

Frequently Asked Questions

Family First Coronavirus Response Act & Continuation of City Operations and Employee Pay (View Staff Report Here: [April 7, 2020 - City Council Meeting](#))

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I. Family First Coronavirus Response Act (FFCRA)

A. What does it mean to be unable to work, including telework for COVID-19 related reasons Under the FFCRA?

You are unable to work if the City has work for you and one of the COVID-19 qualifying reasons set forth in the FFCRA (and listed below) prevents you from being able to perform that work.

If the City agrees that you can work your normal number of hours, but outside of your normal schedule (for instance early in the morning, late at night, or on a day you are not normally scheduled like Saturday), then you are able to work and leave is not necessary unless a COVID-19 qualifying reason prevents you from working that schedule.

B. Emergency Paid Sick Leave (EPSL)

1. What is Emergency Paid Sick Leave (EPSL)?

Emergency Paid Sick Leave (EPSL) is provided for under the FFCRA and provides **two weeks** of paid sick leave (for example a 36 hour per week employee will have 72 hours of EPSL available; a 40 hour per week employee will have 80 hours of EPSL available) for six COVID-19 related leaves. The reasons are as follows:

Table I.B.1

Reason for Leave	Pay Available	
1. You are subject to a Federal, State, or local quarantine or isolation order related to COVID-19	100% of pay up to \$511 per day (5,111 in the aggregate)	
2. You have been advised by a health care provider to self-quarantine related to COVID-19	100% of pay up to \$511 per day (5,111 in the aggregate)	
3. You are experiencing COVID-19 symptoms and are seeking a medical diagnosis	100% of pay up to \$511 per day (5,111 in the aggregate)	Only for time actually spent seeking a medical diagnosis such as waiting for or attending and appointment for diagnosis.
4. You are caring for an individual subject to an order described in (1) or self-quarantine as described in (2)	2/3 of your regular pay up to \$200 per day (\$2,000 in the aggregate)	
5. You are caring for your child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons	2/3 of your regular pay up to \$200 per day (\$2,000 in the aggregate)	Employees in this category are also eligible for an additional ten weeks of paid leave under the Expanded Family and Medical Leave Expansion Act (for details see below)
6. You are experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services	2/3 of your regular pay up to \$200 per day (\$2,000 in the aggregate)	

i. What does it mean to be “subject to a Federal, State, or local quarantine or isolation order?”

Quarantine or isolation orders include a broad range of governmental orders, including orders that advise some or all residents to shelter-in-place, stay home, quarantine, or otherwise restrict their own mobility. The Alameda and surrounding County Shelter-In-Place order as well as the State’s Stay Home order are quarantine or isolation orders covered by the FFCRA.

ii. **What does it mean to “have been advised by a health care provider to self-quarantine related to COVID-19?”**

To be advised by a health care provider to self-quarantine means that you have received advice to quarantine by a health care provider (physician, nurse practitioner, advice nurse, or similar) based on the health care provider’s belief that you have COVID-19, may have COVID-19, or are particularly vulnerable to COVID-19. The self-quarantine must prevent you from working or teleworking.

iii. **What does it mean to be “experiencing COVID-19 symptoms and [to be] seeking a medical diagnosis?”**

Symptoms of COVID-19 include fever, dry cough, shortness of breath or other COVID-19 symptoms identified by the U.S. Centers for Disease Control and Prevention (CDC). To be seeking medical diagnosis means that are in contact with a healthcare professional (remote or in person) regarding your symptoms.

iv. **What does it mean to be “caring for an individual subject to an order described in (1) or self-quarantine as described in (2)?”**

To qualify under this reason, you must have a genuine need to care for the individual and the individual must be an immediate family member, roommate or similar person whom you have a relationship to that creates an expectation that you would care for the person if they are quarantined. You are eligible for leave under this reason if providing care for the individual prevents you from working (or teleworking).

2. Am I eligible for EPSL?

Maybe. If you are unable to work because of one of the reasons enumerated in the EPSL and you have exhausted your COVID-19 Administrative Leave, you are eligible for EPSL. However, an employee may take ESPL only if being subject to one of these orders prevents them from working or teleworking. The question is whether the employee would be able to work or telework “but for” being required to comply with a quarantine or isolation order.

An employee subject to one of these orders may not take ESPL where the employer does not have work for the employee. This is because the employee would be unable to work even if he or she were not required to comply with the quarantine or isolation order.

For example if a coffee shop closes temporarily or indefinitely due to a downturn in business related to COVID-19, it would no longer have any work for its employees. A cashier previously employed at the coffee shop who is subject to a stay-at-home order would not be able to work even if they were not required to stay at home. As such, they may not take paid sick leave because their inability to work is not due to their need to comply with the stay-at-home order, but rather due to the closure of his place of employment.

Similarly, if the City has closed operations because of the Shelter-In-Place order and no longer has work to perform an employee would not be unable to perform work because they were subject to a Shelter-At-Place order but rather because the City is subject to the order and had to cease operations. Under these circumstance the employee would not be eligible for ESPL.

Human Resources staff will work with you to review your situation and determine if you are eligible for EPSL on a case by case basis. If you have questions don’t hesitate to contact your Human Resources Representative.

