

**AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND  
THE SAN DIEGO POLICE OFFICERS ASSOCIATION REGARDING  
SAN DIEGO FAMILIES FIRST CORONAVIRUS RESPONSE ACT EMERGENCY PAID LEAVE**

Pursuant to the provisions of the Meyers-Milias-Brown Act (MMBA) and Council Policy 300-06, this Agreement is entered into between the City of San Diego (City) and the San Diego Police Officers Association (POA) regarding San Diego Families First Coronavirus Response Act Emergency Paid Leave. The City and POA are collectively referred to herein as the “Parties.”

Based on the state and federal declarations of public health emergency due to COVID-19, the County of San Diego (County) issued a Declaration of Local Health Emergency on February 14, 2020, and the County Board of Supervisors ratified the Declaration of Local Health Emergency on February 19, 2020. On March 12, 2020, the Mayor proclaimed a local public health emergency, and the City Council ratified the public health emergency proclamation via Resolution R-312895 on March 17, 2020.

Families First Coronavirus Response Act

The federal Families First Coronavirus Response Act (FFCRA), effective April 1, 2020, through December 31, 2020, provides all employees with up to two workweeks (up to 80 hours) of FFCRA Emergency Paid Sick Leave for the specified qualifying COVID-19-related reasons and all eligible employees with up to 12 workweeks of partially paid FFCRA Emergency Family and Medical Leave to care for an employee’s child whose school or child care is closed, or child care provider is unavailable, due to COVID-19. The City’s Temporary COVID-19 Protocol: Notification/Telework/Leave, dated September 17, 2020 (Attachment 1), outlines the City’s application of the FFCRA, including eligibility requirements, applicable pay rates, monetary caps, and general guidelines related to the use of FFCRA Emergency Paid Sick Leave and FFCRA Emergency Family and Medical Leave (collectively referred to as “FFCRA Emergency Paid Leave”).

San Diego Families First Coronavirus Response Act Emergency Paid Leave

In order to provide City employees who have not yet exhausted their FFCRA Emergency Paid Leave with continuing paid leave for COVID-19-related reasons when the FFCRA expires on December 31, 2020, the City will provide San Diego Families Coronavirus Response Act (SDDFCRA) Emergency Paid Leave. Any unused FFCRA Emergency Paid Sick Leave and FFCRA Emergency Family and Medical Leave hours remaining for an employee as of the close of business on December 31, 2020, will be converted into SDDFCRA Emergency Paid Sick Leave and SDDFCRA Emergency Family and Medical Leave hours, respectively, effective January 1, 2021, and may be used until June 30, 2021, or until the termination of the City’s declared local public health emergency, extension of the FFCRA, or enactment of federal or state law providing similar leave, whichever occurs first.

The Parties agree to the following:

1. The Parties have met and conferred in good faith in accordance with the MMBA and Council Policy 300-06 on the subject matter of this Agreement.
2. The FFCRA will currently expire on December 31, 2020. Individualized FFCRA Emergency Paid Sick Leave and FFCRA Emergency Family and Medical Leave

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allotments are currently automatically generated and tracked for all City employees in the City's SAP system. Any unused FFCRA Emergency Paid Sick Leave and FFCRA Emergency Family and Medical Leave hours remaining for an employee as of the close of business on December 31, 2020, will be converted into SDFFCRA Emergency Paid Sick Leave and SDFFCRA Emergency Family and Medical Leave hours, respectively (collectively referred to as "SDFFCRA Emergency Paid Leave"), effective January 1, 2021.

- a. Any newly hired City employee, hired on or after January 1, 2021, will be eligible to use the hourly equivalent of up to two workweeks (up to 80 hours) of SDFFCRA Emergency Paid Sick Leave for the same specified qualifying reasons as for FFCRA Emergency Paid Sick Leave, paid at the employee's regular rate of pay, calculated and applied like FFCRA Emergency Paid Sick Leave.
  - b. Any newly hired City employee, hired on or after January 1, 2021, after at least 30 calendar days of employment, will be eligible to use the hourly equivalent of up to 12 workweeks of SDFFCRA Emergency Family and Medical Leave for the same specified qualifying reason as for FFCRA Emergency Family and Medical Leave. After the first two workweeks, which will be unpaid, the following 10 workweeks will be paid at two-thirds the employee's regular rate of pay, with a maximum of \$200 per day and \$12,000 total over the 12 workweeks, calculated and applied like FFCRA Emergency Family and Medical Leave. SDFFCRA Emergency Paid Sick Leave or other accrued leave may be used concurrently with SDFFCRA Emergency Family and Medical Leave for payment during the first two workweeks.
3. SDFFCRA Emergency Paid Leave may be used from January 1, 2021, through June 30, 2021, or until the termination of the City's declared local public health emergency, extension of the FFCRA, or enactment of federal or state law providing similar leave, whichever occurs first.
  4. Employees may not cash-out SDFFCRA Emergency Paid Leave. Unused SDFFCRA Emergency Paid Leave has no cash value and will not be cashed out at the time of any separation from City employment. Any unused SDFFCRA Emergency Paid Leave at the time of its agreed-upon expiration will become unusable unless the Parties mutually agree to an extension or change through the meet and confer process in advance of the expiration.
  5. U.S. Department of Labor implementation regulations and guidance pertaining to the FFCRA will be used for purposes of applying SDFFCRA Emergency Paid Leave.
  6. SDFFCRA Emergency Paid Leave
    - a. SDFFCRA Emergency Paid Sick Leave
      - 1) The City will provide all City employees who have not previously exhausted their FFCRA Emergency Paid Sick Leave with SDFFCRA Emergency Paid Sick Leave for use for the same specified qualifying COVID-19-related reasons as for FFCRA Emergency Paid Sick Leave. SDFFCRA Emergency Paid Sick Leave will be calculated and applied like FFCRA Emergency Paid Sick Leave, unless otherwise specified.

