



Mandatory and Non-Mandatory Employee Designation

COVID-19 Special Faculty and Staff Work and Leave Provisions

April 1 – April 30, 2020

The following provides information regarding Mandatory and Non-Mandatory Employee Designation during the stay at home order as well as details on COVID -19 special faculty and staff work and leave provisions.

Designation of Mandatory Employees

- Designation as a mandatory employee should be made in writing to the employee, but may be made verbally depending on the circumstances, and may be changed by management at any time due to the ongoing operational needs of the University and COVID-19 developments.
- Mandatory employees include:
 - Employees who are directed by their supervisor to work at specific dates and times at a **designated University worksite other than their personal residence** and, in most circumstances, are not eligible for telework options.
 - Employees who have been deemed essential to work on-site during the COVID-19 event. This includes, but is not limited to, positions that relate to:
 - Public health and patient care;
 - Public Safety;
 - Operation of critical infrastructure and facilities;
 - Operation and safety of sensitive research labs;
 - Supporting the humane care of laboratory research animals;
 - The care of persons or property for whom the University has a duty to continue to serve; and
 - Remaining onsite student and instructional support services.
- **Special consideration should be given to mandatory employees who are determined to be “high risk” for contracting COVID-19 (i.e., over 65 years of age; have underlying health conditions, including heart disease, lung disease, or diabetes; or have a weakened immune system) or who are providing care to someone at high risk.**
- **Supervisors and managers may allow these employees to telework or apply other special leave provisions as deemed appropriate.**
- Mandatory employees who are high risk are advised to notify their supervisor as soon as possible so appropriate accommodations can be made.

Special Provisions for Mandatory Employees

- SHRA and EHRA mandatory permanent employees, will receive compensatory time equivalent to half the total number of hours the employee was required to work on campus, or at a designated campus worksite (example: An employee who works 8 hours on site will receive their normal 8 hours of pay plus 4 hours of compensatory time).
 - Hours spent teleworking at a personal residence, or another off-site remote working location, are not subject to additional compensatory time.
- Hourly (FLSA non-exempt) mandatory employees who work in excess of 40 hours per workweek will also receive overtime compensatory time off at 1.5 hours for each hour worked over 40, per federal overtime rules in addition to any compensatory time for which they are eligible.
- Salaried (FLSA exempt) mandatory employees will receive compensatory time equivalent to half the total amount of hours worked, for up to 40 hours, on-site in a work week.
- The following positions, even if designated mandatory, are excluded from receiving special compensation:
 - Tier I and Tier II Senior Academic and Administrative Officers (SAAO Tier I and II)
 - Faculty; physicians; directors and deputy directors of major university-wide or college/school-wide functions and centers; department heads; division heads; research, clinical and academic department administrators; clinical division administrators; and coaches and athletic administrators. As the special pay provisions are not intended to be applied to executive or leadership positions, the University shall have the discretion to exclude other highly compensated individuals who exercise leadership responsibilities of a designated department, division, or unit of the University who are not otherwise indicated above by classification or title.
- COVID-19 compensatory time must be used within 12 months of the date it is earned. Compensatory time remaining past 12 months, or when an employee separates from University employment, will be paid to the employee based on the employee’s rate of pay at the time the compensatory time is paid.
- These special compensation provisions apply to time worked from April 1 through April 30, 2020 and will be subject to review on or before April 20, 2020, taking into account continuing developments regarding COVID-19 and the availability of funds.
- The above does not apply to employees who return to campus briefly and sporadically for incidental reasons (i.e., to retrieve mail, pick up work to do remotely, check fax machines, etc.). Such employees may continue to return to campus as needed to facilitate working remotely.

Continuation of Special Administrative Leave Provisions for All Employees

- These provisions apply to all employees (permanent, temporary, student, etc.) through April 30.
- Employees may receive administrative leave for time missed due to the following reasons:
 - Childcare or eldercare needs due to COVID-19 related facility closings (i.e., schools, daycare, eldercare centers, etc.). If more than one person in the household is a state employee, employees are expected to work with their supervisors to determine how to allocate paid administrative leave to avoid inappropriate overlap of leave usage. (Example: Two state employees are in one household where childcare is needed. The employees may rotate using administrative leave to avoid leave being paid to both employees for the same time period when only one employee at any given time may be unavailable to work).
 - Position and/or duties cannot be performed remotely and reasonable alternate remote work is not feasible or productive.
 - Sick due to symptoms of a cold, flu, or COVID-19 or caring for a dependent with such symptoms.
- For part-time and temporary employees with fluctuating schedules, consideration should be given to the employee’s average hours per week over the course of a month.
- In no case shall paid administrative leave exceed forty hours per week.
- Leave earning employees absent for reasons not related to the above, will utilize regular forms of leave such as compensatory time, sick, vacation, bonus, parental, approved shared leave, etc., or take leave without pay. This includes:
 - Employees who were on pre-approved leave.
 - Employees who choose not to work
 - Other situations in which the employee is not eligible for COVID-19 Special Administrative Leave.
- **Special note to mandatory employees: While supervisors will give every possible consideration to individual personal circumstances, supervisors have the discretion to deny or defer special leave provisions for mandatory employees whose presence is determined necessary to address urgent public health, public safety, or critical infrastructure needs.**

Working Arrangements for Non-Mandatory Employees

- Employees who have not been directed by their supervisor to work on-site are expected to work remotely if possible.
- In an effort to provide meaningful work to employees, supervisors may reassign an individual to complete other work assignments that are not a part of their normal duties and responsibilities but are duties that would be expected to be performed by an employee with their particular skill set.
- Leave earning employees otherwise available for work who refuse an assignment may request appropriate leave.
- Non-leave earning employees otherwise available for work who refuse an assignment will not be eligible to receive COVID-19 Special Administrative Leave and may not be paid for the time period they refuse to do the work assigned.

Per the Stay At Home orders issued by the State of North Carolina, Guilford County, and the City of Greensboro, it is important to note that all employees are expected to work remotely to the extent possible. In the same time, the University is open, and it is expected that University operations will continue, although some deviation to normal procedures and processes may occur as we adjust to a remote working environment.

If you have any questions, please contact:

EHRA/SHRA Staff and Temporary Employees: [Human Resources Business Partners](mailto:hrs@uncg.edu) or hrs@uncg.edu

Faculty: Andrea Whitley, Faculty Personnel Services or fps@uncg.edu



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