

COVID-19 EMERGENCY LEAVE POLICY

I. POLICY STATEMENT

The City is committed to supporting employees' health and safety together with maintaining business operations and meeting the needs of City customers. To support these goals during the COVID-19 Public Health Emergency, there is established this COVID-19 Emergency Leave Policy ("Policy").

II. PURPOSE

During the COVID-19 Public Health Emergency it is in the City's and the employees' best interests to modify and supplement our leave provisions. This Policy describes paid leave plans effective only for the COVID-19 Public Health Emergency and addresses temporary modifications to other leave plans.

III. DEFINITIONS

COVID-19 Public Health Emergency – Declaration issued under the authority of the State of Washington, the City of Washougal and/or a federal, state or local public health entity (e.g. Center for Disease Control and Prevention, Washington State Department of Health, Clark County Health Department) regarding the COVID-19 outbreak that, when applied to a person or group, may place restrictions or a requirement for monitoring by a public health authority, for the purpose of protecting the public's health.

Self-Quarantine – The separation of a person or group of people reasonably believed to have been exposed to COVID-19 but not yet symptomatic, from others who have not been exposed, to prevent the possible spread of the communicable disease.

Teleworking – Working from an off-site or home office location.

[FFCRA – Families First Coronavirus Response Act](#)

[PHL – Public Health Emergency Leave](#)

[EPSL – Emergency Paid Sick Leave](#)

[COWEL – City of Washougal Emergency Leave](#)

IV. POLICY MODIFICATIONS IN RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY

The following paid leave is available as specified in response to COVID-19:

Presumed or Confirmed Cases of Employee or Immediate Family Member

- When an employee or employee's immediate family member is confirmed to have contracted the COVID-19 illness, the employee will be eligible for Emergency Paid Leave. The confirmed diagnosis must be reported to the employee's department director and Human Resources.
- Emergency Paid leave will be available following a confirmed diagnosis until the employee has been cleared to return to work by a public health official, or the employee's family member has

been cleared of the illness. The employee will not be required to work during the Emergency Leave; however, the employee may elect to telework if available and able to do so.

- Employees with a confirmed diagnosis must stay at home for the period required by guidelines established by a federal, state or local public health entity.
- The City retains the right to request written verification confirming the diagnosis and duration of illness, which may include a signed affidavit from the employee, or any other information requested by the City.
- Update 4/2/2020: For the first 80 hours of such leave the City will designate such leave as EPSL according to the FFCRA. After which time, if the employee is still unable to work (or telework) any additional hours beyond 80, will be designated as COWEL.

Employee with COVID-19 Type Symptoms Sent Home by Manager

- It is the recommendation of the CDC that employees who appear to have acute respiratory illness symptoms (as described by CDC guidance on COVID-19) upon arrival to work or who become sick while at work should be separated from other employees and be sent home immediately. Employees who present at work with such symptoms shall be sent home by the Department Head or designee.
- An employee sent home in this case will be provided Emergency Leave.
- The employee shall seek medical advice and care from a medical professional. Upon determination by a medical professional that the employee does not have COVID-19, for the remainder of their absence from the office under physician guidance the employee may use their leave banks, leave without pay or telework if available.
- Update 4/2/2020: For the first 80 hours of such leave the City MAY designate such leave as EPSL according to the FFCRA. This will be reviewed on a case by case basis. If the leave is designated as EPSL for 80 hours, and the employee continues to be unable to work (or telework), any additional hours beyond 80 will be designated as COWEL. If the absence does not qualify for EPSL according to the conditions as outlined in the FFCRA, the employee will be granted COWEL.

Self-Quarantine

- When an employee is self-quarantined per guidelines established by a federal, state or local public health entity and is otherwise healthy (has not contracted COVID-19), teleworking is strongly encouraged using the Telecommuting Agreement. Employees must report their self-quarantined status to their department director and Human Resources. If the employee's job is not one where teleworking is an option, managers and employees are encouraged to work together to identify some productive work the employee may be able to perform while teleworking. This can include work that is not part of the employee's regular job, project work, required or optional online training, or other work that can support employee development. If a self-quarantined employee can telework as determined by the City but elects not to do so, the employee must use accrued leave or Leave Without Pay if necessary while self-quarantined.
- If a self-quarantined employee who is otherwise healthy is unable to perform any work by teleworking in any capacity as determined by the City, the employee will be paid Emergency Paid Leave at their regular pay rate for their regular hours. Regular pay will continue until they have been cleared by a public health official.

- Employees who are self-quarantined must stay at home until their quarantine is completed per guidelines established by a federal, state or local public health entity and be available by phone or other agreed means during their scheduled work hours.
- If during self-quarantine an employee is confirmed to have contracted COVID-19 the employee will be eligible for Emergency Leave and/or a telework option as described in this Policy and continue to be so eligible until released to work by a public health official.
- The City retains the right to request written verification confirming the circumstances requiring the self- quarantine, which may include a signed affidavit from the employee, or any other information requested by the City.
- Update 4/2/2020: For the first 80 hours of such leave the City will designate such leave as EPSL according to the FFCRA. After which time, if the employee is still unable to work (or telework) any additional hours beyond 80, will be designated as COWEL.