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- A) Newly hired employees, hired on or after January 1, 2021, may use the hourly equivalent of up to two workweeks (up to 80 hours) of SDFFCRA Emergency Paid Sick Leave for any of the specified qualifying COVID-19-related reasons.
- B) Employees who have FFCRA Emergency Paid Sick Leave hours remaining as of the close of business on December 31, 2020, will have their remaining allotment of FFCRA Emergency Paid Sick Leave hours converted into SDFFCRA Emergency Paid Sick Leave hours.
- C) Employees who have exhausted their FFCRA Emergency Paid Sick Leave may not use SDFFCRA Emergency Paid Sick Leave.
- D) SDFFCRA Emergency Paid Sick Leave hours will be paid at the employee's regular rate of pay.
- E) Employees who are not able to work, telework, or participate in an alternative work schedule may apply for SDFFCRA Emergency Paid Sick Leave for any of the following qualifying reasons:
  - i. The employee is subject to a federal, state, or local quarantine or isolation order (or stay-at-home order) related to COVID-19 that has caused the employee to be unable to work or telework.
  - ii. The employee has been advised by a health care provider to self-quarantine based on a belief that the employee has COVID-19, may have COVID-19, or is particularly vulnerable to COVID-19, and following the advice of the health care provider prevents the employee from being able to work or telework.
  - iii. The employee is experiencing symptoms of COVID-19 and is unable to work or telework because the employee is in the process of obtaining a medical diagnosis.
  - iv. The employee is unable to work or telework because the employee needs to care for an individual (immediate family member, roommate, person who regularly resides in the employee's home, or similar person who is dependent on the employee for care) who is subject to a federal, state, or local quarantine or isolation order (or stay-at-home order) related to COVID-19, or who has been advised by a health care provider to self-quarantine based on a belief that the individual has COVID-19, may have COVID-19, or is particularly vulnerable to COVID-19.
  - v. The employee is unable to work or telework because the employee needs to care for their child/children (under the age of 18 or incapable of self-care due to a disability, dependent on the employee for care) whose school or place of care has been closed, or whose childcare provider is unavailable, for reasons related to COVID-19, and there is no other suitable person available or who will be caring for the child/children during the period of the requested leave.

b. SDFFCRA Emergency Family and Medical Leave

- 1) The City will provide all City employees who have worked for the City for at least 30 calendar days, and have not previously exhausted their FFCRA

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Emergency Family and Medical Leave, with SDFFCRA Emergency Family and Medical Leave for use for the same specified qualifying COVID-19-related reason as for FFCRA Emergency Family and Medical Leave. SDFFCRA Emergency Family and Medical Leave will be calculated and applied like FFCRA Emergency Family and Medical Leave, unless otherwise specified.

- A) Newly hired employees, hired on or after January 1, 2021, after at least 30 calendar days of employment, may use the hourly equivalent of up to 12 workweeks of SDFFCRA Emergency Family and Medical Leave for the specified qualifying COVID-19-related reason.
- B) Employees who have FFCRA Emergency Family and Medical Leave hours remaining as of the close of business on December 31, 2020, will have their remaining allotment of FFCRA Emergency Family and Medical Leave hours converted into SDFFCRA Emergency Family and Medical Leave hours.
- C) Employees who have exhausted their FFCRA Emergency Family and Medical Leave may not use SDFFCRA Emergency Family and Medical Leave.
- D) The first two workweeks of SDFFCRA Emergency Family and Medical Leave will be unpaid. SDFFCRA Emergency Paid Sick Leave or other accrued leave may be used concurrently for payment during the first two workweeks, or the employee may choose to go unpaid. After the first two workweeks, the following 10 workweeks will be paid at two-thirds the employee's regular rate up to \$200 per day, \$12,000 total for the 12 workweeks.
- E) Employees who are not able to work, telework, or participate in an alternative work schedule may apply for SDFFCRA Emergency Family and Medical Leave for the following qualifying reason:
  - i. The employee is unable to work or telework because the employee needs to care for their child/children (under the age of 18 or incapable of self-care due to a disability, dependent on the employee for care) whose school or place of care has been closed, or whose childcare provider is unavailable, for reasons related to COVID-19, and there is no other suitable person available or who will be caring for the child/children during the period of the requested leave.
- F) SDFFCRA Emergency Family and Medical Leave may not be used during holidays, school breaks, or other times when schools or childcare facilities are closed for reasons unrelated to COVID-19.
- G) First responders (i.e. police officers, firefighters, and lifeguards) must use SDFFCRA Emergency Family and Medical Leave in full shift increments, e.g., police officers in Patrol must take it in 10-hour increments, and firefighters working in Fire Suppression must use 24 hours to cover their entire shift.

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c. Other Benefits and Protections

- 1) Upon return from SDFFCRA Emergency Paid Leave, employees will be restored to their same or equivalent position with equivalent pay, benefits, and other employment terms.
  - 2) Employees on SDFFCRA Emergency Paid Leave will not suffer any breaks in service for purposes of seniority, retirement plan service credit, or other benefits provided prior to the leave. Time spent on SDFFCRA Emergency Paid Leave will be considered “time worked” for purposes of calculating eligibility requirements for FMLA and the California Family Rights Act (CFRA) leave. However, SDFFCRA Emergency Paid Leave will not be considered “time worked” for purposes of calculating overtime.
  - 3) During SDFFCRA Emergency Paid Leave, employees will be provided full flexible benefits on the same terms as if the employee had continued working. If an employee goes into unpaid status, the employee will need to contact the Risk Management Department for more information. Employees will continue to be required to pay their regular share of health and life insurance premiums during their leave. Those payments will be collected by way of payroll deductions or by adjustments upon the employee’s return to work. If the employee’s pay during leave is insufficient to cover the premiums or the employee does not return to work after taking leave, the employee will still be responsible for repayment of the employee’s health and life insurance premiums paid by the City on the employee’s behalf.
7. Employees will be required to submit their request for SDFFCRA Emergency Paid Leave using City-provided forms and following current approval (e.g., advance notice prior to use of leave when foreseeable) and usage (e.g., continuous or intermittent) procedures for FFCRA Emergency Paid Leave. The City may request documentation to support an employee’s need for SDFFCRA Emergency Paid Leave.
  8. The use of SDFFCRA Emergency Family and Medical Leave does not impact the availability of FMLA leave. FMLA/CFRA will run concurrently with SDFFCRA Emergency Paid Sick Leave, when applicable.
  9. Unless expressly covered in this Agreement, all wages, hours, and other terms and conditions of employment presently enjoyed by POA-represented employees, whether stated in an MOU, Personnel Regulation, Administrative Regulation, or in any other enforceable document, remain in full force and effect.
  10. The Agreement is not binding on the City unless and until it is approved by the City Council, in accordance with Section 24 of the FY 2021 Salary Ordinance (Ordinance O-2020-100). This Agreement takes effect upon passage of a Council resolution approving the Agreement.
  11. This Agreement will terminate upon the occurrence of one of the following, whichever occurs first: the end of Fiscal Year 2021, June 30, 2021; declaration by the City’s Chief Operating Officer or designee, in accordance with the termination of the City’s declared local public health emergency; extension of the FFCRA; or enactment of federal or state law providing similar leave.

