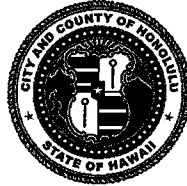


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KIRK CALDWELL
MAYOR



ROY K. AMEMIYA, JR.
MANAGING DIRECTOR
GEORGETTE T. DEEMER
DEPUTY MANAGING DIRECTOR

Mayor's Directive No. 20-2
March 18, 2020

MEMORANDUM

TO: All Department and Agency Heads
FROM: Kirk Caldwell, Mayor *[Signature]*
SUBJECT: Social Distancing and Employee Leave Policies
During the COVID-19 Pandemic

Social Distancing:

In light of the recommendation from the United States Centers for Disease Control and Prevention (CDC), all gatherings (i.e., meetings, conferences, workshops) of 50 or more City employees shall be cancelled or postponed until April 30, 2020. Whenever feasible, meetings should be held via conference call or video teleconference. In addition, all non-essential in-person training sessions shall also be cancelled or postponed until April 30, 2020. The City will continue to monitor the situation and update City employees should any meetings or training sessions need to be cancelled or postponed beyond April 30, 2020.

Employees who are sick:

As recommended by the CDC and the State of Hawaii Department of Health (DOH), all City employees are encouraged to stay home if they are sick. In addition, all City employees are required to follow and comply with current CDC and DOH guidelines regarding returning to work, including quarantine, self-monitoring, and/or home isolation. Again, all City employees are encouraged to follow CDC and DOH guidelines regarding personal hygiene, which includes regular washing hands, stop handshaking, avoid touching their faces and cover coughs and sneezes, disinfect surfaces such as doorknobs, tables, desks, and handrails regularly.

Employees who appear to be sick at the workplace:

In accordance with the current CDC guidelines, employees who appear to have acute respiratory illness symptoms (i.e., cough, shortness of breath) upon arrival to work or become sick during the workday and while at work will be sent home immediately. Employees who are sent home may elect to use their accrued sick leave, accrued vacation leave, or compensatory time off. If no election is made, the employee will be placed on authorized leave without pay. For absences due to illness, a medical certification shall be required in accordance with applicable collective bargaining agreements or Mayor's Directives. Certifications obtained through telehealth options (via mobile device or computer) are also acceptable.

Telecommuting and Flexible Work Hours:

During this time, many City employees may need to be absent from work for various reasons related to COVID-19. The City wants to encourage City employees to take leave as needed to care for themselves, their family members, and to prevent the spread of COVID-19 in the workplace and the community. Department directors should consider the feasibility of telecommuting as an alternative to leaves of absence and should work with the Department of Information Technology to coordinate arrangements. Department directors should also consider the feasibility of staggered work schedules to increase social distancing in the workplace. Effective immediately, and until further notice, Department directors have the discretion to modify the existing policies on Telecommuting (Personnel Manual VIII-2) and Flexible Work Hours (Personnel Manual VIII-1) for their departments, in response to the COVID-19 pandemic. Each department director who authorizes telecommuting shall provide the Department of Human Resources with a list that identifies the employee(s) who have been authorized to telecommute under the City's Telecommuting and Flexible Work Hours policies.

Administrative Leave:

Effective March 18, 2020, for specific situations detailed below, if telecommuting is not feasible, Department directors are given discretion to grant Administrative Leave as follows:

- Employees who are not sick, but cannot report to work because they are under quarantine, self-monitoring, or home isolation related to COVID-19, as directed by a health care provider, hospital, or health agency, or in accordance with CDC or DOH guidelines, may be placed on paid Administrative Leave for a period of up to 14 consecutive calendar days.

An employee who is placed on such paid Administrative Leave will be paid his/her regular pay in accordance with his/her regular work schedule (not including overtime or premium pay).

- Employees who have traveled voluntarily for personal reasons to countries identified by the CDC at the "Warning Level 3, Avoid Non-Essential Travel" Travel Health Notice that recommend such travelers to stay home for 14 days after returning from travel, monitor their health, and practice social distancing, are not eligible for Administrative Leave for the period that they are required to stay home for 14 days consistent with the CDC guidelines.
- If the employee becomes ill during the Administrative Leave period, the employee should seek medical attention and notify his/her supervisor. The employee will then be placed on sick leave. If the employee does not have any accrued sick leave, he/she may elect to use accrued vacation leave, compensatory time off, or be placed on authorized leave without pay. A medical certification shall be required in accordance with applicable collective bargaining agreements or Mayor's Directives. Certifications obtained through telehealth options (via mobile device or computer) are also acceptable.
- If the employee does not become ill during the Administrative Leave period, the employee may return to work and a medical certification shall not be required.

Administrative Leave to slow the spread of COVID-19:

- Essential functions shall be performed and offices shall remain adequately staffed during this period.
- Employees required to report to work and worked their normal day of work day shall not be granted equivalent time off at a later day.
- Employees who did not report to work, or were on a scheduled day off, or other approved leaves shall NOT be granted equivalent time off at a later date. No adjustments shall be made to any leaves previously granted from March 19, 2020 to April 2, 2020.
- Employees who are on suspension or leave without pay status are not entitled to Administrative Leave.
- Employees shall remain accessible during normal work hours, in the event the employee is called to return to work.

Employee leave due to closure of schools or child care facilities:

To care for children when schools or child care facilities are closed because of the current COVID-19 emergency, employees may elect to use their accrued sick leave, accrued vacation leave, or compensatory time off. If the employee elects to use sick leave, the employee shall not be required to submit a medical certification to substantiate the absence, but may be required to provide documentation of the closure.

Employees directly impacted by COVID-19 may also be eligible for state Family Leave and/or federal Family and Medical Leave. Employees should apply for and seek information about these benefits from their departmental Administrative Services Officer. Any leaves related to COVID-19 will be applied in conjunction with all applicable paid or unpaid leave policies of the City, including leaves under workers' compensation, state Family Leave Act and federal Family and Medical Leave Act leaves.

Departments are advised to keep abreast of the latest and most current COVID-19 updates and guidance. CDC information can be found at [coronavirus.gov](https://www.cdc.gov/coronavirus) and State of Hawaii Department of Health information can be found at health.hawaii.gov/covid19.

Unless noted above, all other existing policies on leaves of absence remain unchanged at this time. As this situation evolves, further Mayor's Directives may be issued regarding employee leave policies. This directive is effective immediately and will continue to be in effect until further modification or cancellation by a subsequent Mayor's Directive. This Mayor's Directive shall be construed and applied consistently with all prior Mayor's Directive related to the COVID-19 emergency.

APPROVED AS TO FORM AND LEGALITY:



Paul S. Aoki, Acting Corporation Counsel
Department of the Corporation Counsel