



DEPARTMENT OF THE ARMY
U.S. ARMY MANEUVER SUPPORT CENTER OF EXCELLENCE
14000 MSCOE LOOP, SUITE 316
FORT LEONARD WOOD, MISSOURI 65473-8300

ATZT-CS

08 SEP 2020

MEMORANDUM FOR Maneuver Support Center of Excellence (MSCoE) and United States Army Garrison (USAG) Supervisors of Civilian Employees

SUBJECT: Revised Leave Memorandum of Instruction (MOI) in response to the Coronavirus Disease 2019 (COVID-19)

1. References.

a. Memorandum, Department of Defense, Subject: Civilian Personnel Guidance for DoD Components in Responding to Coronavirus Disease 2019, 8 March 2020.

b. Memorandum, Department of the Army, Subject: Updated Guidance on Telework Flexibilities in Response to Coronavirus, 16 March 2020.

c. Fort Leonard Wood (FLW) Civilian Personnel Regulation (CPR) 690-12, Leave Administration, 30 March 2020.

d. Department of the Army, 2019 Novel Coronavirus Disease (COVID-19) Army Frequently Asked Questions – Version 2, 07 July 2020.

e. Memorandum, OPM, Subject: Annual Leave and Other Paid Time Off Guidance, 18 June 2020.

f. U.S. Army Training and Doctrine Command, FRAGORD 17, Annex F, Civilian Workforce Guidance on Civilian Travel and Onboarding, Annual Leave, Weather and Safety Administration Leave, and Telework, 8 April 2020.

g. OMB, Memorandum, "Updated Guidance on Telework Flexibilities in Response to Coronavirus," dated March 12, 2020.

h. Department of the Army, Families First Coronavirus Response Act (FFCRA), Fact Sheet.

i. Memorandum, DoD, Subject: Removal of Expiration Date for Certain Time-Off Awards, 01 July 2020.

2. Purpose: To establish guidance for leave procedures in response to COVID-19.

ATZT-CS

SUBJECT: Revised Leave Memorandum of Instruction (MOI) in response to the Coronavirus Disease 2019 (COVID-19)

3. Applicability: This MOI supersedes the Memorandum of Instruction (MOI) – Employee Leave in response to the Coronavirus Disease 2019 (COVID-19), 15 May 2020. This MOI is applicable to MSCoE and USAG Fort Leonard Wood civilian employees, both Appropriated and Non-appropriated Fund Employees. Leave is approved or disapproved without regard to race, color, gender, religion, national origin, marital status, age, disability, or sexual orientation.

4. Emergency Paid Sick Leave (EPSL) and Emergency Family and Medical Leave:

a. The Families First Coronavirus Response Act (FFCRA) authorizes employees to be paid sick leave or expanded family and medical leave for specified reasons related to COVID-19. These provisions apply from April 1, 2020 through December 31, 2020.

b. Emergency Paid Sick Leave (EPSL). Under the FFCRA, a federal employee qualifies for emergency paid sick leave if the employee is unable to work (or unable to telework) because the employee meets a qualifying factor to include:

(1) Is subject to a federal, state, or local quarantine or isolation order related to COVID-19;

(2) Has been advised by a health care provider to self-quarantine due to COVID-19 related factors;

(3) Is experiencing COVID-19 symptoms and is seeking a medical diagnosis;

(4) Is caring for an individual subject to a quarantine or isolation order or self-quarantine;

(5) Is caring for a child under 18 years of age whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19; or

(6) Is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor.

c. EPSL is an additional type of sick leave and does not impact an employee's regular sick leave balance. Employees are eligible in specified circumstances related to COVID-19 for:

ATZT-CS

SUBJECT: Revised Leave Memorandum of Instruction (MOI) in response to the Coronavirus Disease 2019 (COVID-19)

(1) Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay where the employee is unable to work because the employee is quarantined (pursuant to federal, state, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or (qualifying reasons (1), (2), and (3) listed above).

