



# COVID-19 Policy

Effective Date: November 2020

<b>Owner</b>	Board of Commissioners (BOC)
<b>Reviewer(s)</b>	Human Resources, County Attorney's Office
<b>Approver(s)</b>	Board of Commissioners (BOC)
<b>Related Policies</b>	Leave of Absence
<b>Related Standards</b>	N/A
<b>Storage Location</b>	iCobb
<b>Last Review Date</b>	November 2020
<b>Next Review Date</b>	As needed
<b>Review Cycle</b>	Every 2 years

## 1. PURPOSE

To provide procedures in compliance with the federal Families First Coronavirus Response Act's provisions for Emergency Paid Sick Leave Act and paid leave under the Emergency Family and Medical Leave Expansion Act.

## 2. SCOPE

This policy applies to all employees. If you have questions regarding this policy, contact Human Resources.

## 3. GOVERNING LAWS, REGULATIONS & STANDARDS

<b>Guidance</b>	<b>Section</b>
Family First Coronavirus Response Act	H.R.6201
Emergency Paid Sick Leave Act	H.R. 6201
Emergency Family and Medical Leave Expansion Act	H.R. 6201
And all other applicable laws and regulations	

## 4. POLICY

During this COVID-19 pandemic, the County and its employees bear responsibility for a safe and productive workplace environment. Accordingly, in the interest of maintaining a safe and healthy workplace, an employee with contagious symptoms and/or conditions:

1. Will not report to the workplace so as not to infect other employees or members of the public; and
2. They can return to work as directed via email from [employeeecovidtesting@cobbcounty.org](mailto:employeeecovidtesting@cobbcounty.org) or as directed by medical practitioner or revised by conformance with current the CDC guidance; or
3. May be sent home, with or without the opportunity to work from home, based on observations of symptoms of COVID-19 and directed to contact [employeeecovidtesting@cobbcounty.org](mailto:employeeecovidtesting@cobbcounty.org) to evaluate for testing and direction on return to work.

## PROCEDURES

### A. Leave Under the Emergency Paid Sick Leave Act



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## 1. Eligibility

Employees employed one day or longer may be eligible for paid sick leave under the Emergency Paid Sick Leave Act (for county purposes "Emergency Administrative Leave").

## 2. Conditions

Eligible employees will receive paid Emergency Administrative Leave under the following conditions:

- a) The employee is subject to federal, state, or local quarantine or isolation order related to COVID-19.
- b) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
- c) The employee is experiencing symptoms of COVID-19 and seeking medical diagnosis.
- d) 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).
- e) The employee is caring for a son or daughter of such employee if the school or place for care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable due to COVID-19 precautions.
- f) The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

## 3. Amount of Leave

The number of hours of Emergency Administrative Leave which an eligible employee is entitled shall be as follows:

- a) For full-time employees, 80 hours;
- b) For part-time employees, a number of hours equal to the number of hours that such employee works, on average, over a 2-week period.

## 4. Pay limitations

- a) Employees will receive paid Administrative Emergency Leave at their regular hourly rate with a maximum of \$511 per day and \$5,110 in the aggregate for leave taken for conditions a) – c).
- b) The remaining time under the EFMLEA is paid at the rate of 2/3 an employee's regular rate, up to a maximum amount of \$200 per day and \$10,000.00 in the aggregate.

## B. Leave under the Emergency Family and Medical Leave Expansion Act (EFMLEA)

### 1. Eligibility

An employee employed for at least 30 calendar days.

### 2. Conditions



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EFMLEA is available when an employee is unable to work (or telework) due to a need for leave to care for the son or daughter (as defined under the FMLA) under 18 years of age of such employee if the school or place for care has been closed, or the child care provider of such son or daughter is unavailable due to COVID-19 precautions.

### **3. Amount of Leave**

Employees are entitled to up to 12 weeks of leave under the EFMLEA.

