



Emergency Paid Sick Leave  
Administrative Policy #40

April 1, 2020

I. Policy:

The Families First Coronavirus Response Act was signed into law on March 18, 2020, and is effective on April 1, 2020, and ends on December 31, 2020, unless reauthorized by Congress. The act requires the City to provide employees, who are unable to work or telework with Emergency Paid Sick Leave (EPSL) due to the Coronavirus (COVID-19).

II. Eligibility:

The policy provides full-time employees with two-weeks of leave (80 hours) of paid sick leave. Part-time employees are entitled to paid sick leave based on the number of hours the employees work, on average, over two weeks. EPSL must be made available immediately regardless of how long the employee has been employed by the City.

III. Qualifying Reasons for Emergency Paid Sick Leave:

Up to two (2) weeks of EPSL not to exceed 80 hours for COVID-19 qualifying reasons when an employee is unable to work or telework due to:

- A. They are experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- B. They are subject to a federal, state, or local government quarantine or isolation due to COVID-19.
- C. They have been told by a health care provider that the employee should self-quarantine due to experiencing symptoms of COVID-19.
- D. They are assisting an individual who is subject to a governmental quarantine or self-quarantine because of COVID-19.
- E. They are caring for a son or daughter if his/her school/childcare provider is unavailable because of COVID-19 considerations.

- F. They are experiencing any other substantially similar conditions specified by the Secretary of Health and Human Services.

It cannot be taken intermittently if the leave is being taken because:

- You are subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- You have been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- You are experiencing symptoms of COVID-19 and seeking a medical diagnosis;
- You are caring for an individual who either is subject to a quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or
- You are experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.

Unless you are teleworking, once you begin taking paid sick leave for one or more of these qualifying reasons, you must continue to take paid sick leave each day until you either (1) use the full amount of paid sick leave or (2) no longer have a qualifying reason for taking paid sick leave. This limit is imposed because if you are sick or possibly sick with COVID-19, or caring for an individual who is sick or possibly sick with COVID-19, the intent of FFCRA is to provide such paid sick leave as necessary to keep you from spreading the virus to others.

If you no longer have a qualifying reason for taking paid sick leave before you exhaust your paid sick leave, you may take any remaining paid sick leave at a later time, until December 31, 2020, if another qualifying reason occurs.

#### IV. COMPENSATION FOR EMERGENCY PAID SICK LEAVE (EPSL)

For qualifying events A., B., and C., employees are paid for their normal hourly rate of pay, with a maximum of \$511 per day and the total shall not exceed \$5,110. For qualifying events, D., E., and F., the employees are paid for two-thirds of their hourly rate of pay or minimum wage, whichever is greater, with a maximum of \$200 per day and the total shall not exceed \$2,000.

All applicable Emergency Paid Sick Leave **must** be used prior to an employee using any other accrued paid leave (annual leave or sick leave).

#### V. REQUESTING EMERGENCY PAID SICK LEAVE

Employees must provide a signed statement containing:

- The employee's name.
- The date(s) for which leave is requested.
- The coronavirus-qualifying reason for leave.
- A statement that the employee can't work or telework because of this reason.

Employees seeking leave because he or she is self-quarantined must provide the name of the health care provider making the quarantine recommendation. Someone caring for a person who is quarantined must provide either the government entity that issued the quarantine or isolation order or the name of the health care provider who advised the individual to self-quarantine. Employees must request EPSL in accordance with department policy and submit all supporting documentation to [PHEL@portsmouthva.gov](mailto:PHEL@portsmouthva.gov) for approval prior to using Emergency Paid Sick Leave. A Department Head may deny payment of EPSL if it is taken contrary to policy, even when the employee has the accrued Emergency Paid Sick Leave.

If you have any questions regarding Emergency Paid Sick Leave, please contact Human Resource Management at (757) 393-8626.

Approved:



City Manager