(2) Two weeks (up to 80 hours) of paid sick leave at two-thirds (2/3) the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to federal, state, or local government order or advice of a health care provider), or care for a child under 18 years of age whose school or child care provider is closed or unavailable for reasons related to COVID-19, or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services. In consultation with the Secretaries of the Treasury and Labor (qualifying reasons (4), (5), and (6) listed above).

d. Limitation of Emergency Sick Leave: The cash value of emergency sick leave is calculated based on the employee's regular rate of pay and number of hours the employee would otherwise be normally scheduled to work (or the number of hours calculated below for those with varying work weeks). The employee is paid at the greater of the employee's regular rate of pay, or the applicable minimum wage (federal, state, or local up to:

(1) \$511 per day and \$5,110 in the aggregate over the entire two week paid sick leave period for an employee that is unable to work because of EP SL qualifying reasons (1), (2), and (3) listed above; or

(2) \$200 per day and \$2,000 in the aggregate over the two week paid sick leave period for an employee who is unable to work because of EP SL qualifying reasons (4), (5), and (6) listed above.

e. Emergency Family and Medical Leave (Emergency Family and Medical Leave Expansion Act): Employees on intermittent or temporary appointments of less than one year and part time employees are covered by the expanding family and medical leave provisions.

(1) Eligibility: For an employee to be eligible for coverage under this expanded FMLA, the employee must be employed for at least 30 calendar days prior to the leave request and covered under title 1 of the FMLA (chapter 28 of title 1 of FMLA, United States Code).

ATZT-CS

SUBJECT: Revised Leave Memorandum of Instruction (MOI) in response to the Coronavirus Disease 2019 (COVID-19)

(2) Coverage under Title 1 of FMLA applies to employees: with an intermittent work schedule (including non-appropriated fund flexible employees on an intermittent work schedule); under a temporary appointment (i.e. an appointment with a time limitation of 1 year or less); or employees covered under unique statutory authorities that apply provisions of Title 1 (e.g. certain employees of the Department of Defense Education Activity).

(3) The expanded FMLA provides up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay where an employee is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19. The first two weeks of expanded FMLA leave is unpaid leave; however, an employee has the right to substitute either emergency paid sick leave, or accrued paid leave for that initial unpaid leave.

f. Documentation of Need for Emergency Leave: An employee must provide his or her supervisor documentation in support of paid sick leave or expanded family and medical leave. Documentation for all qualifying COVID-19 reasons must include a signed statement containing the following information: employee's name; date(s) for which leave is requested; qualifying reason for leave; and a written statement from an appropriate authority, as it pertains to the qualifying reason provided, that the employee is unable to work or telework because of the COVID-19 qualifying reason for leave.

(1) If an employee requests emergency paid sick leave due to quarantine or isolation order, the employee must also provide the name of the government entity that issues the order.

(2) If an employee requests emergency paid sick leave because a health care provider advised to self-quarantine, the employee must also provide the name of the health care provider.

(3) If the employee requests emergency paid sick leave because they are caring for an individual subject to a quarantine or isolation order of self-quarantine the employee must also provide the name of the government entity that issued the order or name of the health care provider who advised the individual being cared for to self-quarantine.

(4) If an employee requests emergency paid sick leave to care for a child whose school or place of care is closed the employee must also provide: the name of the son or daughter being cared for; the name of the school, place of care, or child care provider

ATZT-CS

SUBJECT: Revised Leave Memorandum of Instruction (MOI) in response to the Coronavirus Disease 2019 (COVID-19)

that has closed or become unavailable; and a written statement from the employee that no other suitable person will be caring for the son or daughter during the period for which the employee takes paid sick leave or expanded FMLA.

g. Conditions for intermittent usage of paid sick leave or expanded family and medical leave while teleworking:

(1) Leave can be taken intermittently if the supervisor allows it and if the employee is unable to telework his/her normal schedule of hours due to one of the qualifying reasons in the Emergency Paid Sick Leave Act. In that situation, the employee and employer may agree that the employee may take paid sick leave intermittently while teleworking. Similarly, if the employee is prevented from teleworking their normal schedule of hours because of the need to care for a child whose school or place of care is closed, or child care provider is unavailable, because of COVID-19 related reasons, the employee and the supervisor may agree that the employee can take expanded family medical intermittently while teleworking.

(2) Employees may take intermittent leave in any increment, provided that the supervisor and employee agree.

h. Conditions for paid sick leave intermittently while working at the usual worksite (as opposed to teleworking):

(1) The condition for taking leave intermittently depends on why the employee is taking paid sick leave and whether the supervisor agrees. Unless the employee is teleworking, paid sick leave for qualifying reasons related to COVID-19 must be taken in full-day increments. It cannot be taken intermittently, if the leave is taken because the employee is: subject to a Federal, State, or local quarantine or isolation order related to COVID-19; has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; is experiencing symptoms of COVID-19 and seeking a medical diagnosis; is caring for an individual who either is subject to quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.

