

# EXECUTIVE ORDER



**DISTRICT OF COLUMBIA**

<b>Subject:</b> <b>Coronavirus 2019: Return to Work and COVID-19 Sick Leave Procedures</b>
<b>Number</b> <b>EO-20-047</b>
<b>Effective Date</b> <b>September 8, 2020</b>
<b>Related to:</b> GO-PER-100.11 (Medical Services) GO-PER-206.01 (Time and Attendance) SO-91-05 (Request for Family and/or Medical Leave)
<b>Rescinds:</b> EO-20-018 (Coronavirus 2019: Return to Work), Effective Date April 5, 2020 EO-20-036 (Coronavirus 2019: COVID-19 Sick Leave), Effective Date June 23, 2020

## I. PURPOSE

The purpose of this order is to provide guidance for Metropolitan Police Department (MPD) members who (1) are returning to work after testing positive for Coronavirus 2019 (COVID-19), (2) are directed to self-quarantine based on confirmed exposure to COVID-19, (3) have otherwise been tested for COVID-19, or (4) are coming into the District of Columbia from a high-risk state. This order also provides qualifying information and application procedures for the COVID-19 Sick Leave benefit. To the extent that provisions in this executive order conflict with existing directives, the provisions set forth in this executive order shall prevail.

## II. PROCEDURES

### A. Members with Confirmed COVID-19

1. Members who are diagnosed with laboratory-confirmed COVID-19 may return to work after meeting **all** of the following criteria:
  - a. 14 days have passed since symptoms first appeared;
  - b. 72 hours have passed since recovery [i.e., resolution of fever without the use of fever-reducing medications and improvement in respiratory symptoms (e.g., cough, shortness of breath)]; **and**
  - c. The member has written authorization to return to work from the Police and Fire Clinic (PFC), for sworn, or the Human Resource Management Division (HRMD), for civilians.
2. PFC or HRMD, as appropriate, shall ensure returning employees have medical clearance from a doctor or can otherwise demonstrate recovery from COVID-19 prior to authorizing their return to work.

- B. Members Exposed to Confirmed COVID-19
1. Members who have a confirmed exposure to an individual with symptomatic COVID-19 infection and who are directed by the Department to self-quarantine shall be excluded from work for 14 days from the date of last known exposure and tested if they become symptomatic. Civilian employees who are asymptomatic may be directed to telework during self-quarantine consistent with EO-20-010 (Coronavirus 2019 Emergency Telework Program).
  2. Members who remain asymptomatic during the 14-day day self-quarantine may return to work after the 14-day period is completed.
  3. Members who become symptomatic and test positive for COVID-19 during self-quarantine shall adhere to the procedures in this order before returning to work.
- C. Members Who Test Negative for COVID-19
1. Members who are experiencing symptoms consistent with COVID-19 may be directed to take a test. Members who test negative for COVID-19 shall return to work 72 hours after recovery [i.e., resolution of fever without the use of fever-reducing medications and improvement in respiratory symptoms (e.g., cough, shortness of breath)], **and** after receiving written authorization to return to work from the PFC, for sworn, or the HRMD, for civilians.
  2. Members who take a COVID-19 test, have experienced no symptoms consistent with COVID-19, **and** who test negative for COVID-19 shall not be excluded from work.
- D. Travel to High-Risk States
1. Pursuant to Mayor's Order 2020-081 (Requirement to Self-Quarantine After Non-Essential Travel During the COVID-19 Public Health Emergency), any member coming into the District of Columbia from a high-risk state, who was not traveling for essential activities, is required to self-quarantine for 14 days and notify PFC (sworn members) or HRMD (civilian members) following their return or arrival to the District.
  2. Mayor's Order 2020-081 defines essential activities as:

<b>Essential Activities</b>
a. Travel related to the provision of, or access to, essential activities, essential governmental functions;
b. Essential businesses, or minimum basic operations, including travel to and from work to operate essential businesses or maintain essential governmental functions;
c. Travel to care for the elderly, minors, dependents, persons with disabilities, or other vulnerable persons;
d. Travel required to visit a house of worship;

e. Travel to or from educational institutions to receive materials for distance learning, for receiving meals, and any other related services;
f. Travel to return to a place of residence from outside the District;
g. Travel required by law enforcement or court order;
h. Travel required for non-residents to return to their place of residence outside the District; and
i. Travel within the District of Columbia region to engage in allowable activities under that jurisdiction's laws.

