



**PROCEDURES
EXECUTIVE AND LEGISLATIVE BRANCHES
DEPARTMENT OF PERSONNEL MANAGEMENT**

SECTION:	LEAVE ADMINISTRATION	NO. 20-X-006
SUBJECT:	COVID-19 LEAVE PROCEDURES	RELEASE DATE: 8/31/2020
CROSS REFERENCE:	Navajo Nation Personnel Policies Manual (NNPPM), Section X. Leave Administration, B.3.h. COVID-19 Leave	REVISION DATE: 01/12/2022
REVIEW:	DEPARTMENT OF JUSTICE REVIEW	DOJ REVIEW DATE: 01/12/2022

PURPOSE

To provide guidelines for programs when addressing COVID-19 leave requests for employees who are in need of personal leave due to COVID-19 to care for themselves or a family member, or to be away from the workplace as required by his or her supervisor pursuant to the COVID Leave Policies in the Navajo Nation Personnel Policies Manual.

APPLICABILITY

These procedures apply to all employees regardless of length of services with the Navajo Nation Executive and Legislative Branches, with the exception of program participants, board, commission and committee members.

DEFINITIONS

Family member: For purposes of these procedures, a family member is defined as an employee's spouse, children or parent.

Healthcare provider: A medical or healthcare professional, e.g., physician, nurse, public health nurse.

Isolation: Separation of a confirmed or possible case from those who are not infected to prevent the spread of the communicable disease. Isolation for public health purposes may be voluntary or compelled by a public health order.

Quarantine: The separation of a close contact from others who have not been exposed to prevent the possible spread of the communicable disease. Quarantine may be voluntary or compelled by a public health order.

PROCEDURES

The following procedures shall be utilized when addressing COVID-19 Leave requests.

1. An employee may request COVID-19 leave under the following circumstances:
 - a. Category a - When a family member has tested positive for the COVID-19 virus and requires assistance from the employee.
 - b. Category b - When the employee has tested positive for the COVID-19 virus.
 - c. Category c - When the employee is required by his or her supervisor to be away from the workplace due to:
 - i. Exposure to an individual who has tested positive or is suspected to be positive for COVID-19, or
 - ii. If the employee shows symptoms consistent with COVID-19 virus.
2. Supervisors and program managers are required to refer to the Navajo Nation Branch COVID-19 Worksite Safety Guidelines to learn about worksite precautions. To remain current on COVID-19 relating to the duration and procedures for isolation and quarantine refer to the Navajo Health Command Operations Center at <https://www.ndoh.navajonnsn.gov/COVID-19/Isolation-and-Quarantine>. For additional information visit the Centers for Disease Control and Prevention webpage.
3. The request must be made in writing for a specified period of time and submitted to the employee's supervisor. If the employee is incapacitated or restricted due to illness, an authorized family member may submit the request for the employee.
4. All leave requests shall be accompanied by appropriate documentation, as follows:
 - a. For category a and b, the employee must submit official documentation from a healthcare provider, which may include a provider's note or document from a hospital or other testing facility showing a positive COVID-19 test for the employee or family member.
 - b. For category a, the employee must also submit a written document describing the assistance needed by the family member, and why that assistance cannot be provided by others.
 - c. For category c, the employee must submit a written memorandum from his or her supervisor or program manager that requires the employee to be away from the workplace and identifies the amount of time the employee must be away. If the employee's exposure happened outside the workplace, the employee must submit a provider letter documenting quarantine recommendations.
 - d. When requesting COVID-19 leave, the employee must sign a release form to allow the supervisor to verify COVID-19 status with the employee's healthcare provider. This information shall be handled in accordance with the Navajo Nation Privacy Act.
 - e. If proper documentation is submitted, the supervisor cannot deny the leave within the maximum 120 work hours. The supervisor may limit the duration of the leave to less than the 120 maximum, in consultation with the employee and the employee's healthcare provider as consistent with the Navajo Health Command Operations Center guidelines.

- f. If COVID-19 leave is granted, prior to the end of an approved COVID-19 leave, an employee must provide the following documentation in order to return to work;
 - i. a clearance letter from a healthcare provider or documentation showing a negative test result. Both laboratory and home tests are acceptable to end isolation. Pictures, screenshots, or a hard copy of the clearance letter or test results meet this requirement.
 - ii. In the event that the employee is unable to obtain written documentation from his or her healthcare provider regarding their test result, the employee shall write a verification memorandum attesting to the verbal notification received from the healthcare provider or testing facility regarding his or her test result.
5. Upon obtaining the supervisor's approval, the supervisor or program manager shall forward the leave request and supporting documents to DPM for appropriate action and update in HRIS.
6. DPM will make necessary updates to HRIS (i.e., Leave Begin and Leave End Date to reflect the Effective Date and the Not to Exceed (NTE) date) based on documents submitted to DPM by the program.
 - a. Once the COVID-19 Leave time period have been completed, the employee information will be updated to reflect End of COVID-19 Leave.
 - b. A PAF for Start of COVID-19 Leave and an End of COVID-19 Leave will be generated and processed by DPM to ensure confidentiality. This will be strictly for records purposes and will be maintained by DPM.
7. All requests for leave, including all supporting documentation submitted by an employee must be kept confidential, and the information related to the reason for leave will be restricted to other Navajo Nation employees with a need to know to process the leave, including the employee's supervisor, the Program Manager and the Department of Personnel Management.
8. COVID-19 leave is paid leave and will be coded as Administrative Leave on the timesheet and will be not be charged to the employee's accrued annual or sick leave.
9. Misuse of COVID-19 leave or falsification of documents will result in disciplinary action, up to and including termination.
10. A violation of the confidentiality requirement in Subsection 7 by any employee of the Navajo Nation is a violation of the Navajo Privacy Act, 2 N.N.C. §§ 91 and 92, and can result in civil and criminal penalties. Such violation may also result in discipline of the employee by his or her supervisor.

REQUIRED FORMS

Written Request to Supervisor for COVID-19 Leave
Memorandum from Supervisor
Medical Documentation from Medical Provider