3. What documentation will be required to receive EPSL?

You must provide documentation in support of your EPSL as specified in applicable IRS forms, instructions, and information. Documentation required by the City for each of the reasons listed for EPSL is as follows:

Table I.B.3

Reason for Leave	Documentation Required
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1. You are subject to a Federal, State, or local quarantine or isolation order related to COVID-19	If you are subject to an order specific to you, please provide that order. No documentation is required for the State of California Order or the Order by Alameda and the 6 other jurisdictions joining with Alameda.
2. You have been advised by a health care provider to self-quarantine related to COVID-19	Note from your doctor indicating you need to stay home, you do not need to provide a diagnosis or reason why you need to stay home
3. You are experiencing COVID-19 symptoms and are seeking a medical diagnosis	Note from your doctor indicating you are seeking diagnosis
4. You are caring for an individual subject to an order described in (1) or self-quarantine as described in (2)	Note from the individual's doctor indicating that they have been advised to self-quarantine and that they require your care.
5. You are caring for your child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons	Notice of closure or unavailability from your child's school, place of care, or child care provider, which may include a notice that may have been posted on a government, school, or day care website, published in a newspaper, or emailed to you from an employee or official of the school, place of care, or child care provider.
6. You are experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services	

4. How will I be compensated/paid while on EPSL?

Your compensation is based on the reason for which you are taking leave. Compensation is provided as follows:

Table I.B.4

Reason for Leave	Pay Available
1. You are subject to a Federal, State, or local quarantine or isolation order related to COVID-19	100% of pay up to \$511 per day (5,111 in the aggregate)
2. You have been advised by a health care provider to self-quarantine related to COVID-19	100% of pay up to \$511 per day (5,111 in the aggregate)
3. You are experiencing COVID-19 symptoms and are seeking a medical diagnosis	100% of pay up to \$511 per day (5,111 in the aggregate)
4. You are caring for an individual subject to an order described in (1) or self-quarantine as described in (2)	2/3 of your regular pay up to \$200 per day (\$2,000 in the aggregate)
5. You are caring for your child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons	2/3 of your regular pay up to \$200 per day (\$2,000 in the aggregate)
6. You are experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services	2/3 of your regular pay up to \$200 per day (\$2,000 in the aggregate)

If the pay provided by EPSL is not sufficient to provide your full pay for the day, you may use your accrued leaves –sick, comp time, floating holiday, and vacation – to make up your regular pay amount.

5. How do I apply for and use EPSL?

Visit the Human Resources Website at www.alamedaca.gov/HR to access the EPSL request form. Complete the form and return it with the required documentation to the Human Resources office by emailing to hr@alamedaca.gov. The Human Resources department will review the application and determine if you are

eligible for EPSL. If you are unable to provide the required documentation immediately, please return the request form and a representative of Human Resources will contact you for the documentation.

6. How many hours do I record on my timesheet while on EPSL?

Human Resources and Payroll staff will work together to provide the number of hours to record on your timesheet. If you have questions please contact Human Resources directly, contact information can be found on the Human Resources Website at www.alamedaca.gov/HR or by emailing hr@alamedaca.gov.

7. Can I take EPSL intermittently?

Yes, if you are unable to telework, or be available to be redeployed either through telework or onsite, for your normal schedule of hours due to one of the qualifying reasons listed above, and you have exhausted COVID-19 Administrative Leave, the City may allow you to take EPSL intermittently while teleworking. You may take intermittent leave in any increment, provided that the City is in agreement. For example, if you agree on a 90-minute increment, you could telework from 1:00 PM to 2:30 PM, take leave from 2:30 PM to 4:00 PM, and then return to teleworking. You may also take intermittent leave to compensate you for full days you cannot be available due to child care. For example, if you are not available for Monday and Tuesday, because you are caring for your child whose school is closed due to COVID-19 but you are available on Wednesday and Thursday to work via telework or onsite, you may use EPSL to compensate you for Monday and Tuesday and work on Wednesday and Thursday.

8. Can more than one guardian, employed by the City, take EPSL simultaneously to care for their child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons?

You may take paid sick leave or expanded family and medical leave to care for your child only when you need to, and actually are, caring for your child if you are unable to work or telework as a result of providing care. Generally, you do not need to take such leave if a co-parent, co-guardian, or your usual child care provider is available to provide the care your child needs.

9. I am a part-time employee, do I qualify to use EPSL?

Part-time employees who have work to perform but are unable to perform that work because of one of the reasons listed in the FFCRA are eligible for EPSL for reasons listed above.

10. How do I use EPSL? How do I record it on my time sheet?

Human Resources staff will contact you after you submit your application to assist you in filling out your timesheet. Hours worked will be recorded as regular hours and Human Resources Staff will assist you in determining the number of hours available to use for EPSL and where to record these hours on your timesheet.

11. Where can I learn more information about EPSL?

You can find more information on the Emergency Paid Sick Leave Act by visiting the Department of Labor's website here: <https://www.dol.gov/agencies/whd/pandemic>.

C. Emergency Family and Medical Leave Expansion Act (EFMLEA)

1. What is the Emergency Family Medical Leave Expansion Act (EFMLEA)?

The Emergency Family and Medical Leave Expansion Act (EFMLEA) requires employers to provide expanded paid family leave to eligible employees who are unable to work because the employee is caring for their child whose school or place of care has closed or whose child care provider is unavailable due to the public health emergency caused by COVID-19.

2. How is EFMLEA different from leave taken under the regular Family and Medical Leave Act (FMLA)?

EFMLEA is only available to employees who are unable to work because the employee is caring for their child whose school or place of care has closed or whose child's care provider is unavailable due to the public health emergency caused by COVID-19. FMLA is available to care for your own or your family members serious health

condition. Additionally, though both provide for job protection only leave taken under the EFMLEA is eligible for paid time. Leave taken under the standard FMLA to care for your own serious health condition or the serious health condition of your family member are not eligible for pay (you would use leave accruals and SDI/PFL, if applicable).

3. Do I qualify for paid leave under the EFMLEA?

To qualify for leave under the EFMLEA, you must be unable to work (including telework) because you are caring for your child whose school or place of care has closed or whose child care provider is unavailable due to the public health condition, have been employed with the City for at least 30 days and have exhausted your COVID-19 Administrative Leave.

4. How do I apply for leave under the EFMLEA?

Visit the Human Resources Website at www.alamedaca.gov/HR to access the EFMLEA request form. Complete the form and return it with the required documentation to the Human Resources office by emailing to hr@alamedaca.gov. The Human Resources department will review the application and determine if you are eligible for EFMLEA. If you are unable to provide the required documentation immediately, please return the request form and a representative of Human Resources will contact you for the documentation.

5. What documentation is required to take leave under the EFMLEA?

You will be required to provide a notice of closure or unavailability from your child's school, place of care, or child care provider, which may include a notice that may have been posted on a government, school, or day care website, published in a newspaper, or emailed to you from an employee or official of the school, place of care, or child care provider. The City will retain this notice or documentation in support of expanded family and medical leave, including while you may be taking unpaid leave that runs concurrently with paid sick leave if taken for the same reason.

Please also note that all existing certification requirements under the FMLA remain in effect if you are taking leave for one of the existing qualifying reasons under the FMLA. For example, if you are taking leave beyond the two weeks of emergency paid sick leave because your medical condition for COVID-19-related reasons rises to the level of a serious health condition, you must continue to provide medical certifications under the FMLA if required by your employer.

6. How will I be paid while on EFMLEA?

The first two weeks (or hours equivalent to two weeks) of EFMLEA are unpaid. During these first two weeks you may use EPSL to receive pay. Under both provisions you will receive 2/3 your regular pay up to \$200 per day. You may use your accrued leaves to make up any pay EPSL or EFMLEA does not cover.

7. If I take leave under FMLA because I am sick or caring for someone that is sick with COVID-19 will I be paid?

Not under the EFMLEA provision. The only paid leave available under EFMLEA is where you are unable to work because you are caring for your child whose school or place of care has been closed or whose child care provider is unavailable due to the public health emergency caused by COVID-19. If you are taking FMLA for any other reason there is no pay associated with it. If you are sick or caring for someone who is sick due to COVID-19 then you may qualify for 80 hours of paid leave through EPSL.

You may however, continue to use sick leave, comp time, floating holiday, and vacation time as compensation for time taken off for other FMLA reasons including your own serious health condition or to care for a family member with a serious health condition. You may also be eligible for compensation through SDI/PFL. Documentation for FMLA for your own serious health condition or to care for a family member with a serious health condition remains the same.

8. If I am taking FMLA because I am sick with COVID-19, will I receive paid leave?

Maybe. FMLA leave to care for your own serious health condition, including COVID-19, is unpaid job protected leave. However, you may be eligible for two weeks of EPSL (up to \$511 per day) if you qualify. You may use your accrued leaves including remaining COVID-19 Administrative Leave, sick leave, comp time, vacation time and floating holiday to receive pay while out on FMLA leave to care for your own or a family members serious health condition. You may also be eligible for compensation through SDI/PFL.

9. How many hours do I record on my timesheet when using EFMLEA?

Human Resources and Payroll staff will work together to provide the number of hours to record on your timesheet. If you have questions please contact Human Resources directly, contact information can be found on the Human Resources Website at www.alamedaca.gov/HR or by emailing hr@alamedaca.gov.

10. Do I have to use all my EFMLEA at once or can it be taken intermittently?

If you are prevented from teleworking your normal schedule of hours because you need to care for your child whose school or place of care is closed, or child care provider is unavailable, because of COVID-19 related reasons, we may agree that you can take EFMLEA intermittently while teleworking.

You may take intermittent leave in any increment, provided that the City agrees. For example, if you agree on a 90-minute increment, you could telework from 1:00 PM to 2:30 PM, take leave from 2:30 PM to 4:00 PM, and then return to teleworking.

11. Can I use my accrued leave concurrently with EFMLEA to remain on fully paid status?

Yes, you may use your accrued leaves to make up the difference in pay.

12. I already used FMLA, to care for my own or a family member's serious health condition in the last 12 months, do I still qualify for EFMLEA? How much time of EFMLEA will I have available?

It depends. You may take a total of 12 workweeks of leave during a 12-month period under the FMLA, **including the EFMLEA**. If you used FMLA time in the last 12 months, you would not be eligible for the full 12 weeks of EFMLEA.

For example, in December of 2019 Jane used four week of FMLA to care for her own serious health condition. Now Jane's son's daycare is closed due to the COVID-19 emergency and she want to use EFMLEA to care for him. Jane only has eight weeks of EFMLEA between now and the end of the year. The combination of Jane's FMLA (four weeks) and EFMLEA (eight weeks) is her total FMLA/EFMLEA for the 12 month period December 2019 through December 2020.

13. If I use EFMLEA now to care for my child, can I use FLMA in the future to care for my own or a family member's serious health condition?

It depends. You may take a total of 12 workweeks of leave during a 12-month period under the FMLA, **including the EFMLEA**. If you take some, but not all 12 workweeks of your EFMLEA leave by December 31, 2020, you may take the remaining portion of FMLA leave for a serious medical condition, as long as the total time taken does not exceed **12 workweeks in the 12-month period**. Please note that expanded family and medical leave is available only until December 31, 2020; after that, you may only take FMLA leave.

For example, assume you take four weeks of EFMLEA in April 2020 to care for your child whose school is closed due to a COVID-19 related reason. These four weeks count against your entitlement to 12 weeks of FMLA leave in a 12-month period. If you are eligible for preexisting FMLA leave and need to take such leave in August 2020 because you need surgery, you would be entitled to take up to eight weeks of FMLA leave.

However, you are entitled to paid sick leave under the EPSL regardless of how much leave you have taken under the FMLA. Paid sick leave is not a form of FMLA leave and therefore does not count toward the 12 workweeks in the 12-month period cap. But please note that if you take paid sick leave concurrently with the first two weeks

of expanded family and medical leave, which may otherwise be unpaid, then those two weeks do count towards the 12 workweeks in the 12-month period.

