



NIAGARA COUNTY  
HUMAN RESOURCES DEPT.  
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Director

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Memorandum

To: Department Heads and Staff  
From: Peter P. Lopes *PP*  
Date: March 20, 2020

Subj: Emergency Paid Sick Leave and FMLA expansion effective April 2, 2020

Niagara County is strongly committed to the health and well-being of all staff, to the public that we serve, and the communities in which we live. The Coronavirus (COVID-19) and guidance from the CDC, Public Health Officials, and NY State has required that we take specific steps to address this disease and mitigate its spread, as we have previously communicated.

**Emergency Paid Sick Leave Act Relating to COVID-19 and Employee Absences:**

Niagara County will provide each employee paid sick time to the extent that the employee is unable to work (or telework) due to a need for leave because:

1. The employee is subject to a Federal, State, or local quarantine or isolation relating to COVID-19
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis
4. The employee is caring for an individual who is subject to an order as described in subparagraph (1) or has been advised as described in paragraph (2)
5. The employee is caring for a son or daughter of such employee if the school or place of care of son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions

The duration of the emergency sick leave under this provision is limited to two weeks for full-time and part-time employees.

During this two week period, employees will be compensated at their regular rate when the employee is subject to a Federal, State or local quarantine or isolation per above, or if advised by a health care provider to self-quarantine, or if the employee is experiencing symptoms of COVID-19, thereafter 2/3 pay for **up to** ten more weeks.

Those employees who require emergency leave to care for an individual who is subject to an order as described above or is caring for a son or daughter whose school has closed, or the childcare provider is unavailable, as the result of closure due to COVID-19, the employee shall be compensated at **2/3 of that employee's regular rate.**

The 2 weeks of sick leave time under this provision shall be available to all employees. The additional paid leave shall be available to those employees with at least 30 calendar days of service. Such sick time and other extended benefits shall become effective April 2, 2020 and through December 31, 2020.

Niagara County cannot require the employee to use other paid leave time accruals prior to the use of Emergency Paid Sick Leave Act per above.

Niagara County will comply with all applicable federal and NYS employment regulations including the Family Medical Leave Act of 1993. This is applicable during and throughout our response to COVID-19.

All employees will be subject to Niagara County leave policies and the respective union contracts. When an employee is not available or unable to perform work, that employee must request time off or notify his/her manager of the need to take time off. Supporting documentation must be provided; employees must use appropriate time accruals to cover any absence(s).

If however, an employee is quarantined by order of the State of NY, the Department of Health, local board of health, or any governmental entity duly authorized to issue such order due to COVID-19 prior to April 2, 2020, the employee will be provided with fourteen days of paid sick leave. Such leave shall be provided without loss of an employee's accrued sick leave.

**Travel:**

All nonessential county business travel will be suspended until further notice.

All personal travel outside the U.S. must be reported to your Department Head and the Human Resources Department prior to leaving. Travel to any countries under travel bans and restrictions is strictly prohibited. Failure to report personal travel pursuant to this directive will result in the employee being prohibited to return to work for 14 days upon returning from their travels.

**NYS Governor Executive Order to Reduce Staff temporarily by 50%:**

As a result of Executive Order No. 202.4, Niagara County has taken steps to temporarily reduce nonessential staff by 50% to promote social distancing efforts and mitigate the spread of COVID-19. To provide ongoing essential services while complying with this mandate, we are asking employees to work diligently with their Department Heads and adhere to all reporting directives. Department Heads will determine who is not required to report.

**The aforementioned is subject to change pursuant to any Executive Order.**

Thank you for your full and continued support and cooperation during this challenging time. If you have any questions, please contact your manager, the Manager of Labor Relations at 438-4069 or me at 438-4068.

Cc: Claude Joerg, County Attorney's Office  
Jennifer Pitarresi, Director of Risk Management  
Joe Provino, Manager of Labor Relations  
Rick Updegrove, County Manager  
Union Leaders