(2) Unless the employee is teleworking, once an employee begins taking paid sick leave for one or more of these qualifying reasons, they must continue to take paid sick leave each day until they either use the full amount of paid sick leave or no longer have a qualifying reason for taking paid sick leave. This limit is imposed because if they

ATZT-CS

SUBJECT: Revised Leave Memorandum of Instruction (MOI) in response to the Coronavirus Disease 2019 (COVID-19)

are sick or possibly sick with COVID-19, the intent of FFCRA is to provide such paid sick leave as necessary to keep the employee from spreading the virus to others.

(3) If they no longer have a qualifying reason for taking paid sick leave before they exhaust the paid sick leave, they may take any remaining paid sick leave at a later time, until December 3, 2020, if another qualifying reason occurs.

i. Time and Attendance Procedures:

(1) Emergency Paid Sick Leave Act will be coded in time and attendance systems using "LV-Excused Absence" and environmental hazard code "DX" for emergency paid sick leave paid at an employee's full rate of pay, and environmental hazard code "DY" for emergency paid sick leave paid at two-thirds an employee's rate of pay.

(2) Emergency Family and Medical Leave Expansion Act Leave will be coded in time and attendance systems using "LV-Excused Absence" and environmental hazard code "DZ".

5. Weather and Safety Leave: The commander or director will be the approving authority for written requests for weather and safety if:

a. The employee is asymptomatic and subject to movement restrictions (i.e. quarantine or isolation) under the direction of public health authorities due to a significant risk of exposure to a quarantinable communicable disease, such as COVID-19. This determination is based on the significant safety risks for other employees and the general public that would be incurred if such an employee were allowed to travel to and perform work at the employee's normal worksite.

b. The employee is asymptomatic and directed by a medical professional, public health authority, commander, or supervisor, to not report to the worksite. Note that a commander or supervisor may direct the employee to stay home because of possible exposure or because the employee shows symptoms that might be COVID-19.

c. The employee is at higher risk to COVID-19 as identified by the CDC and not telework eligible.

d. Other circumstances when an employee is not able to safely travel to or perform work at an approved location. If this is the situation, employees should contact their

ATZT-CS

SUBJECT: Revised Leave Memorandum of Instruction (MOI) in response to the Coronavirus Disease 2019 (COVID-19)

supervisor to see if there are ways or provisions that can be made to transition to telework.

e. Weather and safety leave is extremely limited for employees designated as emergency employees under 5 C.F.R. 630.1605(b).

f. Time and Attendance Procedures: Weather and safety leave will be coded in time and attendance systems using "LN-Administrative" and environmental hazard code "PS".

6. Annual leave, sick leave, and leave under emergency conditions: annual, sick, and leave under emergency conditions will be approved or disapproved in accordance with the FLW CPR 690-12 and the local collective bargaining agreements. Annual, sick, and leave under emergency situations will not be denied or cancelled due to COVID-19 unless it is mission related. A leave and work schedule guide and leave counseling worksheet is enclosed.

a. A supervisor may inquire as to the reason for an employee's requested annual leave only to make informed decisions about scheduling leave to meet mission requirements. In such cases, employees are not required to provide the supervisor with this information, but their request for annual leave may be denied based on mission requirements.

b. A supervisor can approve, deny, or cancel annual leave for a Civilian employee based **ONLY ON MISSION REQUIREMENTS** (refer to paragraph 5 for non-mission related approvals). Civilian employees should limit travel to essential requirements and should support local and state shelter orders. The reason for denial must be articulated and based on reasonableness.

c. DoD Civilians on approved leave which require travel outside the local area are required to complete a Civilian Leave Counseling Form (enclosure 1) with their supervisors. The Civilian Leave Counseling Form is only necessary when leave is taken during the employee's regular work week and does not include travel taken during non-duty days. A copy of the Civilian Leave Counseling Form will be retained in the employee's unit file and the supervisor will inform the unit leadership of the employee's travel outside the local area of Fort Leonard Wood. The local area is currently defined as 100 miles radius distance from Fort Leonard Wood.

d. Upon returning to FLW after any travel outside of the local area:

ATZT-CS

SUBJECT: Revised Leave Memorandum of Instruction (MOI) in response to the Coronavirus Disease 2019 (COVID-19)

(1) The supervisor and employee will discuss the COVID-19 precautions taken during the travel.

(2) If the first-line supervisor has concerns about increased COVID-19 risk due to travel, the supervisor should consult their chain of command and Harper Screening Clinic. The commander or director has the authority to arrange for situational telework or weather/safety leave.

(3) If there is no sign of illness upon return the employee will follow routine processes.

