

COVID-19 LEAVE GUIDELINES REVISED JULY 27, 2020

The Louisiana State Civil Service Commission adopted changes to Chapter 1 and Chapter 11 of the Civil Service Handbook to amend sick leave usage by classified employees effective May 7, 2020. The Louisiana Legislature passed and the governor signed into law Act 241 to amend sick leave policies for unclassified employees effective June 11, 2020.

In response to the federal Families First Coronavirus Response Act (FFCRA), the new State Civil Service Rules, and in conjunction with the Governor's orders to extend Phase Two, the following guidelines outline leave provisions for all employees who are unable to report to the physical premises and who are unable to work remotely due to special scenarios outlined below.

Please continue to monitor the HRM and EOC websites for the latest information related to LSU's response to COVID-19.

- ❖ **Under State Civil Service Rule 11.35, employees who are identified through the LSU EOC contact tracing program as having been exposed to someone who is positive for COVID-19 and are not able to work remotely are eligible for up to 80 hours of special leave for the recommended quarantine period. Such special paid leave shall not extend beyond 14 calendar days and employees are eligible for one occurrence of special paid leave. Once the employee develops symptoms of illness or is confirmed with a positive COVID-19 diagnosis, he shall immediately be placed in an appropriate leave status, including leave without pay if the employee has exhausted accrued compensatory, annual and sick leave.**

If an employee has been exposed to COVID19 and is subject to a quarantine or isolation order, experiencing symptoms of COVID19, has been diagnosed with COVID19 or is caring for an immediate family member as a result of COVID19 or is caring for a child as a result of loss of care due to COVID19 and are unable to report to the physical premises for work or perform work remotely, may use their personal accrued sick, annual and/or compensatory time accordingly for full pay; OR under the Families First Corona Response Act may request leave based on the following provisions:

- ❖ **Under the FFCRA, employees in the following scenarios are eligible for Emergency Paid Sick Leave (EPSL) for two weeks/max \$511 per day through December 31, 2020 and shall enter EPSL-Self:**
 - Employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
 - Employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
 - Employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
 - Employee has been diagnosed with COVID19
 - **Required Documentation:** Name of entity ordering quarantine; or name of health care provider directing self-quarantine for the employee.

- ❖ **Under the FFCRA, employees in the following scenarios are eligible for Emergency Paid Sick Leave (EPSL) for two weeks and Expanded Family Medical Leave (EFMLA) at 2/3 pay/Max \$200 per day through December 31, 2020 and shall enter EPSL-Family:**
 - Employee is caring for an immediate family member who is subject to a quarantine or isolation order or have been advised by a health care provider to self-quarantine due to concerns related to COVID-19.

- Employee is caring for a child whose school or place of care has been closed or the childcare provider is unavailable due to COVID-19. (Under FFCRA, employees in this scenario are eligible for up to an additional 10 weeks of EFMLA at 2/3 pay/Max \$200 per day)
- **Required Documentation:** Name of entity ordering quarantine; or name of health care provider directing quarantine for the individual the employee is caring for; or name of child being cared for, name of school or child care provider, and statement from employee that no other suitable person is available to care for the child

Employees who elect to receive EPSL/EPFL Family:

- Will not have the first 80 hours charged against their accrued leave
- May use their available accrued leave to subsidize the partial pay offered in EPSL to receive full regular pay
- Who need leave beyond the 80 hours provided for under the FFCRA may use their accrued compensatory, sick or annual leave at full pay
- Who exhaust their 80 hours provided for under the FFCRA and exhausted their accrued leave will then enter leave without pay status
- Note: As mentioned previously employees may choose to use their available accrued leave at full pay versus the provided EPSL-Family at 2/3 pay.
- Must request this leave prior to taking and shall be approved by their supervisor and HRM to verify eligibility and to provide specific guidance on Workday entry.

ADOPTED CHANGES TO CHAPTERS 1 AND 11 OF THE CIVIL SERVICE HANDBOOK AND ACT 241 SIGNED BY THE GOVERNOR TO AMEND SICK LEAVE POLICIES

The following expanded sick leave rules, underlined below, have been approved by the Louisiana Department of State Civil Service for Classified employees effective May 7, 2020:

1.15.2.4 'Immediate Family Member' for the purposes of sick leave is an employee's spouse, child or stepchild, foster-child, parent or stepparent.

11.13 Use of Sick Leave SCS General Circular Number 2020-031

(a) Sick leave may be utilized by an employee who has sufficient leave to his credit for necessary absence from duty because of:

1. His own illness or injury, which prevents him from performing his usual duties.
2. His own medical, dental, or optical consultation or treatment for the duration of time required for such appointments when it is not possible to arrange such appointments for non-duty hours.
3. Repealed, effective January 1, 1963.
4. Assertion, supported by medical certification, of his own need to be isolated from the workplace to avoid a health risk exposure during a health pandemic declared by the Governor because of his diagnosed high-risk immunological disorder.
5. The need to care for a son or daughter as defined by the Emergency Family and Medical Leave Expansion Act through December 31, 2020, because there is no other suitable person available to care for the child and the child's school or place of care has been closed or the childcare provider is unavailable due to a COVID-19 related reason.

(b) In lieu of requesting annual leave, an employee who has sufficient leave to his credit may request sick leave for necessary absence from duty for the following reasons:

Illness or injury of an immediate family member which necessitates the absence.

1. Medical, dental, or optical consultation or treatment for immediate family members when it is not possible to arrange such appointments for non-duty hours.

The Louisiana Legislature passed and the governor signed into law Act 241 to amend sick leave policies for unclassified employees effective June 11, 2020. The legislation expands the use of accrued sick leave by unclassified employees as follows:

- Sick leave may be used to care for an immediate family member who is ill or injured or to accompany an immediate family member to a medical, dental, or optical consultation or treatment.
- An immediate family member is defined as a spouse, parent, or child of an employee.

LSU leave policies PS-12 and PM-20 are currently under revision to reflect the expanded use of sick leave. In accordance with the Protocol for Development, Approval, Revision & Rescindment of Permanent Memoranda, the portions of the policies that conflict with new Act 241 and Chapters 1 and 11 of the Civil Service Rules are invalid, and provisions contained within the new rules will supersede. The remainder of the policies that are unaffected will remain valid and in effect.