



## **City of Vancouver Temporary COVID-19 Related Leave and Wage Continuation Policy and Program**

Coronavirus (COVID-19) Response

*Effective January 1, 2021*

*Updated February 1, 2021*

### **PURPOSE AND APPLICABILITY**

**This policy applies to all regular City employees.**

In recognition of the continuing impacts of the coronavirus (COVID-19) outbreak, continuation of the Declaration of Emergency by the Vancouver City Manager, the expiration of the Family's First Coronavirus Response Act (FFCRA) on December 31, 2020 along with the leave benefits provided therein, and the Governor's April 10, 2020 memo on Workers' Compensation During the COVID-19 Emergency, the City will provide temporary leave benefits and wage continuation in accordance with the terms contained in this policy. This current Temporary COVID-19 Related Leave and Wage Continuation Policy supersedes the FFCRA Policy of April 1, 2020, and all other prior Temporary Leave Policies. The City intends to promote health, safety, and security for our employees while mitigating risks during this time of emerging public health threat.

This temporary policy covers all regular City employees and will remain in effect until further notice or until such time as state and/or federal government enact new or continued legislation which requires employers to provide similar paid leave benefits to employees. The purpose of this temporary policy is to bridge any gap presented by the expiration of the federal FFCRA benefits and any future state or federal law requiring similar benefits, and further to provide wage continuation in limited circumstances to employees identified by the City as close contacts with a COVID-19 positive or suspected positive co-worker in the workplace. This policy may be extended or vacated by declaration of the City Manager or Designee, as needed.

Exceptions to this temporary policy may be granted by the City Manager or City Manager's designee. Some policy provisions may not apply to essential personnel in order to maintain minimum staffing levels and in accordance with Public Health guidelines. Any situation or circumstance not covered in this temporary policy shall be governed by existing City policies and procedures.

### **POLICY GUIDELINES**

#### **Emergency Sick Leave**

1. **Eligibility.** All regular employees of the City are eligible for up to 80 hours of City-paid Emergency Sick Leave. Employees will have 80 hours available for use under this policy on January 1, 2021

regardless of whether the employee utilized leave hours under the previous City-paid Catastrophic Leave policy or FFCRA policy. Unused hours from previous policies will not roll over into January 2021. Periods of leave occurring between January 1, 2021 and the date of this update under Reason 4 will be retroactively applied to January 1, 2021 upon application by the employee.

2. **Covered Reasons for Using Emergency Sick Leave:** Eligible employees are entitled to use Emergency Sick Leave when they are unable to work, or telework, for the following reasons:
  1. The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19; **or**
  2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; **or**
  3. The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis; **or**
  4. The employee received the COVID-19 vaccine and is experiencing common side effects such as tiredness, headache, muscle pain, chills, joint pain, and fever.
3. **Paid Leave Entitlement.** Full-time employees are entitled to up to 80 hours of Emergency Sick Leave at 100% their normal base rate. Part-time employees will receive a pro-rated amount of leave hours. Any Emergency Sick Leave available under this policy is in addition to accrued leave to which an employee was already entitled under existing City policies or labor agreements.
4. **Notification.** An employee who needs to take Emergency Sick Leave should notify their supervisor and Human Resources at [hrfront1@cityofvancouver.us](mailto:hrfront1@cityofvancouver.us) as soon as practicable. After the first workday (or portion thereof) an employee takes Emergency Sick Leave, the employee must follow the notice requirements set forth in applicable leave policies and/or collective bargaining agreements, if any.
5. **Verification.** An employee requesting Emergency Sick Leave must complete the [Emergency Sick Leave Request Form](#); specify the qualifying reason for requesting leave; state they are unable to work or telework, for that specified reason; and provide the date(s) for which leave is requested. The City may require documentation supporting the leave request. Documentation may include, for example, a copy of the federal, state or local quarantine or isolation order related to COVID-19; written documentation from a health care provider advising the individual to self-quarantine due to COVID-19; COVID-19 vaccination record card.

#### **Wage Continuation for Close-Contacts of an identified Workplace Exposure**

1. **Purpose.** In accordance with the Governor's memo dated April 10, 2020 relative to Workers' Compensation During the COVID-19 Emergency, and further streamline the payment of wages to lessen the hardship to employees, the City will pay wage continuation to employees eligible pursuant this policy. This benefit is separate and independent from the Emergency Sick Leave benefit outlined in this policy.
2. **Eligibility.** City employees who are unable to telework and who are required to quarantine for up to 14 calendar days, as the result of a guidance to do so from the Clark County Public Health, or as a result of existing internal City of Vancouver COVID-19 Exposure Notification and Isolation Protocol (ENIP) policies and procedures.

- a. Only those employees who must quarantine as a direct result of contact with a COVID-19 positive or suspected COVID-19 positive City co-worker during the course and scope of their employment with City are eligible to receive these benefits. Eligible employees must be asymptomatic and test negative for COVID-19 at the time they begin the quarantine period and throughout the quarantine period.
  - b. If at any time an employee becomes symptomatic of or tests positive for COVID-19, wage continuation pay will end. The employee may then request any other leave type available to the employee, including unused Emergency Sick Leave.
3. **Wage Continuation entitlement.** Employees are entitled to wage continuation in the amount of 100% of their normal base rate for the quarantine period up to 14 calendar days.
4. **Verification.** An employee must be identified as a close contact as a direct result of contact with a COVID-19 positive or suspected positive City co-worker during the COVID-19 Notification Team's ENIP or by Clark County Public Health, be asymptomatic, and test negative for COVID-19. The employee must complete and submit the [COVID-19 Wage Continuation Notice](#) and send it to Human Resources at [hrrfront1@cityofvancouver.us](mailto:hrrfront1@cityofvancouver.us) as soon as possible. Upon receipt and confirmation by the COVID-19 Notification Team, instructions will be provided by HR to the supervisor for wage continuation.
5. **Interaction with Workers' Compensation Claims.** For workers' compensation claims related to the mandatory quarantine period filed by employees who received wage continuation under this policy, the City will request that the Dept. of Labor and Industries deny compensability of the claim, both as an alleged industrial injury and alleged occupational disease. In the event The Dept. of Labor and Industries allows such a claim, the employee applicant will be required to offset any wage continuation received as it will serve as a dollar for dollar offset against any type of workers' compensation benefit which may be ordered to be paid by the Dept. of Labor and Industries.

#### **Right to Terminate Policy at Will**

1. This temporary policy is limited to the COVID-19 pandemic. The City reserves the right to terminate this policy at will. It is not the intent of the City to create a "kept on salary" policy which extends to any other type of employment, health care or governmentally mandated absence from work. It is not intended to set precedence of any kind whatsoever.