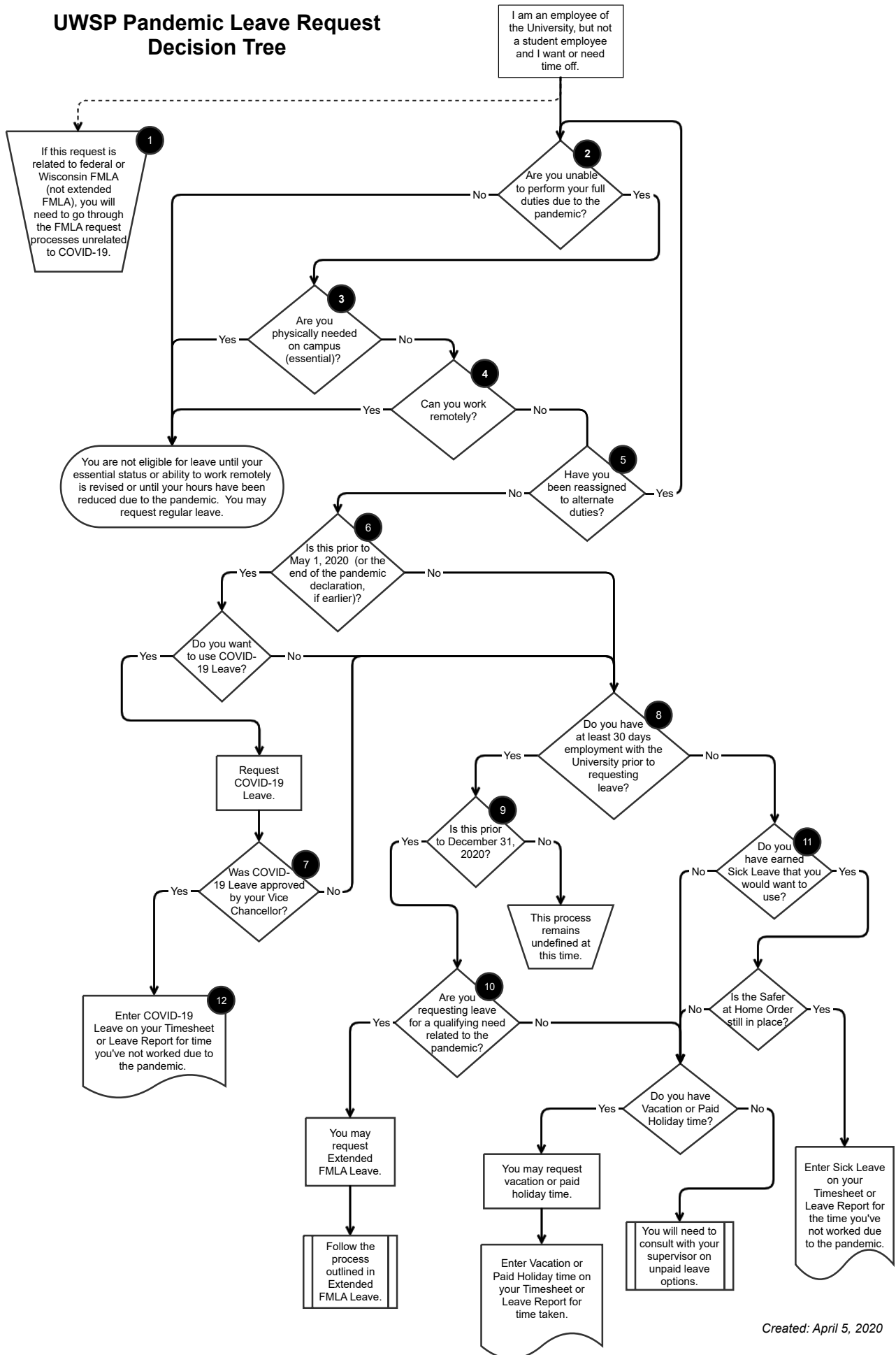


UWSP Pandemic Leave Request Decision Tree



UWSP Pandemic Leave Request Decision Tree

This decision tree is not policy, but a guidance instrument to assist with the complexity of leave requests during this health crisis. UW System policies control the actual decisions and govern over any perceived discrepancies between the actual policies and this guidance.

