

Issue Analysis Form



Date: September 22, 2020
Item: Personnel Policy Revisions
Lead Department(s): Human Resources
Contact Person(s): Corrie Hurt

Description and Current Status

Staff has revised the personnel policy entitled "Leave" for the Board's consideration at the September 22, 2020 meeting.

Leave – The Human Resources Director has revised the Leave policy to include the Families First Coronavirus Leave Act requirements that will remain in effect through the end of 2020. There are no additional changes.

Communicable Diseases – The Human Resources Director, in an attempt to comply with DOLI regulations on creating a "return to work" policy, has created the communicable diseases policy to address and give a footprint of how to deal with various illnesses to include COVID-19. This policy will help Directors identify the steps that should be taken in these circumstances. This policy creation will pave the way to finalize the infectious disease response plan that is due in September.

Government Path

- | | | |
|--|---|--|
| Does this require IDA action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does this require BZA action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does This require Planning Commission Action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does this require Board of Supervisors action? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Does this require a public hearing? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| If so, before what date? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Fiscal Impact Statement

None.

County Impact

These policies will give guidance to Directors and employees on how to handle the COVID-19 pandemic when addressing employees as well as other communicable diseases.

Notes

Board of Supervisors
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 22nd day of September, 2020.

Present:

Donald R. Hunter, Chairman
Alan R. Carmichael, Vice-Chairman
Floyd M. Brown, Jr.
Marlene J. Waymack
T. J. Webb

Vote:

A-1

On motion of _____, seconded by _____, which carried unanimously, the following Resolution was adopted:

RESOLUTION; PROPOSED REVISIONS; PRINCE GEORGE
COUNTY PERSONNEL POLICIES; SECTION 47.1.1
THROUGH 47.4 ENTITLED *COMMUNICABLE DISEASE*
AND SECTION 24.1 THROUGH 24.23 ENTITLED *LEAVE*

WHEREAS the Prince George County Personnel Policy Manual has been reviewed by staff and it has been recommended that the new policy entitled *Communicable Diseases* and the revised policy *Leave*, be reviewed and considered for revision in the County's Personnel Policies;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Prince George, this 22nd day of September, 2020 does hereby amend the Prince George County Personnel Policy by approving a revision to the policy entitled *Leave* and the inclusion of a new policy entitled *Communicable Diseases* as requested.

A Copy Teste:

Percy C. Ashcraft
County Administrator

COUNTY OF PRINCE GEORGE PERSONNEL POLICIES Prince George, Virginia	POLICY NUMBER: 47.1 through 47.4	Page 1 of 12
	SUPERSEDES:	DATE ISSUED:
SUBJECT: Communicable Diseases	AUTHORIZATION: Adopted by the Board of Supervisors; to become effective immediately	

47.1 Purpose

It is the policy of Prince George County to provide a safe and healthy work environment by establishing procedures and guidelines to help prevent and/or limit the transmission of communicable diseases in the workplace. During a pandemic and/or other communicable disease emergency, county departments may implement plans to adjust their operations if a reduced workforce is experienced to ensure resources are available to provide critical processes.

47.2 Definitions

A. **Affected Area:** A geographical area that has been determined by authorities (World Health Organization (WHO), U.S. Federal Center for Disease Control and Prevention (CDC), or State and local public health officials) to have wide spread transmission of a communicable disease, including significant localized seasonal influenza (or other diseases) up to and including pandemics.

B. **Airborne Contagious Illnesses:** Illnesses that are spread to other individuals through droplets or small airborne particles, which are suspended in the air, including but not limited to colds, influenza, tuberculosis and SARS-CoV-2 (coronavirus).

C. **Communicable Disease:** A disease that can be transferred from an infected person to another individual. Examples include but are not limited to: measles, influenza, viral hepatitis-A (infectious hepatitis), Viral Hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS-Related Complex (ARC), leprosy, Severe Acute Respiratory Syndrome (SARS), including the SARS-CoV-2 (coronavirus) and tuberculosis.

D. **Contagious Skin Conditions:** Areas of exposed skin that have moist discharge and are not covered by a protective dressing.

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E. Incubation Period: The time, usually in days, between exposure to an illness and the onset of symptoms.

F. Infection Control: A set of policies, procedures and practices used to minimize the risk of spreading infection such as hand washing and cleaning commonly touched surfaces.

G. Isolation: The complete separation from others of a person suffering from contagious or infectious disease; quarantine. This is implemented when the employee's physician believes that an individual may have a contagious disease and represents an immediate danger to the public.

H. Pandemic: A global disease outbreak that spreads easily from person-to-person.

I. Physician: A licensed healthcare professional (Physician, Physician's Assistant, or Nurse Practitioner) who has knowledge of diagnosis and treatment of contagious diseases and has examined the individual.

J. Quarantine: Definition is "isolation" stated in letter G. This is implemented when the employee's physician believes that an individual may have been exposed to a contagious disease and represents a potential danger to the public.

K. Social Distancing: Actions taken to prevent or reduce the opportunities for close contact between people in order to limit the spread of a disease, including limiting or canceling public gathering, meetings, or travel.

L. High-risk – Exposures refer to those who have had prolonged close contact with patients with COVID-19 who were not wearing a facemask while their nose and mouth were exposed to material potentially infectious with the virus causing COVID-19. First responders – being present in the room for procedures that generate aerosols or during which respiratory secretions are likely to be poorly controlled (e.g., cardiopulmonary resuscitation, intubation, extubation, bronchoscopy, nebulizer therapy, sputum induction) on patients with COVID-19 when the healthcare providers' eyes, nose, or mouth were not protected, is also considered high-risk.

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M. Medium-Risk – Exposures generally include healthcare providers who had prolonged close contact with patients with COVID-19 who were wearing a facemask while the health care providers nose and mouth were exposed to material potentially infectious with the virus causing COVID-19. Some low-risk exposures are considered medium-risk depending on the type of care activity performed. For example, a health care provider who was wearing a gown, gloves, eye protection and a facemask (instead of a respirator) during an aerosol-generating procedure would be considered to have a medium-risk exposure. If an aerosol-generating procedure had not been performed, they would have been considered low-risk.

N. Low-Risk – Exposures generally refer to brief interactions with patients with COVID-19 or prolonged close contact with patients who were wearing a facemask for source control while a health care provider was wearing a facemask or respirator. Use of eye protection, in addition to a facemask or respirator would further lower the risk of exposure.

47.3 Scope

This policy applies to all employees, whether full-time, part-time, or temporary.

All Department Directors and Supervisors shall apply this policy consistently. It is illegal to discriminate against an employee based on his/her medical condition and/or disability. Department Directors/Supervisors shall not obtain medical information about an employee's general health to determine if that employee is at risk of contracting communicable diseases.

Prince George County reserves the right to exclude a person with a communicable disease from the workplace facilities, programs and functions if the county finds that, based on a medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace.

Prince George County will comply with all applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure procedurally sufficient safeguards to maintain the confidentiality about the person(s) who have communicable diseases.