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**Attachment:**

Attachment 1 – Temporary COVID-19 Protocol: Notification/Telework/Leave, dated  
September 17, 2020

This Agreement is executed by the following authorized representatives of each party:

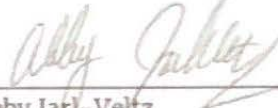
POA



Jack Schaeffer  
President


November 24, 2020  
Date

City of San Diego



Abby Jarl-Veltz  
Assistant Director  
Human Resources Department

December 9, 2020  
Date



Jonnabelle Domingo  
Senior Human Resources Officer  
Human Resources Department

December 9, 2020  
Date

Approved as to form this 9th day of December, 2020

MARA W. ELLIOTT, City Attorney

By:   
Miguel Merrell  
Deputy City Attorney



# **Temporary COVID-19 Protocol: Notification/Telework/Leave**

**Effective Date: March 13, 2020**

**Last Updated: September 17, 2020**

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## Background

*The City of San Diego seeks to responsibly respond to the COVID-19 public health emergency by following the Centers for Disease Control and Prevention (CDC) guidelines and direction from the State of California and the San Diego County Health and Human Services. This Temporary COVID-19 Protocol is intended to provide COVID-19-related notification, teleworking, and leave procedures for employees with the intention of promoting employee and public health and safety while also mitigating financial impacts on the City. This is a fluid situation and we will provide updates as applicable. **This Protocol modifies the previous Protocol released on April 03, 2020. All significant changes are outlined in red and will go into effect September 17, 2020.***

This Protocol is applicable to all City employees, is effective immediately, and will terminate upon declaration of the Chief Operating Officer (COO) or designee in accordance with applicable state and local guidelines when applicable. Where provisions of an applicable collective bargaining agreement directly conflict and are more generous, the provisions of that agreement will prevail. If at any time the City determines misuse of the provisions outlined in this Protocol, the City will take disciplinary action, up to and including termination.

**The recently enacted federal Families First Coronavirus Response Act (FFCRA) requires employers to provide their eligible employees with up to two workweeks (up to 80 hours) of paid sick leave, and up to 12 workweeks of partially paid expanded family and medical leave for specified reasons related to COVID-19. Generally, all full-time employees are entitled to up to 80 hours of paid sick leave for one of the COVID-19-related qualifying reasons. Eligible employees who have worked for the City for at least 30 days are entitled to up to 12 workweeks of partially paid expanded family and medical leave to care for a child due to COVID-19-related school or childcare closures. The first two workweeks of FFCRA expanded family and medical leave are unpaid but employees can use FFCRA paid sick leave (concurrently) during that time. The following 10 workweeks are paid at two-thirds regular rate of pay, up to \$200 per day; \$12,000 total). These paid leave provisions are in addition to the Accrued Leave provided by the City and will apply from April 1, 2020, through December 31, 2020, unless extended by law. First responders (police officers, firefighters, and lifeguards) must use FFCRA leave in full shift increments, e.g., police officers in Patrol must take FFCRA expanded family and medical leave in 10-hour increments, and firefighters working in Fire Suppression must use 24 hours to cover their entire shift. Please see the attached Employee Rights notice for additional information regarding the FFCRA.**

## Definitions

**COVID-19:** Coronavirus disease 2019, officially referred to as COVID-19, is a viral respiratory illness caused by a new coronavirus that can spread from person to person and has spread throughout the world. Coronaviruses are a large family of viruses that are common in people and many different species of animals. In confirmed COVID-19 cases, reported illnesses and symptoms have ranged from mild (or no symptoms) to severe respiratory illness causing death. According to the CDC, the best way to prevent illness is to avoid being exposed to this virus. The virus is thought to spread mainly from person-to-person, between people who are in close contact with one another (within about 6 feet) through respiratory droplets produced when an infected person coughs, sneezes, or talks. The droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs. People may also be able to get the virus by touching a surface or object that has the virus on it, and then touching their mouth, nose, or eyes.

Symptoms of COVID-19: Symptoms of COVID-19 may include fever (100°F / 37.8°C or greater), chills, cough, shortness of breath, difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea. <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>. Symptoms may appear 2-14 days after exposure to the virus.

Employees who have symptoms must stay home and not come to work until at least 10 calendar days (20 calendar days if had severe to critical illness\* or if severely immunocompromised\*) have passed since their symptoms first appeared, at least 24 hours have passed since their last fever (100°F / 37.8°C or greater) without the use of fever-reducing medication, and their other symptoms, if any  
<https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/phs/Epidemiology/covid19/HealthOfficerOrder-Isolation.pdf>

\*For definitions of mild, moderate, severe, and critical illnesses, as well as information specific to immunocompromised individuals, please see  
<https://www.cdc.gov/coronavirus/2019-ncov/hcp/disposition-hospitalized-patients.html>

Accrued Leave: For purposes of this Protocol, Accrued Leave includes Annual Leave, Discretionary Leave, Compensatory Time, and Floating Holiday, and Hourly Earned Sick Leave (for non-benefitted employees).

