



CITY OF CARSON
INTEROFFICE MEMORANDUM

TO: ALL CITY OF CARSON EMPLOYEES

FROM: SHARON LANDERS, CITY MANAGER/DIRECTOR OF EMERGENCY PREPAREDNESS

SUBJECT: CITY OF CARSON – COVID-19 RESPONSE

DATE: MARCH 22, 2020

As a result of the City’s declaration of a local emergency in response to the coronavirus pandemic on March 17, 2020 in Resolution No. 20-053, the City made the difficult decision to close all City facilities to the public, including the Community Center and parks. This decision is particularly appropriate, as confirmed by Governor Newsom’s Executive Order N-33-20 issued on March 19, 2020, which requires “all individuals living in the State of California to stay home or at their place or residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors,” as outlined by the federal Department of Homeland Security’s Cyber and Infrastructure Security Agency (CISA) in its March 19, 2020 Memorandum. (Executive Order N-33-20 and CISA Memo dated March 19, 2020 are attached.)

As a result, it is necessary that the City adhere to the federal and State governments’ mandate to identify essential services critical to the City’s governmental operations in support of the federal infrastructure sectors while reducing its other non-critical operations, as outlined in the CISA Memo dated March 19, 2020. Each one of you is a valuable member of our team, and *all* the services you perform are important City functions that contribute to the smooth and efficient operation of the City’s services. However, to the extent your services are not immediately essential to maintain public safety, critical infrastructure, or internal functioning of the City, you are required not to report to work or do any work at home, in order to reduce and slow the community spread of COVID-19, as mandated by the Governor’s Executive Order. Even for those services that are immediately essential, the City is seeking to manage with fewer employees to further reduce the opportunity for community spread of the virus, so that lives throughout the community can be saved from this pandemic.

Please understand that the health and safety of our employees is and will remain our top priority throughout this declared emergency. *Therefore, it is important that each employee adhere to all of the directives detailed in the Director of Human Resources & Risk Management’s prior memorandum dated March 19, 2020, including the directive for all employees not required to perform essential services to remain at home, not report to work, and not engage in any work for the City, whether in person or remotely, until further notified by the City.* The circumstance of an employee not reporting to work either in person or remotely is being treated similarly to a leave of absence, and the City will adhere to standard policies and procedures used to protect employees and their time away from work in those circumstances. This includes excluding employees off work from having access to work emails. Those employees who have

ever been on a leave of absence in the past (such as FMLA/CFRA leave or workers compensation leave) can appreciate that not having access to work emails protects them from illegally being required to work while they are on leave. (*Sherman v. AI/FOCS, Inc.*, 113 F. Supp. 2d 65, 70–71 (D. Mass. 2000); *Arban v. West Publishing Corp.*, 345 F.3d 390, 405 (6th Cir. 2003).) Our goal is to protect you and your colleagues.

Every employee will be notified when their services are required or when it is safe to return to work. Again, only employees required to perform essential services will be permitted entry into any City facility. Failure to follow the above or any other directive constitutes insubordination under Rule XIV, Section 1(d) of the City of Carson Personnel Rules, and is a legitimate reason for disciplinary action, up to and including termination. This is not a lay-off, nor do we intend it to lead to a lay-off or termination. But please note, insubordination to management directives which are all for the health and protection of our community can lead to termination.

Every employee is a respected and valued contributor to this organization, and each one of you plays a productive role in the community. This is an unprecedented health crisis that has required the City to make tough decisions to keep *all* of our employees safe. So we all need to work together to support each other, encourage cooperation, and protect our community. Together, we will get through this. I assure you that I am evaluating the situation on a daily basis. If any adjustments are necessary to better protect you, I will immediately implement them.

In the meantime, if you have any questions or concerns or would like to make the City aware of any unique circumstance you may be facing, I am making myself personally available to respond to you. Please use your personal e-mail to contact me at sllanders@carson.ca.us or you can call me at (310) 952-1728.