



**DECEMBER 3, 2020**

**JUSTIN ELICKER, Mayor**

**City of New Haven**

**Connecticut 06510**

**EMERGENCY ORDER NO. 6 REGARDING**

**REQUIRED REPORTING AND POLICY IMPLEMENTATION**

**WHEREAS**, on March 10, 2020, the Governor of the State of Connecticut declared a public health emergency and a civil preparedness emergency for the State of Connecticut, pursuant to Connecticut General Statutes Sections 19a-131 and 28-9, in response to the global pandemic of COVID-19 disease associated with a novel coronavirus that is currently affecting multiple countries and states; and,

**WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency to combat the coronavirus that is currently infecting the population of the United States; and

**WHEREAS**, on March 15, 2020, the Mayor of the City of New Haven, pursuant to Connecticut General Statutes Sections 28-8a(a), 28-1(8), and 28-22, and Chapter 11, Section 11-23 et. seq. of the Code of General Ordinances of the City of New Haven, declared a state of emergency, due to the significant danger to public health posed by the spread of COVID-19 and shortages of supplies and equipment necessary to protect the public health and safety, and the spread of COVID-19 to residents of the City of New Haven as a result of the global pandemic; and

**WHEREAS**, on April 7, 2020, the Governor of the State of Connecticut issued Executive Order No. 7B, outlining the rule regarding safe workplaces for essential business; and,

**WHEREAS**, on April 10, 2020 the Governor of the State of Connecticut issued Executive Order No. 7X, extending the date for all previously enacted closures, distancing, and safety measures until at least May 20; and,

**WHEREAS**, on April 17, 2020, the Governor of the State of Connecticut issued Executive Order No. 7BB, extending indefinitely all previously enacted closures, distancing, and safety measures; and

**WHEREAS**, on May 14, 2020, the Governor of the State of Connecticut issued Executive Order No. 7PP, enacting "Phase 1" of the Connecticut Reopening Plan; and

**WHEREAS**, on June 16, 2020, the Governor of the State of Connecticut issued Executive Order No. 7ZZ, modifying reopening efforts under “Phase 2” of the Connecticut Reopening Plan, and extending the rules of essential business; and

**WHEREAS**, on August 14, 2020, the Secretary of the State of Connecticut issued Executive Order No. 7NNN, instructing the Commissioner of the DECD to issue updated versions of Sector Rules, Safe Workplace Rules for Essential Employers, which Sector Rules were then and have been updated, most recently in Sector Rules effective November 6, 2020; and

**WHEREAS**, on September 1, 2020, the Governor of the State of Connecticut renewed his March 10, 2020 declaration of public health and civil preparedness emergencies and also issued new declarations of public health and civil preparedness emergencies, which new and renewed emergencies shall remain in effect until February 9, 2021, unless earlier terminated; and

**WHEREAS**, on September 11, 2020, the U.S. Department of Labor’s Wage and Hour Division (WHD) announced revisions to regulations that implement the paid sick leave and expanded family and medical leave provisions of the Families First Coronavirus Response Act (FFCRA); and

**WHEREAS**, on November 5, 2020, the Governor of the State of Connecticut, in response to a rising COVID infection rate, issued Executive Order 9K and returned the State to a more restricted phase of re-opening, Phase 2.1, as outlined in DECD Sector Rules dated November 6, 2020; and

**WHEREAS**, on November 9, 2020, the Governor of the State of Connecticut issued Executive Order 9L, extending all state-wide executive orders issued pursuant to the public health and civil preparedness emergencies declared on March 10, 2020 and renewed on September 1, 2020 that are unexpired and currently in effect as of the date of this order are through February 9, 2021, unless earlier modified or terminated; and

**WHEREAS**, on November 24, 2020, the Governor of the State of Connecticut issued Executive Order 9N, modifying existing Executive Orders and Sector Guidelines to enable municipalities making an owner or a person having possession of, or exercising dominion and control over a nonresidential property, who violates the size or capacity limitations set forth in the DECD Sector Rules and DECD Gatherings Capacity Limits or other rules issued by the Commissioner of Economic and Community Development as published on the DECD website (the “DECD Rules”), as amended from time to time, subject to a civil penalty in the amount of \$10,000.00 per violation; and

**WHEREAS**, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention (CDC) and the Connecticut Department of Public Health (DPH) recommend implementation of community mitigation strategies to slow transmission of COVID-19, including limitation on the size of gatherings, maintaining a safe distance from others, and wearing masks or face coverings; and

