



Administrative Policy & Procedure

6-1 Leave – Holidays Addendum

Families First Coronavirus Response Act (FFCRA)

I. Introduction

The Families First Coronavirus Response Act (the “Act”) requires employers, from April 1 – December 31, 2020, to provide Emergency Paid Sick Leave (“EPSL”) to employees who cannot work or telework due to specific situations listed in section III-A below.

This Addendum is effective from April 1, 2020 and will expire on December 31, 2020. This Addendum is subject to revision as necessary to meet the requirements of the Act and the operations of the County.

Policy 6-1 will apply to any situation not specifically outlined in this Addendum.

This policy will be interpreted consistent with any regulations issued by the U.S. Department of Labor.

II. Definitions

The definition below pertains only to this Addendum.

- A. Eligible Employee** – An employee who is unable to work or telework due to one of the reasons listed in General Provisions below. In accordance with § 5102(a) of the Emergency Paid Sick Leave Act (“EPSLA”), the County reserves the right to exclude an employee who is considered a “health care provider” or an “emergency responder” from the benefits provided by the Paid Sick Leave Requirement of the EPSLA. Furloughed employees are not “eligible employees” who qualify for benefits under this policy.
- B. Individual (III-A-4)** - For the purposes of this policy, an individual being cared for must be an immediate family member, roommate or similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person if he or she self-quarantined or was quarantined by order of a medical provider.

III. General Provisions

- A.** Chesterfield County will provide Emergency Paid Sick Leave to eligible employees who are unable to work or telework due to a need for leave because the employee:
 - 1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
 - 2. has been advised by a health care provider to self-quarantine related to COVID-19;
 - 3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
 - 4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
 - 5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
 - 6. is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.
- B.** The number of hours of Emergency Paid Sick Leave to which an employee is entitled is:
 - 1. 80 hours for full-time employees;

2. For part-time employees, the number of hours the employee is normally scheduled over a two-week period.
- C. The rate of pay for Emergency Paid Sick Leave is based on the category for which leave is taken.
 1. Under categories III.A. (1) - (3) above, the employee will receive their regular rate of pay, up to a maximum of \$511/day and a total of \$5,110;
 2. Under categories III.A. (4) - (6) above, the employee will receive 2/3 of their regular rate of pay, up to a maximum of \$200/day and a total of \$2,000.
The county may choose to supplement the pay with Administrative Leave.
- CI. This leave cannot be used intermittently.
- CII. If applicable, Emergency Paid Sick Leave will count towards the elimination period for Short-Term Disability as defined in Policy 6-28.
- CIII. Employees using leave under category III.A.5 may use the Emergency Paid Sick Leave to cover the first two weeks of unpaid leave under the Emergency Family Medical Leave portion of the FFCRA (addendum to Policy 6-20).

IV. Procedures

- A. Employees must complete the Emergency Paid Sick Leave section of the "Request for Benefits Under the Families First Coronavirus Response Act" form and submit it to their director/supervisor and HR for approval.
- B. Employees must provide the following information with the form. If the employee:
 1. requests leave because of a Federal, State, or local quarantine or isolation order related to COVID-19, a signed statement indicate what quarantine order applies;
 2. has been advised by a health care provider to self-quarantine related to COVID-19, a notice from the health care provider;
 3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis, a notice from the health care provider;
 4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2); the same documentation as listed in (1) or (2) above;
 5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19, completion of the FMLA section of the form. The employee must also provide a notice of closure or unavailability from the employee's child's school, place of care, or childcare provider, including a notice that may have been posted on a government, school, or day care website, published in a newspaper, or emailed to the employee from an employee or official of the school, place of care, or childcare provider. The County must retain this notice or documentation in support of the EFMLEA for four years, or;
 6. is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury, a notice from the health care provider or other appropriate documentation based on condition.