(4) If there are signs of illness upon return the employee will not return to the workplace. They will contact their health care provider and their supervisor for further guidance.

e. Leave under emergency conditions will be expedited and approved by the employee's supervisor. A Civilian Leave Counseling Form should be completed with the employee as soon as possible, preferably prior to departure outside of the local area.

7. Time-Off Awards:

a. Due to COVID-19 many Civilian employees have been unable to use time-off awards within the one-year limitation. DoD has granted an exception to DoDI 1400.25, Volume 451, the policy governing time-off awards. The exception allows for any awards granted between March 13, 2019 and September 30, 2020 to be excluded from the one year time limitation for usage and have an unlimited expiration date. All other requirements cited in Army Regulation 672-20 for determining the number of hours for recognition and approval and processing procedures remain in place.

b. Employees should be reminded that the DoDI stipulates that TOAs are not transferrable between DoD Components or outside of the DoD and that a time-off award must not be converted to a cash payment under any circumstances.

c. If a time-off award was granted after 13 March 2019 and was already forfeited in the time keeping system it will be restored.

8. Civilian personnel may telework even when a child or dependent requiring supervision is present at the alternative worksite. Where an employee is teleworking

ATZT-CS

SUBJECT: Revised Leave Memorandum of Instruction (MOI) in response to the Coronavirus Disease 2019 (COVID-19)


and providing care to a child or dependent during duty hours, the employee must account for this time using appropriate leave as approved by his or her supervisor.

For example, an employee who feeds and supervises a young child multiple times during the day will need to take leave or, if on a flexible work schedule adjust his or her hours. Weather and Safety would not be appropriate under these facts alone. Supervisors are authorized and encouraged to transition employees to a flexible work schedule when justified during the COVID-19 response without renegotiating a permanent change.

9. Proponency: The proponent for this MOI is the Chief of Staff, MSCoE.

2 ENCLS

1. COVID-19 Civilian Leave Counseling Form
2. COVID-19 Flexibilities Schedule


RICHARD J. BALL
Colonel, GS
Chief of Staff

DISTRIBUTION:

All Schools, Brigades, Battalions,
Companies, Detachments, Tenant
Units, Directorates, General and
Personal Staff Offices.

ATZT-CS
SUBJECT: Revised Leave Memorandum of Instruction (MOI) in response to the
Coronavirus Disease 2019 (COVID-19)

Enclosure 1: COVID-19-Civilian Leave Counseling Form



DEPARTMENT OF THE ARMY
U.S. ARMY MANEUVER SUPPORT CENTER OF EXCELLENCE
14000 MSCOE LOOP, SUITE 316
FORT LEONARD WOOD, MISSOURI 65473-8300

ATZT-XX

<<DATE>>

MEMORANDUM FOR (Name and Address of Civilian Employee)

SUBJECT: Counseling for DoD/DA Civilian Employee Traveling Outside 100 miles of
Fort Leonard Wood, MO

1. In an effort to maintain the health and safety of our Service members, their Families, and our Workforce, BG Bonner has established a local travel area of 100-mile radius from Fort Leonard Wood. Travelers outside of the 100-mile radius should follow the guidelines in this travel counseling worksheet.

2. To support that effort, plan your travel carefully and provide your supervisor with the following information:

a. Location(s) you plan to visit during your leave:

• _____

b. Purpose of your leave (check one of the below categories):

- Medical Appointment
- Non-Medical LV

3. Because you are traveling outside the local area (100 mile radius of Fort Leonard Wood), you will be required to:

a. Upon return your supervisor will conduct an after travel discuss to review any potential COVID interactions which may be of concern.

b. Following the discussion you may be asked to self-quarantine for 14 days. If this occurs, your time and attendance must be properly accounted for IAW OPM guidance. If you are unable to telework you may be required to use appropriate accrued leave, Weather and Safety leave or Emergency Paid Sick Leave, Emergency Family and Medical Leave, which may be at a reduced rate under certain conditions, per OPM guidance.

XXXXXXXXXXXXXXXXXXXX
Employee Supervisor

Acknowledgement:

I acknowledge the above screening and potential quarantine requirements.

Signature: _____, Date: _____

Name: _____

Note: The supervisor will retain this counseling form in the employee's unit file and inform the unit leadership of the travel location.