**WHEREAS**, COVID-19 has caused unanticipated health effects that are not well understood by the medical community, no vaccine or effective treatment for COVID-19 has been approved or made available for wide distribution, residents, businesses, and government agencies face new and



unanticipated economic, fiscal, and operational challenges as a result of the COVID-19 pandemic; and

**WHEREAS**, in recent weeks, COVID-19 infection, hospitalization, and death rates have increased, reinforcing the need for continued protective measures to limit transmission of the coronavirus as well as measures to mitigate the operational and economic effects of the pandemic and the response to it; and

**WHEREAS**, the City of New Haven is an employment educational and cultural hub in New Haven County and in the State, with individuals traveling to and from New Haven each day for jobs; and,

**WHEREAS**, it is in the best interests of the City and People of New Haven to promote public health and to ensure civil preparedness to minimize the adverse impacts of the current public health emergency and civil preparedness emergency posed by the spread of COVID-19; and,

**WHEREAS**, in response to the issuance of declarations of a public health emergency and a civil preparedness emergency, a declaration of national emergency and the spread of COVID-19 to residents of the City of New Haven, the Mayor must take action for the purpose of mitigating the adverse effects of this emergency situation upon the residents of New Haven; and

**WHEREAS**, due to the significant adverse impact on public health of COVID-19, the Mayor must take action for the purpose of mitigating the adverse effects of this emergency situation upon the residents of New Haven; and

**WHEREAS**, the duties assigned by the City Charter to the Mayor of the City of New Haven require said Mayor to cause the Charter, the Ordinances and laws to be executed and enforced; and,

**WHEREAS**, the powers granted by Connecticut General Statutes Sections 28-8a(a), 28-1(8), and 28-22, and Chapter 11, Sections 6, 7 and 11-23 et. seq. of the Code of General Ordinances of the City of New Haven, proclaim said Mayor to have and exercise all executive and administrative powers conferred upon any municipal chief executive; and

**NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED** that, pursuant to the powers and duties granted in the Connecticut General Statutes and the Code of Ordinances of the City of New Haven, in response to the civil preparedness and public health emergency now facing the City of New Haven, and in accordance with the advice from the City's public health officials in response to escalating numbers of COVID-19 infections, and to continue to promote best practices for the general health and welfare of the residents of the City of New Haven, effective on Monday December 7, at 12:01 a.m.:

1. Employers with workers who report in-person to work are required to develop, implement and adhere to a "Return To Work" policy, as recommended by the Centers for Disease Control and Prevention (CDC), including protocols for employee health screening, mandatory leave and return to work protocols for symptomatic and COVID positive employees, mandatory social distancing, hand

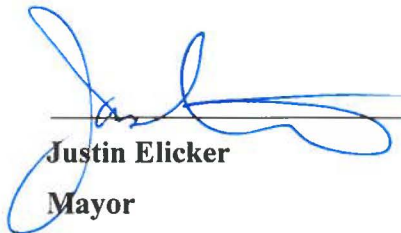
washing and sanitization, and mask wearing, and any other measures as may be recommended by the CDC's Workplace Guidance and Strategies, as updated.

2. As required by federal and state law, employers with employees who report in-person to work are required to adhere to the U.S. Department of Labor's Wage and Hour Division (WHD) revisions to regulations that implement the paid sick leave and expanded family and medical leave provisions of the Families First Coronavirus Response Act (FFCRA).
  
3. Employers with workers who report in-person to work are required to report to the City of New Haven Department of Public Health any occurrences of Coronavirus infection or positive coronavirus test from any employee within 24 hours, and to advise the positive and affected employees to follow CDC isolation and quarantine guidelines, or to isolate or quarantine for such other time period as may be recommended by the City of New Haven Department of Public Health.
  
4. Employers are required to notify all workers in writing of all "Return to Work" policies and protocols required by this Order.
  
5. Employers are required to post all "Return to Work" policies and protocols in locations within their place of employment where the policies and protocols will be visible to all employees, such as lunchrooms, break rooms etc.
  
6. The New Haven Health Department may issue a closure order or revoke a City-issued license to any establishment that fails to meet the above-required reporting protocols and procedures.

**IT IS FURTHER PROCLAIMED AND ORDERED** that this Order shall remain in effect until such time as it is further amended, rescinded, or terminated; and

**IT IS FURTHER PROCLAIMED AND ORDERED** that this Order will be made publicly available for inspection and review in the Office of the Town Clerk of the City of New Haven and shall be posted on the City of New Haven website.

Dated: 12/3/2020

  
Justin Elicker  
Mayor