47.4 Procedures

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A. Preventive Measures

During a pandemic and/or other communicable disease emergency, as declared in accordance with established guidelines set by the World Health Organization (WHO), U.S. Federal Center for Disease Control and Prevention (CDC), or State and local public health officials (VA Department of Health and Human Services) the following preventive measures identified below shall be initiated as appropriate for the declared emergency:

1. Providing appropriate information and training to employees.
2. Arranging for onsite voluntary vaccinations by healthcare providers.
3. Implementing social distancing practices including:
 - a. Reducing face-to-face exposure by using conference calls or virtual meetings.
 - b. Minimizing or eliminating travel to affected areas (this is not applicable to public safety first responders or employees of the Department of Social Services).
 - c. Canceling meetings, workshops, training sessions and scheduled events (this is not applicable to Public Safety first responders).
 - d. Allowing employees to work on varying schedules and/or from home to reduce exposure in the workplace.
4. Ensuring frequently touched items (e.g. door knobs, hand rails, etc.) are cleaned and disinfected regularly with EPA approved cleaning products.
5. Reinforcing frequent hand washing and providing EPA approved hand sanitizers to employees.
6. Providing employees with disinfectant wipes or EPA approved cleaning products to allow employees to disinfect copiers, keyboards, telephone receivers, etc. in their work areas.
7. Provide face coverings to employees and mandate that employees wear face coverings in the workplace when they have contact with another person.

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8. Encouraging employees to stay home and/or sending employees home who have symptoms consistent with the symptoms identified by the CDC, State and local health authorities for the pandemic or communicable disease of concern.

9. Requiring employees who travel to an affected area to remain at home until the incubation period of the pandemic and/or communicable disease of concern has passed, if indicated (this is not applicable to Public Safety first responders who respond to incidents within our service area).

10. Establishing flexible work hours to minimize contact between employees, such as scheduling employees to work in shifts.

11. Limiting access to County buildings to Prince George County employees.

12. Sending employees home who do not support critical business processes.

B. Continuity of Operations Plan (COOP).

Each department is required to prepare a COOP that may be implemented to adjust their operations if a reduced workforce is experienced to ensure resources are available to provide critical processes.

C. Employees Who Appear Sick While at Work

When an employee is present in the workplace and exhibits signs of a contagious illness, they shall be directed to go home.

When determining whether to direct an employee to go home, an employee's Director or their designee (Supervisor) must observe one or more of the following symptoms of a contagious disease.

1. Persistent coughing or sneezing
2. Flushed skin
3. Sweating without exertion
4. Shaking chills
5. Persistent eye and/or nasal discharge

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6. Extreme fatigue or lethargy

7. Blistering or oozing skin lesions, and/or

8. Other symptoms as determined by the County Health Department, or other public health officials such as the CDC.

D. Department's Response to the Employee Exhibiting Signs/Symptoms

Employees exhibiting signs of a contagious disease shall be directed as follows:

1. The employee will be referred to their personal physician or local urgent care facility for evaluation and diagnostic testing, if indicated. If the employee's physician diagnoses a contagious illness consistent with transmission in the workplace, the employee shall be referred to Human Resources for completion of the appropriate paperwork. If you are ill, please make arrangements for a virtual meeting and for the paperwork to be sent to you electronically to limit the face-to-face interaction while you are ill.

2. Due to the high prevalence of disease during a pandemic, there is a high probability that one would become ill because of an exposure occurring outside the workplace. Therefore, it will be incumbent upon the employee to obtain proof of exposure to the pandemic disease in the workplace in order to substantiate a workers' compensation claim.

E. Employees Returning to Work

An employee who has been absent from work due to a contagious illness (with the exception of COVID-19) shall be allowed to return to work when she/he has had no fever for 24 hours without taking fever-reducing medication and is no longer displaying other symptoms of contagious illness. In most cases, a fitness for duty note from the employee's physician will be acceptable.

F. COVID-19 Guidelines Relating to Exposure and Return to Work

The following procedure outlines the process for reporting COVID-19 related symptoms or exposures. The process is used to determine if isolation and/or work restrictions are required, and when an employee can return to work after being placed on isolation and/or work restrictions.

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1. Risk Assessment – The Human Resources Director shall compile a risk assessment in accordance with the following categories:
 - A. High-risk – Exposures refer to those who have had prolonged close contact with individuals with COVID-19 who were not wearing a facemask while their nose and mouth were exposed to material potentially infectious with the virus causing COVID-19. First responders – being present in the room for procedures that generate aerosols or during which respiratory secretions are likely to be poorly controlled (e.g., cardiopulmonary resuscitation, intubation, extubation, bronchoscopy, nebulizer therapy, sputum induction) on patients with COVID-19 when the healthcare providers’ eyes, nose, or mouth were not protected, is also considered high-risk.
 - B. Medium-Risk – Exposures generally include employees who had prolonged close contact with individuals with COVID-19 who were wearing a facemask while the employee’s nose and mouth were exposed to material potentially infectious with the virus causing COVID-19. Some low-risk exposures are considered medium-risk depending on the type of care activity performed. For example, a health care provider who was wearing a gown, gloves, eye protection and a facemask (instead of a respirator) during an aerosol-generating procedure would be considered to have a medium-risk exposure. If an aerosol-generating procedure had not been performed, they would have been considered low-risk.
 - C. Low-Risk – Exposures generally refer to brief interactions with individuals with COVID-19 or prolonged close contact with individuals who were wearing a facemask for source control while an employee was wearing a facemask or respirator. Use of eye protection, in addition to a facemask or respirator would further lower the risk of exposure.
2. Reportable Conditions – the following situations pose a significant and imminent risk to the employee, their co-workers, and the citizens. It is essential that they be reported to the immediate supervisor and Human Resources Director as quickly as possible, but at least within 24 hours, so that steps can be taken to limit the potential spread of COVID-19.
 - a. Confirmed or Suspected Case of COVID-19
 - i. Employee is COVID-19 positive or presumed positive.

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- ii. Employee has been advised by their health care provider to self-quarantine.
 - b. Non-Work Related (Household/Close Contact)
 - i. In the last 14 days, the employee has traveled to a location with widespread ongoing transmission.
 - ii. In the last 14 days, the employee has traveled on a cruise ship or river boat.
 - iii. Employee is living in the same household as a COVID-19 positive or presumed positive person.
 - iv. Employee is caring for a COVID-19 positive or presumed positive person.
 - v. Employee has been within approximately 6 feet of a person with COVID-19 for 10 minutes or longer.
 - vi. A COVID-19 positive patient coughed or sneezed on the employee outside of work.
 - c. Work Related Exposure
 - i. An employee has had close contact with a person exhibiting signs/symptoms of COVID-19 during the course of their job.
 - d. Personal Illness
 - i. Employee experiences signs and symptoms consistent with COVID-19 including any one or more of the following:
 1. Cough
 2. Shortness of breath or other difficulty breathing
 3. Fever
 4. Chills
 5. Muscle pain
 6. Sore throat
 7. New loss of taste or smell
 8. Abdominal distress, vomiting or diarrhea
3. Reporting Procedure – An employee who meets any of the reportable conditions identified in paragraph (2)(d)(i) shall promptly notify his or her direct supervisor and the Human Resources Director using the link below, no later than 24 hours from the onset of the condition. If the employee is at work when they become aware of the condition, he or she should wear a facemask or face covering to avoid any direct contact with other employees, notify his or her supervisor immediately by electronic means, and then immediately leave the worksite. If the employee is experiencing severe symptoms such as difficulty breathing, persistent pain or pressure in the chest, new confusion, or

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bluish lips/face he or she should seek medical attention immediately. If the employee is not at work when they become aware of the condition, he or she shall notify his or her immediate supervisor, contact the Director of Human Resources, and not return to the employee's worksite for any reason until cleared to Return to Work under either the symptom-based or time-based policy described in section 6(a).

https://pgcountyva.formstack.com/forms/infectiousexposure_employee_reporting

4. Exposure Investigation – Upon notification of a reportable condition as noted above, the supervisor, in conjunction with the Director of Human Resources shall promptly take the following actions:
 - a. Conduct an investigation – Documentation of all pertinent information and developing a timeline of other potentially exposed employees for the past 14 days.
 - b. Determine Risk and Provide initial guidance – Bases on the investigation, a determination of risk based on current CDC guidelines will be performed and the Director of Human Resources and the Department Director will provide initial guidance on the need for isolation and/or work restrictions.
 - c. Notify potentially exposed employees – If the employee diagnosed with COVID-19 is confirmed positive or symptomatic for COVID-19 then employees who have had close contact with the employee diagnosed with COVID-19 will be notified. They will be advised to self-monitor and adhere to social distancing guidelines but will not receive any identifying information about the employee diagnosed with COVID-19.
 - d. Notify all tenants in the building – Notify all Department Directors within the building if there is a confirmed positive case of COVID-19.

