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Title: Staff Report for a City of San Leandro City Council Resolution to Approve Paid Leave for City of San Leandro Employees Who Must Quarantine Due to Work-Related COVID-19 Exposure

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Staff Report for a City of San Leandro City Council Resolution to Approve Paid Leave for City of San Leandro Employees Who Must Quarantine Due to Work-Related COVID-19 Exposure

SUMMARY AND RECOMMENDATIONS

One of the City’s top priorities during the COVID-19 pandemic is ensuring the health and safety of its employees. To address the workplace impacts of COVID-19, staff recommends that the City Council approve a resolution to provide paid leave (“Quarantine Leave”) for employees who must quarantine due to work-related COVID-19 exposure.

BACKGROUND

2020 was an exceptionally challenging year for employees and their families due to the COVID-19 pandemic. The impacts of COVID-19 have continued into 2021, as the City has recently seen a rise in the number of employee exposures and positive cases. This increase aligns with State and County reports of the biggest COVID-19 surge since the beginning of the pandemic. Despite adhering to COVID-19 safety protocols, City employees have also experienced an increase in work-related exposures that was difficult to prevent.

Since April 1, 2020, employees have been eligible for Emergency Paid Sick Leave (EPSL) for COVID -19 related absences pursuant to the Families First Coronavirus Response Act (FFCRA). After FFCRA expired on December 31, 2020, the City extended the FFCRA provisions through March 31, 2021 as permitted by the Consolidated Appropriations Act, 2021 and confirmed by the Department of Labor. However, many employees have exhausted the allotted 80 hours of Emergency Paid Sick Leave but need to take more time off for COVID-19 related reasons. For instance, some employees may need to quarantine more than once. Additionally, some employees do not receive their full salary while in quarantine or isolation due to EPSL’s maximum benefit of \$511 per day (\$5,110 aggregate).

The City must also comply with the California Occupational Safety and Health Administration's (CalOSHA) COVID-19 Emergency Temporary Standards (ETS), which requires employers to pay an employee while the employee is excluded from work due to a work-related exposure.

In evaluating how to best support City employees, staff recommends providing additional paid leave ("Quarantine Leave") to employees who are required to quarantine due to COVID-19 exposure at work. Quarantine Leave would address the limitations of FFCRA's EPSL and the state's ETS requirements.

Analysis

Many City employees continue to come to work to provide essential services in accordance with public health orders. Quarantine Leave would ensure the safety of employees and prevent the spread of COVID-19 by excluding employees from the worksite during the possible infectious period. Full-time and part-time employees would be eligible for Quarantine Leave if they are unable to work or telework because they are required to quarantine due to COVID-19 exposure in the workplace. Employees would be provided up to 80 hours of Quarantine Leave upon exposure and be paid their regular base pay for the hours they were scheduled to work during the quarantine period.

The City performs contact tracing to determine who had close contact with someone diagnosed with COVID-19 in accordance with the Centers for Disease Control guidelines. Employees identified as having close contact are expected to follow the most up to date Alameda County Public Health Officer's Order for Quarantine, stay home and monitor their health to prevent passing on potential infection to others.

Quarantine Leave is proposed for the period January 1, 2021 through June 30, 2021. However, staff recommends the City Council authorize the City Manager to extend the paid leave if necessary based on changes in the pandemic situation or availability of vaccines. The availability of Quarantine Leave may also be updated based on legislation that may be adopted in the future or guidance issued from other regulatory agencies.

The City has met and conferred to agreement with all employee bargaining groups.

Fiscal Impacts

There is no financial impact. Any Quarantine Leave granted would be funded from the budgeted salaries of affected employees.

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