



POLICIES, RULES AND REGULATIONS	
Title: EMERGENCY ADMINISTRATIVE LEAVE POLICY	
Approval Date: March 2020	Effective Date: March 2020
Approved By: Board of Directors	DMS #

EMERGENCY ADMINISTRATIVE LEAVE POLICY

On or about March 4, 2020, Governor Newsom Declared a State of Emergency in California and on March 12, 2020 signed Executive Order N-25-20 to formalize state actions to limit the spread and manage certain impacts of a Novel Coronavirus disease also known as COVID-19. The Santa Clarita Valley Water Agency (“Agency”) is continuing to monitor reports from state, county and other health organizations to receive the most current information and relay it to staff in a timely manner.

This State of Emergency has highlighted the Agency’s need for an Emergency Administrative Leave (“EAL”) policy to provide flexibility in scheduling and addressing absences necessitated by a Major Public Disaster, in this case the COVID-19 pandemic. This policy is intended to provide EAL as a benefit to employees and set out terms of its usage.

Pursuant to Government Code 3100’s mandate that “all public employees are declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law.”

1.0 PURPOSE

During the a Major Public Disaster, such as the COVID-19 event, the Agency may experience situations where employees are impacted by unavailability, voluntary self-quarantine protocols due to exposure or experiencing symptoms, school closures which prompt childcare needs, or, a positive test result for the illness itself.

It is possible that State and County health officials may also enact a mandatory quarantine for an area, which could result in modifications to how the Agency staffs its various functions.

This policy is intended to be protective of our staff and the general public welfare. By implementing these measures, the Agency can facilitate sufficient employee leave to comply with recommended public health related voluntary or mandatory isolation measures when appropriate. This policy will also authorize pay provisions for essential employees in order to maintain essential operations.

2.0 GUIDELINES

Employees are required to adhere to current public health guidance, including self-quarantine (such as if experiencing symptoms of COVID-19), having been exposed to a person with the illness, or presumptively or confirmed infection related to the Major Public Disaster.



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The Agency reserves the right to send employees home if they appear symptomatic or not fit for duty.

In complying with these guidelines, up to one (1) week (employees typical work week) of available sick leave shall be used first. If an employee does not have adequate sick leave availability, he/she should consult with Human Resources. The Agency will address each case individually; however, it is the Agency's intent to make sure that no employee feels compelled to come to work because they lack sufficient sick leave hours.

3.0 PROCEDURE

The Agency strives to be prepared for catastrophic events, such as the current COVID-19 pandemic, that may force shutdown, or partial shutdown, of operations. This policy grants discretionary access to up to ten (10) days (two work weeks) EAL to cover employee absences due to work unavailability because of a Major Public Disaster, including the COVID-19 pandemic. Understanding that the provision of some basic services may require some level of skeletal or flex staffing, the General Manager is authorized to provide EAL on an intermittent or staggered basis.

“Major Public Disaster”: A “Major Public Disaster” is an incident that is of the severity and magnitude that effective response is beyond the capability of the state or affected local governments. In order to qualify as a “Major Public Disaster” under this policy, the event must have caused a governmental authority, such as the Governor of California or the President of the United States, to declare a formal state of emergency. This definition shall be interpreted consistently with 44 CFR § 206.2(a)(17), which includes events such as hurricane, tornado, tsunami, earthquake, volcanic eruption, or pandemic.

4.0 QUALIFYING CIRCUMSTANCE

Access to up to two additional work weeks of EAL shall be provided per affected employee at the discretion of the General Manager only in circumstances that meet the following criteria:

- 4.1 A Major Public Disaster has caused or could cause the unavoidable closure of all or part of the Agency's operations in a manner that could result in layoff or furlough. Circumstances causing such closure include but are not limited to (1) destruction or severe damage of the Agency's facilities or infrastructure; (2) inability or severe difficulty accessing the Agency's facilities due to destruction or damage of transportation corridors; or (3) unavailability of sufficient personnel to



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operate the affected facility or department because of illness or injury associated with the Major Public Disaster.

