

DC DEPARTMENT OF HUMAN RESOURCES

COVID Sick Leave
Quick Reference Guide for FMLA Coordinators

The overview provided below is intended to provide guidance to FMLA Coordinators on communication that should take place with those employees who request COVID Sick Leave.

To qualify for the COVID Sick Leave benefit, an individual must:

1. Be a District government employee;
2. Be in need of leave because you are unable to work or telework due to COVID-19; and
3. Submit a Family and Medical Leave application to your agency FMLA Coordinator.

Qualifying reasons for requesting COVID Sick Leave:

1. **Quarantines or isolates** pursuant to a District, federal, or state order relating to COVID-19;
2. **Quarantines** pursuant to advisement from a health care provider relating to COVID-19;
3. **Is seeking a medical diagnosis** relating to symptoms consistent with COVID-19;
4. **Is caring for an individual** who is subject to a District, federal, or state quarantine or isolation order or advised to self-quarantine by a health care provider, relating to COVID-19;
5. **Is caring for a child** under the age of 18 years (or an adult child who is 18 years of age or older and who (1) has a mental or physical disability, and (2) is incapable of self-care because of that disability) because his or her child's school or childcare provider is unavailable due to the COVID-19 emergency;
6. **Is experiencing substantially similar circumstances** as established by the Secretary of the United States Department of Health and Human Services.

What to do when an employee inquires about or requests COVID Sick Leave?

1. Set-up dedicated time to speak with the employee.
2. Find out more about their challenges and need for the leave
3. Determine what support the agency can provide.
4. If employee is capable of teleworking, but needs an accommodation, discuss other viable options, as COVID Sick Leave may not be the best option.
5. Look into other flexibilities that might exist. For example, if the leave request is due to the employee's need to care for child(ren) whose school or daycare is closed due to the COVID-19 emergency, discuss available options such as emergency child care, a flexible work schedule, telework opportunities, or intermittent leave with the employee.
6. The Office of the State Superintendent of Education (OSSE), is partnering with licensed childcare providers to offer emergency child care for essential government employees of the District. For more information or questions, please contact the DC Child Care Connections hotline at (202) 829-2500 (translation services provided) or email osse.dcchildcareconnections@dc.gov.

Can my agency deny this leave for any reason other than non-eligibility?

Yes. Under the Families First Coronavirus Response Act, which mandates this leave, state and local governments may enact more specific policies that ensure they can balance providing this leave to employees with the need to maintain operations essential to their COVID-19 response.

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The District has opted to make this leave accessible to all employees. However, the following agencies and categories of employees may be denied leave for legitimate operational reasons. Be sure to consult with the relevant agency leadership on the agency-specific policies that may require denial of this leave.

1. *“Health care providers,” including employees who:*
 - a) *Work at DC Health, the Department of Human Services, the Child and Family Services Administration, the Department on Disability Services, the Department of Behavioral Health, the Department of Aging and Community Living, the Department of Forensic Sciences, and the Office of the Chief Medical Examiner;*
 - b) *Work for any agency in a doctor’s office, hospital, health care center, clinic, post-secondary educational institution offering health care instruction, medical school, nursing facility, retirement facility, nursing home, or home health care provider;*
 - c) *Work for any agency in a facility that performs laboratory or medical testing, pharmacy, or any similar facility;*
 - d) *Are employed by any agency that contracts with medical suppliers and other providers for goods and services to support the District’s COVID-19 response efforts, including the Office of Contracting and Procurement, and the Department of Health Care Finance;*
 - e) *Are employed by any agency that provides medical services, produces medical products, or is otherwise involved in the making of COVID-19 related medical equipment, tests, drugs, vaccines, diagnostic vehicles, or treatments; and*
 - f) *An agency head determines are necessary for the District’s response to COVID-19.*
2. *“Emergency responders,” including employees:*
 - a) *Who are necessary for the transport, care, health care, comfort, and nutrition of patients, or whose services are otherwise needed to limit the spread of COVID-19. These employees include, but are not limited to, the D.C. National Guard, Department of Corrections, Department of General Services, Department of Public Works, Department of Youth Rehabilitation Services, Fire and Emergency Medical Services Department, Homeland Security and Emergency Management Agency, Metropolitan Police Department, and Office of Unified Communications;*
 - b) *With skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as employees who work at such facilities and whose work is necessary to maintain the operation of the facility; and*
 - c) *An agency head determines are emergency responders that are necessary for the District’s response to COVID-19.*

Who do I contact with questions about COVID Sick Leave or Family and Medical Leave? For additional information concerning the COVID sick leave benefit, employees are encouraged to contact their agency FMLA Coordinator, or the Department of Human Resources’ Employee Relations Unit, by calling (202) 442-9700 or by sending an e-mail to dchr.EmployeeRelations@dc.gov.