

City of Fargo
Temporary Employment Policy
Sick and Annual Leave (Vacation) Usage & Donation of Annual Leave for
COVID-19 Related Absences

Effective: October 5, 2020

In conjunction with the Mayor's Emergency Declaration issued on March 16, 2020, the City of Fargo provided Emergency Paid Leave to employees who were experiencing symptoms of illness or necessary absence from work related to COVID-19. With Emergency Paid Leave (EPL) discontinuing as of October 4, 2020, temporary changes are being made to the sick and annual leave vacation policies in order to allow for more flexible use 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 must draw from their sick and vacation leave balance.

In addition to the acceptable reasons for usage of sick and vacation leave listed in Policy 500-003 Sick Leave and Policy 500-001 Annual Leave, employees who are approved for Covid-19 qualifying leave must utilize their sick and vacation balances once FFCRA is exhausted or the leave is determined ineligible under FFCRA for the following purposes:

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 who reach a zero sick leave balance, and have exhausted their vacation balance, will continue to be paid up to an additional 80 hours (112 hours for fire suppression) of sick leave for a qualifying leave event to encourage employees to stay home when ill or advised to quarantine in order to slow the spread of COVID-19. The employee may reach a negative balance of 80 hours (112 hours for fire suppression). The employee may request a leave donation under Policy 500-002 Donation of Annual Leave. The qualifying reasons for leave donation are temporarily expanded to include the leave reasons indicated above. If a leave donation is received, the employee's sick leave balance will be replenished up

to the amount of the donation, not to exceed the amount used for COVID-19 related reasons. If the need for leave extends beyond the 80 hours, the employee may request additional donated leave. The total donated leave is not to exceed 12 weeks as indicated in Policy 500-002 Donation of Annual Leave. Additionally, per policy, the donor may only donate in hourly increments up to 40 hours to each receiver per qualifying event.

Employees must follow departmental processes to request and communicate absences with their immediate supervisors. Prior to approving the leave, 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, sick or vacation may be utilized.

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