If the employee has used leave under the traditional FMLA for another purpose within the previous twelve-month period, the period of time allowed under the EFMLEA will be limited to twelve weeks less the amount of time previously used.

### **4. Pay Limitations**

- a) The first two weeks are unpaid leave; however, employees may receive paid Emergency Administrative Leave as discussed above.
- b) The remaining time under the EFMLEA is paid at the rate of 2/3 an employee's regular rate, up to a maximum amount of \$200 per day and \$10,000.00 in the aggregate.
- c) Employees will receive paid Administrative Emergency Leave at the rate of 2/3 an employee's regular rate with a maximum of \$200 per day and \$2,000.00 in the aggregate for leave taken for conditions d) – f).

## **C. Leave under the Emergency Family and Medical Leave Expansion Act (EFMLEA)**

### **1. Eligibility**

An employee employed for at least 30 calendar days.

### **2. Conditions**

EFMLEA is available when an employee is unable to work (or telework) due to a need for leave to care for the son or daughter (as defined under the FMLA) under 18 years of age of such employee if the school or place for care has been closed, or the child care provider of such son or daughter is unavailable due to COVID-19 precautions.

### **3. Amount of Leave**

Employees are entitled to up to 12 weeks of leave under the EFMLEA.

If the employee has used leave under the traditional FMLA for another purpose within the previous twelve-month period, the period of time allowed under the EFMLEA will be limited to twelve weeks less the amount of time previously used.

### **4. Pay Limitations**

- a) The first two weeks are unpaid leave; however, employees may receive paid Emergency Administrative Leave as discussed above.
- b) The remaining time under the EFMLEA is paid at the rate of 2/3 an employee's regular rate, up to a maximum amount of \$200 per day and \$10,000.00 in the aggregate.



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## **D. Documentation Required for Either Leave Option**

An employee must provide appropriate documentation to support any request for leave under either situation described above. A written request should include the employee's name, qualifying reason for requesting leave, statement that the employee is unable to work, including telework, for what reason, and the date(s) for which leave is requested and, as appropriate, should include:

- a) a copy of the federal, state or local quarantine or isolation order related to COVID-19, or
- b) written documentation by a health care provider of employee's diagnosis, or
- c) written documentation by a health care provider advising the employee to self-quarantine due to concerns related to COVID-19, or
- d) a copy of the notice that has been posted on a government, school, or day care website, or published in a newspaper, or an email from an employee or official of the school, place of care, or child care provider.

## **E. Leave Beyond Emergency Administrative Leave and EFMLEA**

In the event that an employee's absence pursuant to an approved Emergency Administrative Leave extends beyond the timeframes established by the Families First Coronavirus Response Act, any extension of paid Emergency Administrative Leave beyond this timeframe will require the approval of the County Manager with submission of additional medical certification similar to above requiring extended absence related to the public health emergency.

If paid Emergency Administrative Leave is expired, an employee requiring a prolonged absence may use any available accrued leave per the approved leave policies.

Ultimately, any prolonged absences will be addressed in compliance with all federal and state laws and regulations, including the ADA and the FMLA (where a serious health condition is involved).

The Department Head/Elected Official may require an employee to work from home or another private location while away from the office. This will be dependent upon a consideration of factors, including the employee's position, the severity of the illness, and other safety and logistical considerations.

## **F. Conformance with Federal and/or State Law**

In the event of passage of a federal and/or state law addressing this subject, the County Manager may amend this policy, after consultation with the County Attorney, to conform with such law(s). The Board of Commissioners shall ratify any amendments within thirty (30) days.

## **5. EXCEPTIONS**

Exceptions to this policy must be justified and approved in advance by the Board of Commissioners.

## **6. NON-COMPLIANCE**

Violations of this policy may include disciplinary action according to applicable County policies.



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## REVISION HISTORY

Version ID	Revision Date	Author	Reason for Revision
	04-2020	Human Resources	Adoption
v. 1.0-2020	11-2020	Human Resources	Reformat