Families First Coronavirus Response Act (FFCRA) Emergency Paid Sick Leave: The FFCRA provides employees with up to two workweeks of paid sick leave (up to 80 hours for a full-time employee) for qualifying reasons related to COVID-19. FFCRA paid sick leave is capped at 80 hours regardless of scheduled work hours. A part-time employee is entitled to a prorated number of leave hours based on the employee's average number of scheduled work hours in a two-week period.

### **Scenario-Based Notification, Teleworking, and Leave Usage Protocol**

1. **COVID-19 Diagnosed Employees.** Employees diagnosed with COVID-19 must immediately notify their Supervisor. Supervisors must immediately notify their Appointing Authority, who must immediately notify Human Resources. Supervisors must otherwise maintain the medical privacy of the impacted employee. In accordance with CDC guidelines and County Public Health Orders, COVID-19 diagnosed employees must remain at home and not report to work until return to work guidelines are met. <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html> and <https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/phs/Epidemiology/covid19/HealthOfficerOrder-Isolation.pdf>. Supervisors should complete and provide the impacted employee with an Employee Notice of Directive to Stay at Home Due to COVID-19.

#### Teleworking or Leave Usage:

- Diagnosed employees will be allowed to telework and track their time as Regular Working Time, as appropriate. Supervisors, working with their Appointing Authority, will determine on a case-by-case basis whether teleworking is an option for the impacted employee. If the employee is approved to telework, Supervisors will provide expectations and instruction. Employees with

symptoms should notify their Supervisor regarding their ability to complete approved telework assignments depending on the severity of their symptoms.

- Employees who are not able to telework for any reason (e.g., illness or not approved) may use FFCRA Emergency Paid Sick Leave or their Accrued Leave. Employees may also be approved for Authorized Leave Without Pay. Departments should work with their Human Resources Representative. FFCRA Emergency Paid Sick Leave will be paid at the employee's regular rate of pay.
  - Employees diagnosed with COVID-19 from a work-related exposure will be asked to file a Workers' Compensation claim. Risk Management will evaluate whether an employee is eligible for Workers' Compensation benefits, including California Labor Code section 4850 benefits. Active sworn police officers, firefighters, and lifeguards diagnosed with COVID-19 will be eligible for Workers' Compensation benefits through the City's Temporary Workers' Compensation Presumption for First Responders.
  - If an employee has exhausted their FFCRA Emergency Paid Sick Leave and is working in a position where they are exposed to COVID-19, the City or Department Director has the discretion to consider the use of Paid Administrative Leave on a case-by-case basis for the employee pending the results of a test for COVID-19 or if the employee should require additional leave due to COVID-19. For Public Safety Department Employees, at the Police or Fire Chief's discretion, in consultation with the Medical Director or City Medical Representative, consistent with the protocols of the particular Department, Paid Administrative Leave will be provided for testing only when the Medical Director or City Medical Representative has determined the employee was at high-risk for exposure to COVID-19 for an extended period of time without personal protective equipment.
  - Leave will be designated as FMLA/CFRA-qualifying for eligible employees, as appropriate. FFCRA Emergency Paid Sick Leave will run concurrently with FMLA/CFRA leave, when applicable.
  - Public Safety Department Employees should look to department specific Isolation and Temperature Guidelines for additional guidance regarding COVID-19 Diagnosed Employees.
2. COVID-19 Symptomatic Employees at Work. Employees who have symptoms of COVID-19 (fever, chills, cough, shortness of breath, difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea) upon arrival to work, or develop symptoms during the workday, must immediately be separated from other employees and sent home. **NOTE: For Police Department employees, please contact COVID-19 Hotline at (619) 433-9658 or (619) 955-2179. <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>.** In accordance with County Public Health Orders, employees with symptoms of COVID-19 must remain at home and not report to work. <https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/phs/Epidemiology/covid19/HealthOfficerOrder-Isolation.pdf> Employees who become symptomatic at work must immediately notify their Supervisor. Supervisors who are notified or who observe a symptomatic employee at work must immediately separate the symptomatic employee from other employees and send the employee home. Supervisors must immediately notify their Appointing Authority, who must immediately notify Human Resources. Supervisors must otherwise maintain the medical privacy of the impacted

employee. Supervisors should complete and provide the impacted employee with an Employee Notice of Directive to Stay at Home Due to COVID-19.

Teleworking or Leave Usage:

- Employees sent home will be allowed to telework and track their time as Regular Working Time, as appropriate. Supervisors, working with their Appointing Authority, will determine on a case-by-case basis whether teleworking is an option for the impacted employee. If the employee is approved to telework, Supervisors will provide expectations and instruction. Employees should notify their Supervisor regarding their ability to complete approved telework assignments depending on the severity of their symptoms.
  - Employees who are not able to telework for any reason (e.g., illness or not approved) may use FFCRA Emergency Paid Sick Leave or their Accrued Leave. Employees may also be approved for Authorized Leave Without Pay. Departments should work with their Human Resources Representative. FFCRA Emergency Paid Sick Leave will be paid at the employee's regular rate of pay.
  - Leave will be designated as FMLA/CFRA-qualifying for eligible employees, as appropriate. FFCRA Emergency Paid Sick Leave will run concurrently with FMLA/CFRA leave, when applicable.
  - Employees diagnosed with COVID-19 from a work-related exposure will be asked to file a Workers' Compensation claim. Risk Management will evaluate whether an employee is eligible for Workers' Compensation benefits, including California Labor Code section 4850 benefits. Active sworn police officers, firefighters, and lifeguards diagnosed with COVID-19 will be eligible for Workers' Compensation benefits through the City's Temporary Workers' Compensation Presumption for First Responders.
  - Public Safety Department Employees should look to department specific Isolation and Temperature Guidelines for additional guidance regarding COVID-19 Symptomatic Employees at Work.
3. COVID-19 Exposed or Potentially Exposed Employees. Employees who have been exposed or potentially exposed to COVID-19 must immediately notify their Supervisor and follow CDC guidelines and County Public Health Orders, including active-monitoring or self-quarantine.  
<https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/phs/Epidemiology/covid19/HealthOfficerOrder-Quarantine.pdf> Supervisors must notify their Appointing Authority, who must then notify Human Resources. Supervisors should complete and provide the impacted employee with an Employee Notice of Directive to Stay at Home Due to COVID-19, as appropriate.

