



## EMPLOYEE LEAVE UPDATE April 8<sup>th</sup> THROUGH May 31<sup>st</sup>

The following information is provided to County and Contra Costa County Fire Protection District employees to answer general questions regarding their use of leave and how to report that use during the COVID crisis. As of April 1, employees have up to three (3) new and/or modified leave types available to them: Emergency Paid Sick Leave, Family Medical Leave Act expanded paid leave, and County sick leave. If additional information is required, please contact your departmental payroll technician.

- Q1. How do I access the Emergency Paid Sick Leave provided by the Families First Coronavirus Response Act?
- A. All existing and new employees will automatically receive up to 80 hours of Emergency Paid Sick Leave pro-rated to their position hours in a new Emergency Paid Sick Leave bank. If not used, the hours will expire on 12/31/2020. This leave can be used for any reason (sick, caring for child, unable to work, etc.). Beginning April 8<sup>th</sup>, if you are designated as an employee providing essential services and not working you may use these accruals. Because we are tracking the costs of COVID-19, please use one of these seven codes on your timecard:
- 1) quarantine or isolation order (PAN-S01);
  - 2) advised by health care provider to self-quarantine due to COVID-19 (PAN-S02);
  - 3) experiencing symptoms of COVID-19 (PAN-S03);
  - 4) caring for an individual who is subject to #1 or #2 (PAN-S04);
  - 5) caring for a child due to school closure or childcare provider closure (PAN-S05);
  - 6) experiencing any other substantially similar condition to COVID-19 (PAN-S06);
  - 7) other (PAN-S07)
- Q2. How do I access the two-thirds paid leave available through the Family Medical Leave Act (FMLA) provided by the Families First Coronavirus Response Act?
- A. The FMLA revision adds as a new basis for leave the qualifying need to care for a child under age 18. This leave is available to employees employed with the County for at least 30 days. This will allow eligible employees to access 10 WEEKS of paid FMLA leave at the rate of two-thirds pay. The County will allow integration with leave accruals up to full-pay. If not used, the paid FMLA provided by the Families First Act expires on 12/31/2020. Please note that this leave is not in addition to existing FMLA leave. If you have used your entitlement to FMLA leave in the past 12 months (rolling calendar year), you are not eligible for this leave until the other FMLA leave time has rolled off. Please contact your departmental leave coordinator to request forms for this leave.
- Q3. How do I access my pro-rated share of the 64 additional sick leave hours the County granted to employees?
- A. All existing permanent and part-time (non-hourly) employees will automatically receive up to 64 hours of sick leave pro-rated to their position hours in their existing sick leave bank, and it may be used for any reason. If not used, the hours do not expire and will remain in your sick leave bank. Beginning April 8<sup>th</sup>, if you are designated as an employee providing essential services and not working you may use these accruals. After 12/31/2020, the County's regular sick leave policies governing use of sick leave will apply.
- Q4. How do I code my timecard if I am a permanent full-time or part-time employee working from home?
- A. If you are working from home, you do not need to use accruals unless you are unable to work.
- Q5. How do I code my timecard if am a permanent full-time or part-time employee told to stay at home because I am designated as providing non-essential services?
- A. If you were told to stay at home because the County does not have essential work for you to perform, you do not need to use accruals, unless you were directed to work and are unable to do so.
- Q6. I tested positive for COVID-19 or was sent home from work due to COVID symptoms, how do I code that time?
- A. If you are positive for COVID-19, quarantined, or were sent home by your department due to symptoms, you do not have to use accruals, unless you have been cleared to return to work and are unable to do so.

- Q7. I have reached the maximum of my leave banks, I don't want to lose my leave, what can I do?
- A. If you are approaching maximum leave banks, we encourage you to donate time to the catastrophic leave bank to help those employees who may have exhausted their leave accruals due to Non-COVID-19 related illness. The link with more information can be found here: <https://www.contracosta.ca.gov/2251/Catastrophic-Leave>
- Q8. I am a temporary or intermittent employee who is not working, will I be paid?
- A. Yes. Beginning April 8<sup>th</sup>, you will receive your base-pay by using leave accruals. Should you exhaust all of your accruals, the County will provide additional paid leave through May 3<sup>rd</sup>, calculated on your April 10<sup>th</sup> pay (March 31<sup>st</sup> pay period), minus those hours paid using leave accruals.
- Q9. Between May 4<sup>th</sup> and May 31<sup>st</sup>, what happens if I run out of leave and I am unable to work?
- A. The County will provide half of base-pay for employees who completely exhaust their leave accruals prior to June 1<sup>st</sup>. The department will report half of your non-worked time as AWOP.
- Q10. After May 31<sup>st</sup>, what happens if I run out of leave and I am unable to work?
- A. The County will re-evaluate its position regarding half-pay towards the end of May.
- Q11. How does my pro-rated share of Emergency Sick Leave and County sick leave get calculated?
- A. If you are a permanent employee, your pro-rated share is based upon your designated position hours. For example:
- a. If you are in a 40/40 position, you will receive the maximum number of hours - 80 hours of the Emergency Sick Leave and 64 hours of County sick leave (total of 144 hours);
  - b. If you are in a 32/40 position, you will receive 80% of the maximum – 64 hours of the Emergency Sick Leave and 51.2 hours of County sick leave (total of 115.2 hours);
  - c. If you are in a 20/40 position, you will receive 50% of the maximum – 40 hours of the Emergency Sick Leave and 32 hours of County sick leave (total of 72 hours).
- Q12. I am an hourly Per Diem, temporary, or permanent intermittent employee, how does my pro-rated share of Emergency Sick Leave and County sick leave get calculated?
- A. For hourly employees, pro-rated share is based upon your 'normal' position hours. For example:
- a. If you work a variable number of hours from week to week, your pro-rated share will be calculated based on the average number of hours you were scheduled to work per day over the previous 6 months. If this calculation shows that you worked full-time, then the leave is not pro-rated, and you would receive the maximum number of hours - 80 hours of the Emergency Sick Leave and 64 hours of County sick leave (total of 144 hours);
  - b. If you did not work during the previous 6-month period, then your pro-rated share will be calculated based on the average number of hours per day that you have worked during the entire period of your employment or were expected to work when you were hired. If this calculation shows that you worked full-time, then the leave is not pro-rated, and you would receive the maximum number of hours - 80 hours of the Emergency Sick Leave and 64 hours of County sick leave (total of 144 hours).