk workers are connected to unemployment
106 insurance and PUA as needed and as applicable, and
- 107 • ensure high-risk workers that do not qualify for PUA or
108 unemployment benefits (and who cannot be moved to a safe work
109 environment such as telework) are connected with telework jobs or
110 social and economic supports.

111 Other actions may include:

- 112 • prioritizing COVID-19 response funds or other COVID-19 relief
113 funds,

- 114 • providing direct financial assistance to those high-risk workers with
115 no other options,
- 116 • creating materials (e.g., posters, check-lists, resource guides) and
117 educating workers and employers of their options, and
- 118 • establishing (internally or externally) a high-risk worker resource
119 center that could assist high-risk workers with their options, including:
- 120 ○ education and advice on worker rights, including paid sick time
121 requirements,
- 122 ○ advocating to employers that they not put high-risk workers
123 into harm's way,
- 124 ○ where and how to file complaints of employer violations,
- 125 ○ training for and applying for teleworking jobs,
- 126 ○ applying for unemployment benefits or PUA,
- 127 ○ applying for existing social services and direct financial
128 assistance for COVID-19 relief,
- 129 ○ establishing requirements or processes for city contractors with
130 high-risk workers in Austin, and
- 131 ○ other resources that may apply.

132 The City Manager should consult with other cities and counties, medical
133 experts, experts in unemployment benefits, and service providers.

134 **BE IT FURTHER RESOLVED:**

135 In order to ensure all workers with COVID-19 symptoms, or workers with
136 households with COVID-19 symptoms, stay home, the City Manager is directed to
137 also establish rules, strategies, and/or programs to:

- 138 • ensure all workers know their rights under the FFCRA, and
- 139 • ensure all workers feel confident being tested for COVID-19, whether
140 or not they have access to paid sick time.

141 **BE IT FURTHER RESOLVED:**

142 The City Manager is directed to consider assisting with:

- 143 • helping ensure all workers, regardless of underlying condition or age,
144 do not have to work in conditions that violate COVID-19 safety
145 guidelines, and
- 146 • helping ensure all workers can speak out without retaliation about
147 working conditions that violate COVID-19 safety guidelines.

148 **BE IT FURTHER RESOLVED:**

149 The City Manager is directed to report back to City Council with policy and
150 budget recommendations by June 2, 2020. The City Council recognizes that the
151 City of Austin faces legal limits in achieving all its worker safety and worker rights
152 goals, and the Council asks the Manager to be as creative and thorough as possible
153 within the City’s legal authority.

154 **ADOPTED:** _____, 2020 **ATTEST:** _____

156 Jannette S. Goodall
157 City Clerk