Teleworking or Leave Usage:

- Employees required by the County to self-quarantine will be allowed to telework and track their time as Regular Working Time, as appropriate. Supervisors will determine on a case-by-case basis whether teleworking is an option for the impacted employee. If the employee is approved to telework, Supervisors will provide expectations and instruction.
- Employees who are not able to telework may use FFCRA Emergency Paid Sick Leave, as appropriate, or their Accrued Leave. Employees may also be approved for Authorized Leave Without Pay. Departments should work with their Human

Resources Representative. FFCRA Emergency Paid Sick Leave will be paid at the employee's regular rate of pay.

- Employees diagnosed with COVID-19 from a work-related exposure will be asked to file a Workers' Compensation claim. Risk Management will evaluate whether an employee is eligible for Workers' Compensation benefits, including California Labor Code section 4850 benefits. Active sworn police officers, firefighters, and lifeguards diagnosed with COVID-19 will be eligible for Workers' Compensation benefits through the City's Temporary Workers' Compensation Presumption for First Responders.
  - Public Safety Employees only:
    - Public Safety Department Employees exposed or potentially exposed to COVID-19 shall report to work if they have notified their supervisor about the close contact, have no symptoms of COVID-19, and wear appropriate personal protective equipment.
    - Public Safety Department Employees will be sent for testing if:
      - They are exposed to COVID-19 in a high-risk situation in close contact for an extended period of time without PPE, and as determined by the Medical Director or City Medical Representative.
      - They later exhibit symptoms after having been exposed to COVID-19 in a high-risk situation in close contact for an extended period of time without PPE, and as determined by the Medical Director or City Medical Representative.
      - There is a need for testing, evaluated on a case by case basis, as determined by the Medical Director, or other City Medical Representative based on the circumstances.
    - Public Safety Department Employees may use FFCRA Emergency Paid Sick Leave while their COVID-19 test is pending. If the employee has exhausted their FFCRA Emergency Paid Sick Leave, they will be eligible for Paid Administrative Leave to cover the time off work for the pending test.
    - Public Safety Department Employees should look to department specific Isolation Guidelines for additional guidance regarding COVID-19 Exposed or Potentially Exposed Employees.
4. Employees Who Have Recently Traveled. There is currently ongoing transmission of COVID-19 within the United States and in destinations throughout the world. According to the CDC, travel increases a person's chance of getting and spreading COVID-19. Employees may be exposed to COVID-19 on their travels (domestic or international). <https://www.cdc.gov/coronavirus/2019-ncov/travelers/travel-during-covid19.html> Employees are strongly discouraged from engaging in any nonessential travel (travel not required by work, health, or family needs). This does not apply to travel to and from an employee's primary residence. Employees who elect to engage in nonessential travel and are subsequently required to self-quarantine as a result, must notify their



Supervisor. Supervisors must notify their Appointing Authority, who must then notify Human Resources.

Teleworking or Leave Usage:

- Employees who elect to engage in nonessential travel and are subsequently required to self-quarantine as a result, may use FFCRA Emergency Paid Sick Leave or their Accrued Leave. Employees may also be approved for Authorized Leave Without Pay. Departments should work with their Human Resources Representative. Supervisors may determine on a case-by-case basis whether teleworking is an option for the impacted employee. If the employee is approved to telework, Supervisors will provide expectations and instruction. FFCRA Emergency Paid Sick Leave will be paid at the employee's regular rate of pay.
  - Employees may be required to provide documentation of their after-travel self-quarantine requirement.
5. Employees 65 and Older. The CDC advises that persons 65 years of age or older are at increased risk for severe illness from COVID-19. <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/older-adults.html> Employees who may meet the criteria should contact their health care provider to determine if their condition is considered high-risk under the CDC guidelines. If self-quarantine is recommended by their health care provider based on CDC guidelines related to COVID-19, and the employee wishes to self-quarantine, the employees must notify their Supervisor. Supervisors must notify their Appointing Authority, who will then notify Human Resources. Employees have the following options:

Teleworking or Leave Usage:

- Employees may elect to continue performing all assigned duties.
  - Employees may request to be approved to telework and track their time as Regular Working Time. Supervisors will determine on a case-by-case basis whether teleworking is an option for the impacted employee. If the employee is approved to telework, Supervisors must notify their Appointing Authority and provide the employee with expectations and instruction.
  - Employees may have the opportunity to work an alternative work schedule. Supervisors will determine on a case-by-case basis whether an alternative work schedule is an option for the impacted employee. If the employee is approved for an alternative work schedule, Supervisors must notify their Appointing Authority and provide the employee with expectations and instruction.
  - Employees who are not approved to telework or participate in an alternative work schedule may use FFCRA Emergency Paid Sick Leave, as appropriate, or their Accrued Leave. Employees may also be approved for Authorized Leave Without Pay. Departments should work with their Human Resources Representative. FFCRA Emergency Paid Sick Leave will be paid at the employee's regular rate of pay.
6. Employees with Serious Underlying Health Condition. The CDC advises that persons who have certain serious or chronic underlying health conditions or are immunocompromised are or may be at increased risk for severe illness from COVID-19. <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with->

[medical-conditions.html](#) Employees who may meet the criteria should contact their health care provider to determine if their condition is considered high-risk under the CDC guidelines. If self-quarantine is recommended by their health care provider based on CDC guidelines related to COVID-19, and the employee wishes to self-quarantine, the employee must notify their Supervisor. Supervisors must notify their Appointing Authority who will then notify Human Resources. Employees have the following options:

Teleworking or Leave Usage:

