



# Oregon

Governor Kate Brown

## Department of Administrative Services

Office of the Chief Human Resources Officer

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### MEMORANDUM

Updated July 1, 2020

**To:** Agency Heads and Agency Human Resources Directors

**From:** Madilyn Zike, Chief Human Resources Officer

**Date:** March 17, 2020

**Subject:** Addendum A – Temporary Interruption of Employment policy, 60.015.01

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Emboldened and italicized text reflects revisions and additions to current policy language.

#### **Policy Statement:**

*As of March 1, 2020, the Executive Branch of state government modifies the Temporary Interruption of Employment policy to include expanded use of teleworking and paid/unpaid leave in response to novel coronavirus (COVID-19) for the time period of March 1, 2020 through June 30, 2020<sup>1</sup> or until the Governor lifts the Emergency Declaration, whichever comes first. This addendum may be extended beyond June 30, 2020.*

**Policy Authority:** ORS 240.145(3); 240.250; 240.551

**Applicability:** Classified unrepresented, management service, unclassified executive service, unclassified unrepresented employees.

**Attachments:** Leave Guide for Absences due to COVID-19

#### **Policy Amendments**

Effective March 16, 2020, Temporary Interruption of Employment policy 60.015.01 is amended as follows:

***(7) Leave in response to COVID-19 during the period of March 1, 2020 through June 30, 2020~~1~~.***

***(A) Temporary Expanded Telework Options***

- a. Employee requests for teleworking are presumed suitable. Criteria for approval or denial of teleworking is limited to whether the position is suitable for telework, availability of teleworking supplies such as laptops and cell phones, or network adequacy.***

***(B) School Closures***

- a. Employees shall be encouraged to telework if the requirements in (7)(A) are met.***
- b. If telework is unavailable or the employee chooses not to telework, employees may use their vacation time, sick leave, personal business or leave without pay.***
- c. If accrued leave balances are exhausted, the employee may borrow up to five (5) months' worth of future leave, either vacation or sick leave or a combination thereof. The leave borrowed may not exceed a total of eighty (80) hours.***
  - i. Leave shall be paid back at the rate of 50% of the amount of hours borrowed per month for each bank of leave until fully paid back.***
  - ii. Repayment shall begin the month of after the employee returns to work after utilizing the borrowed leave.***
  - iii. Employees on approved Family and Medical Leave (FMLA/OFLA) may delay repayment until they are no longer on such leave or one (1) year, whichever is first.***
  - iv. An employee may request donated leave to repay leave hours.***
- d. An employee whose sick leave balance is forty (40) hours or less and has exhausted all other accrued leave may request donated leave.***
  - i. Donators may donate sick leave, vacation leave or personal business.***
  - ii. The agency will base the amount of donated hours on the conversion of the donor's salary rate to sick leave hours at the recipient's base rate of pay. The amount of leave transferred to the recipient may not exceed the equivalent of the recipient's normal rate of pay.***
  - iii. Donated leave received will not exceed the amount needed to cover the absence.***

**(C) *Worksite Closures***

- a. Employees will receive up to two (2) weeks of paid Administrative Leave upon closure of their worksite.*
- b. Section (4) of this policy and the attached Guide for Leave Related Questions for to Temporary Interruption of Employment will apply leave for closures exceeding two (2) weeks.*

**(D) *Vacation Accrual Rates***

- a. Essential Personnel whose required attendance would result in exceeding 350 hours of accrued vacation time shall be approved a vacation payout up to 60 hours upon their request without the request for leave first being denied.*

**(E) *Employees Medically Mandated to Remain at Home***

- a. Employees who are medically mandated by a health care provider to remain at home due to being exposed to COVID-19 shall be encouraged to telework if the requirements in (7)(A) are met and is allowed by the health care provider.*
- b. If telework is unavailable, the employee shall receive paid Administrative Leave until medically released to work.
  - i. The agency may request proof of the medical mandate but will not be required to submit a release to return to work.**

**(F) *Self Quarantined Employees***

- a. Employees who believe they may be exposed to or may have symptoms of COVID-19 and wish to self-quarantine shall be encouraged to telework if the requirements in (7)(A) are met.*
- b. If telework is unavailable, employees may use their vacation time, sick leave, personal business or leave without pay.*
- c. If accrued leave balances are exhausted, the employee may borrow up to five (5) months' worth of future leave, either vacation or sick leave or a combination thereof. The leave borrowed may not exceed a total of eighty (80) hours.
  - i. Leave shall be paid back at the rate of 50% of the amount of hours borrowed per month for each bank of leave until fully paid back.*
  - ii. Repayment shall begin the month of after the employee returns to work after utilizing the borrowed leave.*
  - iii. Employees on approved Family and Medical Leave (FMLA/OFLA) may delay repayment until they are no longer on such leave or one (1) year, whichever is first.**

- iv. An employee may request donated leave to repay leave hours.*
- d. An employee whose sick leave balance is forty (40) hours or less and has exhausted all other accrued leave may request donated leave.*
  - i. Donators may donate sick leave, vacation leave or personal business.*
  - ii. The agency will base the amount of donated hours on the conversion of the donor's salary rate to sick leave hours at the recipient's base rate of pay. The amount of leave transferred to the recipient may not exceed the equivalent of the recipient's normal rate of pay.*
  - iii. Donated leave received will not exceed the amount needed to cover the absence.*

**(G) Employees in a High Risk Group**

- a. Employees who are in a high-risk group for serious illness from COVID-19 due to their age (over 60) or due to having a compromised immune system from an underlying serious chronic medical condition.*
- b. If telework is unavailable, employees may use their vacation time, sick leave, personal business or leave without pay.*
- c. If accrued leave balances are exhausted, the employee may borrow up to five (5) months' worth of future leave, either vacation or sick leave or a combination thereof. The leave borrowed may not exceed a total of eighty (80) hours.*
  - i. Leave shall be paid back at the rate of 50% of the amount of hours borrowed per month for each bank of leave until fully paid back.*
  - ii. Repayment shall begin the month of after the employee returns to work after utilizing the borrowed leave.*
  - iii. Employees on approved Family and Medical Leave (FMLA/OFLA) may delay repayment until they are no longer on such leave or one (1) year, whichever is first.*
  - iv. An employee may request donated leave to repay leave hours.*
- d. An employee whose sick leave balance is forty (40) hours or less and has exhausted all other accrued leave may request donated leave.*
  - i. Donators may donate sick leave, vacation leave or personal business.*
  - ii. The agency will base the amount of donated hours on the conversion of the donor's salary rate to sick leave hours at the recipient's base rate of pay. The amount of leave*

*transferred to the recipient may not exceed the equivalent of the recipient's normal rate of pay.*

*iii. Donated leave received will not exceed the amount needed to cover the absence.*

**(H)Exposure to Risk**

*The agency will notify an employee within one (1) day of becoming aware of their possible exposure to COVID-19.*

Questions should be sent to [CHRO.Policy@oregon.gov](mailto:CHRO.Policy@oregon.gov).