

## **A RESOLUTION OF THE JEFFERSON COUNTY BOARD OF EDUCATION**

### **AUTHORIZING COVID-19 RELATED EMERGENCY LEAVE**

**WHEREAS**, on March 6, 2020, the Governor issued Executive Order 2020-215, declaring a state of emergency throughout Kentucky pursuant to his power under the Kentucky Constitution and KRS Chapter 39A regarding the threats to public health presented by the Novel Coronavirus (COVID-19) pandemic; and

**WHEREAS**, by memorandum dated July 21, 2020, from the Commissioner of Education as approved by the Secretary of the Education and Workforce Development Cabinet, the three day limit on the number of emergency days set forth in KRS 161.152 was suspended; and

**WHEREAS**, on August 6, 2020, the Kentucky Board of Education ("KBE") passed that certain emergency regulation (702 KAR 1:190E) authorizing additional COVID-19 related emergency leave beyond that permitted under KRS 161.152;

**NOW, THEREFORE: Be it resolved by the Jefferson County Board of Education:**

On a Motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board hereby

**RESOLVES AND ORDERS** as follows:

#### **COVID-19 Paid Emergency Leave**

On and after the effective date of the above referenced emergency regulation, full-time and permanent part-time employees may use up to two weeks (10 work days) COVID-19 Paid Emergency Leave (CPEL), with the possibility of additional days if determined warranted by the superintendent/designee, without loss of salary upon approval of the superintendent/designee for the following reasons and subject to the following conditions:

1. Availability of CPEL shall expire upon the end of the 2020 – 2021 school year or upon rescission or other termination of the state of emergency declared by the Governor due to the COVID-19 pandemic via Executive Order described above. CPEL does not accumulate or carry over beyond the earlier of: the expiration of 2020-2021 school year or the termination of the above referenced Executive Order.
2. The employee is unable to work (or telework) due to a need for leave because:
  - a) The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19;
  - b) The employee has been advised by a health care provider to self-quarantine because of COVID-19;
  - c) The employee is caring for an individual subject to or advised to quarantine as described above;
  - d) The employee is subject to an order to quarantine based on a travel advisory issued by a state or federal health agency. Paid leave for this purpose may be denied if Superintendent/designee determines that an employee travelled to another jurisdiction for the purpose of availing themselves of this paid benefit rather than for legitimate, family, educational, or professional purposes ; or

- e) Such other COVID-19 related reasons of an emergency or extraordinary nature as approved by the Superintendent or designee.
- 3. CPEL shall be in addition to days of emergency leave already authorized in District policy.
- 4. Employees who qualify may utilize Federal Emergency Family Medical Leave (EFML) and Emergency Paid Sick Leave (EPSL) under the Emergency Family Medical Leave Expansion Act and the Emergency Paid Sick Leave Act. Most of the qualifying reasons for CPEL (see a above) serve as qualifying reasons for EPSL, or – in the case of leave for specified childcare purposes – EFML. These federal leave entitlements are set to expire on December 31, 2020. District employees will be advised of the option to utilize these federal leaves for which they qualify before using CPEL.

Adopted by the Board this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Attested by \_\_\_\_\_, Chair of the Board.