- Employees may elect to continue performing all assigned duties, as appropriate.
  - Employees may request to be approved to telework and track their time as Regular Working Time. Supervisors will determine on a case-by-case basis whether teleworking is an option for the impacted employee. If the employee is approved to telework, Supervisors must notify their Appointing Authority and provide the employee with expectations and instruction.
  - Employees may have the opportunity to work an alternative work schedule. Supervisors will determine on a case-by-case basis whether an alternative work schedule is an option for the impacted employee. If the employee is approved for an alternative work schedule, Supervisors must notify their Appointing Authority and provide the employee with expectations and instruction.
  - Employees who are not approved to telework or participate in an alternative work schedule may use FFCRA Emergency Paid Sick Leave or their Accrued Leave. Employees may also be approved for Authorized Leave Without Pay. Departments should work with their Human Resources Representative. FFCRA Emergency Paid Sick Leave will be paid at the employee's regular rate of pay.
  - Leave will be designated as FMLA/CFRA-qualifying for eligible employees, as appropriate. FFCRA Emergency Paid Sick Leave will run concurrently with FMLA/CFRA leave, when applicable.
7. Employees Caring for Others. Employees who need to be away from work to care for an individual who has been diagnosed with COVID-19, has symptoms of COVID-19, or who has been ordered by federal, state, or local authority, or advised by a health care provider, to self-quarantine or self-isolate due to COVID-19, must notify their Supervisor. Supervisors must notify their Appointing Authority. For purposes of this section, "an individual" means an immediate family member, roommate, person who regularly resides in the employee's home, or similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person if they are diagnosed with COVID-19, symptomatic, or quarantined.

Teleworking or Leave Usage:

- Employees may request to be approved to telework and track their time as Regular Working Time. Supervisors will determine on a case-by-case basis whether teleworking is an option for the impacted employee. If the employee is approved to telework, Supervisors must notify their Appointing Authority and provide the employee with expectations and instruction.
- Employees may have the opportunity to work an alternative work schedule to better accommodate their needs. Supervisors will determine on a case-by-case basis whether an alternative work schedule is an option for the impacted

employee. If the employee is approved for an alternative work schedule, Supervisors will notify their Appointing Authority and provide the employee with expectations and instruction.

- Employees who are not approved to telework or participate in an alternative work schedule may use FFCRA Emergency Paid Sick Leave or their Accrued Leave. Employees may also be approved for Authorized Leave Without Pay. Departments should work with their Human Resources Representative. FFCRA Emergency Paid Sick Leave will be paid at the employee's regular rate of pay.
- Leave will be designated as FMLA/CFRA-qualifying for eligible employees, as appropriate. FFCRA Emergency Paid Sick Leave will run concurrently with FMLA/CFRA leave, when applicable.

8. Employees Impacted by School or Childcare Closures. Employees who need to be home to care for a child (under the age of 18 or incapable of self-care due to disability) whose school or childcare is closed or unavailable due to COVID-19, must notify their Supervisor. Supervisors must notify their Appointing Authority.

Teleworking or Leave Usage:

- Employees may request to be approved to telework and track their time as Regular Working Time. Supervisors will determine on a case-by-case basis whether teleworking is an option for the impacted employee. If the employee is approved to telework, Supervisors must notify their Appointing Authority and provide the employee with expectations and instruction.
- Employees may have the opportunity to work an alternative work schedule to better accommodate childcare needs. Supervisors will determine on a case-by-case basis whether an alternative work schedule is an option for the impacted employee. If the employee is approved for an alternative work schedule, Supervisors must notify their Appointing Authority and provide the employee with expectations and instruction.
- Employees who are not approved to telework or participate in an alternative work schedule may use FFCRA Emergency Paid Sick Leave or their Accrued Leave, or will be approved for Authorized Leave Without Pay, for the first two workweeks of leave. FFCRA Emergency Paid Sick Leave will be paid at the employee's regular rate of pay. Eligible employees may then use FFCRA partially paid expanded family and medical leave for up to 10 additional workweeks (paid at 2/3 regular rate for all scheduled work hours, up to \$200 per day; \$12,000). Departments should work with their Human Resources. The FFCRA provides a total of 12 workweeks of protected leave, paid at 2/3 the employee's regular rate of pay (up to \$200 per day; \$12,000 total) for up to 10 workweeks after the first two workweeks of leave, which are unpaid. An employee may use FFCRA Emergency Paid Sick Leave for payment during those first two workweeks.
- Because FFCRA expanded family and medical leave is a temporary type of FMLA leave, employees who have taken FMLA leave for other reasons (e.g., due to their own serious health condition) within their applicable rolling 12-month period may not be eligible for the full amount of FFCRA expanded family and medical leave.



## Teleworking

During the time this Temporary COVID-19 Protocol is in effect, employees may work from home or another remote location on a case-by-case basis, subject to Appointing Authority approval. This teleworking section may be revised as needed to meet the City's operational needs. During the time this Protocol is in effect, the City will follow the requirements below regarding teleworking:

1. Employees may be able to telework on a case-by-case basis for a COVID-19-related absence.
2. Teleworking under this temporary policy will be guided by the following parameters:
  - Appointing Authority approval must be obtained.
  - The nature of the employee's work must be amenable to teleworking and sufficient work must be available. This determination will be made by supervisors working with their Appointing Authority.
  - Employees should be aware that City documents, communications, and work products stored on personally owned devices may be subject to public records law. The use of personally owned electronic devices such as home computers, laptops, smart phones, and tablets to access the City's internal networks may subject the personal device to review and possible disclosure.
  - Teleworking employees must comply with the performance and conduct standards for their position; the equipment, software, and remote access standards established by the Information Technology Department; and all other City policies and procedures.
  - Teleworking does not change the duties, obligations, responsibilities, and conditions of City employment. Each employee must perform work during scheduled teleworking hours. Employee responsibilities include accessibility to their manager, team, and customers during normal office hours by telephone and/or email.
  - The number of hours worked by the employee will not change because of teleworking.
  - Teleworking employees may be required to track their work hours, even if they are paid on a salary basis, to facilitate management of the position.
  - Employees must report all hours worked. Employees must not work unauthorized overtime. All overtime must be approved (Administrative Regulation 95.01).
  - Teleworking employees are expected to devote their time to the agreed upon teleworking workdays and hours and not to engage in other non-work-related activities.
  - Employees must comply with all City rules, policies, practices, and instructions while teleworking.
  - The agreement of Recognized Employee Organizations that the City's determination to review and modify the temporary Teleworking policy

for any individual employee or work section or unit will not trigger obligations pursuant to the Meyers-Milias-Brown Act.

