

01 Dec 2020

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**Subj: HUMAN RESOURCES PROCEDURES– NAVAL POSTGRADUATE SCHOOL  
COVID-19 RESPONSE**

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**Purpose:** Promulgate procedures on for Weather and Safety Leave and Families First Coronavirus Response Act (FFCRA) during COVID-19 Pandemic

**WEATHER AND SAFETY LEAVE:**

There remains a small percentage of employees that are unable to telework due to the nature of the work that they perform. Others may be able to telework to some degree, but not enough to substantiate a full-time telework schedule. In those instances, HRO will work with you and your supervisors to determine the appropriateness of Weather and Safety Leave and to what degree it should be exercised.

Under 5 CFR 6329c, Weather and Safety Leave may be granted to employees without loss or reduction of pay, if an employee, or group of employees, is prevented from safely traveling to or performing work at an approved location.

If you, or one of your employees, are unable to perform your duties remotely, either full or part time, please send an email through your supervisor to Ms. Jennifer Amarin at jlamorin@nps.edu.

Your email should include Weather and Safety Leave in its subject line and answer the following questions in the body:

1. What is the nature of your work?
2. How do current restrictions on travel and workplace access prevent you from performing your assigned duties?
3. Will a temporary modification of your assigned duties allow you to perform your duties remotely?
4. How many hours of Weather and Safety Leave are you requesting?

Upon receipt of your Weather and Safety Leave request, the HRO will evaluate them against the above criteria and forward to the appropriate decision-making authority. Once a decision is received, the requestor will be notified with instructions on how to properly code in SLDCADA if approved.

## FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)

The Families First Coronavirus Response Act (FFCRA) provides additional leave benefits to employees impacted by the COVID-19 Pandemic. This provides information on the FFCRA and those associated benefits. In lieu of or in conjunction with the benefits established by the FFCRA, supervisors and employees are encouraged to utilize alternative work and leave flexibilities, such as Telework, Alternative Work Schedules, and Weather and Safety Leave.

### 1. Background

The FFCRA requires the Federal government to provide all of its employees with paid sick leave and, for intermittent employees and temporary employees of one year or less, with expanded family and medical leave for specified reasons related to COVID-19. These provisions apply from April 1, 2020 through December 31, 2020.

### 2. Qualifying Reasons for Emergency Paid Sick Leave (EPSL) Related to COVID-19:

A Federal employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework, because the employee:

- 1) Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19
- 2) Has been advised by a health care provider to self-quarantine related to COVID-19;
- 3) Is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
- 4) Is caring for an individual subject to an order described in item (1) above or is self-quarantined as described in item (2) above;
- 5) Is caring for his or her child whose school, or place of care, is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
- 6) Is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services. (additional information pending)

### 3. Paid Leave Entitlements under Emergency Paid Sick Leave (EPSL)

• Up to 80 hours of Emergency Paid Sick Leave under the FFCRA at:

- 1) Full rate of pay for qualifying reasons 1-3 above, up to \$511 daily and \$5,110 total;
- 2) Two-thirds an employee's rate of pay for qualifying reasons 4-6 above, up to \$200 daily and \$2,000 total.

• Employees with an intermittent work schedule or on temporary appointments of one year or less are entitled to an additional 10 weeks of leave under the FFCRA at 2/3 of pay for qualifying reason 5) in paragraph 3., below. (Please note: Intermittent employees must have been scheduled to perform work during the timeframe in which leave is being requested).

### 4. Paid Leave Entitlements Under Emergency Family and Medical Leave (EFML):

This provision of the Family First Coronavirus Response Act (FFCRA) only applies to individuals covered by Title I, Family Medical Leave Act (FMLA) which does **NOT** apply to employees at NPS.

#### 5. How to receive consideration:

Employees who cannot work, or telework, for the circumstances listed above may request leave under the FFCRA by submitting the following:

- Employee Name
- Date(s) for which leave is requested
- Qualifying reason for the leave (see reasons above)
- Written statement that employee is unable to work because of the qualified reason for the leave.
- Supervisor recommendation

If the leave is due to an order to quarantine or isolate, they must specify the government entity or healthcare provider who gave the order or advice to quarantine or isolate.

If the leave is to care for a child whose school or place of care is closed, or childcare provider is unavailable, they must specify:

- The name of the child or individual being cared for,
- The school, place of care, or childcare provider that has closed or become unavailable, and
- A statement that no other suitable person is available to care for the child.

All requests should be submitted to [HRO@nps.edu](mailto:HRO@nps.edu). HRO will review for compliance with guidance and route to Chief Operating Officer for final decision.

#### 6. **Indebtedness Warning**

SLDCADA does not account for the different pay rates or earning limitations that apply. All supervisors and employees must understand that using this leave may result in a debt that will be collected at a later date and debt waivers will not be approved. It is imperative that supervisors and employees first consider other forms of available leave and/or work flexibilities prior to using emergency paid leave.

Please [click here](#) for additional information on Federal Employee Rights under the FFCRA.

## SELF-IDENTIFICATION OF EMPLOYEES "HIGH RISK "NEED EXTRA PRECAUTIONS"

**Background:** 05 June 20, the NPS Chief of Staff sent a bulk email to the workforce, informing them to communicate to you if they self-identify as “high-risk” or “need extra precautions”.

For Employees:

- Self-assess whether you will require extra precautions (e.g., continuing to telework) as we prepare to phase back into the traditional work environment. This will NOT require you to discuss a medical diagnosis or obtain medical certification. We will be operating on the honor system – and self-certification will be the method of assessing eligibility for extra precautions. Early self-assessment and self-identification will allow management to make necessary adjustments to ensure continuation of operations and mission. Employees will not lose the ability to request extra precautions in the future; however we encourage all to do so now so we can plan appropriately

For Supervisors:

- HRO will ONLY track ORGANIZATION, NAME, POSITION (Title, Series, Grade) and SELF-IDENTIFICATION (i.e., high risk or need extra precautions)
- If an employee provides you clarifying information regarding their need for extra precautions specific to childcare needs, this information can be collected and forwarded to our office along with the above information. Note that we will have an additional data call in the coming weeks to collect this information.
- If an employee provides you additional information regarding a medical condition, do NOT document that anywhere. If the information comes to you in the form of an email, delete it. If the employee discloses this information to you verbally, please inform them that NPS is not tracking personal medical conditions and that you will not share it with anyone.
- If you have contractors in your workspaces, the COR should reach out to the company NOT the individual contractors. It is the responsibility of the COR to complete the following:
  1. Provide the company the NPS campus policy and return to work procedures
  2. Provide written guidance to the company that all contractors returning to campus must meet the established requirements
  3. Request assurance that the company has distributed the campus procedures and have informed all contracting employees of the requirement to follow them
  4. Request that companies provide written requests for alternate work sites for vulnerable personnel

If you have any questions, please contact Jennifer Amorin at [jlamorin@nps.edu](mailto:jlamorin@nps.edu)