3. The District of Columbia Department of Health (DOH) considers the following states high-risk. This list will be revised pursuant to DOH updates.

DC Department of Health High-Risk States	
Alabama	Alaska
Arkansas	Delaware
Florida	Georgia
Idaho	Illinois
Indiana	Iowa
Kansas	Kentucky
Louisiana	Minnesota
Mississippi	Missouri
Montana	Nebraska
Nevada	New Mexico
North Carolina	North Dakota
Oklahoma	South Carolina
South Dakota	Tennessee
Texas	Utah
West Virginia	Wisconsin
Wyoming	

NOTE: Members who live in high-risk states are considered exempt due to performing essential work. In cases where members are visiting a state, and the state is placed on the list while the members are in that state, the members shall be granted administrative leave for their quarantine period unless they are a civilian who is authorized to telework.

4. Members shall immediately self-quarantine and notify PFC (sworn members) or HRMD (civilian members) upon returning from high-risk states for purposes other than those defined as essential activities.
- HRMD shall track the 14-day self-quarantine period of any civilian members assigned to telework to ensure that they are not recalled to the office until their self-quarantine period concludes.
  - Civilian members not assigned to telework shall be assigned to telework, if eligible, pursuant to the procedures set forth in EO-20-010 (Coronavirus 2019 Emergency Telework Program).
  - Sworn or civilian members who are not eligible to telework may apply for COVID-19 Sick Leave or use their existing leave to self-quarantine for 14 days pursuant to this order.

- d. Members who become symptomatic or test positive for COVID-19 during self-quarantine shall adhere to the procedures in this order.

E. COVID-19 Sick Leave

1. For members who are unable to work or telework due to COVID-19 circumstances, a temporary COVID-19 Sick Leave benefit was added to the District's Family and Medical Leave Act (FMLA) program for use during the COVID-19 pandemic. The COVID-19 Sick Leave benefit is currently set to expire, and any approved COVID-19 Sick Leave must be used by December 31, 2020.
2. COVID-19 Sick Leave is a benefit under FMLA, and approval is dependent upon prior FMLA leave use. The FMLA coordinator shall only approve members for COVID sick leave who are currently eligible for federal FMLA leave (i.e., members who have not exhausted their FMLA leave within the previous 12 months). **Once approved, a member's use of COVID sick leave counts against the member's entitlement to FMLA leave.**
3. As MPD is an emergency response agency, approval for leave using this benefit is subject to operational constraints, as outlined in this order. COVID-19 Sick Leave may be denied or rescinded at any time to support Department operations.
4. Qualifying Members
  - a. To qualify for the COVID-19 Sick Leave benefit, a member must have a documented need to take leave because he or she is unable to work or telework due to COVID-19 pursuant to one of the qualifying factors provided in this order.
  - b. Sworn and civilian members (who cannot telework in their position) may be approved once for up to 80 hours of COVID-19 Sick Leave when:
    - (1) Quarantined or in isolation pursuant to a District, federal, or state order relating to COVID-19;
    - (2) Quarantined pursuant to advisement from a health care provider relating to COVID-19;
    - (3) Seeking a medical diagnosis relating to symptoms consistent with COVID-19; and
    - (4) 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.

