



Temporary Emergency Leave in Response to a Shelter-in-Place/Stay-at-Home Order

Policy: POL-8001-HR • Effective Date: September 16, 2020 • Res. #
Cancels: 0828854 • Reference: None

This policy applies to all Whitman County employees unless otherwise stated in a collective bargaining agreement.

1. Duration and scope of temporary emergency leave:

This policy is effective upon the official order of the federal, state or local government to shelter-in-place/stay-at-home. It will cease having authority: once that order has expired or is rescinded; or upon termination by the Board of County Commissioners whichever comes first. Emergency leave will operate in cooperation with the parameters of the shelter-in-place/stay-at-home order.

The Board of County Commissioners (BOCC) may also activate this policy to respond to an emergency related to a pandemic disease outbreak (Outbreak) when such outbreak significantly affects our employee's ability to come to work due to quarantine/isolation requirements for themselves and/or dependent family members.

The Board of County Commissioners (BOCC) will periodically review the status of the stay at home/shelter-in-place order or Outbreak and its impact on county operations. The BOCC may suspend, modify or end the use of emergency leave prior to the end of the order or Outbreak as circumstances warrant. This may include, but is not limited to: financial hardship on the county; when the end of the order is unclear; when the disease outbreak lessens in significance, etc. The BOCC may also reinstate emergency leave as circumstances change under the order or Outbreak.

The Elected Official/Department Head is authorized to determine if employees work on site or telecommute. Should the federal, state or local government effect a shelter-in-place/stay-at-home order, paid emergency leave may be granted to eligible employees in accordance with this policy. It is meant to avoid penalizing employees who must remain at home due to such government orders and are unable to perform work on and off site as determined by the county or local Public Health Officials quarantine/isolation requirements.

2. Parameters:

1. Emergency leave is in addition to an employee's accrued sick and vacation leave.
2. Qualified employees cannot be required to use their accrued leave before emergency leave.
3. Emergency leave applies only for the duration of the shelter in place order or Outbreak.

4. Emergency leave is accessible if the employee is sent home in response to the order or Outbreak quarantine/isolation requirements and cannot telecommute. Being sent home includes circumstances where:
 - The elected official/department head determines the employee will not work on site or telecommute.
 - The employee is subject to a Federal, State, or local quarantine or isolation order related to the emergency.
 - The employee has been recommended by a health care provider to self-quarantine due to the emergency.
 - The employee is seeking medical treatment directly related to the emergency.
 - The employee is caring for an individual who is subject to a quarantine or isolation order as described above.
 - The employee is caring for a son or daughter whose school or place of care has been closed, or the childcare provider is unavailable and where the closure is directly related to the emergency.
5. Employees are responsible for notifying their supervisor of the need for emergency leave as soon as they become aware of the need or, in the case of unforeseeable circumstances, as soon as reasonably possible.

The elected official/department head may require a verification of the absences exceeding three work days. Depending on the nature of the emergency, the employee must be given at least thirty days to provide the verification. The reason for the verification is to verify the absence is an authorized purpose under this policy. The verification is not required to explain the nature of the condition and

The verification may not result in unreasonable burden or expense to the employee. If the employee believes it will result in being unreasonable, he/she may submit a written justification to the elected official or department head which explains why compliance is a problem. The justification must include: explanation that the leave is authorized under this policy; and an explanation of how the verification requirement is an unreasonable burden or expense.

The elected official/department head must review the written justification and consider alternatives within ten calendar days. Alternatives must include, but are not limited to: accepting the written justification provided by the employee; and ways to mitigate the employee's expense.

When possible, employees shall complete a leave request form as provided by each department.

6. Under emergency circumstances, employees may be called back to work depending on the need of the department except in the case of a quarantine/isolation requirement. If called back to work, the employee will no longer be on emergency leave and be paid wages in accordance with Whitman County policy.
7. Emergency leave is in addition to any overlapping leave expansions set by the federal or state governments. It does not overlap with the benefits of such expansions. Emergency leave is not used if the same hour of work is already being paid for by another form of leave. Emergency leave may, however, be used instead of other emergency leave expansions.

8. Emergency leave is not permitted under the circumstances listed below. In these cases, regular pay or accrued leave banks will be accessed:
 - The employee is working on-site.
 - The employee performing telecommuting hours.
 - The employee is absent for a reason other than a shelter-in-place/stay-at-home order or quarantine/isolation requirement.
 - The employee is off work due to vacation or another reason unrelated to the emergency.
 - The employee is sick or has gone to the doctor for his/her self or a loved one for a reason not related to the current emergency.
9. Emergency leave is not an accrual or bank of leave. It is not subject to carry over or pay out.
10. Emergency leave may be used for no more than the employee's regular work day.