



## CORONAVIRUS RELATED LEAVE

I. The purpose of this procedure is to provide paid leave for a qualifying need related to a public health emergency. The provisions of this procedure supersede any conflicting provisions of the Paid Time Off Leave System, Designated Leave System, and Leave of Absence With or Without Pay policy. This procedure provides additional leave benefits not otherwise afforded under the collective bargaining agreements.

II. Definitions

- *Child* – The son or daughter under 18 years of age of the employee. A “son or daughter” is defined as your own child, which includes your biological, adopted, or foster child, your stepchild, a legal ward, a child of your certified or registered domestic partner or a child for whom you are standing in loco parentis—someone with day-to-day responsibilities to care for or financially support a child.

A “son or daughter” is also an adult son or daughter (i.e., one who is 18 years of age or older), who (1) has a mental or physical disability, and (2) is incapable of self-care because of that disability.

- *Public Health Emergency* – An emergency with respect to COVID-19 declared by a Federal, State, or local authority.

III. All compulsory leave provisions of the Paid Time Off Leave System (policy L-3, section VIII.B.) and Designated Leave System (policy L-4, section XVI.J.) remain in effect, except as provided in section IV below. Employees who present symptoms, those who have had contact with an infected individual, and those who recently traveled to cities or countries with widespread sustained transmission may be directed to contact Employee Health Services (EHS), and may be placed on leave pending clearance to return to work.

IV. Employees must provide notice of exposure or symptoms consistent with the infectious agent to Employee Health Services (EHS) as soon as they become aware. Employee Health Services must confirm the employee has met the criteria and will provide instructions, reporting and return-to-work requirements. The approval of leave does not preclude the assignment to work-from-home, tele-work or remote work if well and approved by EHS and the employee’s manager. An employee may be required to complete FMLA forms and return same to EHS.

V. Leave:

The City may exempt certain employees from leave described in section V.A.5. and section V.C. below, as provided in the Families First Coronavirus Response Act.

A. Tier 1: Emergency Paid Sick Leave

Employees who meet one of the following qualifying circumstances shall be entitled to paid leave as provided herein, provided the employee is unable to telework.

1. The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. The employee is caring for an individual who is subject to an order as described in subparagraph (1) or has been advised as described in paragraph (2).
5. The employee is caring for a child of such employee if the school or place of care of the child has been closed, or the child care provider of such child is unavailable, due to COVID-19 precautions.
6. The employee is experiencing any other substantially similar condition specified by an authorized agent of the Federal or State government.

Such leave will ensure the employee receives his/her base pay according to his/her regular schedule. This leave shall count in the computation of overtime, and shall not reduce an employee's own accrued leave balance. With the exception of circumstances described in number 5 above, the leave shall be effective for the duration of the isolation or quarantine. For leave taken due to circumstances described in number 5, the duration shall be limited to 14 calendar days.

B. Tier 2: Family Related Coronavirus Isolation Leave

Employees who are in a high risk category, who live with an individual who is in a high risk category or who are age 65 or older may request to work remotely, if able. If the employee is unable to perform his/her job remotely, he/she shall be permitted to take leave for up to two weeks using his/her appropriate accrued leave, subject to Charter Officer approval. If the employee has exhausted accrued leave **or does not accrue leave**,\* he/she will be advanced an amount of Paid Time Off or Sick Leave equal to his/her regular schedule, until such time as the employee is cleared to return to work or at the conclusion of two weeks of leave. Upon return to work, the employee's accruals will be deducted until the cumulative deductions equal the amount of advance leave utilized. Leave under this section (V.B.) may be reauthorized beyond the initial two weeks, subject to Charter Officer approval.

\*Temporary status employees (including Interns) who do not accrue leave will be placed in a paid leave status for up to two weeks, as described herein, except that they will not be required to repay any leave used.

C. Tier 3: Emergency Family and Medical Leave Expansion Leave

To be eligible to utilize leave under this section, an employee must have been employed by the City for at least 14 calendar days. Eligible employees who are unable to work (or telework) due to a need for leave to care for the child of such employee if

the school or place of care has been closed, or the child care provider of such child is unavailable, due to a public health emergency shall be permitted to take to take Emergency Paid Sick Leave under A(5) for the first two weeks.

For each work day after the first two weeks, employees who are unable to work (or telework) for a qualifying need described in this section shall be permitted to take paid leave for up to ten weeks. Such leave will ensure the employee receives his/her base pay according to his/her regular schedule. This leave shall count in the computation of overtime and shall not reduce an employee's own accrued leave balance.

VI. Duration – This procedure will be activated only when a public health emergency related to COVID-19 is declared by a Federal, State, or local authority and will remain active until such authority lifts or terminates the declaration or until December 31, 2020, whichever is later.

VII. Notice.

When requesting leave pursuant to this procedure, employees should provide notice as soon as practicable and must furnish to the City documentation sufficient to verify the covered event. In the event of Tier 1 Leave for qualifying circumstance number 5 and Tier 3 Leave, an employee must provide notice of closure or unavailability from the employee's child's school, place of care, or child care provider and documentation that the child's other parent is not available to provide care during the employee's work hours. For Tier 2 Leave for the qualifying circumstance of being sixty-five years of age or older, only notice to your supervisor in advance of leave is needed. For Tier 1 Leave relating to a quarantine, an employee must provide notice of the quarantine. For all other leave under this procedure, the employee must provide notice under the City's FMLA policy, L-5(VI)(G) to the Risk Management Department.

VIII. The Charter Officers recognize it is not possible to contemplate every situation that may arise during this public health crisis. For that reason, this procedure is subject to modification and/or may be updated to clarify its application.

Adopted: 03/16/20

Revised: 04/01/20