



## SICK LEAVE AND VACATION ADVANCE PROCEDURE

- **Authority:** This procedure will remain in effect under the Mayor's February 26, 2020 Proclamation declaring a local emergency to exist in connection with the imminent spread within the City of COVID-19 (Proclamation), as supplemented by the Supplement to the Proclamation dated March 11, 2020. This procedure will cease to have effect by further Proclamations or acts by the Mayor declaring the end of the local emergency, or other action ending the local emergency.
- **Purpose:** Protect the health of the City workforce and mitigate the financial impacts to City employees from COVID-19 related absences from work by advancing sick leave with pay or vacation to eligible City employees who are unable or do not want to be in the workplace due to COVID-19 illness or impacts.
- **Eligible Employees:**
  - Employees must have a regular work schedule.
- **Criteria for Leave Advancement:**
  - **Sick Leave with Pay (pay code SLP):** Employees are eligible for this leave advancement if they meet the following criteria:
    - Employees are **unable** to be in the workplace because of the **COVID-19 public health emergency** (e.g., employee or qualifying family member is diagnosed or has symptoms consistent with COVID-19, medical provider approved self-isolation to avoid exposure to COVID-19, or employee needs to provide childcare due to school closure from COVID-19); **and**
    - **Telecommuting is not available** (employees who are sick or caring for a sick qualifying family member are not expected to telecommute).
    - **Employees have no remaining paid leave balances** (including, but not limited to vacation, sick pay, compensatory time, floating holidays and in-lieu legal holidays)
  - **Vacation (pay code VAP):** Employees are eligible for this leave advancement if they meet the following criteria:
    - Employees **do not want** to be in the workplace because of the **COVID-19 emergency** (e.g., employee is concerned about exposure to COVID-19 at work or while commuting); **and**

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- Taking such time off is *operationally feasible* (i.e., must be approved by the department) and telecommuting is not available.
  - **Employees have no remaining paid leave balances except for paid sick leave** (including, but not limited to vacation, compensatory time, floating holidays and in-lieu legal holidays)
- **Sick and Vacation Leave Advancement:** The City may advance up to 80 hours of paid sick leave or vacation to eligible employees, based on criteria set by Human Resources Director. If the City advances sick pay or vacation to an employee, the employee will not accrue additional sick pay or vacation until the City has recovered the hours advanced (e.g., if an employee is advanced 40 hours of sick leave with pay, the employee will forgo earning the 4 regular hours of sick leave with pay per pay period for the next 10 pay periods).
  - **Procedure:** Employees must apply by submitting the “SICK LEAVE or VACATION ADVANCE – Employee Request and Agreement” form.
    1. The employee must designate the type of leave requested, either sick or vacation leave, and describe the circumstance requiring leave.
    2. The employee must submit the completed form to their supervisor, manager, or the department’s human resources representative.
    3. The department human resources representative shall review each advance request and confirm that the employee meets the criteria for a leave advance for reasons related to COVID-19; has exhausted, or will exhaust, all accrued leave; and the employee lacks sufficient accrued paid leave to cover an absence related to COVID-19.
    4. The department personnel representative shall forward the Employee Request and Agreement to the Appointing Officer, or designee, for approval.
    5. Upon approval, the personnel representative shall notify the employee that the request has been approved and the type and amount of paid leave advance approved.
    6. The total amount of sick leave or vacation leave advanced may not exceed eighty (80) hours for COVID-19 related illness or impacts and will be prorated for employees with less than a full time schedule (e.g., if an employee works a regular 20 hour a week schedule, they may receive up to 40 hours).
  - **Reimbursement:** The employee must acknowledge a responsibility and agree to repay sick leave and/or vacation leave advanced in the following order:
    - upon return from leave the employee will not accrue additional sick or vacation leave, as applicable, until the City has recovered the hours advanced (e.g., if an employee is advanced

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40 hours of SLP, the employee will forgo earning the 4 regular hours of SLP per pay period for the next 10 pay periods).

- if an employee separates from City employment, by authorizing the City to deduct the remaining balance due from any final pay or other compensation due to the employee upon separation.
- If an employee separates from City employment and does not have sufficient compensation to repay the balance, the employee will repay any remaining unpaid balance within 60 days.