

Paying employees during Declaration of Emergency for COVID-19

As we work through these unprecedented challenges, this document, is to assist managers in determining the most appropriate way employees are to be paid based on different scenarios. Find the applicable scenario, answer the determining questions which will provide how the employee is to be paid.

Definition:

Qualifying family member: Covered family members include a spouse, child, parent or stepparent, domestic partners, parents-in-law, and grandparents or grandchildren of the employee.

Individual: For FFCRA purposes, an “individual” is an immediate family member, roommate, or a similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person in a quarantine or self-quarantine situation, and that individual depends on you for care during the quarantine or self-quarantine.

Employees prevented from reporting to worksite

1. Is the employee a regular employee? If no, move to #2
 - a. Is the building and program closed?
 - b. Does the type of work allow for teleworking?
 - c. Does the employee have equipment to telework?

If all the responses to the above are yes, the employee is paid for their normal scheduled work hours as usual. You will track any work related to COVID-19 with the bureau internal order.

If you answered no to b and c, the employee is paid for their normal scheduled work hours using the code REPP in the SAP A/A field along with the bureau's internal order. This will pay the employee and track the hours as unworked.

- d. Is the employee teleworking and taking care of kids?
- e. Is the employee teleworking and caring for a qualifying family member?

If either of the responses to the above are yes, the employee is paid their regular rate of pay for hours worked as usual. You will track any work related to COVID-19 with the bureau internal order. For any missed hours, employees will need to use paid leave accruals for hours not worked along with the bureau's internal order. See below for order of use for accruals.

***EFFECTIVE 04/01/20:** For any missed hours on or after April 1, 2020, an employee may first apply for paid leave entitlements under the ***Families First Coronavirus Response Act (FFCRA)** before needing to use their paid leave accruals for hours not worked, if the employee is unable to work (including*

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If an employee is in a situation where they are using accrued leaves and have used all available leaves, refer to COVID-19 Response Leave Sharing Program to determine eligibility for leave benefits.

telework) because of a qualifying Emergency Paid Sick Leave and/or Expanded FMLA reason.

2. Is the employee temporary or casual status?

a. Is the employee teleworking?

If the response to the above is yes, the employee is paid for their normal scheduled work hours as usual. You will track any work related to COVID-19 with the bureau's internal order.

If you answered no to the above, employee may qualify for leave under FFCRA.

Employees responsible for essential services

a. Is the building and program closed?

b. Has the employee identified as high risk and physically reports to work?

c. The employee identified as high risk, does not report to work, can telework.

d. The employee is considered high risk, does not report to work, work allows for partial telework.

If the responses to the above are yes, the employee is paid for their normal scheduled work hours. All hours worked will be coded as usual. You will track any work related to COVID-19 with the bureau internal order. For any hours the employee does not work due to work being unavailable or telework unavailable, employees should be paid using the code REPP in the SAP A/A field along with the bureau's internal order. This will pay the employee and track the hours unworked.

e. The employee is considered high risk, does not have any symptoms, is not caring for a family member, and does not report to work and is only available to partially telework due to being high risk, not due to a lack of telework ability.

If the above response is yes, then choose the option that fits the situation:

i. For any hours worked, the employee is paid their regular rate of pay for hours worked as usual. You will track any work related to COVID-19 with the bureau internal order.

*ii. For hours not worked, check whether employee qualifies for *FFCRA and choose the option that applies:*

a. The employee is a member of DCTU, LL483, or PROTEC17, then employee may apply for Paid Sick Leave for any hours not worked;

b. Employees who are not members of DCTU, LL483, or PROTEC17 will need to use paid leave accruals for hours not worked. See below for order of use for accruals.

f. The employee does not identify as high risk, had no exposure, can telework.

If the above response is yes, the employee is paid their regular rate of pay for hours worked as usual. You will track any work related to COVID-19 with the

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bureau internal order. The employee will need to use their paid leave accruals for hours not able to telework along with the bureau's internal order. See below for order of use for accruals.

g. The employee does not identify as high risk, had no exposure, work does not allow for teleworking.

If the response to the above is yes, the employee is paid for their normal scheduled work hours. For any hours the employee does not work due to work being unavailable, employees should be paid using the code REPP in the SAP A/A field along with the bureau's internal order. This will pay the employee and track the hours unworked.

h. The employee does not identify as high risk, had no exposure, and does not want to come to work due to COVID-19 concerns.

If the response to the above is yes, the employee will need to use their paid leave accruals for hours not worked along with the bureau's internal order. See below for order of use for accruals.

i. The employee is available to, and work allows for, teleworking and the employee is taking care of kids or caring of a qualifying family member.

If the response to the above is yes, the employee is paid their regular rate of pay for hours worked as usual. You will track any work related to COVID-19 with the bureau internal order. For any missed hours, employees will need to use their paid leave accruals for hours not worked along with the bureau's internal order. See below for order of use for accruals.

