

COVID-19 SPECIAL FACULTY AND STAFF WORK AND LEAVE PROVISIONS

**EFFECTIVE JULY 1, 2021 THROUGH END OF PUBLIC HEALTH EMERGENCY OR
UNTIL REVISED OR RESCINDED
(Revised 06-23-21)**

The following are special emergency provisions authorized by the president of The University of North Carolina in response to the COVID-19 event. These provisions supersede all regular policies and are subject to modification or discontinuation by the president at any time based on COVID-19 developments, executive orders of the governor, and the operational needs of the University. All paid administrative leave provisions are per the employee's regular work schedule (or typical work schedule for temporary employees as determined by management) and do not include overtime or other special pay provisions. Where implementation decisions are noted as a chancellor's or institution's discretion, this includes a chancellor's authorized designees. This document does not apply to employees of UNC Health, who are governed by that entity's policies.

**COVID-19 PAID ADMINISTRATIVE LEAVE AND OTHER LEAVE PROVISIONS FOR
PERMANENT EMPLOYEES**

Note: While management will give every possible consideration to individual personal circumstances, management has the discretion to deny or defer special leave provisions (below) for mandatory employees whose presence is determined necessary to address urgent public health, public safety, or critical infrastructure needs.

1. "FAMILIES FIRST CORONAVIRUS RESPONSE ACT" (FFCRA): Leave benefits provided under this federal program ended December 31, 2020.

2. COVID-19 SHARED LEAVE BANK: NC State will discontinue the COVID-19 shared leave bank after June 30, 2021, similar to the state-wide voluntary shared leave program. There is no continued employee entitlement to this leave.

a. Donations to, and receipt of leave from, this leave bank are available only from and to employees within the institution; exchanges with employees at other institutions/agencies are not permitted.

b. Such a leave bank program would be available for absences only if the recipient employee cannot report to work on-site or telework because the employee:

- 1) must provide childcare because a school or childcare facility is closed, or the school has required or has allowed remote learning for the family, due to COVID-19;
 - 2) must provide elder care because an elder care facility is closed due to COVID-19;
 - 3) has been in close contact with a COVID-19 positive person in the last 14 days;
 - 4) received instructions to isolate or quarantine by a health department or health care providers;
 - 5) has COVID-19 symptoms and is seeking medical diagnosis or has been diagnosed with COVID-19; or
 - 6) is not expected to report to a University worksite but cannot telework because their position and duties cannot be performed remotely and because reasonable alternate remote work is not feasible or productive.
- d. Employees must have exhausted all COVID-19 paid administrative leave, accrued personal leave, and paid time off prior to participating in the leave bank program, and newly accrued leave must be used prior to any additional shared leave.
- e. Leave bank donations may be applied only to eligible absences occurring between July 1, 2020 and June 30, 2021. Leave donations cannot be used for any purpose other than those described above, and any unused leave donations cannot be retained by the recipient employee once their eligibility to use the shared leave ends.
- g. NC State shall report usage of the COVID-19 shared leave bank in the manner prescribed by OSHR.

3. COVID-19 VACCINATIONS: NC State allows paid time worked for permanent and temporary employees to receive the COVID-19 vaccine during work hours, with supervisor approval, not to exceed eight hours in a single day. This paid work time is also provided for a second dose of the vaccine, if required, also not to exceed eight hours in a single day.

4. COVID-19 PAID ADMINISTRATIVE LEAVE:

- a. Use of this COVID-19 Paid Administrative Leave for the purposes listed below is cumulative from March 16, 2020, through the end of the public health emergency. If an employee used FFCRA emergency paid sick leave in 2020 for any of the reasons listed below, then those hours must be deducted from any remaining COVID-19 Paid Administrative Leave available through this section.

b. Employees may receive COVID-19 Paid Administrative Leave under the following conditions:

- 1) the employee is subject to a quarantine order, or has been advised to self-quarantine by a health care provider or public health official, and the institution determines that the employee cannot telework; or
- 2) the employee experiences a reaction to their COVID-19 vaccination that prevents them from returning to work, either on the day of the vaccination or on the following day. This leave may be applied retroactively to January 1, 2021 for any employees who have received the COVID-19 vaccine and experienced a reaction. For continuing adverse reactions experienced beyond the day after vaccination, employees must use their own accrued personal leave.

c. Under the conditions above, COVID-19 Paid Administrative Leave is allocated as described below:

- 1) The employee may receive up to 80 hours of COVID-19 paid administrative leave for the absences prior to using any accrued personal leave and paid time off.
- 2) Once this 80 hours has been exhausted, the employee must use their accrued personal leave and paid time off for the absences.
- 3) Once the employee has exhausted their accrued personal leave and paid time off, then the employee may receive an additional 80 hours of COVID-19 paid administrative leave for the absences.

