

3.32.1—LICENSED PERSONNEL COVID EMERGENCY LEAVE

In accordance with Commissioner’s Memo COM-21-014, the District will provide up to an additional ten (10) days of paid leave for its employees who meet both of the following requirements:

1. The employee is ordered by the District, a medical professional, or the Arkansas Department of Health (ADH) to quarantine or isolate due to COVID-19 for one of the following reasons:
 - i. Testing positive for COVID-19;
 - ii. Experiencing COVID-19 symptoms and seeking a medical diagnosis; or
 - iii. Is a probable close contact or close contact.; and
2. The employee’s job duties are not able to be performed remotely.

Upon notification that an employee has received a quarantine or isolation order, the District shall review whether the employee has applicable leave remaining under the Families First Coronavirus Response Act (FFCRA) and this Policy.

- If an employee has applicable leave under the FFCRA and this Policy:
 - the District shall ask the employee if the employee wishes to use the applicable FFCRA leave or the COVID Emergency Leave first;
 - the District shall use available leave under the FFCRA first if the employee is unable or unwilling to make an alternative selection;
 - the District shall use the employee’s leave selection until the earlier of the expiration of the quarantine or isolation order or the exhaustion of the employee’s selected leave;
 - the District shall automatically switch the employee to the other form of leave, if available, should the employee’s quarantine or isolation order last longer than the employee’s selected leave; and
 - the District shall automatically switch the employee to another form of applicable District provided paid leave, if available, should the employee’s quarantine or isolation order last longer than the employee’s available leave under the FFCRA or this Policy.
- If an employee has applicable leave under the FFCRA or this Policy but not both:
 - the District shall use the employee’s available leave until the earlier of the expiration of the quarantine or isolation order or the exhaustion of the employee’s available leave; and
 - the District shall automatically switch the employee to another form of applicable District provided paid leave, if available, should the employee’s quarantine or isolation order last longer than the employee’s available leave under the FFCRA or this Policy.
- If an employee has no leave remaining under this Policy or applicable leave under the FFCRA, then the District shall use another form of applicable District provided paid leave, if available.

An employee who receives COVID Emergency Leave shall be paid the employee’s full daily rate of pay for up to ten (10) days. The ten (10) days of COVID Emergency Leave may, but is not required to, run consecutively. An employee shall not have days charged against the number the employee is eligible for under this Policy for days when the employee is not expected to perform duties, such as holidays. The ten (10) days of paid leave provided under this Policy shall be used for eligible leave before other forms of District provided paid leave are used, including sick leave, personal leave, and vacation.

An employee shall not be eligible to receive the ten (10) days of paid leave under this Policy due to:

- The need to care for another individual due to the individual’s positive COVID test, quarantine order, or isolation order; or

- The closure of the school or place of care of the employee's child.

An employee's eligibility to receive paid leave under this Policy expires on the earlier of:

- a. Governor Hutchinson or the Arkansas General Assembly declares an end to the COVID-19 state of emergency;
- b. The depletion of CARES funds provided by Arkansas; or
- c. December 30, 2020.

Cross References: 3.8—LICENSED PERSONNEL SICK LEAVE
 3.11—LICENSED PERSONNEL PERSONAL AND PROFESSIONAL LEAVE
 3.32—LICENSED PERSONNEL FAMILY MEDICAL LEAVE ACT

Legal References: Commissioner's Memo COM-21-014
 29 C.F.R. Part 826

Additional Reference: ASBA Model Policies

Date Adopted:

Last Revised: