

4.13 Administrative Leave related to COVID-19

a. Due to the unique challenges posed by the threat of COVID-19, Caldwell County recognizes the necessity of creating a policy regarding employee pay for the duration of the response to this pandemic. County employees, including exempt and non-exempt employees, will receive pay in accordance with this policy.

b. This policy is intended to be in accordance with the terms of any and all relevant Federal and State statutes regarding paid sick leave and expanded family and medical leave, including but not limited to the Families First Coronavirus Response Act (FFCRA), Family and Medical Leave Act (FMLA), Emergency Family and Medical Leave Expansion Act (EFMLEA), and Emergency Paid Sick Leave Act (EPSLA).

c. Under the FFCRA, an employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework, 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 section (2);
5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

d. If an employee takes leave under section (c), the employee shall provide documentation from a health care provider or child care provider supporting the employee's qualifying reason for leave within three (3) days of the first day of leave taken.

e. If an employee does not otherwise qualify for leave under FFCRA or other relevant statute, or is unable to provide appropriate documentation supporting leave under section (c), the elected official or department head overseeing the employee shall have the discretion to determine the validity of the employee's absence and eligibility for Emergency Paid Administrative Leave under this section.

f. Employee absences that do not otherwise qualify for leave under sections (c) or (e) under this policy shall be subject to the Leave and Absences policy in the Caldwell County Employee Handbook.

g. Each employee taking leave under this policy for any reason must complete a time record documenting the amount of and specific reason for any leave taken. Such time record must be submitted in accordance with the terms of the Caldwell County Employee Handbook.

h. The elected official or department head overseeing the employee retains discretion to allow or direct county employees to work from home as applicable. Unless otherwise indicated by such elected official or department head, such time will be counted as hours worked and not Emergency Paid Administrative leave.

i. If any employee takes leave under section (e), the elected official or department head overseeing the employee shall notify the Human Resources Office of those employees who will be taking emergency paid administrative leave under this section.

j. This addendum to the Caldwell County Employee Handbook is intended to replace and supersede the Administrative Leave policy related to COVID-19 adopted by the Caldwell County Commissioners Court on March 20, 2020. This policy shall be effective as of April 11, 2020 and will remain in effect until December 31, 2020.