



Personal Leave Associated with Pandemic

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1.0 POLICY

The County of Lee provides leave time benefits to all benefited employees. Personal leave time benefits for a pandemic event are a **privilege, not a right**, granted by the County under the conditions stated below. It is the belief of the County Commissioners that under a declared national pandemic, that personal leave benefits are required to support both benefited and non-benefited employees.

2.0 DEFINITIONS

2.1 Personal Leave Time: A pay continuation privilege granted to benefited and non-benefited employees during periods of personal or family issues associated with a pandemic event.

2.2 Immediate Family: For the purpose of this policy, immediate family is defined as spouse, mother, father, brother, sister, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandmother, grandfather, grandmother-in-law, grandfather-in-law, grandson, granddaughter, stepmother, stepfather, stepchild, sister-in-law, and brother-in law.

2.3 Other Family: For the purpose of this procedure, other family is defined as aunt, uncle, niece, and nephew.

[Special Note: *At the Department Director's discretion, immediate or other family may be construed to include others where the degree of closeness of the relationship to the employee warrants consideration as immediate or other family. Department Directors are encouraged to consult with the Human Resources Director or the County Manager in such cases.]*

2.4 Benefited Employee: An employee assigned to a permanently budgeted position designated as full-time (FT) or part-time (PT). Employees assigned to full-time (FT) positions will accrue benefits in the manner described in this policy. Employees assigned to part-time (PT) positions (working at least 20 or more hours a week) will earn personal time for a pandemic event on a prorated basis.

2.5 Non-Benefited Employee: An employee assigned to a budgeted position in temporary salaries designated as part-time (PT). Employees assigned to part-time do not accrue benefits in the manner described in this policy. Employees assigned to part-time (PT) positions (working at least 20 or more hours a week) will earn personal leave for a pandemic event on a prorated basis.

2.6 Paid Hours: Paid hours for the purpose of this policy is vacation, sick, compensatory time, personal time and regular hours.

3.0 PROCEDURE / RULE

3.1 Personal Time Accrual:

- A.** During a declared pandemic event if the Chairman of the County Commissioners declares a State of Emergency, the County Manager shall “bank” 80 hours of personal leave for all benefited full-time employees. Employees claiming personal leave during a pandemic event are required to furnish a letter or email to their department director requesting the payment of leave and the reasons for the time to be away from work. The request shall be approved by the department director and submitted to the County Manager or the Human Resource Director who have the authority to authorize approval of the leave request.
- B.** During a pandemic declared event part-time and temporary employees who would normally have been scheduled to work, but for various reasons related to the pandemic cannot work (i.e. facility closings or event cancelations) will be banked an equivalent of two weeks of hours worked. Two weeks of pay will be calculated one of two ways; 1) the average of last four weeks worked by the employee, or 2) the scheduled average weekly hours for the upcoming 4 weeks.
- C.** The Families First Coronavirus Response Act was signed into law by the President of the United States on March 18, 2020 requiring all local governments to provide to their employees paid sick leave related to certain circumstances surrounding the coronavirus (a.k.a. COVID-19) and enacted an Emergency Family and Medical Leave Act for certain child-care issues related to the coronavirus. If an employee needs to take leave for ANY of the qualifying reasons under either the paid sick leave or the Emergency FMLA leave, then the employees’ status to take leave under this Pandemic leave will be suspended for the period of time an employee is receiving compensation pursuant to Emergency Paid Sick Leave or Emergency FMLA. Benefits payable under Emergency Paid Sick Leave, Emergency FMLA, or Lee County’s Pandemic Leave are not eligible to be received on a concurrent basis (i.e. an employee receiving Pandemic Leave compensation cannot receive Emergency Paid Sick

Leave at the same time). Criteria for Emergency Paid Sick Leave and Emergency FMLA are set out in Personnel Policy Numbers F-13 and F-14.

3.2 When Personal Time May Be Taken:

- A.** Pandemic Personal Leave may only be taken during the period the County is under a Federal Declaration of a Pandemic, a State Declaration of a Pandemic, for an Emergency Pandemic event and/or a locally declared pandemic event.
- B.** Personal time can be used in fifteen (15) minute increments.
- C.** Employees may use vacation or sick leave during a pandemic declared event to cover time missed due to the causes of the event.

3.3 Personal Leave Time Accounting:

- A.** Upon termination, no payment will be made for unused personal leave time under this policy. Employees may not transfer personal leave time to another employee at termination. Once the term of this event has ended upon the declared expiration of the local State of Emergency, this pandemic leave will terminate for all employees, regardless if the employee has taken all of the leave or none of the leave.
- B.** Upon retirement from active service, no payment will be made for unused personal leave under this pandemic policy.