

Excused Time and Leave Policies for Civilian Members (non-Emergency Responders or Health Care Providers) with COVID-related Absences (Partial Pay)

This document establishes the Department's Coronavirus Disease 2019 (COVID-19) Time and Leave Policies regarding Partial Pay, based on guidance from the NYC Department of Citywide Administrative Services (DCAS) as of **June 3, 2020**.

Note: As per DCAS guidance, the Time and Leave policies outlined below do not apply to civilian members who are health care providers or emergency responders (includes safety titles of Traffic Enforcement Agent, School Safety Agent, Police Communications Technician, and Criminalist).

1) Excused Leave – Partial Pay (Care for individual under quarantine):

Eligible members that are unable to work or telework are entitled to up to 10 work days of excused leave, at 2/3 pay (capped at \$200 a day or a total of \$2,000), to care for an individual subject to a Federal, State or Local quarantine or isolation order related to COVID-19 or that has been advised by a health care provider to self-quarantine related to COVID-19.

Members must provide documentation of the licensed health care provider's advice of quarantine and must demonstrate that the individual depends on the employee for care and that he or she is unable to telework while caring for an individual in self-quarantine. Documentation obtained from a licensed health care provider performing within the scope of practice for the license, including Teledoc, will be accepted.

Note: Individual does not need to be a family member or in the same household to qualify for this leave.

GENERAL PROCEDURE

Civilian Member Reporting Absence:

1. Notify supervisor and provide documentation from a licensed health care provider.
2. Supervisor notifies Timekeeper.
3. Timekeeper enters appropriate leave into CityTime up to 10 work days of Other Excused Absence (#4298)/Special Excusal and emails dg_nypdcovid@nypd.org to notify the Payroll Section that the member is eligible to 2/3 pay. A COVID-related Partial Pay Form must be included in the submission.

Note: Paid Family Leave may be applicable. Pay will be determined by leave use, including leave without pay, FMLA, etc.

Civilian Member Returning to Work or Telework:

1. Notify supervisor and roll call of permanent command.
2. Member's immediate supervisor will confer with the Timekeeper to ensure member's time is accurately adjusted and regular working hours can resume and be entered in CityTime.

2) Excused Leave – Partial Pay (Care for child due to school closing):

The member is caring for a son or daughter under 18 years of age whose school or place of care has been closed or whose childcare provider is unavailable due to COVID-19 precautions.

As required by federal regulation, the employee must provide documentation containing the following information:

- a) Employee’s name;
- b) Date(s) for which leave is requested;
- c) Qualifying reason for the leave;
- d) Oral or written statement that the employee is unable to work because of the qualified reason for leave (in this case care for a child);
- e) The name and age of the son or daughter being cared for;
- f) The name of the school, place of care or child care provider that has closed or become unavailable; and
- g) A representation that no other suitable person will be caring for the child during the period of leave.

GENERAL PROCEDURE

Civilian Member Reporting Absence:

1. Notify the Medical Division’s FMLA Unit at MDFMLA@NYPD.org or (718)-760-7662 or (718) 7549/7501.
2. FMLA Unit will send the member an application for leave.
3. The member will provide the completed application and requested documentation to the FMLA Unit for review.
4. FMLA Unit will send the member a “Notice of Eligibility and Rights & Responsibilities” indicating approval or denial of requested FMLA leave via certified mail.
5. FMLA Unit will send a copy of “Notice of Eligibility and Rights & Responsibilities” to the member’s command.
6. Timekeeper enters appropriate leave into CityTime up to 12 weeks of Other Excused Absence (#4298)/Special Excusal and emails dg_nypdcovid@nypd.org to notify Payroll Section that a member is eligible to 2/3 pay. A COVID-related Partial Pay Form must be included in the submission.

Note: Paid Family Leave may be applicable. Pay will be determined by leave use, including leave without pay, FMLA, etc.

Civilian Member Returning to Work or Telework:

1. Notify FMLA Unit upon return to duty.
2. Notify immediate supervisor and roll call of permanent command.
3. Member’s immediate supervisor will confer with the Timekeeper to ensure member’s time is accurately adjusted and regular working hours can resume and be entered in CityTime.

Leave to care for a child under the Emergency Family and Medical Leave Expansion Act (Division C of the FFCRA) is available only to members who have been employed for thirty (30) days or longer.

While under the Emergency Family and Medical Leave Expansion Act, members are entitled to a combined benefit of up to 12 weeks of excused leave at 2/3 pay not to exceed \$200 per day or a total of \$12,000. This combined benefit pertains to the care of the member's son or daughter whose school or place of care has been closed or whose childcare provider is unavailable due to COVID-19 precautions and the member is unable to telework. (Members may also elect to utilize annual leave or compensatory time for the first two weeks and be paid their full salary).

The maximum 12 weeks of leave under this section is reduced by the amount of the FMLA leave entitlement taken in that year. If a member has exhausted his or her 12 weeks of leave, he or she may still take two weeks of partial pay leave for a COVID-19 qualifying reason as outlined in this document.

A member may utilize leave to care for a child intermittently as agreed upon by the Department and the member. This leave must be taken in full-day increments.

Members who have any questions regarding this policy should contact their Borough/Bureau Personnel Administrative Manager (PAM), their supervisor, or their timekeeper for further information.

Members are reminded that if they begin to experience symptoms of COVID-19 (e.g., cough, shortness of breath or difficulty breathing, or at least two of the following: fever, chills, repeated shaking with chills, muscle pain, headache, sore throat and loss of taste or smell) should immediately contact the Medical Division Sick Desk at (718) 760-7600 and get a Sick Control number. Once a Sick Control number is obtained, the member should immediately contact their supervisor and provide them with that number.