

April 13, 2020

2020-EO-014

**ORDER**  
**COVID-19 Related Leave for Full-time and Part-time Employees**

On March 18, an Order was issued regarding COVID-19 Related Leave. Due to the passage of the Family First Coronavirus Response Act (FFCRA), which included the Emergency Paid Sick Leave Act & the Emergency Family and Medical Leave Expansion Act, and its effective date of April 1, 2020, the March 18<sup>th</sup> Order is hereby amended, and the new procedures outlined below are now in effect.

**Use of Leave for COVID-19 Related Purposes**

In accordance with the Emergency Paid Sick Leave Act, the City will provide eligible employees up to two weeks (80) hours of paid sick time in connection with the qualifying reasons listed on the attached Policy during the period of April 1, 2020 to December 31, 2020. Employees that deplete this leave but have a need for additional leave for the reasons listed on the attached Policy, may use FMLA (if eligible), their accumulated sick leave balance, other paid leave, request leave without pay status, or request that their sick leave bank go into a negative balance, until future accumulated leave can restore the balance.

**Work in Person**

If you are unable to report to work for non-COVID-19 illness or injury reasons then normal leave policies would be applicable, such as sick leave.

**Work from Home**

If you are unable to fulfill your work duties from home due to non-COVID-19 illness or injury reasons then normal leave policies would be applicable, such as sick leave.

**Return to Work following COVID-19**

Any employee diagnosed with COVID-19 and/or placed in quarantine by a medical doctor or public health official will be required to submit a medical certification indicating their fitness to return to work. If an employee is unable to obtain a return to work, they should contact Human Resources for further instruction. Any employee who has taken leave caring for an individual subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine related to COVID-19 will be required to certify that he/she is no longer required to quarantine or is not subject to any further isolation order. Employees who have been off work due to illness/injury unrelated to COVID-19 should follow normal return to work procedures, unless waived on a case by case basis by the Human Resources Director or City Manager.

**Procedures for Employees with COVID-19 Symptoms**

Employees who are sick, including those who exhibit COVID-19 symptoms as identified by the Centers for Disease Control (CDC), should stay at home. Call your health care provider and follow their advice on the proper course of treatment. Employees should stay at home 72 hours after a fever is gone or seven days after onset of symptoms, whichever is longer. Employees that report to work and have a fever or are observed by a supervisor to be experiencing COVID-19 symptoms will be sent home immediately by their supervisor, director, or designee.

**Employee Leave Due to Child Care**

In accordance with the Emergency Family and Medical Leave Expansion Act, the City will grant eligible employees up to 12 weeks of family and medical leave for a qualifying need as outlined in the attached Policy during the period of April 1, 2020 to December 31, 2020.

**Exclusion of Emergency Responders**

As permitted by the FFCRA, the City is excluding Emergency Responders from certain leave provisions in order to ensure that the City can safeguard the welfare and safety of our Community and continue to provide essential services relevant to the health and wellbeing of the City's employees and its citizens.

Emergency Responders, as defined and listed out below, are eligible for up to two weeks (80) hours of paid sick time in connection with qualifying reasons 1, 2, and 3 on the attached Emergency Paid Sick Leave Policy.

Emergency Responders are excluded from Emergency Paid Sick Leave for qualifying reasons 4, 5, and 6 on the attached Emergency Paid Sick Leave Policy and the 12 weeks of Emergency Family and Medical Leave for a qualifying need as outlined in the attached Emergency Family Medical and Leave Policy.

For the purpose of the FFCRA, the Department of Labor has defined Emergency Responder as:

[A]nyone necessary for the provision of transport, care, healthcare, comfort and nutrition of such patients, or others 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 maintain 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. 29 CFR 826.30(c)(2).

Applying this definition to the City, this includes the following positions:

- City Manager
- Police Officers, including Lieutenants and Sergeants
- Police Chief
- Deputy Police Chief
- Department Directors
- Operations Supervisor
- Deputy Director of Public Service
- City Engineer
- City Planner/Division Administrator
- Department of Public Service Maintenance Technicians and Crew Leaders
- Department of Recreation and Parks Maintenance Technicians and Crew Leaders
- Chief Building Inspector
- City Inspectors
- IT Administrator
- Staff Attorney
- Clerk of Council
- Human Resources Specialist
- Human Resources Generalist
- Payroll Specialist
- Deputy Director of Finance
- Fiscal Officer
- Finance Assistant



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