- c. Civilian members (who cannot telework in their position) may qualify for COVID-19 Sick Leave when caring for a child under the age of 18 years (or an adult child who is 18 years of age or older with a mental or physical disability and incapable of self-care due to the disability) because his or her child's school or childcare provider is unavailable due to the COVID-19 emergency. Civilian members who qualify for leave for this reason may be approved once for up to 80 hours of COVID-19 Sick Leave and up to an additional 400 hours, depending on their prior leave taken under federal FMLA.

5. Supporting Documentation

Supporting documentation is required to establish the qualifying event for eligibility. Supporting documents include the following items.

- a. For quarantine or isolation due to a District, federal, or state COVID-19 related order, or the recommendation of a health care provider, civilian members shall acquire a copy of the specific order or recommendation. The Police and Fire Clinic (PFC) shall provide documentation on behalf of sworn members.
- b. When seeking a medical diagnosis related to symptoms consistent with COVID-19, civilian members shall acquire medical documentation showing the member consulted with a health care provider. This documentation must be submitted within 24 hours of being seen by the provider. The PFC shall provide documentation on behalf of sworn members. Until such documentation is provided, members who are absent because they are seeking a medical diagnosis related to symptoms of COVID-19 shall inform their supervisor on a daily basis of their efforts to obtain a medical diagnosis.
- c. When caring for a person who is subject to a District, federal, or state COVID-19 related order or who is advised to self-quarantine by a health care provider, the member shall provide either a copy of the specific order or provide certification that the person specified in the order requires the member's care.
- d. When caring for a child whose school or childcare provider is unavailable because of COVID-19, the civilian member shall acquire documentation establishing the member's parental relationship to the child (e.g., dependency records maintained in PeopleSoft, copy of a birth certificate, divorce decree, or adoption decree), a copy of the notification from the school or childcare provider that the facility or provider is closed, and proof of enrollment for the child(ren) attending the school or childcare provider.

- e. If the civilian member is currently teleworking and can no longer do so, the member shall provide documentation that he or she is unable to telework and the reason.

6. COVID-19 Sick Leave Process

- a. When applying for leave, members shall complete a Family and Medical Leave application form found on Online Forms and submit it with all supporting documentation by email to [hrconfidential.admin@dc.gov](mailto:hrconfidential.admin@dc.gov).
- b. The FMLA coordinator shall provide written notification of approval including the number of hours available or disapproval of FMLA applications to the requesting member, the member's supervisor, and the member's time and attendance clerk.
- c. Once authorized by the FMLA Coordinator for COVID-19 Sick Leave, members shall submit leave requests directly to their supervisors for approval noting that they are requesting COVID-19 Sick Leave. COVID-19 sick leave must be used by December 31, 2020.
- d. Members cannot use COVID-19 Sick Leave intermittently for non-childcare related reasons. Once an employee begins COVID-19 Sick Leave for non-childcare related reasons, the employee must continue to use COVID Sick Leave each day until the employee either uses the full amount of COVID-19 Sick Leave or no longer qualifies. Civilian members may use intermittent COVID-19 Sick Leave to care for his or her child whose school or place of care is closed, or whose child-care provider is unavailable, because of COVID-19. Under these circumstances, intermittent COVID-19 Sick Leave may be taken in hour or full-day increments.

F. Returning to Work

After returning to work, members are reminded to adhere to proper hand hygiene and respiratory hygiene (e.g., covering coughs and sneezes). Members shall self-monitor for symptoms and if respiratory symptoms develop, recur, or worsen, members shall adhere to EO-20-040 (Coronavirus 2019: Employee Health Assessments and Symptom Reporting).



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Chief of Police

PN:KDO:MOC:SMM

Amendment #	Page #	Description of Change	Effective Date of Change	Name and Title of Authorizing Member
1	3	Update DC Department of Health High-Risk States in Part II.D.3.	9/21/2020	Maureen O'Connell, Director, Policy and Standards Branch

2	3	Update DC Department of Health High-Risk States in Part II.D.3.	10/5/2020	Maureen O'Connell, Director, Policy and Standards Branch
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