

City of Fargo
Temporary Employment Policy
COVID-19 Emergency Paid Leave

Effective: November 16, 2020 through the end of the Mayor's Emergency Declaration or until repealed

Under the Mayor's Emergency Declaration, which was issued on March 16, 2020, Emergency Paid Leave (EPL) will be available for employees whose work schedule is impacted by a continuity of operations plan, or who are absent from work due to COVID-19 related circumstances listed below.

EPL Under Continuity of Operations Plans

Employees who are scheduled to work less hours than their regularly scheduled hours per week under an approved departmental continuity of operations plan may be eligible for pay under EPL. Prior to approving paid leave hours under EPL, the manager must assess the employee's ability to productively perform work remotely and/or under a modified work schedule consistent with the continuity of operations plan. If these alternative work arrangements are not possible or have been exhausted, EPL may be utilized with the approval of the Department Head.

EPL for COVID-19 Related Absences

Employees who are absent for COVID-19 related reasons must first apply for leave under Families First Coronavirus Response Act (FFCRA). If the leave is qualifying, the employee will first be paid under FFCRA. Once the FFCRA leave entitlement (if any) is exhausted, or the leave is determined ineligible under FFCRA, the employee will be paid EPL under the following circumstances:

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 related to COVID-19;
3. The employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. The employee is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. The employee is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
6. The employee is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services

Employees must follow departmental processes to communicate absences with their immediate supervisors. Prior to awarding EPL, the manager and employee must assess the employee's ability to productively perform work remotely and/or under a modified work schedule. If these alternative work arrangements are not possible, EPL may be utilized.

EPL is paid at 100% of the employee's regular rate of pay and does not draw from the employee's sick or vacation leave balances. Any employee with regularly scheduled hours may use this emergency leave, including temporary employees but excluding Civic and FARGODOME event staff who normally work on a per-event basis. EPL will only be paid up to a maximum of the employee's regularly scheduled hours per week. For example, if an employee regularly works 40 hours, is absent on Monday but then works 40 hours Tuesday through Friday, EPL would not be paid. There is no limit to the amount of EPL an employee is eligible to receive while this temporary policy is effective.

Any leave of absences for purposes other than the COVID-19 related reasons defined above would fall under the applicable policy (i.e. annual leave, sick leave, Family and Medical Leave Act (FMLA), injury leave and military leave).