

# EXECUTIVE ORDER



DISTRICT OF COLUMBIA

Subject:

**Coronavirus 2019: Return to Work and COVID-19 Sick Leave Procedures**

Number

**EO-21-009**

Effective Date

**April 2, 2021**

Related to:

GO-PER-100.11 (Medical Services)

GO-PER-206.01 (Time and Attendance)

SO-91-05 (Request for Family and/or Medical Leave)

Rescinds:

EO-20-047 (Coronavirus 2019: Return to Work and

COVID-19 Sick Leave Procedures), Effective Date

September 8, 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

Members who are diagnosed with laboratory-confirmed COVID-19 may return to work after being cleared by the Police and Fire Clinic (PFC) (sworn members) or the Human Resource Management Division (HRMD) (civilian members). PFC or HRMD, as appropriate, shall ensure returning members 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 high-risk exposure to an individual with COVID-19 shall self-quarantine pursuant to DC Department of Health (DOH) guidance. DOH guidance can be found at <https://coronavirus.dc.gov/>. 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 self-quarantine period is completed. Sworn members must be cleared by phone by a PFC doctor prior to returning from quarantine.
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 experiencing symptoms consistent with COVID-19 may be directed to take a test. Members who test negative for COVID-19 shall return to work 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)], upon receiving authorization to return to work from the PFC, for sworn, or the HRMD, for civilians.
2. Members who have experienced no symptoms consistent with COVID-19 and who test negative for COVID-19 shall not be excluded from work.

D. Travel Outside of the District of Columbia, Maryland or Virginia (DMV)

DC government employees reporting to work performing the essential functions of government operations are not required to self-quarantine after returning from travel outside of the District of Columbia, Maryland, or Virginia.

E. Fully Vaccinated Members

1. For the purposes of this guidance, members are considered fully vaccinated for COVID-19 two weeks after they have received the second dose in a 2-dose series (e.g., Pfizer-BioNTech or Moderna) or two weeks after they have received a single-dose vaccine (e.g., Johnson and Johnson (J&J)/Janssen ).
2. Fully vaccinated members are exempt from quarantine and testing requirements following a known COVID-19 exposure if they are asymptomatic. Fully vaccinated members who experience COVID-19 symptoms shall follow the procedures set forth in this order.

F. 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.
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:

<b>COVID-19 Sick Leave Eligibility</b>
(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 and in accordance with DOH guidance, relating to COVID-19;
(3) Seeking a medical diagnosis relating to symptoms consistent with COVID-19; or
(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.
  - 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.

5. Supporting Documentation

The following supporting documentation is required to establish the qualifying event for eligibility.

- 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 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 provide documentation confirming the parental relationship (e.g., PeopleSoft dependency records, birth certificate, divorce decree, or adoption decree), closure notification from the school or childcare provider indicating proof of enrollment, and certification that no other suitable person is available to care for the child(ren).
- 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.

G. Returning to Work

After returning to work, members shall 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).

A handwritten signature in black ink, appearing to read "Robert J. Contee III". The signature is fluid and cursive, with a prominent flourish at the end.

Robert J. Contee III  
Acting Chief of Police

RJC:KDO:MOC:SMM