14. Is all leave under the FMLA now paid leave?

No. The only type of family and medical leave that is paid leave is expanded family and medical leave under the Emergency Family and Medical Leave Expansion Act when such leave exceeds ten days. This includes only leave taken because the employee must care for a child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons.

15. I am a part-time employee, do I qualify for EFMLEA?

Yes, if you are part-time employee who has been employed for a minimum of 30 calendar days and cannot perform work because you need to care for your child whose school or place of care is closed, or child care provider is unavailable, because of COVID-19 related reasons. However, EPSL and EFMLA are only available if you are unable to work even though the City continues to have work for you. If you are furloughed or your hours are reduced because the City does not have work for you to perform you do not qualify for EPSL or EFMLA.

16. I am a part-time employee, do I now qualify for FMLA job protected leave if I have been employed for 30 days or more?

No, you are only eligible for 12 weeks of leave to care for a child whose school or child care provider is closed for reasons related to COVID-19.

17. Can more than one guardian, employed by the City, take EPSL or EFMLEA simultaneously to care for their child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons?

You may take EFMLEA to care for your child only when you need to, and actually are, caring for your child if you are unable to work or telework as a result of providing care. Generally, you do not need to take such leave if a co-parent, co-guardian, or your usual child care provider is available to provide the care your child needs.

18. May I collect unemployment insurance benefits for time during which I receive pay for EPSL and/or expanded EFMLEA?

If your child’s school is closed, and you have to miss work to be there for them, you may be eligible for Unemployment Insurance Benefits. Eligibility considerations include if you have no other care options, and if you are unable to continue working your normal hours remotely. File and Unemployment Insurance claim and a California Employment Development Department (EDD) representative will decide if you are eligible. You can apply for Unemployment Insurance benefits by visiting the State of California EDD website here: https://www.edd.ca.gov/about_edd/coronavirus-2019.htm

19. Where can I learn more information about EFMLEA?

You can find more information on the EFMLEA by visiting the Department of Labor’s website here: <https://www.dol.gov/agencies/whd/pandemic>.

II. Continuation of City Operations and Compensation for Employees

A. Full-Time Employees

1. Will I be able to continue receiving my full pay?

Probably. There are a few different ways that you can continue to receive your full pay. They are as follows:

Table II.A.1:

Method (Acknowledgement Form Option)	Requirements	How to Achieve Full Pay
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<p>OPTION 1: You are in a job classification performing work on a continuous or rotational basis as allowed by the Alameda County Public Health Order and/or you are currently on an approved telework agreement and will continue to abide by the City’s Telework Policy and you are willing and able to be reassigned or redeployed as needed by the City and in conformance with the Alameda County Public Health Order.</p>	<p>1. Continue to abide by the Alameda Emergency telework policy and Telework agreement with your Supervisor. This includes approval of work to be performed via telework and method of tracking progress.</p> <p>2. If there is not sufficient telework and/or you are off rotation you will be required to:</p> <ul style="list-style-type: none"> i. Be available by phone and email ii. Monitor and respond to emails during your scheduled work hours. iii. Be available to be redeployed to another assignment that is commensurate with your ability and current job classification which may be remote or onsite and if onsite, will be to perform duties as allowed by the Alameda County Public Health Order. 	<ul style="list-style-type: none"> i. For hours spent actually working you will receive regular pay ii. To reach 100% of scheduled time you will use any remaining COVID-19 Administrative Leave and then general paid Administrative Leave. <p>Telework Example: You work a 4 day/36 hour per week schedule and are available to work (or be redeployed) 9 hours per day. You work (telework or redeployment) 6 hours on Monday, Tuesday, and Wednesday, and 4 hours on Thursday.</p> <p>You have 9 hours of COVID-19 Administrative Leave remaining. Your hours for that week would be entered as follows:</p> <ul style="list-style-type: none"> - Monday: 6 hours regular/3 hours COVID-19 Administrative Leave - Tuesday: 6 hours regular/3 hours COVID-19 Administrative Leave 6 hours regular - Wednesday: 6 hours regular/3 hours COVID-19 Administrative Leave - Thursday: 4 hours regular/5 hours general paid administrative leave. <p>You would be paid for 36 hours but the hours would be coded on your timesheet as noted above.</p> <p>Rotational Work Example: You work a 5 day/40 hour per week schedule and are available to work (or be redeployed) 8 hours per day. You work 8 hours on Monday and Wednesday and rotate off on Tuesday, Thursday, and Friday.</p> <p>You have 16 hours of COVID-19 Administrative Leave remaining.</p>
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<p>OPTION 2: You are currently on an approved telework agreement, office rotation, or combination of both and will continue to abide by the City’s Telework Policy, however, but you are unable to be reassigned or redeployed to another assignment to perform duties as allowed by the Alameda County Public Health Order.</p>	<p>Continue your rotation into the office/abide by the Alameda Emergency telework policy and Telework agreement with your Supervisor. This includes approval of work to be performed via telework and method of tracking progress.</p>	<ul style="list-style-type: none"> i. For hours spent actually working you will receive regular pay ii. To reach 100% of scheduled time you may: <ul style="list-style-type: none"> - Use any remaining COVID-19 Administrative Leave - Use FFCRA leave if it is applicable to your situation - Use your accrued leaves including: Sick Leave, Comp Time, Vacation Time or Floating Holidays <p>Example: You work a 4 day/36 hour per week schedule and are available to work (but NOT be redeployed) 9 hours per day. You work 6 hours on Monday, Tuesday, and Wednesday, and 4 hours on Thursday.</p> <p>You have 9 hours of COVID-19 Administrative Leave remaining. Your hours for that week would be entered as follows:</p> <ul style="list-style-type: none"> - Monday: 6 hours regular/3 hours COVID-19 Administrative Leave - Tuesday: 6 hours regular/3 hours COVID-19 Administrative Leave - Wednesday: 6 hours regular/3 hours COVID-19 Administrative Leave

