**COVID-19 (Coronavirus) Leave Policy**

This Memorandum is a written internal policy for all City of Montgomery employees while we adjust our practices to the COVID-19 crisis. It bears repeating that we have the best employees and this policy is designed to not only meet but to exceed the Federal Government mandates under the Families First Coronavirus Response Act. Situations may change and the policy may need to be adjusted, but for the near term until December 31, 2020, we are implementing this policy for every employee’s personal safety and for workplace safety.

There is hereby created a COVID-19 Sick Leave Bank (“CV-19 Sick Leave Bank” or “Bank”) equal to an Eighty (80) hour personal leave bank for each full-time employee [One Hundred Four (104) hours for each full-time Fire Department employee on a 24/48 tour]. A pro-rated CV-19 Sick Leave Bank is available to part-time employees equal to the average hours per pay period the part-time employee has worked in the past six months. As an example, a part-time employee who has worked on average 60 hours per pay period would have a credited Bank of 60 hours of compensable time off under this leave policy. This leave Bank is in addition to any other Sick Leave, Vacation Leave, Personal Leave or Compensatory Time (“Personal Accumulated Leave”) you have. Each eligible hour drawn from the Bank will be paid at your regular hourly rate. You may elect to take this qualified leave consistent with leave standards set forth below for any hours you are scheduled to work during the policy period until such time as your qualified leave has been exhausted. This CV-19 Sick Leave may be used for the following:

1. Providing childcare at home for children whose elementary or secondary school has been closed by Order of the Governor. You may also use CV-19 Sick Leave for at-home childcare if your childcare provider is not available for your children. A childcare provider would include an out-of-home daycare, and parents or grandparents, whether or not they are paid providers, if those family members choose not to be available to you to provide childcare coverage during this crisis.

2. If you are subjected to a Federal, State, or local quarantine or isolation Order either in home or in a medical facility as a result of contracting COVID-19.

3. You have been advised by a healthcare professional, as a result of a bona fide medical consultation, to self-quarantine related to COVID-19, whether or not you have been specifically diagnosed with COVID-19.

4. If you have symptoms and you are seeking a medical consultation or testing to diagnose or rule out COVID-19.

5. You are caring for an *immediate family member*, as defined in Policy Number V-8, *Sick Leave,* who meets the criteria under category 2, 3 or 4 above.

After exhausting the Bank of qualified CV-19 Sick Leave hours, full time employees may use their Personal Accumulated Leave, for these same purposes set forth in this policy consistent with our current policies for requesting and using leave. For part-time employees, as well as for full-time employees who do not elect to use their Personal Accumulated Leave after exhausting CV-19 Sick Leave, any further compensable leave under this policy related to the COVID-19 pandemic reflects the limitations of the Families First Coronavirus Response Act. Under this policy we will extend CV-19 Sick Leave for categories 1, 2, 3, 4, and 5 at two-thirds your regular hourly pay up to Two Hundred Dollars ($200) per day with a maximum of Ten Thousand Dollars ($10,000) total in this second tier. These limitations and caps are available to you at your choice if you choose not to use your Personal Accumulated Leave after exhausting your CV-19 Sick Leave Bank.

Like the federal act, CV-19 Leave is considered a component of FMLA protected leave, so time taken under the CV-19 Leave applies to the twelve (12) week protected leave time available under our FMLA policy.

Our Sick Leave Policy allows the City to determine if certification from your healthcare provider is required prior to returning to work. While this may be difficult to obtain, we reserve the right to require such certification if we believe it is appropriate for your safety and the safety of others in the workplace. Before returning to work from a CV-19 related absence, you must contact your Department Head or designee to answer questions about your absence and who will review with you the CDC Guidelines to be able to return to work.

Without a healthcare provider’s assessment, you should follow CDC guidelines for identifying symptoms, recommended steps for when you are sick, and guidelines for discontinuing home isolation. These guidelines and other helpful information can be found at [www.CDC.gov/coronavirus/2019-ncov](http://www.CDC.gov/coronavirus/2019-ncov). Keep in mind, these are only guidelines and only you and your healthcare provider can determine that you are completely safe to return to work.

If you are assigned to work at home, you must be available to work remotely and/or be available *on call*. During such assignments you will be paid your full regular hourly rate, but if you cannot or choose not to work remotely or be *on call*, and answer the call to work if needed, you need to use either your available CV-19 Sick Leave or your Personal Accumulated Leave.

This Leave Policy will be in effect commencing March 23, 2020. If you already have taken leave and used your own Personal Accumulated Leave, you may apply to have that portion of your Personal Accumulated Leave which you have used restored to your account retroactive to March 23, 2020 and apply your CV-19 Sick Leave to that absence. This leave policy will remain in effect consistent with federal law until December 31, 2020. At the end of the leave policy period, any unused COVID-19 Sick Leave hours in your Bank will expire. The unused hours will not be paid out to you nor added to your separate accumulated Sick Leave.

This policy applies to all City employees who have been employed by the City for at least Thirty (30) days, at the time the policy becomes effective, and all new hires during the policy period after Thirty (30) days of employment. References to hourly rates of pay are not intended to, nor should be construed as, altering or eliminating the exempt status of salaried employees under the definitions of the Fair Labor Standards Act. The information about and the response to the COVID-19 pandemic is continually changing, as a result please be advised that this policy may be revised by the City Manager at any time, based upon the overall situation and changes in federal, state and/or local directives and recommendations.

If you have any questions concerning this Leave Policy, you may contact one of the following:

Brian K. Riblet, City Manager

Tracy Roblero, Assistant City Manager

Julie Prickett, Human Resources Manager

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Brian K. Riblet

City Manager