***EFFECTIVE 04/01/20:** For any missed hours on or after April 1, 2020, an employee may first apply for paid leave entitlements under the ***Families First Coronavirus Response Act (FFCRA)** before needing to use their paid leave accruals for hours not worked, if the employee is unable to work (including telework) because of a qualifying Emergency Paid Sick Leave and/or Expanded FMLA reason.*

Level 3 per CDC Guidance

*Level 3 are those areas with widespread or ongoing transmission as determined by the CDC. Portland is not currently under a Level 3.

a. The employee is symptomatic and able to telework.

If the response to the above is yes, the employee is paid for their normal scheduled work hours as usual. You will track any work related to COVID-19 with the bureau internal order. For any missed hours, employees will need to use their

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paid leave accruals for hours not worked along with the bureau's internal order. See below for order of use of accruals.

b. The employee is symptomatic and unable to telework.

If the response to the above is yes, employees will need to use their paid leave accruals for hours not worked along with the bureau's internal order. See below for order of use for accruals.

*EFFECTIVE 04/01/20: If an employee is unable to work (including telework) on or after April 1 2020, because the employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis, the employee may first apply for Emergency Paid Sick Leave entitlements under the ***Families First Coronavirus Response Act (FFCRA)** before needing to use their paid leave accruals for hours not worked.*

c. The employee is symptomatic and able to do partial telework.

If the response to the above is yes, the employee is paid their regular rate of pay for hours worked as usual. You will still track any work related to COVID-19 with the bureau internal order. For any missed hours, employees will need to use their paid leave accruals for hours not worked along with the bureau's internal order. See below for order of use for accruals.

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Employee is caring for a COVID-19 symptomatic qualifying individual, or is caring for their child because of a school or place of care closures

a. Does the type of work allow for full or partial teleworking?

b. Does the employee have the equipment to telework?

If you answered yes to the above question, the employee is paid for their worked hours as usual. You will track any work related to COVID-19 with the bureau internal order. For any missed hours, employees will need to use their paid leave accruals for hours not worked along with the bureau's internal order. See below for order of use for accruals.

If you answered no to the above questions, the employee should be paid using the code REPP in the SAP A/A field along with the bureau's internal order. This will pay the employee and track the hours as unworked.

***Note: Casual employees with temporary suspension of hours are not eligible for FFCRA leaves.**

If an employee is in a situation where they are using accrued leaves and have used all available leaves, refer to COVID-19 Response Leave Sharing Program to determine eligibility for leave benefits.

EFFECTIVE 04/01/20: For any missed hours on or after April 1, 2020, an employee may first apply for paid leave entitlements under the *Families First Coronavirus Response Act (FFCRA) before needing to use their paid leave accruals for hours not worked, if the employee is unable to work (including telework) because of a qualifying Emergency Paid Sick Leave and/or Expanded FMLA reason.

Order of Leave for Paying Employees during Declaration of Emergency for COVID-19

Employees who are unable to work (including telework) because of any Qualifying Reason under FFCRA (#1-#6), EXCEPT Reason #5	Employees who are unable to work (including telework) because of FFCRA Qualifying Reason #5 <i>Caring for a child whose school or place of care is closed (or childcare provider is unavailable) due to COVID-19 related reasons.</i>
Employees may elect to use FFCRA Emergency Paid Sick Leave (up to 80 hours) or their own paid leave accruals	Employees may elect to use FFCRA Emergency Paid Sick Leave (up to 80 hours) or their own paid leave accruals for the first 2 weeks of Expanded FMLA leave
If using their own paid leave accruals, the order of leave accruals will be: <ul style="list-style-type: none"> • Sick Leave • Management Leave, if applicable • Personal time • Deferred Holidays, if applicable • Vacation Leave over maximum • Compensatory (comp) time, if applicable • Vacation Leave 	If using their own paid leave accruals, the order of leave accruals will be: <ul style="list-style-type: none"> • Sick Leave • Management Leave, if applicable • Personal time • Deferred Holidays, if applicable • Vacation Leave over maximum • Compensatory (comp) time, if applicable • Vacation Leave
If an employee has exhausted all of their above paid leave accruals and used their Emergency Paid Sick Leave, they may apply for donated leave from the COVID-19 Response Leave Sharing program	Employees may elect to use FFCRA Expanded FMLA (2/3 pay up to \$200 daily), or solely use their own paid leave accruals for full pay, for the remaining weeks available under FMLA. Employees may not use their leave accruals to supplement the unpaid 1/3 or any other unpaid amount to make up the difference of their normal earnings. Note: If an employee has exhausted all their own paid leave accruals (in the order shown above) and used their Emergency Paid Sick Leave, they may apply for donated leave from the COVID-19 Response Leave Sharing program before using Expanded FMLA.

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If an employee is in a situation where they are using accrued leaves and have used all available leaves, refer to COVID-19 Response Leave Sharing Program to determine eligibility for leave benefits.

Advanced leave (non-public safety represented employees). Contact your HBRP	COVID-19 Response Leave sharing program (<i>see note above for order of paid leave option with Expanded FMLA</i>).
Unpaid Leave	If an employee has exhausted all other paid leave options, including FFCRA Emergency Paid Sick Leave & Expanded FMLA paid leave, leave accruals, and COVID-19 Response Leave sharing program donations, they may request Advanced Leave (non-public safety represented employees). Contact your HRBP.
	Unpaid Leave

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