		<ul style="list-style-type: none"> - Thursday: 4 hours regular/5 hours sick, vacation, floating, comp, or LWOP. <p>You would be paid for all hours entered that were not LWOP. If you are unable to be redeployed for reasons listed in the FFCRA you may apply for FFCRA leave which would commence after you have exhausted your COVID-19 Administrative Leave.</p>
<p>OPTION 3: I am currently unable to work in either a telework capacity or be redeployed to another onsite assignment to perform duties as allowed by the Alameda County Public Health Order. I DO NOT AGREE to be redeployed.</p>		<ul style="list-style-type: none"> • Use any remaining COVID-19 Administrative Leave • Use FFCRA leave if it is applicable to your situation • Use your accrued leaves including: Sick Leave, Comp Time, Vacation Time or Floating Holidays <p>Example: You work a 4 day/36 hour per week schedule and are typically scheduled for 9 hours per day. You have applied and are eligible for 80 hours of EPSL at the 100% rate, capped at \$511 per day. You have 18 hours of COVID-19 Administrative Leave left.</p> <ul style="list-style-type: none"> - Monday: 9 hours of COVID-19 Administrative Leave - Tuesday: 9 hours of COVID-19 Administrative Leave - Wednesday until 72 hours of EPSL is used: EPSL+ accrued leaves (amount of hours to be provided by HR/Payroll). - AFTER 72 hours of EPSL is used: 9 hours of accrued leave per day (sick, comp, vacation , floating) or LWOP.

2. Will I be required to rotate into the office?

You may be required to rotate into your office or to another City worksite as permitted by the Alameda County Public Health Order. Please remember that as a City employee you are a Disaster Service Worker and may be required to be physically present at a site to serve as such.

3. What does it mean to be “redeployed”?

Redeployment means that you will be reassigned to other work or another area of the City **or within the community** for work. The work you are assigned would be commensurate with your current job classification and could be remote or onsite. For example, you may be called upon to work in the Emergency Operations Center if staff is needed there. You will not be asked to do work for which you are not qualified and work will only be performed in compliance with the Alameda County Public Health Order.

4. If I am redeployed, is the redeployment effective on a daily basis? For example, if I am redeployed on Tuesday, is the redeployment just for that day or is it going forward every Tuesday? Everyday?

It depends. You will be given information about your redeployment schedule when you are contacted for the redeployment. We try to give employees at least two days advance notice, though you may be called the day before or the day of the redeployment. It is important that you monitor your email and the number provided on your acknowledgement form during your regular schedule. If you have questions about your redeployment assignment please contact Jessica Romeo with the Human Resources Department at jromeo@alamedaca.gov.

5. What does it mean to be available and ready to work when called upon?

To be eligible for full pay the City requires that you be available and ready to work when called upon. This means that if you are not fully employed performing your normal work you will be “on call” during work hours to report to the City for work required by your department or by the City and/or to be assigned such work remotely. If you are not available for all or a portion of the work day for any reason you are not available and ready to work when called on.

For example if you are caring for your child who is home from school during the hours 2PM to 6PM and you would not be able to perform work or be called onsite to work because you are caring for your child, you are not available and ready to work. If however, your child is independent and old enough to be left home alone and you are able to leave them if called into work and/or able to telework while your child is present because you do not have to actively care for them, you are ready and available to work.

6. What happens if I am contacted for redeployment while I am working my regular schedule and performing work for my Department? Does the redeployment take priority over my normal work? What if the redeployment causes a delay to my regular work?

Before you are contacted for a redeployment, the Human Resources Department has contacted your supervisor or Department Head to check your availability, and to let them know you will be needed. Your normal work schedule or work should not be impacted.

7. I think I have work I can do at home, and I don't think I need to rotate into the office, can I just stay home and work and receive my full pay?

You must choose one option on the COVID-19 Employee Work Acknowledgement Form. Your Department Head and Supervisor will determine if your work can be performed remotely in compliance with the Alameda County Public Health Order and what work can be performed remotely and you will be required to abide by the City's Telework Policy and Telework agreement.

If you acknowledge and agree to be available to perform work in compliance with the Alameda Public Health Order either outside your department or for the City, you will be able to use the remainder of your COVID-19 Administrative Leave and then general paid administrative leave for time you are not actually performing work.

If you chose not to be available you will need to use some other leave, either EPSL, EFMLEA, remaining COVID-19 Administrative Leave, or your accrued leaves to receive pay for the time you are not actually performing work.

8. Why am I being asked to sign and acknowledgement?

It is important for the City to have an accurate list of employees who are ready and able to be called on to respond to the COVID-19 emergency and for employees understand what is expected of them in order to use various leaves available to them. In order to track who is available and when, as well as what leave employees are eligible for. We have created the acknowledgement form to assist in this tracking and to provide employees with information on what will be expected of them and the leaves which are available to them.

9. I selected Option 1 on the Acknowledgement Form, at the time of my selection I believed I would be available for redeployment, but I just learned that I may not be available during my full schedule because I may need to care for my child some days. What should I do?

As soon as you are aware that you will not be available for your full weekly schedule you should fill out a new Acknowledgement Form, available on the human resources website at www.alamedaca.gov/hr, and send it to the Human Resources Department at hr@alamedaca.gov. If you have questions about what the change will mean you can contact the Human Resources Department with questions at hr@alamedaca.gov or by leaving a message at (510) 747-4900. If you proactively change your Option, you will not be required to reverse General Administrative Leave used before the change was made.

