



CATTARAUGUS COUNTY LEGISLATURE

Howard V. VanRensselaer, Chairman

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DIRECTIVE 13-2020 CATTARAUGUS COUNTY, NEW YORK

I, Howard V. VanRensselaer, Chairman, Cattaraugus County Legislature, in accordance with a declaration of a State of Emergency issued on March 15, 2020 and pursuant to Section 25 of the State Executive Law, hereby issue the following directive:

The Families First Coronavirus Response Act (FFCRA) was enacted and is effective April 1, 2020 – December 31, 2020, which is an emergency paid leave act in response to the COVID-19 pandemic.

FFCRA provides that “[a]n employer of an employee who is a *health care provider* or an *emergency responder* may elect to exclude such employee from the application...” of the emergency paid leave.

The United States Department of Labor has provided guidance for who is considered a *health care provider* and who is considered an *emergency responder*.

I hereby exclude from FFCRA Cattaraugus County employees whom are *health care providers* and Cattaraugus County employees whom are *emergency responders*.

I hereby adopt the guidance as provided by the United States Department of Labor for purposes of establishing who is considered a *health care provider*. The United States Department of Labor provides that a *healthcare provider* “is anyone employed at a doctor’s office, hospital, health care center, clinic, post-secondary educational institution offering health care instruction, medical school, **local health department or agency**, nursing facility, retirement facility, **nursing home, home health care provider**, any facility that performs laboratory or medical testing, pharmacy, or similar institution, employer or entity. This includes any permanent or temporary institution, facility or site where medical services are provided that are similar to such institutions. This definition includes any individual employed by an entity that contracts with any of these institutions described above to provide services or to maintain the operation of the facility where that individual’s services support the operation of the facility. This also includes anyone employed by any entity that provides medical services, produces medical products, or is otherwise involved in the making of COVID-19 related medical equipment, tests, drugs, vaccines, diagnostic vehicles, or treatments. This also includes any individual that the highest official of a State or territory, including the District of Columbia, determines is a health care provider necessary for that State’s or territory’s or the District of Columbia’s response to COVID-19.”

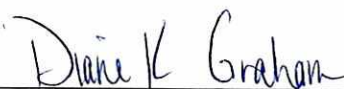
Furthermore, I hereby adopt the guidance as provided by the United States Department of Labor for purposes of establishing who is considered an *emergency responder*. The United States Department of Labor provides that an *emergency responder* "is anyone necessary for the provision of transport, care, healthcare, comfort and nutrition of such patients, or other needed for the response to COVID-19. This includes but is not limited to military or national guard, **law enforcement officers, correctional institution personnel**, fire fighters, emergency medical services personnel, physicians, **nurses, public health personnel**, emergency medical technicians, paramedics, **emergency management personnel, 911 operators, child welfare workers and service providers, public works personnel**, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency, as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintaining the operation of the facility. This also includes any individual whom the highest official of a State or territory, including the District of Columbia, determines is an emergency responder necessary for that State's or territory's or the District of Columbia's response to COVID-19."

This Directive is effective immediately and shall remain in effect until rescinded or until the State of Emergency expires, whichever occurs first.


Signed this 10th day of April, 2020 in Randolph, New York.



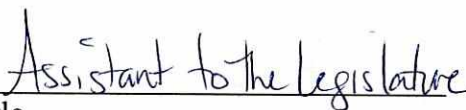
Howard V. VanRensselaer
Chairman, Cattaraugus County Legislature



Witness Signature



Print Witness Name



Title