5. Post Exposure Follow-Up –
 - a. Hospital Coordination – if the employee was transported to the hospital, the immediate supervisor will contact the hospital to determine the status of the patient's COVID-19 testing results.
 - b. Health Department Coordination – The immediate supervisor and Human Resources Director will work closely with the local health department to ensure all people who were potentially exposed are notified and the appropriate self-isolation and work restrictions are being implemented.
 - c. Employee Monitoring – The immediate supervisor, after consulting with the Director of Human Resources, will contact any employee who is required to

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monitor their signs and symptoms daily to record their symptoms and determine any needs.

- d. Employee Testing – The potentially exposed employee’s health care provider will determine the need for testing.
 - e. Workforce Housing – Employees who experience a possible work-related exposure, and who are directed to self-isolate by the health department, their medical care provider or their supervisor and are unable to return home due to concerns about the potential risk to their family and/or roommate(s) will be offered alternative housing. This consists of a local hotel room. The supervisor will assist in determining the employee’s needs and securing of work force housing if required.
 - f. Facility Decontamination – The immediate supervisor, in conjunction with General Services will determine a plan for sanitizing of a facility that has had a confirmed or suspected case of COVID-19. The County will coordinate the cleaning and disinfection in accordance with CDC guidelines.
6. Employee Privacy – The Director of Human Resources will maintain any documents related to the exposure as medical records in accordance with ADA, EEOC, DOL and other applicable standards. Mandated reporting under this policy is restricted solely to COVID-19 diagnoses and COVID-19 related symptoms and exposures. Employees should not report any other underlying, pre-existing, or unrelated medical condition or disability.
7. Return to Work – Employees who have been prescribed self-isolation directives will be permitted to return to work in accordance with CDC and health department guidelines and in conjunction with the employee’s health care provider. Telework should be prioritized for asymptomatic employees on work restrictions to the extent possible. Under no circumstances should an asymptomatic employee be permitted in the workplace at any time until released to return to work after the required quarantine period.
- a. Confirmed or suspected case of COVID-19
 - i. Non-test based strategy. Self-isolate and exclude from work until:
 - 1. At least 3 days (72 hours) have passed since recovery defined as resolution of fever without the use of fever-reducing medications AND
 - 2. Improvement in respiratory symptoms (e.g., cough, shortness of breath), AND

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3. At least 10 days have passed since symptoms first appeared
- ii. Test based strategy. Self-isolation and exclude from work until:
 1. Resolution of fever without the use of fever-reducing medications
AND
 2. Improvement in respiratory symptoms (e.g., cough, shortness of breath) AND
 3. Negative results of an FDA Emergency Use Authorized molecular assay for COVID-19 from at least two consecutive nasopharyngeal swab specimens collected at least 24 hours apart (total of two negative specimens).
- iii. If the employee was never tested for COVID-19 but had an alternate diagnosis (e.g., tested positive for influenza), criteria for return to work should be based on that diagnosis.
- b. Household or close contact
 - i. Employee must remain in self-quarantine and on work restrictions for 14 days after the close contact is released from isolation.
 - ii. If the employee develops symptoms see confirmed or suspected case above.
- c. Confirmed exposure (Other than household/close contact)
 - i. Low risk
 1. No work restrictions are required.
 - ii. Medium/High Risk
 1. Employee must remain in self-quarantine and on work restrictions for 14 days.
 2. If the employee develops symptoms see confirmed or suspected case above.
- d. Critical Personnel – In cases of severe staffing shortages, it may be necessary to allow asymptomatic employees that are deemed essential (first responders) to return earlier than the standard recommendations. This decision would only be considered after consultation with the Health Department and local government leadership.

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G. Appropriate Leave

Employees may be permitted to use their accrued sick leave, or other appropriate leave, if they have symptoms consistent with the pandemic and/or communicable disease of concern and/or elect to stay home to help prevent spreading the disease to others in the workplace, or tend to ill immediate family members. Time used will be consistent with existing policies and procedures, provisions of the Personnel policies, and state and/or federal laws.

Other examples of leave that may be required as a result of this policy include:

1. Quarantined by a Public Health Official: If an employee is quarantined, the employee shall be granted appropriate leave until the quarantine period ends. (Please see the County's leave policies for more information or contact Human Resources).
2. County Administration offices close or only critical business processes are allowed to continue: If employees are asked to stay home due to the closure of County Buildings or offices or they are not assigned to a critical business process, employees may use accrued leave, or unpaid authorized leave if the employee does not have sufficient accrued paid leave available.

H. Review of the Policy Provisions

The County Administrator or designee, in conjunction with the Human Resources Director, will review, amend, extend, or cancel the provisions of this policy as appropriate.

COUNTY OF PRINCE GEORGE PERSONNEL POLICIES Prince George, Virginia	POLICY NUMBER: 24.1 through 24.23	Page 1 of 25
	SUPERSEDES: February 25, 2018 March 27, 2018	DATE ISSUED: March 27, 2018
SUBJECT: Leave	AUTHORIZATION: Adopted by the Board of Supervisors March 27, 2018 ; to become effective March 27, 2018	

4.1 Annual Leave Accrual

Annual leave accrues semi-monthly at the end of each pay period. Pay periods are defined as the 1st through the 15th and the 16th through the last day of the month. An employee cannot use annual leave until it is accrued. Therefore, the amount of annual leave used during a pay period shall not exceed an employee's annual leave balance at the beginning of the pay period. Annual leave does not accrue when an employee is on leave without pay for any part of a pay period.