NOTE: *Employees who have symptoms of a communicable disease and are required to stay home, or who are ill with the communicable disease, must not return to work until they are fully recovered in accordance with current CDC or NC Department of Public Health guidelines. Employees should also refer to their institution's return to work guidance and resources before turning to onsite work.*

5. DUAL STATE EMPLOYEE HOUSEHOLD: If more than one person in the household is a state employee, then the employees are expected to work with their supervisors to determine how to allocate leave to avoid inappropriate overlap of leave usage for child and elder care needs.

6. OTHER ABSENCES: Employees who are on other pre-approved leave or who are otherwise unavailable for reasons other than provided above cannot use paid administrative leave as described in this document for the absence and must use their accrued personal leave and paid time off for hours not worked.

7. INTERCHANGEABILITY OF LEAVE: Through December 31, 2021, employees may use accrued sick leave, vacation leave, and bonus leave interchangeably for COVID-19-related absences (child/elder care, cannot telework, etc.); however, this paid leave cannot be used to cover hours during which an employee is on emergency temporary furlough. This provision does not allow interchangeability of leave usage in regard to the leave options provided in state policy for retirement, transfer, or separation.

8. PART-TIME/FLUCTUATING SCHEDULES: For part-time employees with fluctuating schedules, COVID-19 paid administrative leave may be applied as allowed above, but consideration should be given to the employee's average hours per week over the course of a month. In no case shall paid administrative leave exceed 40 hours per week.

9. REMOTE WORK AND FLEXIBLE WORK ARRANGEMENTS: Institutional use of flexible work arrangements, including telework and alternate work schedules provided under the public health emergency provisions of the Communicable Disease Policy, ends June 30, 2021. NC State will continue existing temporary arrangements while completing the implementation of internal policies for ongoing remote work and other flexible work arrangements. Implementations should be completed within two months.

10. OTHER PROVISIONS: For other provisions not addressed in this document, refer to the Communicable Disease Emergency Policy.

OPTIONS REGARDING TEMPORARY EMPLOYEES

11. NC State will provide the following to temporary employees:

- a. Temporary employees (including students) may be allowed to telework (see #9 above).
- b. Designation of temporary employees as mandatory (on-site or remote) to address critical operational needs ends June 30, 2021, and any additional compensation provided for mandatory on-site work ends June 30, 2021.
- c. Temporary appointments may be extended beyond 12 months without a break-in-service during the public health emergency. These temporary appointments must have a break-in-service within 30 calendar days of the end of the public health emergency period. Institutions are encouraged to phase-in these breaks-in-service as soon as practicable to avoid potential disruptions of service following the end of the public health emergency.

EXPANDED COMMUNITY SERVICE LEAVE (CSL)

12. COVID-19 RELATED SERVICE ACTIVITY: Employees were granted up to 80 hours of Expanded Community Service Leave (CSL) for service with non-profit organizations on COVID-19-related volunteer activities, effective January 1, 2021. This expanded CSL ends June

30, 2021, and any unused portion of the 80 hours is forfeited. These hours are accounted for separately from an employee's regular annual allotment of 24 (or 36) hours community service leave.

13. TUTORING AND MENTORING: During the state of emergency and when a school mandates or offers virtual classes, employees may choose the 36-hour tutoring and mentoring option under CSL as part of a formal standardized program or a non-conventional tutoring/mentoring arrangement. For example, tutoring sessions may be carried out in a virtual and/or in-person environment, performed as part of a remote student cohort, or could include activities with an employee's own child(ren). These provisions expand the policy definition of "at-risk" students to include those that, by virtue of their circumstances, are more likely than others to fail academically, particularly in a virtual academic environment, and who require temporary or ongoing support to succeed academically.

MANDATORY AND NON-MANDATORY EMPLOYEE DESIGNATIONS/COMPENSATION

14. Designation of employees as mandatory and required to work on-site under the Communicable Disease Policy for this public health emergency ends June 30, 2021, and any additional compensation eligibility provided to these employees (if still employed by an institution) for mandatory on-site work also ends June 30, 2021.

15. The institution shall have the discretion to award COVID-19 special paid compensation or equivalent compensatory time as a lump sum payment, as a series of payments, as paid leave, or in any combination, within 12 months of the date of accrual. Accrued COVID-19 compensatory time must be paid out within 12 months of accrual, and this time is paid out at the employee's hourly rate of pay.

16. For FLSA-exempt employees who accrued COVID-related compensatory time that has not been either used or paid out by March 1, 2021, the chancellor has the discretion to extend the payout date through March 1, 2022 to allow additional time for the employees to use the accrued compensatory time.

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