

Library of Congress Flexible Workplace and Leave Guidelines

Leave Types Available During the COVID-19 Pandemic as of January 25, 2021

The following table describes the leave types available to employees during the COVID-19 pandemic and a selection of common situations that may occur. The table is not intended to supplant the Library’s Collective Bargaining Agreements or regulations. Because these situations can be very fact-specific, supervisors are encouraged to consult with the relevant Collective Bargaining Agreement articles, regulations, and the Human Capital Directorate [via AskHCD](#).

If	The Employee Should:	Leave Options May Include:
<p>An employee is diagnosed with COVID-19</p>	<p>Coordinate with the supervisor, request leave or telework, if telework-capable and well enough to do so, including working outside of core hours, and continue medical treatment</p> <p>If you work on-site, please also report this diagnosis via the Daily Health Screening Tool, per its instructions.</p> <p>In addition to notifying your supervisor of your diagnosis, teleworking employees should report it to HSDCOVID-check-in@loc.gov and monitor their email for a response, so HSD can follow up and arrange for any needed cleaning in the building or accomplish any needed contact tracing.</p>	<ul style="list-style-type: none"> • Sick leave • Annual leave • Credit hours/Compensatory time • Time off awards • Advanced sick leave (HCD approval required; see here for additional details) • Advanced annual leave • Family Medical Leave Act (FMLA) • Donated leave through the Leave Bank or Leave Transfer program • Leave without pay (LWOP)
<p>An employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis</p>	<p>Coordinate with the supervisor, request leave and continue medical treatment</p> <p>If you work on-site, please also report these symptoms via the Daily Health Screening Tool, per its instructions.</p> <p>In addition to notifying your supervisor of your symptoms, teleworking employees should report them to HSDCOVID-check-in@loc.gov and monitor their email for a response, so HSD can follow up and arrange for any needed cleaning in the building or accomplish any needed contact tracing.</p>	<ul style="list-style-type: none"> • Sick leave • Annual leave • Credit hours/Compensatory time • Time off awards • Advanced sick leave (HCD approval required; see here for additional details) • Advanced annual leave • FMLA • Donated leave through the Leave Bank or Leave Transfer program • LWOP
<p>An employee is subject to a quarantine or isolation order under the direction of public health authorities due to a significant risk of exposure to COVID-19</p>	<p>Coordinate with the supervisor and request leave or telework, if telework-capable.</p> <p>If you work on-site, please also report this possible exposure via the Daily Health Screening Tool, per its instructions.</p>	<ul style="list-style-type: none"> • Sick leave • Annual leave • Credit hours/Compensatory time • Time off awards

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	<p>In addition to notifying your supervisor of your COVID-19 exposure, teleworking employees should report it to HSDCOVID-check-in@loc.gov and monitor their email for a response, so HSD can follow up and arrange for any needed cleaning in the building or accomplish any needed contact tracing.</p>	<ul style="list-style-type: none"> • Advanced sick leave (HCD approval required; see here for additional details) • Advanced annual leave • Donated leave through the Leave Bank or Leave Transfer program • LWOP
<p>An employee is caring for an individual subject to a quarantine or isolation order under the direction of public health authorities due to a significant risk of exposure to COVID-19</p>	<p>Coordinate with the supervisor and request leave or telework, if telework-capable, including working outside of core hours</p> <p>If you work on site, please also report this possible exposure via the Daily Health Screening Tool, per its instructions.</p> <p>In addition to notifying your supervisor of your COVID-19 exposure, teleworking employees should report it to HSDCOVID-check-in@loc.gov and monitor their email for a response, so HSD can follow up and arrange for any needed cleaning in the building or accomplish any needed contact tracing.</p>	<ul style="list-style-type: none"> • Sick leave • Annual leave • Credit hours/Compensatory time • Time off awards • Advanced sick leave (HCD approval required; see here for additional details) • Advanced annual leave • FMLA (if individual meets the definition of family member under FMLA) • Donated leave through the Leave Bank or Leave Transfer program • LWOP
<p>An employee is caring for his or her child whose school or place of care is physically closed (or child care provider is unavailable)</p>	<p>Coordinate with the supervisor and request leave or telework, if telework-capable, including working outside of core hours</p>	<ul style="list-style-type: none"> • Admin leave under SA 20-12 (until February 28, 2021) • Annual leave • Credit hours/Compensatory time • Time off awards • Advanced annual leave • LWOP
<p>An employee is caring for his or her adult family member because, due to the COVID-19, the individual's regular caregiver is absent or regular care facility is not available to them.</p>	<p>Coordinate with the supervisor and request leave or telework, if telework-capable, including working outside of core hours</p>	<ul style="list-style-type: none"> • Admin leave under SA 20-12 (until February 28, 2021) • Annual leave • Credit hours/Compensatory time • Time off awards • Advanced annual leave • FMLA (if individual meets the definition of family member under FMLA) • LWOP