If you are now unavailable because you need to care for your child, **you may be eligible for FFCRA leave** for hours you are caring for your child. You should **submit an EPSL and EFMLEA application to the Human Resources Department**. Applications can be found on the Human Resources Website at www.alamedaca.gov/hr and completed applications can be sent to hr@alamedaca.gov.

10. I selected Option 1 of the Acknowledgement Form and I received a call to go work at the food bank. I am worried about going to the Food Bank for redeployment because I am (or someone I live with is) part of a vulnerable population, do I really have to go? What happens if I refuse to go?

If you have selected Option 1, which includes redeployment into the community as needed, you will be required to go. If you refuse to go, you will be required to update your Acknowledgement Form and will need to reverse any General Administrative Leave you have used prior to the change to accrued leaves. This is because if do not agree to redeployment you are not eligible for redeployment and you must be willing to take the redeployment.

We understand that circumstances may change during these weeks and you may become unavailable for redeployment. If that occurs **you must proactively change your selection** to another option, if you do you will not be required to reverse General Admin Leave used prior to the change. However, if you wait to make the change until after you have been contacted you will be required to reverse any Administrative Leave used prior being contacted for redeployment.

Many of the current redeployments are with the Alameda Community Food Bank. Masks and gloves are provided and social distancing protocols apply. However, if you would be uncomfortable being redeployed to the Food Bank you should consider changing your selection.

If you would like to or need to change your selection the acknowledgement form can be found on the Human Resources website at www.alamedaca.gov/hr and completed forms can be returned to humanresources@alamedaca.gov

11. I selected Option 1 on the Acknowledgement Form, but I would like to take a vacation day; can I take vacation without changing my option and submitting a new Acknowledgement Form?

Yes, you can still take vacation during the emergency, as long as you receive approval from your Department Head/ Supervisor. You should request vacation per your department's normal procedures. If approved, record your vacation time as you normally would during your time off, us your vacation time and not General Administrative Leave for the day(s) you are on vacation.

- 12. I selected Option 1 on my Acknowledgement Form, but I woke up with a cold (allergies, emergency dental appointment, etc), can I take a sick day without changing my option and submitting a new Acknowledgement Form?**
- Yes, if you are sick, we encourage you to stay home and take the time you need to recover. You do not need to fill out a new Acknowledgement Form, however, you should follow your departments call in procedure to let them know you are sick and unavailable for the day. While you are sick and unavailable use sick accruals. Record your sick time as you normally would during your time off, as your sick time and not General Administrative Leave for the day(s) you are sick.
- 13. I only have enough work for a fraction of my normal hours, will I be paid for the other hours in my normal schedule for which I don't have work?**
- There are multiple ways in which to be compensated for your remaining hours. If you elect to be ready and able to respond for work, and to be redeployed as needed you will use your remaining COVID-19 Administrative Leave and when your COVID-19 Administrative Leave is exhausted you will be paid general Administrative Leave for remaining hours to fill your full schedule. If you are unable to work and elect not to be redeployed as needed you can use your remaining COVID-19 Administrative Leave to supplement your pay and once that is exhausted you may use your accrued leaves to supplement your pay. If you are unable to work due to a reason listed in the FFCRA you may use EPSL or if applicable EFLMEA leave for the hours you are not working. Please reference [Table II.B.1](#) above.
- 14. If I am unable to be available and ready to work because of a reason listed in the FFCRA will I receive my regular pay?**
- For hours you spend working, either rotating into the office as permitted by the Alameda County Public Health Order or teleworking, you will be paid regular hours. For remaining hours you will first be required to use any remaining COVID-19 Administrative Leave and then may use FFCRA Leave (EPSL or EFMLEA) and your accrued sick leave, comp time, vacation, floating holiday time, or a combination of these leaves to reach full pay status. FFCRA leave (EPSL and EFMLEA) will be paid based on the limits described above in EPSL and EFMLEA sections.
- 15. If I want to make up my pay with leave while I am on FFCRA (EPSL and/or EFMLEA) leave can I use my sick time, comp time, floating holiday or vacation time?**
- Yes, you may use your accrued leaves including, sick, comp time, floating holiday, and vacation, etc.
- 16. If my Department Head is requiring me to rotate onsite but I am a member of a vulnerable population and my doctor has advised me to stay home, can I stay home and remain in a paid status?**
- Employees will only be asked to rotate into the office or other City facility in compliance with the Alameda County Public Health Department Order. If your doctor has advised you to stay home, after exhausting COVID-19 Administrative Leave you may apply for EPSL and provide a note for hours that you are required to work onsite. If you are unable to work because your doctor has advised you to self-quarantine you may receive up to two weeks of pay (ex. 72 hours for a 36 hour per week employee), at your regular rate up to \$511 per day. If that does not fully compensate you, you may use your accrued leaves to make up the remainder of your time. You will be provided with how many work hours equal the \$511 per day cap.
- 17. What if my Department Head will not allow me to perform any work from home?**
- Your position may not allow work to be performed from home and you may need to rotate into the office in compliance with the Alameda County Public Health Order. If you remain available during your work hours to rotate into the office or perform other work as assigned, you will be paid as described above with a combination of regular pay hours worked, COVID-19 Administrative Leave and general paid Administrative Leave.
- 18. If my position does not allow me to work from home but I do NOT want to be redeployed to other work within the Department or throughout the City, will I be paid?**

Your position may not allow work to be performed from home and you may need to rotate into the office in compliance with the Alameda County Public Health Order. If you are unable to rotate into the office and/or be available for work and be redeployed within the Department or the City, you may use your remaining COVID-19 Administrative Leave and then if applicable FFCRA leave (EPSL and/or EFMLEA) and accrued leaves.

19. If I can't work for a reason described in the FFCRA and I run out of EPSL, can I use my sick leave (or other leaves) to stay on a paid status?

Yes. If you have exhausted your EPSL, you may use any of your accrued leaves to stay on paid status.