Annual leave shall accrue per pay period for 40 hour/week employees as set forth below:

<u>Years of Service</u>	<u>Accrual Rate</u>	<u>Days Accrued</u>	<u>Maximum Allowed</u>
Zero to Five	4 hours	Twelve Days	192 hours or 24 Days
Six to Ten	5 hours	Fifteen Days	240 hours or 30 Days
Eleven to Fifteen	6 hours	Eighteen Days	288 hours or 36 Days
Sixteen to Twenty	7 hours	Twenty-one Days	336 hours or 42 Days
Twenty-one and above	8 hours	Twenty-four Days	384 hours or 48 Days

Annual leave shall accrue per pay period for EMT/Firefighter on a 28 day 24-hour shift schedule as set forth below:

<u>Years of Service</u>	<u>Accrual Rate</u>	<u>Days Accrued</u>	<u>Maximum Allowed</u>
Zero to Five	6 hours	Twelve Days	288 hours or 24 Days
Six to Ten	7.5 hours	Fifteen Days	360 hours or 30 Days
Eleven to Fifteen	9 hours	Eighteen Days	432 hours or 36 Days
Sixteen to Twenty	10.5 hours	Twenty-one Days	504 hours or 42 Days
Twenty-one and above	12 hours	Twenty-four Days	576 hours or 48 Days

Annual leave shall accrue per pay period for part-time regular employees, as set forth below:

<u>Years of Service</u>	<u>Accrual Rate</u>	<u>Days Accrued</u>	<u>Maximum Allowed</u>
Zero to Five	2 hours	Twelve Days	96 hours or 24 Days
Six to Ten	2.5 hours	Fifteen Days	120 hours or 30 Days
Eleven to Fifteen	3 hours	Eighteen Days	144 hours or 36 Days
Sixteen to Twenty	3.5 hours	Twenty-one Days	168 hours or 42 Days
Twenty-one and above	4 hours	Twenty-four Days	192 hours or 48 Days

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24.2 Approval of Annual Leave

Annual leave must be approved in advance, except in the case of illness or emergency. An employee seeking to use his/her annual leave shall submit a Leave Request Form or submit an accrual request through Employee Self Service (ESS) to their Department Director at least forty-eight hours in advance of the first day of requested leave. Requests for annual leave of more than two (2) consecutive work days must be submitted to the Department Director at least one (1) week in advance of the first day of requested leave. All requests for use of annual leave are subject to approval by the Department Director, who in his/her sole discretion, may approve use of annual leave with shorter notice than specified in this section, if circumstances warrant. County Administrator shall endorse leave per policy and compliance. Department Directors may establish a policy, as approved by the County Administrator, that requires employees to utilize up to 5 consecutive days of annual leave within a 12 month period.

24.3 Annual Leave & PTO Payout

Employees who have accrued annual or PTO leave may request a pay out of a portion of their accrued annual or PTO leave subject to the provisions set forth in the Annual Leave & PTO Payout Administrative Policy and budgetary constraints. Employees with 40 hours or less in accrued leave will not be permitted to participate in a pay out of any portion.

24.4 Sick Leave

Sick Leave shall be defined as leave with pay granted to an employee for any of the following events related to the employee, employee's spouse, or employee's dependent children, or employee's parent; however, sick leave used for the illness or incapacity of the employee's parent shall not exceed 40 hours per calendar year:

1. illness
2. bodily injury resulting in disability
3. medical and dental appointments

An employee must notify the Department each day of absence due to illness or injury, unless the illness or injury will result in the employee's absence of more than twenty-four (24) consecutive working hours in which case the expected duration of the absence will be communicated to the Department Director. Employees who are absent for extended periods shall notify the Department Director of their status at least once each week.

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When an employee is incapacitated by an extended personal illness or disability, participating members of the Sick Leave Bank may utilize the Bank as an additional source of leave days. Refer to Section 25.

Sick leave shall accrue at the end of each pay period at a rate of 4 hours for 40 hour/week employees. Sick leave shall accrue at the end of each pay period at a rate of 6 hours for EMT/Firefighter on a 28 day 24-hour shift schedule. Sick leave shall accrue at the end of each pay period at a rate of 2 hours for part-time regular employees. There is no limit on sick leave accrual. Sick leave does not accrue when an employee is on leave without pay for any part of a pay period.

Emergency Paid Sick Leave

Eligibility

All current full- and part-time employees currently scheduled but unable to work (or telework) due to one of the following reasons for leave:

1. The employee is subject to a federal, state or local quarantine or isolation order related to COVID-19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. The employee is caring for an individual who is subject to either number 1 or 2 above.
5. The employee is caring for his or her child if the school or place of care of the child has been closed, or the child care provider of such child is unavailable, due to COVID-19 precautions.
6. The employee is experiencing any other substantially similar condition specified by the secretary of health and human services in consultation with the secretary of the treasury and the secretary of labor.

"Child" means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is:

- Under 18 years of age.
- 18 or older and incapable of self-care because of a mental or physical disability.

"Individual" means an immediate family member, roommate or similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person if he or she self-quarantined or was quarantined.

Additionally, the individual being cared for must: a) be subject to a federal, state or

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local quarantine or isolation order as described above; or b) have been advised by a health care provider to self-quarantine based on a belief that he or she has COVID-19, may have COVID-19 or is particularly vulnerable to COVID-19.

Amount of Paid Sick Leave

All eligible full-time employees will have up to 80 hours of paid sick leave available to use for the qualifying reasons above. Eligible part-time employees are entitled to the number of hours worked, on average, over a two-week period.

For employees with varying hours, one of two methods for computing the number of hours paid will be used:

- If the employee has worked 6 months or more, the average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type.
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

Increments and Intermittent Use of Leave

When working from home, employees may take emergency paid sick leave intermittently and in any increment agreed to with their Director. As in the example for FMLA leave, an employee may only need 4 hours per day of leave to care for his or her child or may only need to do so on Tuesdays and Thursdays. Managers and employees are expected to be flexible in scheduling wherever possible.

For those not teleworking and currently working onsite, an employee may only take intermittent leave for reason 5 above, to care for his or her child when the school or place of care is closed, or the caregiver is unavailable due to COVID-19-related reasons. Per the regulations, as all other reasons for emergency paid sick leave could potentially expose an employee or others in the workplace to the virus, employees must either use the full amount of paid sick leave or use it in full-day increments until the reason for leave is over and it is safe for the employee to return to work.

Rate of Pay

Emergency sick leave will be paid at the employee's regular rate of pay, or minimum wage, whichever is greater, for leave taken for reasons 1-3 above. Employees taking leave for reasons 4-6 will be compensated at two-thirds their regular rate of pay, or two-thirds of the applicable federal or state minimum wage, whichever is greater. Pay will not exceed:

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- \$511 per day and \$5,110 in total for leave taken for reasons 1-3 above.
- \$200 per day and \$2,000 in total for leave taken for reasons 4-6 above.

Interaction with Other Paid Leave

The employee may use emergency paid sick leave under this policy before using any other accrued paid time off for the qualifying reasons stated above.

Employees on expanded FMLA leave under this policy may use emergency paid sick leave concurrently with that leave. Emergency paid sick leave may also be used when an employee is on leave under traditional FMLA for his or her own COVID-19-related serious health condition or to care for a qualified family member with such a condition.

Procedure for Requesting Emergency Paid Sick Leave

Employees must notify their manager or the HR Director of the need and specific reason for leave under this policy. A form will be provided to all employees on the company intranet and/or in a manner accessible to all. Verbal notification will be accepted until practicable to provide written notice.

Documentation supporting the need for leave must be included with the leave request form, such as:

- A copy of the federal, state or local quarantine or isolation order related to COVID-19 applicable to the employee or the name of the government entity that issued the order.
- Written documentation by a health care provider advising the employee to self-quarantine due to concerns related to COVID-19 or the name of the provider who advised the employee.
- The name and relation of the individual the employee is taking leave to care for who is subject to a quarantine or isolation order or is advised to self-quarantine.
- The name and age of the child or children being cared for; the name of the school, place of care, or child care provider that closed or became unavailable; and a statement that no other suitable person is available to care for the child during the period of requested leave.
 - For children over age 14, a statement indicating the special circumstances that require the employee to provide care during daylight hours.

Once emergency paid sick leave has begun, the employee and his or her manager must determine reasonable procedures for the employee to report periodically on the employee's status and intent to continue to receive paid sick time.

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Carryover

Paid emergency sick leave under this policy will not be provided beyond December 31, 2020. Any unused paid sick leave will not carry over to the next year or be paid out to employees.