1

If your request for leave meets the need for leave as outlined in [UWSA Policy 1213](#), you may request conventional FMLA. Conventional FMLA is not a pay status but affords job protection. If you desire paid status, you will want to also select a leave that permits this.

[FMLA FAQs](#) are available from the UW System Office of General Counsel.

2

Unable to perform full duties is further described in [UWSA Policy 1200-Interim 02](#) 5.B.I. Answering “no” would mean the employee is able to do their job without particular issues and only the more conventional leaves would apply. However, there are times that there may not be a sufficient amount of work to fill the entire pay period and this would then change the response to “yes” for those particular times and continue through the decision tree.

3

An employee that is physically needed on campus (this could be police, custodial, food service, and others as defined by the unit) is more fully understood within the [UWSA Policy 1200-Interim 02](#) and guidance from UW System. It is expected that managers and supervisors will work with employees who are otherwise adversely impacted by the incident to be as flexible as possible while continuing to meet the needs of the University. However, there are times that there may not be a sufficient amount of work to fill the entire pay period. Insufficient amount of work would change the response for this question to “no” for those specific times and continue through the decision tree.

4

When an employee is able to work remotely, they are expected to do so. The use of COVID-19 Leave is not appropriate in such instances. Employees who are in self-quarantine, caring for others, assisting children with home instruction, or other conditions that are given as simple examples in [UWSA Policy 1200-Interim 02](#) 5.B.I. that are able to work remotely should be given as much flexibility with schedules and days of work to permit them to be effective in doing this. It is expected that managers and supervisors will work with employees who are otherwise adversely impacted by the incident to be as flexible as possible while continuing to meet the needs of the University. However, there are times that there may not be a sufficient amount of work to fill the entire pay period. Insufficient amount of work would change the response for this question to “no” for those specific times and continue through the decision tree.

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5

If the employee cannot work remotely, the unit may reassign employees to alternate duties that may be performed remotely. In such instances, [UWSA Policy 1200-Interim 02](#) 5.B.II. is clear that the employee cannot refuse the reassignment in order to take COVID-19 Leave. Units should be as flexible as possible to ensure the needs of the University and the employee are met. There are times that there may not be a sufficient amount of work to fill the entire pay period. Insufficient amount of work would change the response for this question to “no” for those specific times and continue through the decision tree.

6

[UWSA Policy 1200-Interim 02](#) expires on May 1, 2020.

7

[UWSA Policy 1200-Interim 02](#) 5.B.IV. requires the approval of the Chancellor or their designee. At UWSP, Chancellor Patterson designated the Vice Chancellors of each department as the approvers of their respective departments.

8

[UWSA Policy 1200-Interim 03](#) 3. permits employees with 30 days of work service to the University prior to claiming leave to have access to FMLA Expansion. Things to keep in mind with this leave is:

- There is a ten-day exclusion period (5.1.), but other accrued leave, including COVID-19 Leave (if available) can be used to cover these ten days.
- The pay rate for this leave is 2/3 of regular pay (or \$200/day, whichever is less). Other accrued leave can be used to bring the employee to full pay status.
- The total paid amount for this leave is \$10,000.

9

[UWSA Policy 1200-Interim 03](#) expires on December 31, 2020.

10

[UWSA Policy 1200-Interim 03](#) 4. provides the definition for **qualifying need related to a public emergency**.

11

It has been determined that [UWSA Policy 1212](#) 4.C.(1)i. permits the use of Sick Leave for absences as a result of exposure to contagious disease does fit the Safer at Home order issued by Governor Evers. Once the order expires, the use of Sick Leave will no longer be permitted for this pandemic.

12

Employees on the paid leave status of COVID-19 Leave are subject to recall. Supervisors will ensure that the recall time is reasonable (such as reporting to work within an hour). This provides the University the ability to respond to urgent needs and emergencies.