

COVID-19 Pandemic

County Policy and Families First Coronavirus Response Act Coordination

Beginning approximately March 16, 2020, Bayfield County employees began telecommuting. Over 50 employees are now working from home.

On March 18, 2020, President Trump signed into law the Families First Coronavirus Response Act (FFCRA). This legislation includes two provisions: (1) the Emergency Paid Sick Leave Act (“EPSLA”); and (2) the Emergency Family and Medical Leave Expansion Act (“EFMLEA”). Full details of the laws can be found here: <https://www.congress.gov/bill/116th-congress/house-bill/6201>

On March 19, 2020, County Board Chairman, Dennis Pocerlich signed an Emergency Declaration authorizing the County Board Chairman and County Administrator to make decisions relative to COVID-19 response.

On March 24 the Wisconsin Department of Health Services (“DHS”) issued Emergency Order #12 – Safer at Home Order, a directive for Wisconsin residents to stay at home or their place of residence and mandates that non-essential business and operations must cease.

This document will attempt to synthesize information from these, as well as other sources, to provide employees with information on how different scenarios are being addressed. While this information is as up-to-date as possible, please note that policies may change rapidly. These are temporary policies/procedures that may be reconsidered at any time.

IF Employee is 1) subject to a federal, state, or local quarantine or isolation order; 2) the employee has been advised by a health care provider to self-quarantine; or 3) the employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis:

- When technology and workload permits, employee will be allowed to work from home.
- If employee is UNABLE to work from home they may use any paid leave time available or the employee may choose to use unpaid leave of absence.
- If an eligible employee does not have paid leave time available, they may utilize up to 10 days of unearned sick leave (advance), to be paid back as it is earned once they return to work.
- As of April 1, 2020, the Families First Coronavirus Response Act goes into effect. One component of the Act is the Emergency Paid Sick Leave Act. The Emergency Paid Sick Leave Act provides up to two weeks of pay at 100% of the employee’s regular hourly wage(max of \$511/day), based on the number of hours the employee was scheduled to work.
- EFMLEA does not apply in this scenario, however, regular FMLA may apply depending upon the circumstances.

If employee is available to work, but no work is available, and the employee does not meet the FFCRA definitions:

- If no work is available for the employee, they may use any paid leave time available or the employee may choose to use unpaid leave of absence.
- If an eligible employee does not have paid leave time available, they may utilize up to 10 days of unearned sick leave (advance), to be paid back as it is earned once they return to work.
- Employee is not eligible for EPSLA or EFMLEA

- The employee may be eligible for Unemployment

IF Employee stays home to care for son/daughter (under age 18) because of school or daycare closure.

- When technology and workload permits, employee will be allowed to work from home.
- If employee is UNABLE to work from home they may use any paid leave time available or the employee may choose to use unpaid leave of absence.
- If an eligible employee does not have paid leave time available, they may utilize up to 10 days of unearned sick leave (advance), to be paid back as it is earned once they return to work.
- As of April 1, 2020, the Families First Coronavirus Response Act (FFCRA) goes into effect . There are two components of the FFCRA in this situation:
 - The Emergency Family Medical Leave Expansion Act (EFMLEA) allows employees 12-weeks of job-protected leave if an employee is unable to work or telework because the employee is needed to care for the employee's son or daughter (who is under the age of 18) because the child's school or childcare facility has been closed or the child's childcare provider is unavailable due to the public health emergency. The first two weeks of EFMLEA is unpaid. The remaining 10 weeks are paid at 2/3 of the employee's regular rate of pay(max of \$200/day), based on the number of hours the employee was scheduled to work.
 - The Emergency Paid Sick Leave Act (EPSLA) provides up to two weeks of pay at 2/3 of the employee's regular rate of pay(max of \$200/day), based on the number of hours the employee was scheduled to work. The two weeks of pay under the EPSLA may be substituted for the initial 2 weeks of unpaid EFMLEA.

IF Employee is caring for an individual subject to (or advised) quarantine or isolation:

- When technology and workload permits, employee will be allowed to work from home.
- If employee is UNABLE to work from home they may use any paid leave time available or the employee may choose to use unpaid leave of absence.
- If an eligible employee does not have paid leave time available, they may utilize up to 10 days of unearned sick leave (advance), to be paid back as it is earned once they return to work.
- As of April 1, 2020, the Families First Coronavirus Response Act goes into effect. One component of the Act is the Emergency Paid Sick Leave Act. The Emergency Paid Sick Leave Act provides up to two weeks of pay at 2/3 of the employee's regular rate of pay(max of \$200/day), based on the number of hours the employee was scheduled to work.
- If unable to work under this scenario and EPSLA and paid leave time are exhausted, employee may be eligible for unemployment.

Employee chooses not to work:

- If employee is able to, but chooses not to work, they may use vacation, comp time, or unpaid leave of absence.
- Employee is not eligible for EPSLA, EFMLEA, or unemployment