Job Protections

No employee who appropriately utilizes emergency paid sick leave under this policy will be discharged, disciplined or discriminated against for work time missed due to this leave.

24.5 Compensatory Leave

Compensatory time may be accrued in lieu of overtime according to the Fair Labor Standards Act. A notice to the employee that compensatory time will be given in lieu of overtime pay may evidence an agreement or understanding. This agreement or understanding to provide compensatory time off in lieu of monetary overtime compensation may take the form of an expressed condition of employment, provided the employee knowingly and voluntarily agrees to it as a condition of employment, and the employee is informed that the compensatory time received may be preserved, used or cashed out consistent with the provisions of FLSA.

An agreement or understanding is presumed to exist with respect to any employee who fails to express to the employer an unwillingness to accept compensatory time off in lieu of overtime pay. The employee's decision to accept compensatory time off in lieu of monetary overtime payments must be made freely and without coercion or pressure.

Department Directors may have the right to deny an employee's request to earn overtime if the employee is unwilling to accept compensatory time.

Full-time employees generally may accrue up to 240 hours of compensatory time. Full-time employees who work in a public safety capacity may accumulate up to 480 hours of compensatory time. Employees who have accrued compensatory time and requested use of this compensatory time shall be permitted to use such time off within a reasonable period after making the request, if such use does not unduly disrupt the operations of the County. Compensatory leave must be approved in advance, except in the case of illness or emergency. An employee seeking to use his/her compensatory leave shall submit a Leave Request Form or submit an accrual request through ESS to their Department Director at least forty-eight hours in advance of the first day of requested leave. Requests for compensatory leave of more than two (2) consecutive work days must be submitted to the Department

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Director at least one (1) week in advance of the first day of requested leave. All requests for use of compensatory leave are subject to approval by the Department Director, who in his/her sole discretion may approve use of compensatory leave with shorter notice than specified in this section, if circumstances warrant.

Compensatory leave balances for all full-time employees may not exceed 120 hours at the end of the calendar year. To achieve this goal, Department Directors may require employees to use compensatory time first, in lieu of annual leave. Any hours that exceed the 120 hour threshold will be paid to the employee and they will remain at the 120 hour balance. At the discretion of the County Administrator, should extenuating circumstance arise, this time period may be temporarily adjusted. Forfeiture of accrued annual leave may occur if the balance exceeds the maximum allowed at calendar end.

24.6 Volunteer Leave

Leave taken that allows employees to perform acts of a charitable or giving nature at a charity and/or organization as approved by the County Administrator. Full-time employees will be allowed to take up to sixteen (16) hours of leave per year. All part-time employees will be allowed to take up to eight (8) hours per year. A volunteer leave form must be turned in to payroll during the pay period in which the leave was taken. A Volunteer Leave Form may be obtained in Employee Self Service.

24.7 Physician's Certificate

Employees must submit a physician's certificate to their Department Director to obtain sick leave for absences due to illness/injury in excess of three or more consecutive work days (36 hours for 28 day 24-hour shift employees) within two (2) work days (24 hours for 28 day 24-hour shift employees) after returning to work. If a Physician's Certificate is not furnished, sick leave will be denied and the absences shall be considered as leave without pay, in the absence of extenuating circumstances. The Department Director may, for good cause shown, waive the certificate requirement.

24.8 Pay-Out Policy

Annual leave shall be paid out at no more than the maximum number of hours allowed in carry-over upon termination of employment at the rate of pay in effect at the time of termination.

Compensatory leave shall be paid out at 100% upon termination of employment at the rate of pay in effect at the time of termination.

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Upon separation from employment, with the exception of involuntary termination, sick leave shall be paid out as set forth below:

0-90 days of service	0% of accrued leave
91 days to 5 years of service	10% of accrued leave
6 to 10 years of service	15% accrued leave
11 to 15 years of service	20% of accrued leave
16 or more years of service	25% of accrued leave

24.9 Military Leave

Any employee who is a member of the Armed Forces of the United States, National Guard or the Military Reserve Forces of the United States and who is ordered in accordance with the Code of Virginia, article 10, section 44-93 and Title 38 of the United States Code, Chapter 43, shall be granted a leave of absence with pay, not to exceed 15 regularly scheduled work days per federal year defined as October 1st through September 30th. For 28 day 24-hour shift employees, one day equals 12 hours for military leave purposes. For all other employees, one day equals 8 hours for military leave purposes. The employee may retain both the pay check from the County and the pay check from the military.

During the period of paid military leave, the respective employee shall continue to accrue all employment benefits, including sick, annual leave, and compensatory leave, as well as paid medical and retirement benefits. Paid military leave will not count towards hours worked for the calculation of overtime. Once available paid military leave is exhausted, the employee must take available annual leave or other eligible leave time to continue to receive all employment benefits. Once the employee has exhausted all available annual leave or other eligible leave, the employee will be considered to be on military leave of absence without pay. Employees on unpaid leave of absence do not accrue benefits but may choose to continue health insurance through Cobra coverage by paying the entire monthly premium.

On receipt of orders, the employee will submit a request for leave form, with a copy of the orders attached, to their immediate supervisor and for submission to the Human Resources and Payroll offices. Unless giving notice is precluded by military necessity or is otherwise impossible or unreasonable, a copy of the employee's military orders should be submitted to the employee's supervisor as proof of authorization for the leave as soon as it is available. The copy of the military orders should be retained in the employee's personnel file in the Human Resources department.

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The use of Military Leave with proper orders is mandatory and is not within the discretion of the supervisor. Additional Military Leave provisions may apply; contact Human Resources for more information. The Human Resources department will provide further information to employees regarding their benefits which will include their retirement coverage during unpaid military leave of absences.

Should the employee go on leave without pay status, the employee must adhere to the Leave of Absence without pay policy outlined in section 24.14 of the personnel policy. Employees will be afforded reemployment rights if required conditions are met.

24.10 Civil Leave

In an attempt to help an employee perform certain civic responsibilities when called upon, the County shall provide leave for court appearances or service on a jury panel. Any person who is summoned to serve on jury duty or any person, except a defendant in a criminal case, who is summoned or subpoenaed to appear in any court of law or equity when a case is to be heard or who, having appeared, is required in writing by the court to appear at any future hearing, shall neither be discharged from employment, nor have any adverse personnel action taken against him/her, nor shall he/she be required to use sick leave or annual leave as a result of his/her absence from employment due to such jury duty or court appearance, upon giving reasonable notice to his/her employer of such court appearance or summons. No person who is summoned to serve on jury duty shall be required to work on the day of his/her service except, however, after an employee has testified and been excused or after jurors have been excused for the day, the employee shall return to work if he/she can arrive four (4) hours before working hours end. The requirement to return to work shall not apply when the employee's work shift begins on or after 5:00 p.m. on the day of his/her appearance for jury duty or begins before 3:00 a.m. on the day following the day of his/her appearance for jury duty.

Employees shall submit to the Department Director, a copy of their official summons for jury duty or witness services within 24 hours of receiving such notice. Employees acting in the capacity of a paid consultant as secondary employment when summoned or subpoenaed to appear in court, shall be required to use annual leave.

24.11 Administrative Leave

Exempt employees shall earn hour-for-hour administrative leave when called on to work a designated County Holiday or Administrative closing, having received previous authorization to do so. Administrative leave may be substituted for another prior approved leave.

