

**CITY OF TORRANCE
INTEROFFICE COMMUNICATION**

Date: December 30, 2020

TO: All City Employees

FROM: Aram Chaparyan, City Manager

SUBJECT: Expiration of FFCRA on December 31, 2020

The Families First Coronavirus Response Act (FFCRA) went into effect on April 1, 2020 and will expire on December 31, 2020. To support staff in ensuring a safe work environment, effective January 1, 2021, I am authorizing the Finance Department to enable negative sick leave balances in the following amounts:

- **Employees covered by the Torrance Fire Fighters Association: 112 Hours**
- **Employees covered by all other Pay Resolutions or MOUs: 80 hours**
 - **Part-time and Recurrent employees may accrue a negative sick leave balance equivalent to the number of hours that the employee is normally scheduled to work over a two-week period.**

The negative sick leave balances represent what an employee in their respective Pay Resolutions or MOUs works in an average pay period.

Negative sick leave balances can only be used for employees who cannot work-from-home and meet one of three scenarios:

- Employees who are required to isolate due to experiencing COVID-19 symptoms or being diagnosed with COVID-19;
- Employees who are required to quarantine due to a close contact with an individual who is confirmed to have COVID-19, and
- Employees whose child's school or place of care is closed due to COVID-19, or employees who choose virtual learning for their child.

Should any Federal, State or Local agency require the City to provide employees with additional paid leave or other entitlements, this temporary provision that allows for negative sick leave accruals will cease. The City will regularly review the status of the pandemic to determine when the negative sick leave balances are no longer necessary.

With FFCRA entitlements ending on December 31, 2020, we recognize that employees will want to understand options that are available should they be impacted COVID-19. On the following pages are scenarios employees might encounter related to COVID-19; action for compensation or to go unpaid for each scenario; and conditions by which the employee can return to work.

EMPLOYEE SCENARIO: EMPLOYEE IS EXPERIENCING COVID-19 SYMPTOMS OR HAS BEEN DIAGNOSED WITH COVID-19 AND WORK-FROM-HOME IS NOT AN OPTION. (NON INDUSTRIAL / NOT WORK-RELATED)

<p>Employee Action:</p> <ol style="list-style-type: none"> 1. Employee must use accrued sick leave. 2. When sick leave balance has been exhausted, employee will accrue negative sick leave balance up to maximum, until employee may return to work. 	<p>Employee may return to work when #1 or #2 of the following are met:</p> <ol style="list-style-type: none"> 1. Symptoms have been determined by a health care professional as being caused by a known condition other than COVID-19. 2. Home isolation orders have ended: <ol style="list-style-type: none"> a. Employee has not had a fever for at least 24 hours (without the use of medicine); AND b. Employee's respiratory symptoms have improved (for example, cough or shortness of breath); AND c. At least 10 days have passed since employee's symptoms first appeared.
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EMPLOYEE SCENARIO: EMPLOYEE IS EXPERIENCING COVID-19 SYMPTOMS OR HAS BEEN DIAGNOSED WITH COVID-19 AS A RESULT OF THEIR COURSE OF WORK AND WORK-FROM-HOME IS NOT AN OPTION. (INDUSTRIAL / WORK-RELATED)

<p>Employee Action:</p> <ol style="list-style-type: none"> 1. Employee completes the Employee Report of Injury and submits to supervisor. 2. Worker's Compensation reviews Report. 3. If claim is accepted, benefit based on employee's MOU or Resolution. 4. If claim is not accepted, employee must use accrued sick leave. 5. When sick leave balance has been exhausted, employee will accrue negative sick leave balance up to maximum, until employee may return to work. 	<p>Employee may return to work when #1 or #2 of the following are met:</p> <ol style="list-style-type: none"> 1. Symptoms have been determined by a health care professional as being caused by a known condition other than COVID-19. 2. Home isolation orders have ended: <ol style="list-style-type: none"> a. Employee has not had a fever for at least 24 hours (without the use of medicine); AND b. Employee's respiratory symptoms have improved (for example, cough or shortness of breath); AND c. At least 10 days have passed since employee's symptoms first appeared.
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EMPLOYEE SCENARIO: EMPLOYEE HAS HAD CLOSE CONTACT WITH A PERSON OUTSIDE OF WORK WHO IS CONFIRMED TO HAVE COVID-19 AND WORK-FROM-HOME IS NOT AN OPTION. (NON-INDUSTRIAL / NOT WORK-RELATED)

<p>Employee Action:</p> <ol style="list-style-type: none"> 1. Employee must use accrued sick leave. 2. When sick leave has been exhausted, employee may accrue a negative sick leave balance, <u>OR</u> employee may go unpaid until employee may return to work. 	<p>Employee may return to work when <u>all</u> of the following are met:</p> <ol style="list-style-type: none"> 1. It has been 10 days since employee was last in contact with a person who is confirmed to have COVID-19. 2. Employee has not had any COVID-19 symptom in the last 10 days.
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EMPLOYEE SCENARIO: EMPLOYEE HAS HAD CLOSE CONTACT WITH A PERSON WHO IS CONFIRMED TO HAVE COVID-19 DURING THEIR COURSE OF WORK AND WORK-FROM-HOME IS NOT AN OPTION. (INDUSTRIAL / WORK-RELATED)

<p>Employee Action:</p> <ol style="list-style-type: none"> 1. Employee completes the Employee Report of Injury and submits to supervisor. 2. Worker's Compensation reviews Report. 3. Worker's Compensation sends employee for COVID-19 testing. Completing a COVID test is NOT required of employees, but is recommended. 4. If claim is accepted, benefit based on employee's MOU or Resolution. 5. If claim is not accepted, employee must use accrued sick leave. 6. When sick leave has been exhausted, employee may accrue a negative sick leave balance, <u>OR</u> employee may go unpaid until employee may return to work. 	<p>Employee may return to work when <u>all</u> of the following are met:</p> <ol style="list-style-type: none"> 1. It has been 10 days since employee was last in contact with a person who is confirmed to have COVID-19. 2. Employee has not had any COVID-19 symptom in the last 10 days.
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EMPLOYEE SCENARIO: EMPLOYEE'S CHILD'S SCHOOL OR PLACE OF CARE IS CLOSED DUE TO COVID-19, OR EMPLOYEE CHOOSES VIRTUAL LEARNING OPTION FOR CHILD, AND WORK-FROM-HOME IS NOT AN OPTION.

Employee Options:

1. Employee submits proof that child's school or place of care is closed, or proof that the employee has selected a virtual learning option for child.
2. Employee may use accrued sick, vacation, compensatory, vacation comp, or police annual leave time.
3. When accrued time is exhausted, employee may go on unpaid status, employee may accrue a negative sick leave balance.
4. When negative sick leave balance has reached maximum, employee may go unpaid.

The City continues to monitor guidance issued by the Center for Disease Control and Prevention, and Los Angeles County Department of Public Health, and will keep employees updated with the latest information.

Please stay safe and healthy!

A handwritten signature in black ink that reads "Aram Chaparyan" followed by three dots.

Aram Chaparyan
City Manager