20. If I am only available part of the day, or only certain days if the week, because I will be caring for my child whose school is closed because of COVID-19, will I be able to work or will I have to take leave under the FFCRA?

If you are available to work for a part of the day or certain days during the week, you may telework or rotate into the office in compliance with the Alameda County Public Health Order for hours you are available and there is work to perform and may use COVID-19 Administrative Leave to cover your remaining hours. Once COVID-19 Administrative Leave is exhausted you may use applicable FFCRA Leave (EPSL and/or EFMLEA) for the remainder of your hours. If the FFCRA is insufficient to compensate you for your full pay you may use your accrued leaves to supplement you pay.

21. How do I fill out my timesheet if I am working regular hours, using COVID Leave and/or using General Administrative Leave?

You will enter regular hours for hours worked and if you have a balance of COVID-19 Administrative Leave hours, use those hours to supplement your regular hours to fill your regular schedule. Once you have used your COVID-19 Administrative Leave hours, use General Administrative leave to supplement hours worked. Your supervisor will have updated information regarding your remaining COVID-19 Administrative Leave balance Please refer to Table [II.A.1](#) above. Use the line of your time sheet labeled "Other" for COVID-19 Administrative Leave, be sure to write in "COVID" next to other. To use General Administrative Leave use a line that you do not normally use, cross out the label and write in "GAL" and record the General Administrative Hours you need to use here.

22. If my child's school is closed and I am providing care and am therefore unable to work, will I be paid?

Yes. First, notify your supervisor that you are unable to work due to your child's school closure. Second, visit the Human Resources website at www.alamedaca.gov/HR and complete the required paperwork for both the EPSL and EFMLEA leave. You will be eligible for 12 weeks of EFMLEA paid leave (first two weeks paid by EPSL). You will be eligible for 2/3 of your wage with a cap of \$200 per day. If your full time wage is higher than the cap, you may supplement the EFMLEA/EPSL leave with your accrued leaves. You may also designate the time over the cap as leave without pay. You will be provided with how many work hours equal the \$200 per day cap.

23. If my child's school is closed but I am still able to work some days of the week and/or sometime during the day, will I be allowed to work?

Yes. Please work with your supervisor to determine what your schedule will be. You may supplement the hours you are not able to work with remaining COVID-10 Administrative Leave, then with EPSL/EFMLEA hours, which are capped at \$200 per day. You will be provided with how many work hours equal the \$200 per day cap.

24. I am not comfortable rotating into the office or being redeployed in a way that would bring me onsite, but I am able to telework, how will I be compensated?

You will be compensated for actual hours worked (telework). You will need to supplement those hours with accrued leave banks, using COVID-19 Administrative Leave first. You may also qualify for two weeks of FFCRA/EPSL leave, please visit www.alamedaca.gov/hr to view more information and determine if you qualify. Please refer to table [II.A.1](#) above.

25. If I cannot work for a reason described in the FFCRA but I run out of applicable leave/pay under the FFCRA, will I be on leave without pay?

If you are unable to work for the reason of losing childcare, you may have up to 12 weeks of compensation of 2/3 of your wage up to \$200 per day. If you run out of accrued leaves to supplement the hours over the cap, that time will be designated leave without pay. If you are eligible for 80 hours of FFCRA leave, after that time, you will use your accrued leaves (you may also use accrued leaves to supplement FFCRA leave if your wage is above the cap). If you have no accrued leave hours remaining, yes, your leave will be designated as leave without pay.

26. If I am unable to work due to my child's school being closed and am receiving 2/3 of my regular pay under the EFMLEA, can I use my accrued leave concurrently to make up the difference in my salary?

Yes, you may use your accrued leaves to supplement your pay.

27. What is the difference between COVID-19 Administrative Leave and General Paid Administrative Leave?

COVID-19 Administrative Leave is a leave bank with the equivalent of 3 weeks of your work schedule. This leave was authorized to be used from March 17, 2020 to April 6, 2020 to compensate employees who were unable to work due the shelter in place order. It was also used to supplement hours for employees who were able to telework if there was not sufficient remote work for their work schedule. Employees who were not able to use this leave would be able to access the leave for two years (the leave is not vested and cannot be cashed out upon separation). With the extension of the Shelter in Place order, the City has issued new guidance on how employees will be compensated through May 3, 2020. For scheduled work hours where work is not performed, employees will continue to use COVID-19 Administrative Leave until there is no balance remaining. Then, employees who are able to remain available to work during their work hours, including possible reassignment to other duties (as described above ([Question 3](#) of this section and [Table II.A.1](#))) will supplement hours worked with General Paid Administrative Leave. This administrative leave is not a separate bank and there are no hours accrued. It is authorized leave used to differentiate between regular hours worked and hours where there is not work but the employee is available to work. This leave is currently authorized through May 3, 2020.

28. I am reaching my vacation cap, can I take vacation during the COVID-19 Emergency?

Yes, even if you have chosen to be available for redeployment you may still schedule vacation time with the approval of your Supervisor/Department Head. When filling out your time sheet you will record your vacation time as you normally would. The same rules apply, vacation time should be prescheduled and approved by your supervisor. Follow your department's normal vacation request procedure.

29. I am reaching my vacation cap and I am unable to take vacation time because of the COVID-19 Emergency, will I lose vacation accruals?

We understand that many of our employees will be unable to take vacation while this emergency continues, we now have in place a method to track vacation accruals for those reaching their maximum allowed accrual. Once employees reach their maximum accrual in the system their accruals will be turned off and vacation will be tracked outside the system. Employees will have until January 2, 2021 to draw down their accruals below their cap. This is very similar to the process currently used for those that have been approved for a vacation extension. If you are near your vacation accrual cap and have questions about your vacation accrual please contact the Human Resources Department at hr@alamedaca.gov or by leaving a message at (510) 747-4900

30. I am currently on an approved vacation extension, am I included in the vacation cap extension and now have until January 2, 2021 to bring my vacation under the cap?

