



<b>Policy Name:</b>	COVID-19 State of Emergency Response Leave Policy*				
<b>Section Number:</b>	3.04	<b>Section Title:</b>	Human Resources		
<b>Policy Owner:</b>	Director of Human Resources		<b>Last updated:</b>	March 27, 2020	<b>Reviewed:</b> March 27, 2020
<b>Status:</b>	Active		<b>Due for Review:</b>	Upon conclusion of Emergency Declaration	

\*This Emergency Response Leave Policy only applies during the designated State of Emergency authorized by Executive Order from the Governor of Mississippi or the President of the United States. In accordance with Executive Order 1458 by the Governor of Mississippi and the Families First Coronavirus Act (FFCRA), Jones County Junior College (Jones College) establishes the following policy regarding:

- A) Administrative Leave
- B) Emergency Paid Sick Leave
- C) Emergency Family Medical Leave

**Definition:**

Leave - Time off from normally scheduled work at a location designated by Jones College.

**Conditions:**

In response to the worldwide pandemic caused by Coronavirus (COVID-19), the Governor of Mississippi issued Executive order 1458 which grants the authority for local state entities to allow employees administrative paid leave. To quote:

- “4. That due to the State of Emergency and pursuant to Miss. Code Ann. § 25-3-92(2)(b), agencies, boards, commissions, and other state entities may grant their employees administrative leave with pay for any one or more of the following reasons as determined by the appointing authority:*
- a. The period(s) of time that the employee’s employer has closed in response to COVID-19.*
  - b. The period(s) of time that the employee’s supervisor has determined the employee’s duties are deemed non-essential during any period of time during the State of Emergency.*
  - c. The period(s) of time that the employee or a member of their immediate household is placed in quarantine or isolation as a result of being diagnosed with COVID-19.*
  - d. Other reasons as determined by the appointing authority in consultation with a health care professional that are necessary to prevent the risk of possible transmission of COVID-19 within the employee’s workplace.”*

On March 18, 2020, President Donald Trump signed into law the Families First Coronavirus Act (FFCRA). The Act provides economic relief for those employees affected by the worldwide coronavirus pandemic and goes into effect on April 1, 2020. In summary:

1. Two weeks (up to 80 hours) of **paid sick leave** at the employee's regular rate of pay where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
2. Two weeks (up to 80 hours) of **paid sick leave** at two-thirds the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor.

#### **Qualifying Employment Period:**

A covered employer must provide to **employees employed for at least 30 days.**

1. Up to an additional 10 weeks of **paid expanded family and medical leave** at two-thirds the employee's regular rate of pay where an employee is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

#### **Qualifying Reasons for Leave:**

Under the FFCRA, an employee qualifies for paid sick time if the employee is unable to work, or unable to telework, due to a need for leave 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 (1) or self-quarantine as described in (2);
5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
6. is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

### **Qualifying Reasons for Expanded Family Leave:**

Under the FFCRA, an employee qualifies for expanded family leave if the employee is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19.

### **Duration of Leave:**

1. **For reasons (1)-(4) and (6):** A full-time employee is eligible for up to 80 hours of leave, and a part-time employee is eligible for the number of hours of leave that the employee works on average over a two-week period.
2. **For reason (5):** A full-time employee is eligible for up to 12 weeks of leave at 40 hours a week, and a part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

### **Calculation of Pay:**

Paid sick time provided under this Act does not carry over from one year to the next. Employees are not entitled to reimbursement for unused leave upon termination, resignation, retirement, or other separation from employment. The following calculations apply:

1. **For leave reasons (1), (2), or (3):** employees taking leave shall be paid at either their regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate (over a 2-week period).
2. **For leave reasons (4) or (6):** employees taking leave shall be paid at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).
3. **For leave reason (5):** employees taking leave shall be paid at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period—two weeks of paid sick leave followed by up to 10 weeks of paid expanded family and medical leave. An employee may elect to substitute any accrued vacation leave, personal leave, or medical or sick leave for the first two weeks of partial paid leave under this section.

### **Employment Classification Process:**

Employees may be classified into the following categories:

1. Work from Campus,

2. Combination Home/Campus,
3. Work from Home,
4. Administrative Leave,
5. Emergency Paid Sick Leave,
6. Emergency Medical Family Leave

**Employment Classification Guidelines:**

1. Work from Campus
  - a. Employee responsibilities are identical to responsibilities prior to the State of Emergency designation,
  - b. Workplace located on campus, college leased properties, or other designated locations other than an employee's residence,
  - c. Employee was reassigned to perform other duties on campus, college leased properties, or other designated locations other than an employee's residence
2. Work from Home
  - a. Employee's workload will be designated by the managing Executive Vice President with approval from the Office of the President,
  - b. Work hours will be designated by the managing Executive Vice President with approval from the Office of the President
3. Work from Campus / Home
  - a. Employee's work schedule, responsibilities, and location will be designated by the managing Executive Vice President with approval from the Office of the President
4. Administrative Leave
  - a. This classification determined at the discretion Office of the President
5. Paid Sick leave
  - a. FFCRA described above are effective April 1, 2020.