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<p>A dependent/family member is diagnosed with COVID-19 and requires care from the employee</p>	<p>Coordinate with the supervisor and request leave or telework, if telework-capable, including working outside of core hours</p> <p>If you work on site, please also report this possible exposure via the Daily Health Screening Tool, per its instructions.</p> <p>In addition to notifying your supervisor of your COVID-19 exposure, teleworking employees should report it to HSDCOVID-check-in@loc.gov and monitor their email for a response, so HSD can follow up and arrange for any needed cleaning in the building or accomplish any needed contact tracing.</p>	<ul style="list-style-type: none"> • Sick leave • Annual leave • Credit hours/Compensatory time • Time off awards • Advanced sick leave (HCD approval required; see here for additional details) • Advanced annual leave • FMLA (if individual meets the definition of family member under FMLA) • Donated leave through the Leave Bank or Leave Transfer program • LWOP
<p>An employee is sick with COVID-19, and has exhausted their available paid leave and accrued leave options</p>	<p>Discuss the situation with the supervisor as soon as possible</p>	<ul style="list-style-type: none"> • Advanced sick leave (HCD approval required; see here for additional details) • Donated leave through the Leave Bank or Leave Transfer program • FMLA • LWOP
<p>An employee has not been contacted to return to work on-site, and the Library has determined they are not telework-capable</p>	<p>Continue to communicate with the supervisor and maintain flexibility, in case the need to return to work on-site changes</p>	<ul style="list-style-type: none"> • Administrative leave, if not telework-capable

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This table is a summary of leave types available and it is not intended to supplant the Library’s Collective Bargaining Agreements or regulations. Supervisors are encouraged to consult with the relevant Collective Bargaining Agreement articles and regulations for more information. For additional information on the duration of the types of leave available, see the “Notes about Use” sections below.

Leave Type	Authorization	Summary of Relevant Situations	Notes about Use	Pay rate	More Information
Leave Without Pay (LWOP)	LCR 9-1010	Can be used if an employee does not have an accrued leave balance.	<ul style="list-style-type: none"> • Requires supervisory approval and coordination. <ul style="list-style-type: none"> ○ Requests of less than 30 days can be approved by division chiefs; greater than 30 days requires Chief Human Capital Officer approval. ○ Must be a reasonable expectation that the employee will return to the Library afterwards. • Extended LWOP can have repercussions on an employee’s WIGI date, health insurance premiums, leave accrual, etc.; contact HCD with questions. 	Non-paid	WebTA code: <i>LWOP (Leave Without Pay)</i>
Employee’s own accrued or earned leave (i.e., sick, annual, credit hours, comp time, comp time off for travel) or leave received via the Leave Bank or Leave Transfer programs	LCR 9-1010	Can be used at employee’s request for a non-COVID-related situation (e.g., feeling sick, having a doctor’s appointment, or needing to attend a family member’s medical, dental or optical appointment or treatment, etc.). Can also be taken for COVID-related situations (e.g., having or recovering from COVID, etc.) if other leave options are	<ul style="list-style-type: none"> • Requires supervisory approval. • Annual leave, sick leave, and comp time can be used the pay period after they are accrued. • Credit hours can be used the pay period in which they are earned. During COVID, however, some employees are not eligible to earn credit hours. See HCD’s FAQ for additional information. • Advanced annual leave can be approved for up to the amount an employee will accrue for the remaining portion of the leave year. This leave is at management discretion and is not an employee entitlement. • Up to 240 hours of sick leave can be advanced only after HSD review of medical provider-submitted medical 	Employee’s full rate of pay	WebTA code: <i>varies</i>

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		exhausted or not desired.	<p>documentation and HCD approval; contact HCD with questions about this process.</p> <ul style="list-style-type: none"> • Up to 104 hours (13 days) of sick leave each may be used each leave year to provide general medical care to family members. This can include leave for bereavement. <ul style="list-style-type: none"> ○ If you have already used any portion of the 13 days of sick leave for general medical care of family members, and later invoke FMLA, that portion must be subtracted from the 12 weeks. • Consult CBAs for different policies in place for bargaining unit employees. 		
Admin leave for caregiving during COVID-19	SA 20-12	<p>For employees who are caregiving for</p> <ul style="list-style-type: none"> • a dependent child whose school is physically closed, or regular child care facility or caregiver is not available; or • a spouse or other adult family member whose regular care facility or caregiver is not available 	<ul style="list-style-type: none"> • Requires supervisory coordination. • Up to one-quarter of an employee's regularly scheduled biweekly hours may be used per pay period from August 24, 2020 to February 28, 2021. <ul style="list-style-type: none"> ○ For full-time employees, this amounts to up to 20 hours. Employees who work a part-time schedule may use less. • Employees may not combine administrative leave for caregiving under this announcement with administrative leave for un-scheduled time under SA 20-08 to significantly reduce the hours they are scheduled to work on site. 	Employee's full rate of pay	WebTA code: Under Leave Time: <i>Admin Leave for Caregivers During COVID-19 (SA 20-12)</i>
'Standard' Family Medical Leave Act (FMLA)	LCR 9-1020	Appropriate to use for specified family reasons (such as recovering from childbirth, adoption of a	<ul style="list-style-type: none"> • Requires supervisory notification and coordination. • Requires medical documentation submitted to the Health Services Division. 	Employee's full rate of pay if accrued leave is used; otherwise,	WebTA code: <i>varies</i> ; consult your timekeeper with questions

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		child, etc.) or a “serious health condition.”	<ul style="list-style-type: none"> • Employees are eligible if they have 12 months of creditable Library service by the start date of FMLA. <ul style="list-style-type: none"> ○ Twelve months of creditable service is not applicable for employees taking paid parental leave. • Employees can use up to 12 weeks of unpaid leave for a qualifying situation. Under Library regulations, employees may substitute their accrued leave for their FMLA leave, so that their FMLA time is paid. <ul style="list-style-type: none"> ○ Up to 26 weeks is available to care for a covered service member. • Annual limit for all FMLA is 12 weeks. 	FMLA is unpaid, unless substituted with accrued leave.	