Yes, if you were already on a vacation extension that was set to expire between now and the end of the year, your expiration date will now be January 2, 2021. You will have until January 2, 2021 to bring your vacation accrual under your cap.

31. What if I am unable to bring my vacation under my vacation cap by January 2, 2021 because my Department Head/Supervisor would not approve me to take enough vacation time between now and January 2, 2021?

If you have requested and been denied vacation time to bring yourself under your cap by the end of the year please contact Human Resources and we can do an individual assessment to determine next steps.

32. Do I accrue sick and vacation time if I am using COVID-19 Leave, Administrative Leave, or FFCRA Leaves? What if some of my time is Leave without Pay (LWOP)?

Accrued leave, COVID-19 Leave, Administrative Leave and all FFCRA Leave hours are considered time worked and you will accrue vacation time when using these leaves. If you are using LWOP we do a monthly look back to determine the percentage of time you were on a paid status, if you were on a paid status less than 92% of the time, you lose that month's sick time accrual.

B. Part-Time Employees

1. Am I going to be furloughed?

Maybe, with the reduction in City operation we may no longer have work for some part-time employees to perform. If you are going to be furloughed (hours reduced to 0 per week) you will receive notice from your supervisor and will receive a letter indicating that the City does not currently have work for you. Human Resources will email these notices to employees with emails on record and will also mail letters to all affected employees Monday, April 13, 2020. If you have questions about whether you are scheduled to work or will continue to have hours, please contact your supervisor.

2. Am I going to be released from employment?

The City does not currently have plans to release part-time employees. If you would prefer a notice of release and to be separate from the City so that you can access your PARS account please contact you supervisor to submit a letter of resignation. I

3. If I am furloughed or released from employment, can I use all my sick leave before I am off paid status or separated?

If you are a part time employee and you are no longer scheduled to work, you are not eligible to use your accrued sick leave prior to being removed from payroll. The Human Resources Department will provide you with a furlough notice so you may file for unemployment benefits. If you return to employment with the City within the next year, your sick hours will be reinstated.

4. If my hours are reduced or cut completely, I am furloughed or released, am I eligible to file for unemployment insurance benefits?

If you are a part time employee and your hours are reduced or cut completely, you will not get paid sick leave or expanded family and medical leave but you may be eligible for unemployment insurance benefits. You should contact the California Employment Development Department (EDD) at <https://edd.ca.gov/> for specific questions about your eligibility. The Human Resources Department will provide you with a furlough notice once you no longer have scheduled work hours so you may file for unemployment benefits.

You may be asked for the City's State ID number, this number can be found on line 15 of your W-2. The City's State ID number is 80037427.

5. I am a retired annuitant and my hours have been reduced or cut completely, am I eligible for unemployment benefits?

CalPERS retired annuitants are eligible to file for unemployment benefits however this may prohibit you from being reinstated with a CalPERS employer within the 12-month period you received unemployment benefits. Per California law, it is prohibited for a CalPERS employer to appoint a retired annuitant during the 12-month period

in which you received unemployment insurance compensation for prior retired annuitant employment with any CalPERS employer. You may refer to CalPERS guide to employment after retirement for more information. <https://www.calpers.ca.gov/docs/forms-publications/employment-after-retirement.pdf> The Human Resources Department will provide you with a furlough notice so you may file for unemployment benefits

6. How do I access unemployment insurance benefits?

You should contact the California Employment Development Department (EDD) at <https://edd.ca.gov/> for specific questions about your eligibility or to file or manage your unemployment claim.

7. If the City reduces my scheduled work hours, can I use EPSL or EFMLEA for the hours that I am no longer scheduled to work?

No. If the City reduces your work hours because it does not have work for you to perform, you may not use EPSL or EFMLEA for the hours that you are no longer scheduled to work. This is because you are not prevented from working those hours due to a COVID-19 qualifying reason, even if your reduction in hours was somehow related to COVID-19.

You may, however, use EPSL or EFMLEA if a COVID-19 qualifying reason prevents you from working your full schedule. If you do, the amount of leave to which you are entitled is computed based on your work schedule before it was reduced.

8. I am a part-time employee, do I qualify for leave under the FFCRA (EPSL or EFMLEA)?

The FFCRA applies to both part-time and full-time employees. The EPSL provisions of the FFCRA apply to part-time employees as of the date of employment but the EFMLEA will not apply until an employee has been employed by the City for 30 days or more.

9. I am a retired annuitant, am I eligible for the FFCRA benefits?

Yes, CalPERS recently came out with a Circular letter confirming that retired annuitants may collect FFCRA benefits, however, the time used counts toward your yearly hour maximum and retired annuitants are eligible only if the City has work for you to perform and they are prevented from performing the work because of one of the reasons listed in the FFCRA. Retired annuitants who have questions about the use of FFCRA Leaves should contact the Human Resources Department at hr@alamedaca.gov or by leaving a message at (510) 474-4900.

10. If my department is open, but furloughs me on or after April 1, 2020, can I receive EPSL or EFMLEA?

No. If the City furloughs you because it does not have enough work for you, you are not entitled to then take EPSL or EFMLEA. However, you may be eligible for unemployment insurance benefits. You should contact the California Employment Development Department (EDD) at <https://edd.ca.gov/> for specific questions about your eligibility.

11. I am a part-time employee, do I now qualify for FMLA job protected leave if I have been employed for 30 days or more?

No, you are only eligible for 12 weeks of EFMLEA leave to care for a child whose school or child care provider is closed for reasons related to COVID-19. FMLA protected leave still requires an employee to be employed for 12 months and have worked 1250 hours in those 12 months.