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COUNTY OF DANE

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Date: ~~March 17, 2021~~ **September 2, 2021**

To: All Department Heads

From: Greg Brockmeyer
Director of Administration

Subject: Proposed Temporary Exception to the Employee Benefit Handbook regarding an update to the use of 2021 COVID-19 Emergency Leave.

Dane Co. Ord. §18.24(5)(a) authorizes the Director of Administration to make temporary situational exceptions to the Employee Benefit Handbook after reasonable notice to and if requested, meeting with interested stakeholders.

President Biden has recently signed the American Rescue Plan into law and this legislation necessitates some changes with respect to Dane County's implementation of the Emergency Paid Sick Leave Act. The additional changes are noted in red. This Temporary Exception takes the place of the previous Temporary Exception on this topic, issued on December 11, 2020.

I am distributing the following proposed exception to employees, the appropriate Employee Group Representative, and any other interested stakeholders. If concerns regarding the implementation of the exception are raised, I will schedule a meeting with the parties.

UPDATED EXCEPTION TO EBH: UPDATE TO THE USE OF 2020 COVID-19 EMERGENCY LEAVE AND CREATION OF 2021 COVID-19 EMERGENCY LEAVE

- 1. Update to 2020 COVID-19 Emergency Leave.** Due to holidays and payroll processing, Employees may use 2020 COVID-19 Emergency Leave until January 2, 2021. The deadline was previously December 31, 2020.
- 2. Benefit Start Date.** Beginning on January 3, 2021, County Employees will receive up to 5 days (40 hours) of 2021 COVID-19 Emergency Leave
- 3. Availability of the Benefit.** This emergency leave is available to full-time employees, part-time employees, and limited term employees (LTEs).
- 4. Amount of Time Awarded.**
 - a. Full-time employees hired before January 3, 2021 will receive 40 hours.
 - b. For employees who position is less than 1.0 FTE and for Limited Term Employees (LTEs) hired before January 3, 2021 this amount will be calculated based on the average number of hours worked in the prior six months – between pay periods 15B and 27C of 2020.
 - c. Full-time employees hired after January 3, 2021 will receive a full 40 hours. Part-time employees hired after January 3, 2021 will have this leave prorated based on their FTE percentage.

- d. For Limited Term Employees hired after January 3, 2021, Departments should indicate the LTEs estimated weekly work hours on the Employee Action form submitted to Employee Relations. The estimated weekly hours will be used to pro-rate the amount of leave received.
5. **Benefit Use.** Employees can use this leave if any of the following apply:
 - a. The employee has a COVID-19 diagnosis, is experiencing symptoms of COVID-19 and is seeking a medical diagnosis; or the employee has been exposed to COVID-19 and is seeking a COVID-19 test.
 - b. The employee is quarantined (including self-imposed quarantine), at the instruction of a health care provider, employer, or government official in order to prevent the spread of COVID-19.
 - c. The employee is caring for an immediate family member who has COVID-19 or is under a quarantine related to COVID-19.
 - d. The employee is caring for their child or other individual who is unable to care for themselves due to COVID-19 close of their school, child care facility, or other care program. This includes having to support their child with virtual school.
 - e. The employee is obtaining immunization related to COVID-19 or recovering from any injury, disability, illness, or condition related to such immunization.
6. **Pay Period Start and End Dates.**
 - a. Employees may begin recording COVID-19 Emergency Leave beginning in Pay Period 2B
 - b. This leave time will cease on ~~7/3/2021~~ ~~October 9, 2021~~ **December 18, 2021**, the end of pay period ~~14B~~ ~~21B~~ **26B**.
7. **Additional Limitations.**
 - a. This time will not accrue.
 - b. Unused 2021 COVID-19 Emergency Leave will not be cashed out to any employee.
 - c. Unused COVID-19 Emergency Leave from 2020 cannot be carried over into 2021.
 - d. If the Family First Coronavirus Relief Act's requirement to provide employees paid COVID-19 leave is extended, or if any other federal or state law requiring COVID-19 related paid leave is enacted, the 2021 COVID-19 Emergency Leave, and any uses of such leave shall be applied as part of the federal or state mandated paid leave. The 2021 COVID-19 Emergency Leave shall not be supplementary to any such federal or state paid leave.
8. The temporary exception set forth above shall remain in effect until ~~further notice~~ **December 18, 2021**.