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Upon the written request of any employee, and with the recommendation of the Department Director, the County Administrator may grant administrative leave, with or without pay, to an employee in an amount not to exceed one day in extraordinary circumstances where the need for leave does not fit within any other leave category.

24.12 Bereavement Leave

In case of the death of an employee's immediate relative: spouse, parent, step-parent, sibling, step-sibling, child, step-child, grandparent, grandchild, guardian, and same relatives of spouse, inclusive of those relationships arising from adoption, a regular employee will be allowed up to three (3) regularly-scheduled work days off with pay upon notification of the employee's Department Director, who will notify the County Administrator. EMT/Firefighter on a 28 day 24-hour shift schedule may receive up to thirty-six (36) hours off with pay upon notification of the employee's Department Director, who will notify the County Administrator. The employee's time off from work, because of a death in the family, must actually be taken immediately following the death. A leave form shall be promptly submitted for bereavement leave and will supersede other leave already approved.

In the event of multiple deaths in the employee's immediate family, each death shall be treated separately and the bereavement leave shall be granted accordingly.

24.13 Family Medical Leave Act

The County will adhere to the mandates of the Family Medical Leave Act of 1993. Employees of the County who meet the guidelines established by FMLA shall be entitled to use up to, but not exceeding, twelve (12) weeks (60 work days) of family medical leave during a twelve (12) month period for the following events and/or conditions.

1. care of the employee's newborn child,
2. placement of a child for adoption or foster care,
3. care of an employee's spouse, child or parent with a serious health condition,
4. employee's own serious health condition that makes the employee unable to perform the functions of his/her position,
5. Other circumstances as may be implemented through enacted revisions to the FMLA.

For the purpose of this policy, a twelve (12) month period will begin with the first day of leave taken and extend through twelve (12) weeks. Requests for Family Medical Leave, if possible, should be submitted 30 days in advance

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and must be approved by the County Administrator or his/her designee. Physician certification of the qualifying leave event shall be provided by the employee prior to granting provisions of this policy.

Employees utilizing medical leave under FMLA shall be required to use paid accumulated sick and/or annual leave, if available, concurrently with FMLA. Use of accrued leave for qualifying purposes must be in accordance with the leave policies established by the Prince George County Personnel Policy Manual.

There are occurrences when an employee does not specifically request leave under FMLA, but his/her leave may qualify as FMLA leave. This leave may be designated by the employer as FMLA leave. The Director of Human Resources or designee must inform the employee that leave will be designated as FMLA leave in accordance with FMLA regulations.

Extended periods of sick leave (6 consecutive working days or more) shall be designated as FMLA leave and counted towards the twelve (12) week entitlement. Shorter periods of leave that qualify (any subsequent treatment or period of incapacity relating to the same condition) may be designated at the discretion of the Director of Human Resources or designee. Department Directors are required to notify the Department of Human Resources on the morning of the sixth day of continued absence for any of their employees.

If the County was not aware of the reason for an employee's leave, and the leave qualifies for FMLA, leave may be retroactively designated as FMLA leave within two (2) business days of the employee's return to work. If medical certifications fail to confirm the absence as a qualifying event under FMLA, the employer must withdraw the designation with appropriate notice to the employee.

Once an employee has exhausted FMLA leave and cannot return to work, the County is not obligated to hold the employee's position even if the employee has a remaining accrued leave balance.

In cases where both spouses work for the county (inclusive of school employees), leave for the birth or adoption of a child is limited to twelve (12) weeks combined.
(See *Employee Rights and Responsibilities under The Family and Medical Leave Act at the end of this Policy for additional information*)

Expanded FMLA Leave

Employee Eligibility

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All current employees who have been employed with Prince George County for at least 30 days and are actively scheduled for work are eligible for leave under this policy.

Employees laid off or otherwise terminated on or after March 1, 2020, who are rehired on or before December 31, 2020, are eligible for leave upon reinstatement if they had previously been employed with Prince George County for 30 or more of the 60 calendar days prior to their layoff or termination.

Reason for Leave

Eligible employees who are unable to work (or telework) due to a need to care for their child when a school or place of care has been closed, or when the regular child care provider is unavailable due to a public health emergency with respect to COVID-19.

"Child" means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is:

- Under 18 years of age.
- 18 or older and incapable of self-care because of a mental or physical disability.

"Child care provider" means a provider who receives compensation for providing child care services on a regular basis, including:

- A center-based child care provider.
- A group home child care provider.
- A family child care provider (one individual who provides child care services for fewer than 24 hours per day, as the sole caregiver, and in a private residence).
- Other licensed provider of childcare services for compensation.
- A childcare provider that is 18 years of age or older who provides child care services to children who are either the grandchild, great grandchild, sibling (if such provider lives in a separate residence), niece or nephew of such provider, at the direction of the parent.

"School" means an elementary or secondary school.

Duration of Leave

Employees will have up to 12 weeks of leave to use from April 1, 2020, through December 31, 2020, for the purposes stated above. This time is included in and not in addition to the total FMLA leave entitlement of 12 weeks in a 12-month period.

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For example, if an employee has already taken 6 weeks of FMLA leave, that employee would be eligible for another 6 weeks of FMLA leave under this policy.

Increments & Intermittent Use of Leave

Employees may take expanded FMLA leave intermittently and in any increment agreed to with their manager. For example, an employee may only need 4 hours per day of leave to care for his or her child or may only need to do so on Tuesdays and Thursdays. Managers and employees are expected to be flexible in scheduling wherever possible.

Pay During Leave

Leave will be unpaid for the first 10 days of leave; however, employees may use accrued paid vacation or personal leave during this time. The employee may also elect to use the paid leave provided under the Emergency Paid Sick Leave Act, as further explained below.

After the first 10 days, leave will be paid at two-thirds of an employee's regular rate of pay for the number of hours the employee would otherwise be scheduled to work. Pay will not exceed \$200 per day and \$10,000 in total, or \$12,000 in total if using emergency paid sick leave for the first two weeks. Any unused portion of this pay will not carry over to the next year.

For employees with varying hours, one of two methods for computing the number of hours paid will be used:

- If the employee has worked 6 months or more, the average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type.
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

Employees may also supplement the two-thirds pay with accrued leave time not to exceed 100% of regular pay. For example, an employee may choose to use one-third of an hour of PTO for each hour of expanded FMLA leave taken to reach 100% of normal pay per hour.]

Employee Status and Benefits During Leave

While an employee is on leave, the county will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. While on paid leave, the employer will

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continue to make payroll deductions to collect the employee's share of the premium. During any unpaid portions of leave, the employee must continue to make this payment per instructions from the HR department.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. During any portion of unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

Procedure for Requesting Leave

All employees requesting FMLA leave must provide written notice of the need for leave to the HR Director as soon as practicable. Verbal notice will otherwise be accepted until written notice can be provided.

Notice of the need for leave must include:

- The name and age of the child or children being cared for.
- The name of the school, place of care, or child care provider that closed or became unavailable due to COVID-19 reasons.
- A statement representing that no other suitable person is available to care for the child or children during the period of requested leave. For children over the age of 14, a statement indicating the special circumstances that require the employee to provide care during daylight hours.

On a basis that does not discriminate against employees on FMLA leave, the company may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Employee Status After Leave

Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The county may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of their status as a key employee.

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24.14 Leave of Absence Without Pay

The County recognizes that a matter of unusual or emergency nature may cause an employee to leave the job for a specific period of time. A leave of absence without pay may be granted in necessary circumstances, not to exceed six (6) months. Approval for a leave of absence for all full-time employees should be presented in writing from the employee with the recommendation of the Department Director to the County Administrator for approval, prior to such leave. The County Administrator may approve up to eight (8) weeks leave of absence without pay. Time periods in excess of eight (8) weeks require Board approval.

