I. Purpose

To provide paid leave to eligible employees affected by the COVID-19 pandemic. This policy is in effect until a determination is made, in the sole discretion of the County Administrator, to terminate it and/or it is superseded by state and/or federal law.

The County’s accrued paid leave, Paid Family Leave, and Family and Medical Leave (“FMLA”) policies, as outlined in Chapter 6.4 of the Human Resources Handbook, and any associated HR administrative policies, remain in effect for employee leave requests outside the scope of this administrative policy.

II. Authority

In accordance with Chapter 6 of the Human Resources Handbook, Benefits and Leave, the County Administrator is authorized to administer the benefits plan as established by the Board of Supervisors and is authorized to make exceptions to leave policies on a case-by-case basis.

III. Policy Statement

The County encourages employees to stay home when they are sick and recognizes that the requirement in COV-EM-STD-01 to quarantine or isolate upon exposure to COVID-19 may deplete employees’ paid accrued leave balances. In order to prevent the spread of COVID-19 in the community and in the workplace, the County hereby establishes Pandemic Paid Sick Leave (“PPSL”) through this policy to provide paid sick leave to eligible employees for limited reasons related to COVID-19. The leave benefits outlined in this policy are available to eligible employees who are unable to work or telework due to limited COVID-19 related reasons.

As used within this policy, individuals are considered “fully vaccinated” when two weeks or more have passed since the receipt of the second dose of a two-dose vaccine or two or more weeks have passed since the receipt of the single dose vaccine.
IV. Paid Pandemic Sick Leave (PPSL)

A. Eligible Employees:

All full-time and part-time employees who are unable to work or telework due to one of the following reasons are eligible to receive paid pandemic sick leave:

1. An employee who: 1) is fully vaccinated and less than six months out from his/her second mRNA dose (or less than two months after the J&J dose) or has received a booster, is not ill but has been instructed by the Department of Human Resources ("DHR") or Health Department to self-quarantine or isolate due to having “close contact,” as defined by the Health Department, with someone who tested positive for COVID-19; and 2) the employee has submitted a request for an exemption to quarantine based on vaccination status. PPSL shall only be approved for eligible employees in this category to cover the period the employee is awaiting approval of an exemption to quarantine from DHR.

2. An asymptomatic employee who is fully vaccinated and more than six months out from his/her second mRNA dose (or more than 2 months after the J&J vaccine) but has not yet received a booster shot, and has been instructed by his/her health care provider, DHR or the Health Department to self-quarantine or isolate due to having “close contact,” as defined by the Health Department with someone who tested positive for COVID-19.

3. The employee is fully vaccinated and receives a medical diagnosis of COVID-19.

Employees on pre-planned annual leave or on leave unrelated to COVID-19 are not eligible for PPSL unless the return-to-work date is delayed or extended due to one of the above COVID-19 qualifying reasons.

B. Duration of Leave

Unless otherwise specified, all eligible employees, as defined herein, may use a maximum of two work weeks, up to 80 hours, of PPSL in calendar year 2022 for the qualifying reasons specified in Section IV(A). The actual amount of PPSL approved for any eligible employee shall be based on the employee’s individual circumstances and shall in no case exceed the maximum amount allowed under this policy.

PPSL provided to an employee under this policy shall cease beginning with the employee’s next scheduled work shift immediately following the termination of the need for PPSL under Section IV(A) above.

C. Procedure for Requesting Pandemic Paid Sick Leave

Employees requesting PPSL under this policy must complete the Pandemic Paid Sick Leave Request Form (Attachment #3) and submit it to their department’s Human
Resources Liaison as soon as practicable. Verbal notice will otherwise be accepted until the form can be completed and signed by the employee. Employees are required to submit supporting medical documentation such as a doctor’s note or Health Department quarantine/isolation order when applying for PPSL under this policy. If the employee is a close contact of a COVID-19 positive individual and does not have supporting medical information or an order from the Health Department, the employee should complete and submit a Certification for the Need to Quarantine (Attachment #4). Upon receipt of the leave request, the HR Liaison shall:

1. Review the Request Form to ensure that it is fully completed with the leave dates and the reason(s) for the leave. Acknowledge the request is complete by signing the form at the bottom.

2. Immediately notify the employee’s supervisor and Department Head or designee of the leave request.

3. Forward the Request Form along with the supporting documentation provided by the employee to the Pandemic Leave mailbox [PandemicLeave@Loudoun.gov], with the supporting documentation provided by the employee. The form and documentation shall be sent by email with the requesting employee’s name in the subject line.

The Employee Relations Manager or Risk Manager will notify the HR Liaison once the leave has been approved. Leave approved will be submitted by the employee on his/her timecard for the relevant pay period.

V. Special Procedures for COVID-19 Positive Diagnosis for Healthcare Workers, Fire and Rescue, and Sheriff’s Office Employees

Employees who are diagnosed with COVID-19 following an exposure to COVID-19 arising out of, and in the course of, his/her employment with the County or covered County agency (i.e., as a direct result of performing work-related duties, such as a healthcare worker or first responder delivering care to a patient with the COVID-19 virus) shall immediately notify their supervisor and complete the required forms located in the Workers’ Compensation Accident Reporting Packet pursuant to Administrative Policies and Procedures HR-44, (Workers’ Compensation). While the employee’s workers’ compensation claim is pending a compensability determination, the employee shall use Injury Leave for his/her time out of work in accordance with Chapter 6 of the Human Resources Handbook and HR-44.

VI. Intermittent Use of Leave

Employees who typically report to their physical worksite are not permitted to use PPSL intermittently, as the intent of this Administrative Policy is to provide leave for a qualifying reason to encompass the required isolation period. Employees with the ability to telework
may take PPSL intermittently as agreed upon by the employee’s supervisor and Department Head.

VII. Rate of Pay

PPSL under this policy will be paid at the employee's regular rate of pay. The regular rate of pay for employees who serve in multiple positions shall be calculated based on the position with the highest hourly rate.

VIII. Interaction with Other Paid Leave

A. The employee may use PPSL under this policy before using any other accrued paid leave for the qualifying reasons stated above.

B. If an employee is expected to be out of work for more than three (3) days or three (3) shifts due to his/her own serious health condition or to care for an immediate family member with a serious health condition, the employee must initiate a request through the County’s Family and Medical Leave Act (“FMLA”) claims administration vendor in accordance with Administrative Policies and Procedures HR-18 Family and Medical Leave Act Procedures. If FMLA is approved, the use of PPSL will be concurrent with the approved FMLA.

IX. Carryover

PPSL under this policy will not be provided beyond the effective date of termination of the policy. Any unused PPSL will not carry over to the next year or be paid out to employees upon separation.

X. Job Protections

No employee who appropriatly utilizes PPSL under this policy will be discharged, disciplined, or discriminated against for work time missed due to this leave.

Responsible Department:
Department of Human Resources