

# CNM PUBLIC HEALTH LEAVE

## Frequently Asked Questions

### General

#### **Q. Why is there a change in policy?**

A. The federal government passed the Families First Coronavirus Response Act and CARES Act which require CNM to establish additional sick leave and expand FMLA coverage.

#### **Q. When is this effective?**

A. Currently, April 6, 2020 through December 31, 2020.

#### **Q: Are all employees eligible for the Public Health Leave?**

A: All employees are eligible for Public Health Leave. See policy for more information on qualification.

#### **Q: Are student employees eligible for this leave?**

A: Yes, up to a maximum of 40 hours (2 weeks at 20 hours per week).

#### **Q: Does Public Health Leave count against the employee's other leave balances (such as personal leave, annual leave or sick leave)?**

A: No. Public Health Leave is a separate leave program provided under the Families First Coronavirus Response Act (FFRCA) and is only available through December 31, 2020.

#### **Q. If an employee has enough leave in their own leave banks (sick, personal, or annual), do they not use their own leave banks before tapping into Public Health Leave?**

A: Employees have the option to use any applicable leave. They do not have to exhaust personal, sick or annual leave prior to using Public Health Leave.

#### **Q. If I don't meet the requirements of, or I have exhausted my Public Health Leave and I cannot telework, are there any other options?**

A. Yes. Employees may use annual, personal and, if applicable, sick leave. If no leave balance is available, the employee must take leave without pay (dock pay). Employees may also inquire with Human Resources about use of expanded FMLA leave.

#### **Q. Will this Public Health Leave extend beyond December 31, 2020?**

A. No, unless required by law.

#### **Q. How do I get current information on CNM's response to COVID-19?**

A. Visit CNM's [COVID-19 information page](#) for most recent updates and watch your CNM e-mail for important updates.

#### **Q. Is documentation required to take Public Health Leave for reasons related to a school or child care facility closure?**

A. At this time, no documentation is required for public school closures. Proof of closure may be required for private school or child care facility closures.

**Q. Is documentation required to take Public Health Leave subject to a federal, state or local government isolation or quarantine order related to COVID-19?**

A. At this time, no documentation is required to take leave for the reason stated in the question above.

## **Supervisor Responsibilities**

### **Q. As a supervisor, what are my responsibilities after I approve my employee?**

- A. A supervisor is responsible for ensuring the employee is submitting their leave and recording it accurately on their timesheet and under the appropriate leave code. The supervisor is also responsible for monitoring usage to ensure the employee does not exceed the maximum number of hours the employee is eligible for based on their full- or part-time status. **Employees should submit Public Health Leave using the PHL leave code on their timesheet.**

### **Q. As a supervisor, who can I call if I have questions?**

- A. Contact Human Resources at (505) 224-4600 or email [humanresources2@cnm.edu](mailto:humanresources2@cnm.edu).

## **Employee Responsibilities**

### **Q. As an employee, am I required to fill out a form to make this request for sick leave?**

- A. Yes, the employee will need to submit their request using the [PHL leave request form](#) and submit the form to their supervisor for approval.

### **Q. Can the supervisor deny my request?**

- A. Yes, if the request does not meet the requirements to take Public Health Leave.

### **Q. If denied, can I appeal?**

- A. No, the denial of your request cannot be appealed. An employee's request would be declined only if the employee does not meet the requirements of the leave.

### **Q. Do I have to submit this information on my timesheet? If so, what leave code would I use?**

- A. Yes, you will submit Public Health Leave on your timesheet and list the hours under code PHL.

### **Q. As an employee, what are my responsibilities after I receive approval?**

- A. You are responsible for ensuring your hours are recorded accurately on your timesheet and monitoring your usage to ensure you do not exceed the number of hours you are eligible for (full time – 80 hours or the equivalent of two weeks pay; part-time – 60 hours or the equivalent of two weeks pay; student employees – 40 hours)

### **Q. As an employee who do I call if I have questions?**

- A. Contact Human Resources at (505) 224-4600 or email [humanresources2@cnm.edu](mailto:humanresources2@cnm.edu)

## **Leave Amounts**

### **Q: How many Public Health Leave hours do full time non-exempt employees receive?**

- A. The equivalent of two work weeks (80 hours ).

**Q: How many Public Health Leave hours do non-faculty, full-time exempt employees receive?**

A. The equivalent of two work weeks (80 hours)

**Q: How many Public Health Leave hours do full- and part-time faculty receive?**

A. Full-time faculty will receive leave equivalent to two work weeks. This will not add up to 80 hours. Part-time faculty will receive leave equivalent to two work weeks. This will not add up to 60 hours.

**Q: How many Public Health Leave hours do part-time employees receive?**

A. The equivalent of two work weeks (CNM assumes 60 hours bi-weekly).

**Q: Can an employee take the 80 hours (or the hours for part-time employees) of the Public Health Leave for their own self-quarantine and then again for another person's quarantine to assist with their care?**

A: No. Each employee is entitled to the maximum number of hours available to them based on their full-time or part-time status. Once those hours are paid, the employee cannot request additional paid time from the Public Health Leave program.

### **Remote Work Considerations**

**Q: If an employee can work remotely, can the employee still receive Public Health Leave?**

A: Yes.

**Employees who are able to telework are expected to perform job duties remotely, even while quarantined (and not symptomatic).**

**Q: If an employee can work remotely, but does not have enough work to fill the hours the employee normally works in a week, can the employee receive Public Health Leave for the hours not worked?**

A: Yes.

**Q: If the employee is working remotely and providing 1) care to those with COVID-19 symptoms, 2) care for those under quarantine due to the governmental or doctor's order, or 3) childcare to their child(ren) because their child(ren)'s school or daycare has closed or the childcare provider is unavailable on account of COVID-19 precautions, but they can continue to perform the duties of their position, just not during the normal work hours, can the employee flex their time or are they required to request Public Health Leave for the hours they cannot work during the normal business hours?**

A: An employee will need to work with their supervisor to see if flexing their hours outside of normal work hours makes sense for the unit and if it still meets departmental needs. The request is dependent on the supervisor approving an employee's flex schedule.

**Q: If an employee cannot work remotely because the functions of their job cannot be done remotely, is the employee required to request Public Health Leave?**

A: An employee is not required to request Public Health Leave. If an employee is unable to do remote work because their work cannot be done remotely, the employee may use their own leave, if applicable (annual, personal, and sick).

**Schedule Impact:**

**Q: Can Public Health Leave be used on an intermittent schedule? For example, if an employee needs to care for a spouse with COVID-19 symptoms for a few days but then can return to my normal work schedule, but then needs to care for another individual who has COVID-19 symptoms a few weeks later.**

A: Yes.

**Q: Can an employee use Public Health Leave a few hours each day? For example, if an employee needs to care for a child who's school is shut down in the morning, but has other arrangements for the afternoon, could the leave be used for the morning hours?**

A: Yes, this would be considered intermittent use.