

Temporary Emergency COVID-19 Leave Policy Applicable to Exempted/Excluded Emergency Responders And Health Care Providers Effective April 1, 2020

- A. In response to the COVID-19 outbreak and in consultation with the Livingston County Health Department, the Livingston County Board of Commissioners authorizes the County Administrator and Elected Officials, or their designees, to appropriately monitor and coordinate actions and implement measures to safeguard the welfare of its employees and residents while maintaining operations in an effective and efficient manner. After April 1, 2020 and through December 31, 2020, employees who are healthcare providers or emergency responders exempted/excluded from coverage or application from the Emergency Family and Medical Leave Expansion Act (“EFMLEA”) and from the definition of employee under the Emergency Paid Sick Leave Act (“EPSLA”) (an “Exempt Employee” or collectively “Exempt Employees”) may be authorized -- upon request by the Exempt Employee -- a temporary emergency leave of up to three (3) work days for any Exempt Employee who reasonably believes he/she has been exposed or infected with COVID-19 to permit the employee an opportunity to contact his/her healthcare provider for examination to seek a diagnosis, testing and treatment. During the first three (3) days of a temporary emergency leave absence (“Temporary Emergency Leave”) supervisors shall not require a healthcare provider’s note for Exempt Employees who are experiencing COVID-19 symptoms (including, coughing, fever, shortness of breath) and are seeking a medical from a healthcare provider in that offices and medical facilities may be extremely busy and not able to provide such documentation in a timely way.
- B. The Temporary Emergency Leave granted under this Policy may be extended for up to two (2) consecutive work weeks (or such additional or longer period as may in the future be granted by the Board of Commissioners) if an Exempt Employee's healthcare provider confirms, in writing, that an employee has been infected with COVID-19, is reasonably likely to spread COVID-19 to coworkers or the public through the performance of the employee's regular job duties, and/or is unable to perform the essential functions of his/her job without possible harm to himself/herself or others.
- C. An Exempt Employee diagnosed with COVID-19 must provide doctor’s certification clearing them to work in order to return. This provision shall in no-way be interpreted to limit the County’s authority at law to require such further and/or additional testing or clearances for employees or other to implement other measures to safeguard the health of employees and the public while maintaining operations in an effective and efficient manner and continuing to perform critical and essential services.

- D. An Exempt Employee may be instructed not to report if the employee is showing symptoms of COVID-19 (including, coughing, fever, shortness of breath) until they are released by a healthcare provider.
- E. A full-time Exempt Employee may be granted Temporary Emergency Leave equal to, but not exceeding the total hour equivalent of the position's normal budgeted hours for a normal two-week pay-period (normally, 80 hours, but this may vary by position) (pro-rated for part-time). Eligibility for Temporary Emergency Leave expires on December 31, 2020, and employees may not carry over leave from one year to the next and are not entitled to reimbursement for unused Temporary Emergency Leave upon termination, resignation, retirement, or other separation from employment.
- F. Absences using Temporary Emergency Leave will not be counted as an unscheduled absence. However, nothing shall alter or amend the current County policy that both paid and unpaid leave for an otherwise qualifying reason will count toward FMLA time off pursuant to employer policies. The attribution or non-attribution of Temporary Emergency Leave to existent FMLA limits shall be applied consistent with County policies and the law.
- G. If an Exempt Employee believes their Temporary Emergency Leave absence will exceed the allowable hours (pro-rated for part-time) authorized by this special Temporary Emergency Leave policy, the employee may request additional paid or unpaid leave pursuant to the normal applicable County policies or provisions of the applicable collective bargaining agreement. Normal verification requirements will apply, which may include but not be limited to verification from a health care provider to the Human Resources Director.