- 4.2 The General Manager has adopted an Emergency Operations Plan that utilizes EAL in a manner to (1) best serve the Agency’s operations; (2) address public health or safety concerns associated with the Major Public Disaster; (3) maintain necessary staffing while limiting the need for permanent layoffs or furloughs; and (4) best maintain the Agency’s ability to resume full operations and services when possible.
- 4.3 The intended employee-recipient’s workload has been severely impacted by the Major Public Disaster such that the employee-recipient is either unable to report to work or there is insufficient work within the relevant department or facility to warrant full staffing.
- 4.4 The intended employee-recipient of the EAL does not have paid sick leave available or has used one (1) week (employee’s typical work week) of sick leave.

5.0 PROCESS

The process for using sick leave and EAL is as follows:

- 5.1 Agency provides sick leave, which shall be used first. The employee shall use one (1) week (employee’s typical work week), if available, before EAL can be used.
- 5.2 Agency will provide up to two additional work weeks of EAL for illness-related absences associated with the Major Public Disaster. Related absences may include:
 - a. If an employee is unable to work or is showing signs of being ill, an employee may voluntarily self-quarantine and stay home to avoid possible spread of the illness.
 - b. If an employee has been exposed to the illness, the Agency would expect that the employee would follow quarantine guidelines as applied by public health authorities, regardless of whether they are symptomatic.
 - 1. The State of California Disability Insurance Program (through the Employment Development Department (EDD)) has waived the one (1)



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week waiting period if an employee is unable to work due to having or being exposed to the illness (certified by a medical professional).

- c. Employees who are well but who have a family or household member at home with presumptive or confirmed illness (certified by a medical professional), should also follow the same quarantine guidelines.
 - 1. The employee can file a claim for paid Family Leave (PFL) claim with EDD.
- d. If there are school or daycare closures and employees need to provide childcare for young children.
- e. In the event of limited operations, all non-essential employees will be sent home.
- f. If an employee has tested positive for the illness.

5.3 Agency will address employee needs for illness-related absences beyond the EAL on a case by case basis.

5.4 The Agency will work with the State of California Disability Insurance Program through the EDD to coordinate disability benefits for those employees who qualify. There may also be other relief from the federal government in the future. The Agency will coordinate to extent feasible with other illness-related relief provided by state or federal emergency orders or legislative actions.

6.0 AGENCY BENEFITS

In addition to health benefits coverage provided for full-time employees, the Agency participates in the Family/Medical Leave Act (FMLA) and had adopted a policy for Catastrophic Leave.

6.1 FMLA is designed to help employees balance their work and family responsibilities by allowing them to take reasonable unpaid leave for certain family and medical reasons. Employees can take up to 12 weeks of unpaid, job-protected leave per year. It also requires that their group health benefits be maintained during the leave. For more detailed information, see the Agency's Employee Manual, Section 22.



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6.2 Catastrophic Leave Policy allows other employees to make grants of time so that an employee can remain in a paid status for a longer period of time, thus partially lessening the financial impact of the illness, injury or condition. The employee must have personally suffered or is providing primary care to an immediate family member who has suffered a serious, long-term catastrophic illness or injury resulting in the employee’s absence for at least fifteen (15) consecutive days. For more detailed information, see the Agency’s Employee Manual, Section 19.

7.0 Pay for Essential Services Performed During Limited Operations

If employees are unable to work because of a Major Public Disaster, a number of employees must continue to provide services during the event. This means that some employees may be required to work during limited operations, when other non-essential employees have been released from duty. In addition, employees may be directed to work an extraordinary number of hours above and beyond their regular schedules on responsibilities associated with the event.

Public employees will be asked to perform essential services in order to promote and maintain public health and safety. Employees may be required to come to work, if able to do so, at any time of day to perform essential, emergency or disaster related duties. These duties may not be part of an employee’s regular duties and may not be at the regular work location. Employees responsibilities may continue into the recovery phase of event and may be organized into daily or hourly shifts that are different from employees’ regular hours.

Essential employees will continue to be paid as they normally would (including overtime or compensatory time, premiums or other special pays, etc.). If essential employees are required to perform duties outside the scope of their classifications, they may be eligible for additional pay, such as out of class assignment pay, if the duties are associated with those of a higher paying classification and the conditions are met. Additional information can be found in the Agency’s Employee Manual, Section 7.9.