3. Teleworking approved for COVID-19 related absences will be revoked upon declaration of termination by the City's COO, and all telework access granted during this period will be disabled by the City's Information Technology Department, where applicable.

## **Return to Work**

Supervisor Direction to Return to Work: Employees teleworking must return to work when directed by their Supervisor, unless there is a medical or COVID-19-related health or safety reason why the employee cannot or should not return to work. Employees must notify their Supervisor of any issue related to their return to work prior to the employee's return to work date. The City may request medical certification or Employee Self-Certification prior to return to work or extension of teleworking privileges.

Employee Return to Work Following Self-Isolation or Self-Quarantine: Employees may not return to work until they are able to provide a certification from a health care provider that they do not have COVID-19 or are no longer contagious, or can provide self-certification of each of the following (as applicable):

- They have complied with all directives, if any, provided to them by a health care provider or the County Health Officer or designee before seeking to return to work (<https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/phs/Epidemiology/covid19/HealthOfficerOrder-Isolation.pdf>);
- (If symptoms of COVID-19) At least 10 calendar days (20 calendar days if had severe to critical illness\* or if severely immunocompromised\*) have passed since their symptoms first appeared; and
- At least 24 hours have passed since their last fever (100°F / 37.8°C or greater) without the use of fever-reducing medication; and
- Their other symptoms, if any, have improved; or
- (If diagnosed with COVID-19 but no symptoms) At least 10 calendar days (20 calendar days if severely immunocompromised\*) have passed since the date of their first positive COVID-19 diagnostic test and they have not had any symptom of illness; or
- (If exposed to COVID-19 but no symptoms) At least 14 calendar days have passed since their last close contact with a person diagnosed with COVID-19 or who likely had COVID-19 and they have not had any symptom of illness.

\*For definitions of mild, moderate, severe, and critical illnesses, as well as information specific to immunocompromised individuals, please see <https://www.cdc.gov/coronavirus/2019-ncov/hcp/disposition-hospitalized-patients.html>.

Employees must notify their Supervisor of their ability to return to work. The City may request medical certification or Employee Self-Certification prior to return to work.

<https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>

## **Responsibilities**

### Employees:

- Protect yourself, your family, and your community by washing your hands often with

soap and water, using hand sanitizer, covering your coughs or sneezes with a tissue, and throwing away used tissues immediately after use.

- Avoid touching your eyes, nose, and mouth with unwashed hands. Clean and disinfect frequently touched surfaces.
- If you have COVID-19, may have been exposed to COVID-19, or are experiencing symptoms of COVID-19 (e.g., fever, cough, or shortness of breath), notify your supervisor immediately and contact your health care provider.
- Wear a face covering that covers your nose and mouth whenever you are within 6 feet of another person who is not a member of your family or household.
- Practice social distancing to the extent possible by maintaining a 6-foot separation from all persons who are not household members, first responders, medical providers, or employees conducting temperature screenings.

Supervisors:

- Adhere to this Temporary COVID-19 Protocol regarding notification, teleworking, and leave usage. Direct COVID-19 inquiries to your Human Resources Representative.
- Evaluate and approve, where possible, teleworking or alternative work schedule requests.

**Temporary Workers' Compensation Presumption for First Responders Diagnosed with COVID-19**

The Governor of California, local agencies, and the City of San Diego Mayor and City Council have declared a state of emergency due to the pandemic caused by COVID-19. Following these state of emergency declarations, the City is requesting first responders, including police officers, firefighters, and lifeguards, to be on the front line and in direct contact with the public. Given this directive that first responders be on the front line during this unprecedented pandemic, the City directs that employees in these first responder categories, who are diagnosed with COVID-19, be protected by a presumption that the injury was caused by their employment and therefore they are entitled to Workers' Compensation coverage.

This presumption applies to City of San Diego:

1. Active sworn police officers, as defined in Section 830.1, subdivision (a) of Section 830.2, and subdivisions (a) and (b) of Section 830.37 of the Penal Code, who are primarily engaged in active law enforcement activities.
2. Active firefighting members, whether volunteers, partly paid, or fully paid.
3. Active lifeguards, whether fully paid or seasonal.

The term "injury," as used in this provision, means and includes COVID-19 diagnosis and disease due to COVID-19, as defined by the Centers for Disease Control and Prevention, that develops or manifests itself during the period of the City of San Diego's declared local public health emergency, starting on March 13, 2020, and ending when the pandemic is no longer classified as a state of emergency, or as determined by the City of San Diego. In order for the presumption to apply, the employee must be a first responder in the service of a City of San Diego department or unit and demonstrate that they were exposed to the general public while in the service of the City of San Diego department or unit. This presumption does not apply to employees who are teleworking or in an inactive status, after they have been away from work for 14 consecutive days. If an employee develops COVID-19 symptoms while on a leave of

absence, after the employee has been on a leave of absence for at least 14 consecutive days without returning to the workplace, the presumption does not apply.

The COVID-19 injury so developing or manifesting itself in these cases shall be presumed to arise out of and in the course of employment. This presumption is disputable and may be controverted by other evidence. The City does not waive any defenses under the California Labor Code and caselaw.

All benefits will be provided in accordance with the California Labor Code.

To apply for Workers' Compensation benefits, employees must fill out the one-page Workers' Compensation claim form (provided by the Department). Risk Management will evaluate whether an employee is eligible for Workers' Compensation benefits, including California Labor Code section 4850 benefits. The City's Risk Management Department will process all claims as quickly as possible, but no later than 90 days from the filing date.

