

TEMPORARY VACATION APPROVAL POLICY

Effective August 11, 2020
Updated January 12, 2021

I. Purpose

On July 21, 2020, the Governor of the State of Ohio announced a travel advisory in response to the ongoing COVID-19 pandemic, advising individuals entering, or returning to the State of Ohio from states with COVID-19 positivity rates above 15%. The State of Ohio is now among the states with a COVID-19 positivity rate at or above 15%.

Therefore, effective January 12, 2021, Delaware County will begin to follow the Delaware General Health District travel advisory flow chart.

<https://delawarehealth.org/wp-content/uploads/2020/09/TravelAdvisory.pdf>

If the county an employee is traveling to outside the state of Ohio has a higher rate of cases per 100k, (as defined by the Center for Disease Control) than Delaware County, the employee may be required to take leave and/or work from home upon their return from out of state travel.

This updated Temporary Vacation Approval Policy (the “Policy”) is in response to the travel advisory and shall remain in effect until further notice.

II. Applicability

The Policy shall apply to all employees under the appointing authority of the Delaware County Board of Commissioners (the “Board”). Other Delaware County appointing authorities are encouraged to consult with legal counsel and adopt a policy substantially similar to the Policy.

III. Policy Requirements

A. Requests for Vacation, Personal, or Compensatory Time Leave

Any employee requesting to use vacation leave, personal leave, or compensatory time shall be required to provide, at a minimum, the following information:

1. Whether the employee intends to travel out of state.
2. If so, the destination City and State and any planned stops.
3. The method of travel (Airplane, car, etc.).
4. Protection methods used while traveling.
5. Places staying while out of state (Hotels, AirBnB, private home, etc.)
6. Other relevant factors indicating the type of contact the employee may have with others during the out of state travel.

Employees are encouraged to submit these requests as far in advance as possible to allow a thorough review and determination whether the leave is approved and any conditions that may apply. Employees should be careful of making non-refundable deposits before leave requests are reviewed and approved under this Policy. When out of state travel is unplanned, the employee must notify the employer of the above details concerning the travel as soon as possible and, in any event, prior to returning to work.

While this policy is not intended to restrict what employees do in their personal time, the nature of the COVID-19 pandemic and the travel advisory require the Board to take some action to minimize the possibility of employees infecting co-workers or members of the public and to ensure there are no service disruptions due to the unavailability of employees due to COVID-19 related reasons.

While the Policy remains in effect, each request for leave for purposes of out of state travel will be reviewed on a case by case basis, balancing the needs and rights of employees to use earned leave with the Board's needs to protect the well-being of its employees and the members of the public.

B. Conditions for Leave

Employees who are approved to use vacation leave, personal leave, or compensatory time for travel out of state may have such leave approved with one or more of the following conditions:

1. Intense monitoring of symptoms;
2. An FDA-approved COVID-19 Molecular Diagnostic Test (PCR) with a negative result (test performed on sample taken after travel and within 72 hours prior to the first work shift);
3. Prohibition of returning to work for a period of up to 14 days upon return from leave;
4. Mandatory telework or alternative working arrangements.

C. Requirement to Take Leave Upon Return from Out of State Travel

If an employee is not permitted to return to work for a period of up to 14 days as a condition of approving leave under this Policy, then the employee shall be required to utilize the employee's own available leave (vacation leave, personal leave, or compensatory time) or take unpaid leave. An employee shall only be entitled to Federal Emergency Paid Sick Leave if the employee is eligible for such leave, has such leave available, and has a qualifying event entitling the employee to such leave. Being subject to the conditions of this Policy alone shall not entitle an employee to Federal Emergency Paid Sick Leave.

D. Availability of Telework or Alternative Working Arrangements

In lieu of utilizing leave pursuant to Section C of this Policy, the employee may be permitted to telework, work in alternative environment, or work a schedule with alternative hours. Any arrangements under this Section D shall be subject to the Board or the employee's department

director determining that the arrangements are practical and not disruptive to the operational needs of the office or department.

E. Documentation

An employee shall be required to acknowledge receipt of this Policy, to provide all requested information required under this Policy, and to acknowledge the conditions that may be imposed for any leave approved under this Policy.