



## CITY OF PORTLAND EMPLOYEE LEAVE OPTIONS

### **ONGOING RESOURCES**

#### **Families First Coronavirus Response Act (FFCRA) *Effective April 1 to December 31, 2020***

Provides employees with up to two weeks (capped at 80 hours) of emergency paid sick leave for certain COVID-19 qualifying reasons, including to care for themselves or a family member's COVID-related illness. These up to two weeks are being paid by the City at 100% of an employee's FFCRA "regular rate of pay." Employees do not need to first exhaust their own accrued paid leave before receiving FFCRA paid leave benefits.

FFCRA also offers up to 12 weeks of partially paid expanded family and medical leave for employees who are caring for children whose school or place of care is closed (or child care provider is unavailable) due to the COVID-19 pandemic. The first two weeks of expanded family and medical leave is unpaid, but employees may use the above two weeks of emergency paid sick leave, or elect to use their own accrued paid leave, to be paid during these two weeks. For the remaining up to 10 weeks of expanded family and medical leave, FFCRA will pay two-thirds (2/3) of an employee's "regular rate of pay," capped at \$200 daily.

#### **COVID-19 Response Leave Sharing Program**

This is an internal City program that allows employees to donate up to one year's worth of accrued sick leave (104 hours for full-time employees), and up to one year's worth of accrued vacation leave to other employees who have exhausted their paid leave options and are in a non-paid status because of COVID-related circumstances.

Depending on the situation, an employee who has exhausted other paid leaves may be eligible for up to 240 hours of donated paid time, or up to 600 hours of donated time for employees within high risk categories listed by the CDC or outlined within completed letters of agreement with our labor partners.

#### **Flexible Work Hours**

Bureaus have authority to provide non-represented employees split and/or staggered hours within their current scheduled hours. With approval, schedules can be modified to accommodate mid-day breaks to support homeschooling. BHR will be working with unions to offer this opportunity where bureau operations can support such flexibility.

#### **Family Medical Leave**

Generally, eligible employees are entitled to up to twelve workweeks of protected leave per calendar year. Family medical leave can be used for an employee's or family member's qualifying serious health condition, pregnancy disability leave, parental leave, sick child leave

for a minor child's non-serious health condition, bereavement leave, military caregiver leave, qualifying exigency leave, and Oregon military family leave.

Family medical leave is protected but unpaid leave. Use of an employee's accrued paid leave will run concurrently with family medical leave. Eligible employees may receive up to six consecutive calendar weeks of City Paid Parental Leave to be first exhausted when using family medical leave for the reason of parental leave. Employees may contact their bureau's FMLA Coordinator, or review HRAR 6.05 (<https://www.portlandoregon.gov/citycode/article/12415>), for more information on family medical leave.

## **RESOURCES DUE TO SAFETY NET ORDINANCE**

### **Option 1 (Reduced Schedules)**

Adds flexibility to allow bureaus, BHR, and full-time employees to enter into part-time agreements while retaining healthcare benefits at full-time status. This is intended to support employees who may be unable to work their regular scheduled hours because, for example, they need to care for school-aged children, and support virtual learning.

### **Option 2 (Voluntary Layoffs)**

If a bureau, because of FY21-22 budgetary impacts, must consider employee layoffs, this tool provides the opportunity for employees to voluntarily layoff with healthcare benefits. Employees who may consider this option get all eligible accruals paid to them, and receive healthcare benefits (COBRA) for three months as well as recall rights. This option may help avoid mandatory layoffs, should the City be forced to make that decision.

### **Option 3 (Unpaid Leave)**

Allows for extended unpaid leave, with continued bureau-paid contributions to healthcare coverage for up to 12 months. This option is intended to support employees who would benefit from stepping away from their position to provide care to others, or take care of their personal health. This option maintains the employee's employment status and accruals while giving them necessary time to take care of themselves and their families.

### **Option 4 (Severance Agreements)**

Allows bureaus and the Bureau of Human Resources to offer an employee or groups of employees, whether at risk of layoff or not, a safety net severance plan. The plan authorizes a severance offering not to exceed \$15,000, and allows the employee to make decisions to continue healthcare coverage and/or receive a cash payout. Employees offered or participating in this program will not have recall rights.

### **Option 5 (Voluntary Furlough Days)**

Authorizes bureaus/BHR to offer employees voluntary additional furlough days,

which provide greater flexibility for City employees who may want to manage some periodic breaks. This would not impact an employee's healthcare contributions.

[See a detailed FAQ regarding the Safety Net program here.](#)

## **POSSIBLE FINANCIAL RELIEF OPTION**

### **Coronavirus Aid, Relief, and Economic Security Act (CARES Act)**

Employees may have access to their deferred compensation retirement accounts. This relief option allows employees to take distributions of up to an aggregate amount of \$100,000 for COVID-related financial impacts through December 31, 2020. There are no tax penalties to the distribution and with the support of qualified tax advice, employees could decide to spread the taxes on the distribution over a three-year period.