If an employee's Workers' Compensation claim is approved by the City, the coverage start date will be the first date the employee exhibited symptoms of COVID-19. Workers' Compensation coverage of leave will be retroactive to the first date of symptoms, and any FFCRA Emergency Paid Sick Leave or Annual Leave used prior to the claim approval date will be credited back to the employee. All claims will follow the City's Workers' Compensation process in its entirety.

There is currently pending state legislation regarding a Workers' Compensation presumption related to COVID-19. If the State of California establishes a Workers' Compensation presumption related to COVID-19, the City will discontinue the City's Temporary Workers' Compensation Presumption for First Responders Diagnosed with COVID-19 and act in accordance with state law. City will meet and discuss with REOs should this change occur.

This Protocol is effective immediately, applicable to all City employees, and will terminate upon declaration by the COO or designee, in accordance with the termination of the City's proclaimed local emergency. Employees may use FFCRA leave, Accrued Leave, or Leave Without Pay in accordance with this Protocol, City leave procedures, and the FFCRA.

# EMPLOYEE RIGHTS

## PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

### ▶ PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- $\frac{2}{3}$  for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at  $\frac{2}{3}$  for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

### ▶ ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days* prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

### ▶ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

- |   |   |
|---|---|
| <ol style="list-style-type: none"><li>1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;</li><li>2. has been advised by a health care provider to self-quarantine related to COVID-19;</li><li>3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;</li><li>4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);</li></ol> | <ol style="list-style-type: none"><li>5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or</li><li>6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.</li></ol> |
|---|---|

### ▶ ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



**WAGE AND HOUR DIVISION**  
UNITED STATES DEPARTMENT OF LABOR

For additional information  
or to file a complaint:  
**1-866-487-9243**  
TTY: 1-877-889-5627  
[dol.gov/agencies/whd](https://dol.gov/agencies/whd)



# DERECHOS DEL EMPLEADO

## LICENCIA POR ENFERMEDAD PAGADA Y EXPANSION DE LICENCIA FAMILIAR Y POR ENFERMEDAD BAJO LEY FAMILIAS PRIMERO DE RESPUESTA AL CORONAVIRUS

La **Ley Familias Primero de Respuesta al Coronavirus (FFCRA o Ley)** requiere que ciertos empleadores den a empleados licencias laboral pagadas o expansión de licencia familiar y por enfermedad por razones relativas al COVID-19. Estas provisiones aplicarán desde abril 1 hasta diciembre 31 del 2020.

### ► DERECHOS A LICENCIA LABORAL PAGADA

En general, los empleadores cubiertos bajo la Ley deben proveer a empleados:

Hasta 2 semanas (80 horas, o el equivalente de dos semanas de un empleado a tiempo parcial) de licencia por enfermedad pagada en base a su mayor tasa regular de pago, o el salario mínimo estatal o federal aplicable, de la siguiente manera:

- 100% para razones calificables #1-3 (ver abajo), hasta \$511 por día y \$5,110 total;
- $\frac{2}{3}$  para razones calificables #4 and 6, hasta \$200 por día y \$2,000 total; y
- Hasta 12 semanas de licencia por enfermedad pagada y expansión de licencia familiar y por enfermedad pagada a  $\frac{2}{3}$  para razones calificables #5 de hasta \$200 por día y \$12,000 total.

Un empleado a tiempo parcial es elegible a licencia por las horas que trabajaría durante ese periodo.

### ► EMPLEADOS ELEGIBLES

En general, empleados de empleadores del sector privado con menos de 500 trabajadores, y de ciertos empleadores del sector público, son elegibles a hasta dos semanas de licencia pagada total o parcialmente por enfermedad por razones de COVID-19 (ver abajo). *Empleados que hayan estado en nómina al menos 30 días anteriores a su solicitud de licencia podrán ser elegibles a hasta 10 semanas adicionales de expansión pagada parcialmente de licencia familiar y por enfermedad por razón #5.*

### ► RAZONES CALIFICABLES A LICENCIA RELACIONADA A COVID-19

Un empleado tiene derecho a tomar licencia laboral relacionada a COVID-19 si no le es posible trabajar, incluyendo imposibilidad de hacer **teletrabajo**, porque el empleado:

- |   |   |
|---|---|
| <ol style="list-style-type: none"><li>1. está sujeto a orden de cuarentena o aislamiento Federal, Estatal, o local relacionada al COVID-19;</li><li>2. ha sido instruido por un proveedor de salud que se ponga en auto-cuarentena por COVID-19;</li><li>3. está experimentando síntomas de COVID-19 y está solicitando diagnóstico médico;</li><li>4. está cuidando a una persona sujeta a una orden descrita en (1) o en auto-cuarentena descrita en (2);</li></ol> | <ol style="list-style-type: none"><li>5. está cuidando a un hijo cuya escuela o lugar de cuidados está cerrado (o cuidados infantiles no están disponibles) por razones de COVID-19; o</li><li>6. está experimentando otras condiciones sustancialmente similares a las especificadas por el Secretario de Salud y Servicios Humanos.</li></ol> |
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### ► CUMPLIMIENTO

La División de Horas y Salarios (WHD) del Departamento de Trabajo de EE.UU. tiene la autoridad de investigar y hacer que se cumpla la FFCRA. Los empleadores no podrán expulsar, disciplinar, o discriminar de ningún modo a un empleado que legalmente hace uso de su derecho a licencia laboral pagada o a extensión de licencia familiar y por enfermedad bajo FFCRA, presenta una queja, o inicia un procedimiento bajo o relativo a esta Ley. Los empleadores que violen las provisiones de la FFCRA serán objeto de multas y medidas de cumplimiento por la WHD.



**DIVISION DE HORAS Y SALARIOS**  
DEPARTAMENTO DE TRABAJO DE ESTADOS UNIDOS

Para información adicional  
o para presentar una queja:  
**1-866-487-9243**  
TTY: 1-877-889-5627  
[dol.gov/agencies/whd](https://dol.gov/agencies/whd)