Employee is in an Identified Vulnerable Group or Caring for the Same

- The CDC has identified specific groups as being vulnerable to COVID-19.
- If an employee is a member of a CDC identified vulnerable group, or if an employee is required to care for a family member who is a member of a CDC identified vulnerable group, the employee may choose to self-quarantine to avoid exposure.
- The employee and department director may arrange for alternative work arrangements and/or schedules to provide for work-place isolation for the employee.
- The choice to self-quarantine is the employee's to make. If the employee chooses not to self-quarantine, no Emergency Leave will be provided.
- Same provisions apply according to self-quarantine.
- Update 4/2/2020: For the first 80 hours of such leave the City MAY designate such leave as EPSL according to the FFCRA. This will be reviewed on a case by case basis. If the leave is designated as EPSL for 80 hours, and the employee continues to be unable to work (or telework) any additional hours beyond 80 will be designated as COWEL. If the absence does not qualify for EPSL according to the conditions as outlined in the FFCRA, the employee will be granted COWEL.

Employee is Caring for an Unattended Child

- If an employee is required to care for an unattended child because of a COVID-19 related issue (school closure and the inability to secure child-care, the inability to secure child-care due to providers closing or reducing hours or similar), ~~Emergency Leave will be provided according to the self-quarantine provisions above.~~
- Update 4/2/2020: For the two-week waiting period the employee leave will be designated EPSL. If the condition exists as indicated in the first bullet of this section, the employee employee's hours will be designated as PHEL up to \$200 per day for the remaining 10-weeks of eligibility. Any employee daily salary that is greater than \$200 will be supplemented with Emergency Leave up to the employee's full daily rate. This leave can be taken intermittently.

Employee is not Working Due to City Operational Changes

- If an employee is not working at their normally assigned work place, if possible, for continued operations and the provision of City services, telework will be pursued. If the employee's job is not one where teleworking is an option, managers and employees are encouraged to work

together to identify some productive work the employee may be able to perform while teleworking. This can include work that is not part of the employee's regular job, project work, required or optional online training, or other work that can support employee development. If telework is not an option or cannot cover full-time hours, Emergency Leave will be provided.

- While not teleworking per the above, the employee is required to be on-call and fit for duty pursuant to the terms of the Collective Bargaining Agreement.

On the Job Exposure

- If an employee is exposed to COVID-19 on the job, the employee shall file a workers' compensation claim and Emergency Leave will be provided to ensure the employee receives their regular rate of pay. Employees shall file a claim as usual through their healthcare provider. The employee will be provided Emergency Leave pending approval and payment based on the claim. Employee will reimburse City when payment is issued by L&I such that they only receive 100% of their regular rate of pay.

V. PROCEDURE

- Emergency Leave will only be in effect during the COVID-19 Emergency.

VI. OTHER

- If there is a conflict between guidelines issued by a federal, state or local public health entity, the City will make the determination as to which guidelines apply for the purpose of administering this Policy.
- Eligible employees must take appropriate steps while on Emergency Leave to practice social distancing and limit the potential exposure to the COVID-19 virus by following the CDC guidelines located at <https://www.cdc.gov/coronavirus/2019-ncov/community/index.html>
- Eligible employees who become sick (not with COVID-19) while on Emergency Leave must notify their supervisor consistent with existing policy. Such employees will not be required to be available for assigned work as described above and will be allowed to use accrued leave or Leave Without Pay for the period of unavailability.
- This policy is retroactive to the date the City Manager issued Emergency Declaration 20-01.

MEMORANDUM OF UNDERSTANDING
By and between
THE CITY OF WASHOUGAL
And
WASHOUGAL POLICE OFFICERS ASSOCIATION

This Memorandum of Understanding (MOU), made effective the date of signing, is entered into by and between The Washougal Police Officers Association (Union) and the City of Washougal (City), referred to herein as the Parties.

The Parties, signatories to the current effective Collective Bargaining Agreement (CBA), hereby agree as follows:

1. In the interest of supporting employees' health and safety, together with maintaining business operations and meeting the needs of City customers, the City agrees to provide Emergency Leave, as described in the attached Emergency Leave Policy, to employees covered by the above referenced collective bargaining agreement.
2. All other terms and conditions of the CBA shall remain in full force and effect. Should any terms and conditions in this MOU conflict with the CBA, this MOU shall control.

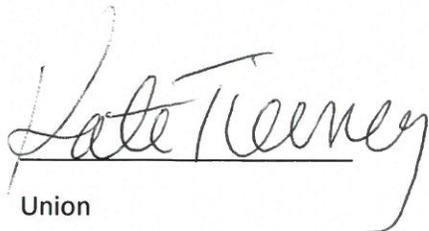
This Memorandum of Understanding is effective upon signing and shall expire on May 4, 2020 unless extended by order of the Washougal City Council.



David Scott, City Manager

4/16/2020

Date



Union

4/16/2020

Date