

DOUGLAS COUNTY SCHOOL DISTRICT PUBLIC HEALTH EMERGENCY LEAVE

DCSD employees may be eligible for paid Public Health Emergency Leave (PHEL), which in qualifying instances, can be used to supplement employees' accrued paid sick leave for reasons related to a public health emergency. These new benefits emanate from Colorado's Healthy Families and Workplaces Act, which was signed into law on July 14, 2020. Please see below for some Frequently Asked Questions regarding PHEL benefits.

1. What is a "Public Health Emergency?"

A public health emergency is defined as an act of bioterrorism, a pandemic influenza, or an epidemic caused by a novel and highly fatal infectious agent, for which: (1) a disaster emergency is declared by the governor; or (2) an emergency is declared by a federal, state, or local public health agency; or (3) a highly infectious illness or agent with epidemic or pandemic potential for which a disaster emergency is declared by the governor.

2. How much emergency leave are employees entitled to?

On the day a public health emergency is declared, the District will provide a one-time supplement to employees' accrued paid sick leave, depending on an employee's FTE and the amount of sick leave the employee has already accrued.

- For employees who work at least forty hours per week, they will be entitled to a one-time supplement of paid sick leave in an amount of hours that enables the employee to have access to eighty hours of paid sick leave.
- For employees who normally work under forty hours per week, their paid sick leave will be supplemented in the amount of hours necessary to enable the employee to have access to paid leave hours that are the greater of the number of hours the employee: (i) is scheduled for work in the up-coming fourteen day period, or (b) actually worked on average in the fourteen-day period prior to the PHEL request.

Please note that employees are eligible for PHEL in the above amounts only once during the entirety of a public health emergency, even if the public health emergency is amended, extended, restated or prolonged.

3. For what reasons can an employee take PHEL?

Following the declaration of a public health emergency, employees may use PHEL for the following reasons:

- Self-isolate and care for oneself because the employee is diagnosed with a communicable illness that is the cause of a public health emergency;
- Self-isolate and care for oneself because the employee is experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- Seek or obtain medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- Seek preventive care concerning a communicable illness that is the cause of a public health emergency; or
- Care for a family member who is self-isolating, needs medical diagnosis, treatment, or care, or is seeking preventative care due to the communicable illness that is the cause of the public health emergency.

Additionally, employees may use supplemental PHEL during the following situations:

- Where a state, local, or federal public health official or DCSD determines that the employee's presence on the job or in the community would jeopardize the health of others due to exposure to the communicable illness or because the employee is exhibiting symptoms of the communicable illness, regardless of whether the employee has been diagnosed with the communicable illness, or where the employee must care for a family member who has been deemed to jeopardize the health of others.
- To care for a child or other family member when the individual's child care provider is unavailable due to a public health emergency, or if the child's or family member's school or place of care has been closed by a local, state, or federal public official or at the discretion of the school or place of care due to a public health emergency, including if a school or place of care is physically closed but providing instruction remotely.
- Where an employee is unable to work because the employee has a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of the public health emergency.

4. At what rate of pay will employees be paid when taking PHEL?

Employees taking PHEL will be paid at the same rate of pay as the employee normally earns, excluding overtime and other irregular compensation.

5. What kind of notice is required to take PHEL?

Employees must notify the District of the need for PHEL as soon as practicable when the need for leave is foreseeable and the employee's worksite has not been closed. DCSD does not require employees to provide any form of supporting documentation in order to take PHEL.