Enclosure 2: COVID-19-Flexibilities Schedule

HR Leave & Work Schedule Flexibilities - 2019-nCoV		
Condition Met	Leave Type	Amount
When an asymptomatic non-network employee (i.e., healthy, not displaying symptoms of the given disease) is subject to movement restrictions (quarantine or isolation) under the direction of public health authorities due to a significant risk of exposure to a communicable communicable disease, such as 2019-nCoV.	Medical and safety leave	Varies. Can be unlimited based on circumstances. Quarantines typically 14 days for 2019-nCoV.
An employee who is asymptomatic (i.e., does not have any communicable disease, such as 2019-nCoV).	Sick Leave	Unlimited amount of accrued sick leave, where otherwise appropriate. Or, Advanced Sick : up to 30 days (240 hours) approved by supt. Not employee entitlement.
If an employee's family member is symptomatic (i.e., due to a communicable communicable disease, such as 2019-nCoV, this amount of leave may be provided for general family care).	Sick Leave for General Family Care	Up to 104 hours (13 days) of sick leave each leave year to provide care for a family member who is ill or receiving medical examination or treatment, proportionally adjusted for part-time employees. Or, Advanced Sick : up to 30 days (240 hours) can be advanced; however, advancement in this category is subject to applicable limitations.
If an employee's family member is symptomatic (i.e., due to a communicable communicable disease, such as 2019-nCoV, that would generally constitute a serious health condition, which would allow sick leave under this category).	Sick Leave to Care for a Family Member with a Serious Health Condition	Up to 12 weeks (840 hours) of sick leave each leave year (13 days for general family care is also subtracted from this amount); up to 12 weeks (840 hours) of sick leave each leave year. Or, Advanced Sick : up to 30 days (240 hours); however, advancement in this category is subject to applicable limitations.
For personal needs, and in the context of 2019-nCoV, could include medical needs, personal business, time gossies, or to provide care for a healthy or sick family member.	Annual Leave	Any or all accrued annual leave, subject to supervisory approval. Or, Advanced Annual : Amount not to exceed amount the employee would accrue in remainder of the leave year. Management approval, not employee entitlement.
Employee may involve his or her entitlement to unpaid leave under the FMLA for a serious health condition that prevents an employee from performing his or her duties or to care for a spouse, son or daughter, or parent with a serious health condition (such as 2019-nCoV).	Family and Medical Leave (FMLA)	Up to 12 workweeks of LWOP. If the employee may choose to substitute paid or other accrued annual and/or sick leave for unpaid leave in accordance with applicable limitations.
If an employee has exhausted his or her available annual or sick leave and other forms of paid time off, he or she may request LWOP. LWOP is a temporary non-pay status and absence from duty that, in most cases, is granted at the employee's request, but is a matter of supervisory discretion.	Leave Without Pay (LWOP)	May be granted for any reason approved by the Agency.
If an employee has a personal or family medical emergency related to a communicable communicable disease, such as 2019-nCoV, and is absent (or expected to be absent) from duty without available paid leave for at least 24 work hours, he or she may qualify to receive donated annual leave under the VLP. VLP allows an employee to donate annual leave to assist another employee who meets the criteria.	Voluntary Leave Transfer Program (VLT)	Unlimited amounts may be donated, once when an employee is qualified and included in the program.
Leave afforded without loss of credit in 1) pay; 2) leave to which an employee is otherwise entitled under leave, or 3) credit for time of service; and, that is not authorized under any other provision of the law.	Administrative Leave	DOB Instruction 1400.25, vol. 8.00: "Comptroller General does not provide for limited donor leave to grant excused absences to situations involving brief absences. Where a absence is for other than brief periods of time, a grant of excused absence is not appropriate unless the absence is in connection with furthering a function of the DOB." MOA 2017, Sec. 1118 (pending implementation): "During any calendar year, an agency may place an employee in administrative leave for a period of not more than a total of 10 work days."
Leave permitted in lieu of annual leave, where accrued and available.	OTHER PAID TIME OFF (Compensatory Time Off)	Unlimited amount of accrued leave, where available. Compensatory Time Off for Travel Credit Hours.

OTHER HR FLEXIBILITIES:
 * Talents: Used to promote continuity of operations; agencies are encouraged by OPM to maximize their total operational capacity by ensuring no loss of talent. Internal operational discretion in the time employee and the individual and family members are appropriate for 2019-nCoV.
 * Alternative Work Schedules (AWS): May be implemented instead of a traditional fixed work schedule to help an employee balance work and personal responsibilities. Under many AWS, an employee can complete their work requirement in less than 10 workdays. Under other AWS, the employee may choose to adjust arrival and departure times to accommodate doctor appointments, child care or childcare issues, or other pressing issues surrounding the individual's emergency.