The Board of Supervisors may extend the six (6) months leave of absence for an additional six (6) months resulting in a maximum leave of absence period of twelve (12) months.

An employee will not accrue any type of leave when in a leave without pay status. An employee will not be compensated for holidays while on leave without pay.

An employee on leave due to suspension based on a criminal investigation will have annual, sick and PTO leave balances restored in full if the employee is reinstated. Holiday hours will be restored, if applicable.

Although an employee may be considered for promotion while in a leave without pay status, the date of the promotion cannot become effective while on leave without pay.

Leave without pay for less than 30 days does not affect an employee's anniversary date. When leave without pay is granted for 30 days or more, the employee's anniversary date shall be adjusted month for month.

Except for certain provisions of the Family and Medical Leave Act, and when an employee is on approved leave with or without pay status, retention of a position for the employee cannot be guaranteed.

24.15 Paid Time Off Plan

General Information regarding the paid time off plan is as follows:

1. New full-time employees hired on or after January 1, 2014 who are enrolled in the VRS Hybrid Plan will receive PTO in place of annual leave and sick leave. Holidays and all other forms of paid leave are separate and remain outside the PTO structure.

24.16 Introduction

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The Paid Time Off (PTO) plan is a comprehensive program that recognizes the many diverse needs of employees for time off from work and also includes a disability plan providing income protection during periods of extended illness or injury. Hours accrued in the PTO plan may be used for any purpose when scheduled in advance or at times when unforeseen circumstances cause an unscheduled absence. For unplanned absences, employees must follow department procedures for supervisor approval.

24.17 Definitions

Elimination Period – A waiting period before an employee can utilize short-term or long-term disability benefits.

Paid Time Off (PTO) – A leave program that combines annual and sick leave into one leave bank.

Short-term Disability (STD) – A benefit that pays qualified employees in most cases, 60% of their salary for up to 125 working days.

24.18 Traditional Leave Plans

The following leave program is available to employees in the PTO plan and employees in the traditional leave plan in accordance with the County Personnel Policy, Section 24; Leave: bereavement leave, civil leave, standard holidays, military leave, compensatory leave, charitable leave, administrative leave, and volunteer leave.

24.19 Paid Time off Accrual

PTO is a single category of leave to be used in lieu of traditional annual leave and sick leave. When properly scheduled, PTO can be used for vacations, personal or family business, illness, family illness, doctor's appointment, and other reasons. PTO cannot be used until it has been accrued and must be approved in advance for planned absences. For unplanned absences, employees must follow department procedures for supervisor approval.

PTO is accrued based on years of service for each completed pay period of service at the following rates:

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PTO Accrual Schedule

					PTO Plan		
					Years of service	Total Days	Carryover
					0-5 years	21	28
					6-10 years	24	34
					11-15 years	27	38
					16-20 years	30	44
					21+ years	33	50

Years of Full-Time Service	Accrued Hours per Pay Period	Accrued Hours per Year	Carryover Maximum
0-5 years	7	168 hours	224 hours
6-10 years	8	192 hours	272 hours
11-15 years	9	216 hours	304 hours
16-20 years	10	240 hours	352 hours
21+ years	11	264 hours	400 hours

PTO is accrued during 24 pay periods each calendar year. At the end of each year, all PTO leave in excess of the maximum carryover balance, which is unused by the pay period which includes December 31, is forfeited. It is the employee's sole responsibility to monitor his or her PTO balance.

Any notices received by management are a courtesy and do not relieve employees of the responsibility to monitor PTO balances.

A full-time employee who changes their status to part-time and later back to full-time status with no break in service shall be given credit for previous full-time service for the purposes of establishing the employee's PTO accrual rate.

When employees have exhausted all of their PTO, they may be placed in a leave-without-pay status. During the time employees are in a leave-without-pay-status, they will not accrue PTO leave.

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PTO will not be counted as hours worked for the purposes of calculating overtime pay.

Upon separation or retirement, employees are paid for accumulated PTO leave at their regular hourly rate up to the maximum allowable balance.

A former full-time employee separated from the county in good standing or due to a reduction in force, who is reemployed full-time within 31 consecutive calendar days, shall be given credit for previous service solely for the purpose of accruing PTO. See Personnel Policy 5.15; Reinstatement of Former Employees.

24.20 Scheduling and Use of Paid Time Off Hours

PTO leave requests may be granted if the request does not conflict with the needs or objectives of the department. The decision of department management as to when PTO leave may be taken is final. Operational needs of the department may be considered when preparing leave schedules. Unscheduled PTO leave should be kept to a minimum whenever possible by planning and scheduling absences. Supervisors may request verification of unscheduled absences by requiring a physician's statement. When an unforeseen need for PTO occurs, employees must notify the appropriate supervisor prior to the start of the shift. Failure to notify the supervisor of an absence or excessive unscheduled leave is considered grounds for disciplinary action.

It is recommended that employees maintain sufficient PTO hours to cover the 7-day elimination period and to supplement any anticipated short-term disability. Employees are not provided job protection when in leave-without-pay or STD status except when they have been concurrently approved for FMLA. For more information on FMLA, refer to section 24.13; Family Medical Leave Act in the County Personnel Policies.

24.21 Short-Term Disability

1. Short-term Disability Plan – Short-term disability (STD) is a component of the PTO plan that provides, in most cases, income replacement at 60% of an employee's base pay when an employee is unable to work due to an illness, injury, or disability. All PTO enrollees are eligible to participate in short-term disability at no cost to them.
2. Waiting Period for New Employees– Work-related disability is provided when an employee begins employment in the VRS – Hybrid plan; non-work related disability has a one-year waiting period.

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3. Exceptions to the waiting period – The waiting period of seven calendar days will be waived for catastrophic or chronic conditions.
4. Elimination Period – There is a 7 calendar day elimination period before STD benefits are payable when an employee is unable to work due to a work-related illness, injury, or disability. An employee must use accrued leave or PTO for the first 7 consecutive calendar days of missed work. Leave without pay may not be taken until such time that the PTO bank or other accruals have been exhausted. Once PTO and other accruals have been exhausted, the employee may be placed on leave without pay.
5. Worker's Compensation Claim – If the employee is unable to work due to a work-related injury, and worker's compensation benefits have been approved, the employee would be paid in accordance with the county personnel policies; section 26.1; Worker's Compensation Insurance and no STD benefits would be due to the employee. If the employee has been denied worker's compensation for a work-related injury, the STD claim is subject to approval by the third party advice-to-pay vendor and if approved, there is a 7 calendar day waiting period before income replacement is paid.
6. Filing a Claim – It is the employee's responsibility to immediately initiate a claim form as soon as they believe they will be out of work for more than 7 calendar days in the event of a work-related illness, injury, or disability, but in no case shall it be later than the last day of the elimination period. Employees must contact the Human Resources Department or their supervisor to begin the claim process through our third-party vendor. When possible, the medical certification should be submitted with the claim form; however, the employee has a maximum of 15 days to submit the medical certification form.
7. STD Benefits – Upon the advice to pay from our third party vendor, employees are eligible for the following income replacement for work-related illness, injury, or disability and non-work related disabilities for a maximum period of 125 working days:

Income replacement for work-related disabilities

Months of continuous service	Workdays of income replacement at 100%	Workdays of income replacement at 80%	Workdays of income replacement at 60%
Fewer than 60	0	0	125
60-119	85	25	15
120 or more	85	40	0

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Income replacement for non-work-related disabilities

Months of continuous service	Workdays of income replacement at 100%	Workdays of income replacement at 80%	Workdays of income replacement at 60%
Less than 12	0	0	0
13-59	0	0	125
60-119	25	25	75
120-179	25	50	50
180 or more	25	75	25

Employees must use any remaining PTO or other accruals to supplement STD to remain at 100% of their pay. In no instance shall the supplement exceed 100% of the employee's regular base pay rate. Employees will not accrue PTO while they are receiving benefits under STD. STD benefits are paid by the county on regular county paydays and are based on the employee's regular rate of pay. STD benefits are subject to state and federal withholdings in the year they are received. Deductions from the employee's pay check will continue. County contributions will also continue as long as the employee is on STD. Employees receiving benefits from STD will receive VRS service and salary credit as defined in VRS guidelines.

