

24 WHEREAS, the City of Austin, recognizing from the start of the COVID-
25 19 Pandemic that it would likely disproportionately impact communities of color
26 due to a history of systemic racism and inequity, has consistently taken a proactive
27 approach to mitigate for disparate impacts, including:

- 28 - Requesting dis-aggregated data reporting on COVID-19 cases, testing,
29 and hospitalizations as to clearly indicate disproportionate impacts to
30 communities of color;
- 31 - Establishing and allocating funding to the RISE Fund, prioritizing direct
32 aid to vulnerable populations not receiving support from the federal
33 CARES act;
- 34 - Prohibiting non-essential construction so as to protect this important
35 industry's workforce, which is largely made up of members of our Latino
36 community (later pre-empted by the Governor's orders);
- 37 - Requiring construction site worker protections, including face coverings,
38 hand washing stations, and other protective measures;
- 39 - Requiring face coverings for grocery store clerks, nursing home workers,
40 and other essential employees;
- 41 - Prohibiting evictions;
- 42 - Commissioning The University of Texas to develop a model to project
43 the health impacts of all construction being allowed per the Governor's
44 revised orders;

- 45 - Increasing COVID-19 testing and proximate testing sites to areas of the
46 city with high concentrations of Latino and African American households
47 so as to improve access to vulnerable residents;
48

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

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

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

- 56 • Regular unemployment benefits for people who are unemployed
57 through no fault of their own and meet work and wage requirements
58 and any additional state requirements,
- 59 • Pandemic Unemployment Assistance (PUA) is for people who are
60 self-employed, seeking part-time employment, or who otherwise
61 would not qualify for regular unemployment compensation and are
62 unemployed, partially unemployed, or unable or unavailable to work
63 because of certain health or economic consequences of the COVID-19
64 pandemic,
- 65 • Pandemic Emergency Unemployment Compensation (PEUC) extends
66 regular unemployment benefits by 13 weeks for those who have
67 exhausted all rights to regular unemployment compensation under

68 state or federal law and who are able to work, available for work, and
69 actively seeking work as defined by state law, and

- 70 • Federal Pandemic Unemployment Compensation program provides an
71 additional \$600 per week to individuals who are collecting regular
72 unemployment compensation; and

73 **WHEREAS**, people who have been advised by a healthcare provider to self-
74 quarantine due to concerns about exposure or have been diagnosed with COVID-
75 19 by a qualified medical professional, who do not have the illness, but have health
76 complications may qualify for PUA; and

77 **WHEREAS**, the Texas Workforce Commission’s eligibility guidelines for
78 PUA include:

- 79 • At High Risk – People 65 years or older are at a higher risk for getting
80 very sick from COVID-19,
- 81 • Household member at high risk – People 65 years or older are at a
82 higher risk of getting very sick from COVID-19,
- 83 • Diagnosed with COVID - the individual has tested positive for
84 COVID-19 by a source authorized by the State of Texas and is not
85 recovered,
- 86 • Family member with COVID - anybody in the household has tested
87 positive for COVID-19 by a source authorized by the State of Texas
88 and is not recovered and 14 days have not yet passed,

- 89 • Quarantined – individual is currently in 14-day quarantine due to
90 close contact exposure to COVID-19, and
- 91 • Child care – Child’s school or daycare closed and no alternatives are
92 available.

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

95 **WHEREAS**, Texas Governor Greg Abbott issued Executive Order No. GA-
96 18 that reopened the following businesses on May 1, 2020: retail services, dine-in
97 restaurant services, movie theaters, shopping malls, museums and libraries,
98 services provided by an individual working alone in an office, golf course
99 operations, and local government operations up to 25% of the total listed
100 occupancy; and

101 **WHEREAS**, Texas Governor Greg Abbot issued Executive Order No. GA-
102 21 to expand the list of reopened businesses to include wedding venues and
103 reception services at 25% capacity; for cosmetology salons, hair salons, barber
104 shops, nail salons and shops, tanning salons, and swimming pools (at 25%
105 capacity) to reopen on May 8; and for small offices, manufacturing services, gyms,
106 exercise facilities, and exercise classes to reopen on May 18 at 25% of the total
107 listed occupancy; and

108 **WHEREAS**, Texas Governor Greg Abbott issued Executive Order No. GA-
109 23 to further expand the list of reopened businesses to include massage
110 establishments, all personal-care and beauty services, and child-care services other
111 than youth camps to reopen immediately; dine-in restaurants (at 50% capacity),
112 bars (at 50% capacity), aquariums and natural caverns (at 25% capacity), bowling

113 alleys/bingo halls/simulcast racing/skating rinks (at 25% capacity), rodeos and
114 equestrian events (at 25% capacity), drive-in concerts, amateur sporting events to
115 reopen on May 22; zoos (at 25% capacity) to reopen on May 29; and professional
116 sports, youth camps, and youth sports programs practices to reopen on May 31.

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

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

124 **WHEREAS**, workers may be reluctant to get tested for COVID-19 if they
125 are unaware of their rights or available benefits, or if they fear retaliation from
126 their employers; and

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

129 **NOW, THEREFORE,**

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

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

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

- 136 • ensure all employers are keeping high-risk workers at home through
137 telework, or at the bare minimum, are moving those workers into
138 isolated work settings with the lowest risk of interaction with COVID
139 carriers,
- 140 • ensure all high-risk workers are able to advocate for telework and safe
141 work conditions,
- 142 • ensure all high-risk workers are connected to unemployment
143 insurance and PUA as needed and as applicable, and
- 144 • ensure high-risk workers that do not qualify for PUA or
145 unemployment benefits (and who cannot be moved to a safe work
146 environment such as telework) are connected with telework jobs or
147 social and economic supports.

148 Other actions may include:

- 149 • prioritizing COVID-19 response funds or other COVID-19 relief
150 funds,
- 151 • providing direct financial assistance to those high-risk workers with
152 no other options,
- 153 • creating materials (e.g., posters, check-lists, resource guides) and
154 educating workers and employers of their options, and
- 155 • establishing (internally or externally) a high-risk worker resource
156 center that could assist high-risk workers with their options, including:

- 157 ○ education and advice on worker rights, including paid sick time
- 158 requirements,
- 159 ○ advocating to employers that they not put high-risk workers
- 160 into harm's way,
- 161 ○ where and how to file complaints of employer violations,
- 162 ○ training for and applying for teleworking jobs,
- 163 ○ applying for unemployment benefits or PUA,
- 164 ○ applying for existing social services and direct financial
- 165 assistance for COVID-19 relief,
- 166 ○ establishing requirements or processes for city contractors with
- 167 high-risk workers in Austin, and
- 168 ○ other resources that may apply.

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

171 **BE IT FURTHER RESOLVED:**

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

- 175 ● ensure all workers know their rights under the FFCRA,
- 176 ● ensure all workers feel confident being tested for COVID-19, whether
- 177 or not they have access to paid sick time, and

