

TOWN OF CANANDAIGUA COVID-19 PAID LEAVE POLICY

Adopted by the Town Board of the Town of Canandaigua
on November 16, 2020 by Resolution No. 2020 - 252

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers, including the Town of Canandaigua, to provide their employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19.

1) Essential Employees:

For the purposes of this policy, an essential employee is an employee who does not have the ability to work remotely. Every effort should be made for employees to work remotely as much as possible during a Health Emergency declared by the Governor of the State of New York, Ontario County, or the Town Supervisor of the Town of Canandaigua. The Town Board of the Town of Canandaigua hereby declares the following positions as essential because some or all of their job responsibilities may or may not be able to be performed remotely: Administrative Coordinator, Assessor, Clerk to Town Justice, Code Enforcement Officer, Deputy Highway Superintendent, Deputy Town Clerk, Finance Clerk II, Heavy Equipment Mechanic, Highway Superintendent, Human Resource and Payroll Coordinator, Laborer, Motor Equipment Operator, Lifeguard, Office Specialist I, Park Maintenance Assistant, Recreation Attendant, Recreation Specialist, Transfer Station Operator, Town Board Member, Town Clerk, Town Justice, Town Manager, Town Planner, Town Supervisor, Water Superintendent, Water Maintenance Assistant, Working Supervisor, and Zoning Inspector.

2) Eligibility

1. An employee must have been employed for at least 30 days.
2. An employee does not have the ability to work remotely or has been deemed essential.

3) Paid Leave

1. The Town of Canandaigua will provide the following:
 - i) Two weeks (up to 80 hours) of **paid sick leave** at the employee's regular rate of pay where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
 - ii) Two weeks (up to 80 hours) of **paid sick leave** at two-thirds the employee's regular rate of pay (employee may use any combination of accrued time off for remaining one-third of regular pay or elect to receive the reduced two-thirds pay) because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor; or
 - iii) Up to an additional 10 weeks of **paid expanded family and medical leave** at two-thirds the employee's regular rate of pay where an employee is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

4) Procedure for Requesting Paid Leave

1. When requesting paid sick leave or expanded family and medical leave, you must provide your employer (Human Resources) a completed paid leave request in writing including the following information as soon as practicable:
 - i) Your name;
 - ii) The date(s) for which you request leave;
 - iii) The reason for leave; and
 - iv) A statement that you are unable to work because of the above reason.
 - v) If you request leave because you are subject to a quarantine or isolation order or to care for an individual subject to such an order, you should additionally provide the name of the government entity that issued the order. If you request leave to self-quarantine based on the advice of a health care provider or to care for an individual who is self-quarantining based on such advice, you should additionally provide the name of the health care provider who gave advice.
2. If you request leave to care for your child whose school or place of care is closed, or child care provider is unavailable, you must also provide:
 - i) The name of your child;
 - ii) The name of the school, place of care, or child care provider that has closed or become unavailable; and
 - iii) A statement that no other suitable person is available to care for your child.

5) Essential Employees

An employee that has been referred to the Public Health Department must comply with the recommendations and directive of that department with respect to COVID-19 testing, quarantine, isolations, and return to work. This policy attempts to cover the most common situations but cannot account for all possible situations. If a situation arises not covered by this policy, or a change in public health policy occurs, the Essential Employee's direct supervisor, working with Human Resources, shall make the determination regarding that employees return to work.

1. Essential Employees with symptoms consistent with COVID-19:

- i) Essential Employees with the symptoms listed below should **NOT** report to work without an alternative medical diagnosis. Employees who begin to exhibit these symptoms while at work, should immediately contact their supervisor (who shall immediately consult with Human Resources) and leave the workplace. Essential Employee should contact their healthcare provider to discuss symptoms and possibility of a COVID-19 test. Essential Employee may be required to provide a return to work note from their healthcare provider. People with COVID-19 have a wide range of symptoms – ranging from mild symptoms to severe illness. Symptoms may appear 2-14 days after exposure to the virus. Employees with these symptoms or combinations of symptoms may have COVID-19:

- Cough (not related to seasonal allergies)
- Shortness of breath or difficulty breathing
- Fever (>100 F)

Or at least **two** of these symptoms:

- Chills
- Repeated shaking with chills
- Muscle pain/aches
- Nausea/vomiting

- Diarrhea
 - Headache (not related to other causes)
 - Sore throat
 - Loss of taste or smell
- ii) Essential employees, who did not have a COVID-19 test but had COVID-19 symptoms (without an alternative diagnosis), and were directed to care for themselves at home by a medical doctor or Local Health Department (LHD) and have provided a copy of the doctor's note or LHD release to Human Resources may return to work after:
- At least 3 days (72 hours) has passed without a fever (100 F or greater), without the use of fever-reducing medications; AND
 - Other symptoms have improved enough they can work; AND
 - At least 14 days have passed since their first symptom appeared.
2. Essential Employees who have been **exposed to a confirmed or suspected case of COVID-19** may be permitted to work in the required workplace setting if all of the following conditions are met:
- Essential Employee has received a negative result from a COVID-19 test.
 - Essential Employee is asymptomatic.
 - Essential Employee self-monitors temperature and symptoms upon arrival to work and at least every 12 hours while at work.
 - If Essential Employee develops symptoms consistent with COVID-19 (listed above) while working, they should immediately stop work and isolate at home.
 - Essential Employees required to interact with individuals within 6 feet are required to wear a facemask while working for 14 days following the last exposure.
 - Essential Employees should avoid common areas such as the breakroom and must take breaks in a separate location from other employees.
 - Essential Employees must wear a mask while using the bathroom or locker room.
 - An Essential Employee whose job duties permit a separation of greater than 6 feet do not need to wear a facemask.
3. Essential Employees, who are directed to quarantine at home by a medical provider or LHD because they have symptoms and **test positive for COVID-19**, may return to the work site under the following conditions:
- At least 3 days (72 hours) has passed without a fever (100 F or greater), without the use of fever-reducing medications; AND
 - Other symptoms have improved enough they can work; AND
 - At least 14 days have passed since their first symptom appeared; AND
 - They have received a letter or other documentation from the Public Health Department advising that their isolation/quarantine period has ended.
 - For employees who test positive for COVID-19, the Public Health Department will conduct contact tracing for co-workers that may have had close contact with the confirmed-positive employee and may direct those individuals that have had close contact with the confirmed-positive employee to be aware of the symptoms and self-assess for those symptoms every day while under a quarantine/isolation order.