



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM
Peter Hans, President

MEMORANDUM

TO: CC Presidents
FROM: Jennifer Haygood, Chief of Staff
RE: OSHR Emergency Leave Provision #5
Date: June 17, 2020

The purpose of this memo is to provide colleges updated guidance on leave policy options beyond June 30, 2020. As I communicated by e-mail on May 21, 2020 through [CC20-41](#), the Office of State Human Resources (OSHR) adopted Emergency Leave Provision #4 for the period of May 26, 2020 through June 30, 2020. OSHR has notified State agencies that Provision #4 will not be extended.

OSHR has adopted an Emergency Leave Provision #5 for the period of July 1, 2020, through July 31, 2020 or the end of Phase 3 (as defined by a future executive order issued by the Governor), whichever is first. Under OSHR's Emergency Leave Provision #5, State agencies may provide paid leave for the following reasons at the rate of pay indicated:

- **Elder Care.** Employees may receive Emergency Leave at **1/3rd the regular rate of pay** if they have elder care needs because of the closure of a facility due to COVID-19.
- **Work cannot be performed remotely, or reasonable alternate work is not feasible.** Employees may receive Emergency Leave at **1/3rd the regular rate of pay** if they are not scheduled to work onsite, cannot telework because their position and duties cannot be performed remotely, and reasonable alternate remote work is not feasible or productive. In addition, some employees who can telework for part but not all of their regular work week may be eligible for a combination of Time Worked and Emergency Leave.
- **Employees who have exhausted their leave entitlement under FFCRA (EPSLA and/or EFMLEA) may receive emergency leave at 1/3rds the regular rate of pay.**

As usual, colleges are **authorized, but not required** to adopt locally a similar paid Emergency Leave policy. An employee receiving Emergency Leave under this policy may elect to supplement this leave with other preexisting paid leave. Of course, colleges must continue to provide leave consistent with the provisions of the federal Families First Coronavirus Response Act (FFCRA).

Under OSHR's Emergency Leave Provision #5, State agencies also **may establish COVID-19 Leave Banks**. Employees who have exhausted all their leave options and do not have enough leave to supplement approved FFCRA leave or Emergency Leave can apply for leave from the agency's COVID-19 Leave Bank. Leave donations are made by employees of the agency. Likewise, colleges are authorized, but not required to establish COVID-19 leave banks.

CC: CC Business Officers
CC Personnel Officers

CC20-048