

HAYWOOD COMMUNITY COLLEGE	EMPLOYEE WORK AND STATE OF EMERGENCY LEAVE	Policy 3.2.20
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The following is a State of Emergency Leave provision authorized by the Board of Trustees in response to the COVID-19 event. It is available for use at the discretion of the President subject to the availability of funding. This State of Emergency Leave policy is effective March 16 – April 30, 2020, and may be extended by the Board of Trustees or the President.

## **I. EMPLOYEE DESIGNATIONS AND WORK ASSIGNMENTS**

A. Mandatory employees are those employees who are directed by their supervisor to report to work, or remain at work, at a designated College worksite, other than their personal residence, at regular and specific dates and times. In most circumstances these employees are not eligible for telework options. These employees would typically include, but are not limited to, employees in positions that directly impact public health and client/student care; public safety; operation of critical infrastructure and facilities; operation and safety of sensitive research labs and the care of persons or property for whom the state has a duty to continue to serve.

- “High Risk” Employees – Special consideration should be given to mandatory employees who are deemed to be “high-risk” for experiencing greater complications with COVID-19 (i.e., over 65 years of age; have underlying health conditions, including heart disease, lung disease, or diabetes; or a weakened immune system, or other high risk factors as deemed by health officials) or who are providing care to someone at high risk. These employees may be allowed to telework or apply the State of Emergency Leave provision as follows

B. All employees who have not been directed by their supervisor to work onsite at any particular date and time may continue to be assigned work and are expected to telework, if feasible, given the nature of their position and duties, unless otherwise directed by their supervisor. Management may also reassign an individual to complete other work assignments that are not a part of their normal duties and responsibilities. If employees are reassigned, the agency head may compensate them accordingly, for the duration of the emergency.

*These designations may be changed at any time due to the operational needs of the College and COVID-19 developments.*

## **II. DEFINITIONS**

Please refer to Procedure 3.1.2.1 and 3.1.3.2 for definitions of employment. For purposes of this State of Emergency Leave, the following employee categories would be deemed as eligible:

Full-time Employee  
Full-time Temporary Employee  
Part-time Employee with Benefits  
Part-time Employee

For purposes of this State of Emergency Leave, the following employee categories are deemed as ineligible:

Part-time Temporary  
Part-time Curriculum/Adjunct Faculty

### **III. PAID STATE OF EMERGENCY LEAVE**

While management will give every possible consideration to individual personal circumstances, management has the discretion to deny or defer special leave provisions (below) for mandatory employees whose presence is determined necessary to address urgent public health, public safety, or critical infrastructure needs.

Consistent with usual work schedules, paid State of Emergency Leave may be granted during the period of March 16, 2020 – April 30, 2020, and no balance is carried over, for the following:

- A. Employees who are sick due to symptoms consistent with COVID-19 or who are caring for a dependent with such symptoms will receive State of Emergency Leave up to the maximum hours allowed. All other medically related absences will utilize regular forms of leave such as sick, vacation, and bonus leave, or shared leave if previously approved.
- B. Employees who cannot work, or telework, because they have childcare or eldercare needs due to COVID-19 related facility closings may receive State of Emergency leave for the period of time they are unavailable.
  - a. If more than one person in the household is a college employee, then the employees are expected to work with their supervisors to determine how to allocate paid State of Emergency leave to avoid inappropriate overlap of leave usage.
- C. Employees who are unable to telework who have not been authorized by their supervisor to continue to report to work will receive paid State of Emergency Leave up to the maximum hours allowed if they cannot telework because their position duties cannot be performed remotely and reasonable alternate remote work is not feasible or productive.
- D. For eligible part-time employees with irregular schedules, paid State of Emergency Leave should be based upon the employee's average hours per week over the course

of the previous month. In no case will paid State of Emergency Leave exceed 40 hours per week.

- E. Employees who were on other pre-approved leave, choose not to work, or are unavailable for reasons other than provided for in this State of Emergency Leave provision must use available and applicable leave types, such as vacation/annual leave, paid parental leave, bonus leave, or compensatory time.
- F. There are no special compensation provisions for mandatory employees to receive additional pay as of the date this State of Emergency Leave Policy is adopted.

#### **IV. FEDERAL EMERGENCY LEAVE**

Federal Leave Benefits are also available to qualified employees and these emergency leave provisions can occur concurrently where possible based on the individual situation and qualifications.

#### **V. DELEGATION OF AUTHORITY**

- A. During the period of the State of Emergency declared by the Governor, the Board of Trustees hereby delegate full authority to the President or his/her designee to take all actions to implement any and all paid and unpaid leave options available from any federal, state, or local source to keep employees in pay status and/or covered by employment benefits, such as health insurance. This authority includes extending the amount of State of Emergency leave made available to employees under this policy and extending the period in which this policy is effective, to the extent funding allows.
- B. The Board of Trustees may repeal this policy at any time.

Adopted: 04-07-2020