Human Resources Policy Bulletin

Lancaster County

Number: 2020-2
Date: March, 2020

Reference:	Title:
Emergency Paid Sick Leave Act, H.R. 6201, 116th Cong. § 3, Div. E., Sec. 5101 – Sec. 5111	Emergency Paid Sick Leave Act

I. PURPOSE

The purpose of this policy is to implement the Emergency Paid Sick Leave Act, H.R. 6201, 116th Cong. § 3, Div. E., Sec. 5101 – Sec. 5111, relating to the administration of certain benefits during the COVID-19 pandemic.

II. APPLICABILITY

This policy applies to all full-time, part-time, and temporary County employees, including probationary employees. This policy does not apply to on-call employees or seasonal employees.

III. POLICY

A. An employee shall be entitled to Emergency Paid Sick Leave when the employee is unable to telework and:

1. The employee is experiencing symptoms of COVID–19 and seeking a medical diagnosis.

2. The employee has been advised by a health care provider or Federal, State, or local health authority to self-quarantine due to concerns related to COVID–19.

3. The employee is subject to a Federal, State, or local quarantine order related to COVID-19.

4. The employee is caring for an individual who:

a. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19; or

b. has been advised by a health care provider to self-quarantine due to concerns related to COVID–19.

5. The employee is caring for the employee's son or daughter if the school or place of care of the employee's son or daughter has been closed, or the child care provider of the employee's son or daughter is unavailable, due to COVID–19 precautions.

6. The employee is subject to a Federal, State, or local isolation order related to COVID-19.

B. An employee shall be entitled to the following amounts of Emergency Paid Sick Leave:

1. For a use described in Section III.A.1, 2, 3, 4, and 5:

a. A full-time employee is entitled to eighty (80) hours of Emergency Paid Sick Leave.

b. A part-time employee is entitled to a number of hours of Emergency Paid Sick Leave equal to the number of hours that such employee works, on average, over a 2-week period.

2. For a use described in Section III.A.6:

a. A full-time employee is entitled to eighty (80) hours of Emergency Paid Sick Leave. If a full-time employee exhausts the eighty (80) hours of Emergency Paid Sick Leave and continues to be isolated by order of a Federal, State, or local public health authority or a health

care provider, such employee shall be entitled to additional paid pandemic leave in an amount not to exceed eighty (80) hours.

b. A part-time employee is entitled to Emergency Paid Sick Leave in an amount equal to the number of hours that such employee works, on average, over a 2-week period. If a part-time employee exhausts Emergency Paid Sick Leave in the amount equal to the number of hours that such employee works, on average, over a 2-week period, and such employee continues to be isolated by order of a Federal, State, or local public health authority or a health care provider, then such employee shall be entitled to additional paid pandemic leave in an amount not to exceed the number of hours that such employee works, on average, over a 2-week period.

3. If an employee exhausts Emergency Paid Sick Leave and any applicable pandemic leave, the employee shall be entitled to use:

a. For any of the uses described in Section III.A.1, 2, 3, and 6, any accrued sick, vacation, and personal holiday ("Paid Leave").

b. For the use described in Section III.A.4:

i. If the individual being cared for qualifies as an immediate family member under the Family and Medical Leave Act, any Paid Leave.

ii. If the individual being cared for does not qualify as an immediate family member, accrued vacation and personal holiday.

iii. For the use described in Section III.A.5, any accrued vacation and personal holiday.

C. An employee who utilizes Emergency Paid Sick Leave for a use described in Section A.1, 2, 3, 4, and 6:

1. Who is eligible for Family and Medical Leave will be required to comply with the County's Family and Medical Leave Policy except that the employee will be allowed to utilize any applicable Emergency Paid Sick Leave before being required to utilize accrued Paid Leave.

2. Who is ineligible for Family and Medical Leave will be required to provide documentation from a health care provider that she or he is experiencing symptoms of COVID-19 and is seeking treatment therefor. An employee who is ineligible for Family and Medical Leave will also be required to provide medical certification that she or he is fit to return to duty.

D. Department Heads and Elected Officials are authorized to utilize telework consistent with department needs and requirements. Employees are encouraged to discuss telework options with their supervisors.

IV. SCOPE

Where the provisions of this policy conflict with the Lancaster County Personnel Rules, any Resolutions adopted by the Lancaster County Board of Commissioners, or any labor contracts, the provisions of this policy shall control.

V. DURATION

This policy is effective March 16, 2020. This policy is temporary in nature, and the benefits described herein shall be applicable only during the period during which this policy is effective. Nothing in this policy shall be construed as creating a vested benefit: there shall be no financial or other reimbursement to an employee upon the termination of this policy or upon the employee's termination, resignation, retirement, or other separation from employment for

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Emergency Paid Sick Leave that has not been used by such employee. This policy shall terminate on December 31, 2020.

Doug McDaniel
Human Resources Director

3-24-2020
Date

Sean Flowerday, Chair
Board of County Commissioners

3-24-2020
Date

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