*VRS - Hybrid employees have the option to purchase a supplemental Short-term disability policy that will assist should their claim be denied or during the one year waiting period. These policies are offered through a third-party vendor and are available for payroll deductions.

8. Pre-Existing Limitation – There is no pre-existing condition clause.

9. Discontinuation of STD Benefits – STD benefits will be terminated at the earliest of the events below:
 - a. At the conclusion of the 125 working day STD maximum benefit
 - b. When an employee is no longer sick, injured, or disabled based on medical determination
 - c. Failure of the employee to provide medical certification of illness, injury, or disability
 - d. Termination of employment
 - e. The employee becomes deceased
 - f. Failure of the employee to provide documentation that he continues to be unable to work due to illness, injury, or disability or any other required documentation
 - g. Falsification of records or other fraud or misuse

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- Return to Work – When an employee who has been out on STD for his own serious health condition is ready to return to work, the employee will be required to present a statement from his health care provider certifying that the employee is medically able to return to work. If an employee returns to work prior to the end of the STD - 125 working day benefit maximum for less than 45 calendar days and becomes disabled again due to the original disability (a recurrence), STD benefits will resume without a new elimination period.

A recurring disability or a new disability occurring after a return to work of 45 or more calendar days will be deemed a new disability. This will result in a new STD claim, with a new elimination period before benefits apply.

If an employee is able to return to work on a modified or reduced schedule during the 125 work day benefit period, a request for part-time STD benefits must be reviewed and approved. Once this has been approved, and during the 125 working day benefit period, wages for hours worked are paid and STD replaces the regular hours not worked at the 60% pay replacement level.

- Request for an Independent Medical Examination – The employee's department Director, in coordination with the Human Resources Department, may at any time request that the employee receiving STD report to the Medical Center for an independent medical review to provide a second opinion.
- Overpayments – If STD benefits are overpaid for any reason, the County has the right to recover the amount overpaid.

24.22 Long-Term Disability

When an employee is not expected to be able to return to work at the expiration of STD benefits, LTD benefits will begin upon the expiration of the maximum period of 125 working days for which the employee receives STD benefits. The county's third party vendor will be responsible for payment to the employee directly for any LTD benefits that they are eligible for.

- Maximum Benefit Period – The following table will display the maximum benefit period for LTD:

Age at date of disability	Maximum benefit period
59 or younger	To Social Security normal retirement age (SSNRA)
60 through 64	5 years
65 through 68	To age 70

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69 or older	1 year
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2. Military Disability Benefits Offset – LTD benefits will not be offset for any military disability benefits received by the employee.
3. Worker’s Compensation Benefit Offset – Any amount received by the employee from worker’s compensation, including amounts for partial or total disability, will reduce the LTD benefit.
4. Group Insurance Disability Offset – Any amount received from another group disability plan provided by the employer will reduce LTD benefits provided through the PTO plan.
5. Taxability – The benefit is taxable since the employer pays premiums for the disability insurance. The third party vendor will provide appropriate income tax forms to the employee for the period in which they are on LTD.
6. Employee Contributions – The third party vendor will be responsible for collecting the required minimum 1% contribution for the defined contribution while the employee is on LTD. The third party vendor will submit those premiums to the county for submission to VRS during such time as the employee is on LTD. The employee is eligible to remain on the employer’s health and dental insurance and shall pay the entire premium (employee + employer portion) to the county on a monthly basis as indicated by the county.
7. Retirement Benefit – When the employee’s 1% defined contribution is received, this ensures that the employee continues to receive credible compensation for their retirement. The employer will not contribute to the employee’s retirement during such time as the employee is on LTD.
8. Mental Disorder Limitation – Mental disorders will not be limited under the policy.
9. Rehabilitation Incentive – While the employee is participating in an approved rehabilitation plan, the LTD benefit will be increased by 10% of pre-disability earnings.
10. Survivors Benefit – If the employee dies while LTD is payable and the employee had been continuously disabled for 180 days, a lump-sum survivor benefit in the amount of three times the monthly benefit is paid.

24.23 Healthy Living Day

1. General Provisions - It is the policy of Prince George County to allow county employees an additional source of administrative leave for utilizing

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minimal personal sick leave from work. This is known as the Healthy Living Day.

2. Eligibility for Participation - The Healthy Living Day is a voluntary benefit offered on an annual basis to county employees who utilize minimal personal sick leave from work. Full-time employees who meet the identified criteria and use less than 24 hours of personal sick leave in a 12 month period will be awarded eight hours of administrative leave. Part-time regular employees who meet the identified criteria and use less than 12 hours of personal sick leave in a 12 month period will be awarded four hours of administrative leave. 24 hour shift employees who meet the identified criteria and use less than 36 hours of personal sick leave in a 12 month period will be awarded 12 hours of administrative leave in a 12 month period. Time will be earned after the 12 month period has ended.

3. Terms of Participation - Employee participation is voluntary. In order to participate in the Healthy Living Day, each employee will be required to sign a form agreeing to the eligibility requirements and submit that form to the Wellness Committee during the month of December. The program will run from January 1 to December 31st each year.

Employees must submit a leave slip, to be approved by their supervisor, for personal sick time used. A leave slip will be required for personal sick time though employees may be allowed to flex their hours of work. Employees will not have sick leave deducted from their accrual balances if it is not needed. This is for record keeping purposes only for the Healthy Living Day. Wellness visits, to include all preventive services such as the eye doctor, dentist, annual exams, etc. would not count against the designated hours of sick leave. Leave used for sick children or parents, nor their wellness visits, would count against the designated hours of sick leave. Employees that utilize FMLA during the calendar year would no longer be qualified to participate for the initiative. According to the Personnel manual, extended sick leave of six working days or more will be designated as FMLA.

4. Use of Administrative Leave - Employees would be required to use Administrative Leave, earned from the Healthy Living Day, before the use of annual leave or compensatory time.
5. Disqualification of Participation -When an employee utilizes the maximum designated amount of personal sick time, the employee would be disqualified from earning the Healthy Living Day.

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6. Administration - The personal sick leave used will be recorded by the Finance Department. All approved personal sick time leave slips must be forwarded to the Finance Department for record keeping purposes and for posting of the designated hours of administrative leave at the end of the calendar year.

**EMPLOYEE RIGHTS AND RESPONSIBILITIES
UNDER THE FAMILY AND MEDICAL LEAVE ACT**

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

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Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to: (1) Interfere with, restrain, or deny the exercise of any right provided under FMLA; and (2) Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.