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## Guide for Leave, Remote Work, Flexible Schedules, and Temporary Change of Duty Point related to COVID-19 Reasons

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**This guide applies to Faculty and Staff Employees (employees) who are temporarily unable to be in the workplace due to a COVID-19 related reason only.**

The Families First Coronavirus Response Act (FFCRA) was temporary legislation that began on April 1, 2020 and ended on December 31, 2020. The FFCRA provided up to 80 hours of Emergency Paid Sick Leave for COVID-19 related reasons and up to 12 weeks of Expanded Family and Medical Leave due to school closures or unavailability of childcare.

With the conclusion of the FFCRA, employees who are unable to work or work remotely due to an order or recommendation from a health care provider or TTU supervisor to isolate or quarantine, are experiencing symptoms of COVID-19 and seeking medical advice, caring for an individual who has been advised to isolate or quarantine, or caring for a child whose school or place of care is closed due to COVID-19, will follow the instructions below.

**NOTE: The 80 hours of emergency paid leave provided by the FFCRA during the pandemic was discontinued at the end of December 2020; however Texas Tech continued to offer it to employees for COVID-related illnesses during the spring semester. This benefit will be suspended effective June 1, 2021.**

### **Section 1 – Employees Required to Isolate or Quarantine**

- Employees who are required to isolate or quarantine due to a COVID-19 related reason may be allowed to work remotely for the period of their isolation/quarantine. Through June 1, Managing Directors, Department Chairs or above are temporarily authorized to approve remote work for employees within their areas of oversight only for the period required and only for COVID-related reasons. **After June 1, all remote work must be approved through the Change of Duty Point process.** Departmental leadership **may not** approve remote work for any period or reason not related to COVID-19 (e.g., personal reasons such as appointments, home repairs, or preference even if it is intermittent, short-term, or temporary). Vacation leave or flexible scheduling will be used for such purposes or the remote work request must be approved through the formal Change of Duty process described in Section 3 below.
  - Employees who are working remotely and become sick will report paid emergency leave (only if available and the illness is COVID-19 related) or sick leave for any period of time they are unable to work due to their illness.
  - Employees must complete the emergency paid leave application and be approved in order to utilize paid emergency leave. Contact Human Resources Leave Administration for assistance.

- Employees who are required to [isolate or quarantine](#) due to a COVID-19 related reason and cannot perform their work remotely will use available paid emergency leave, sick leave, or vacation leave accruals.
- The 80 hours of emergency leave for COVID-19 related illness will be suspended effective June 1, 2021.

## Section 2 – Employees Required to Care for an Immediate Family Member

- Employees who must care for an immediate family member due to a COVID-19 related reason, including school or daycare micro closures, may be allowed to work remotely for the period the family member's isolation/quarantine or micro closure. Through June 1, Managing Directors, Department Chairs are temporarily authorized to approve remote work for employees within their areas of oversight only for the period required and only for COVID-related reasons. **After June 1, all remote work must be approved through the [Change of Duty Point](#) process.** Departmental leadership **may not** approve remote work for any period or reason not related to COVID-19 (e.g., personal reasons such as appointments, home repairs, or preference even if it is intermittent, short-term, or temporary). Vacation leave or flexible scheduling will be used for such purposes or the request must be approved through the formal Change of Duty Point process described in Section 3 below.
  - Employees who are working remotely and become sick with COVID-19 or are unable to work due to their own illness or the illness of an immediate family member will report paid emergency leave or [sick leave](#) for the time they are unable to work.
  - Employees must complete the [emergency paid leave application](#) and be approved in order to utilize paid emergency leave. Contact [Human Resources Leave Administration](#) for assistance.
  - The 80 hours of emergency leave for COVID-19 related illness will be suspended effective June 1, 2021.
- An employee who is required to care for an immediate family member due to a COVID-19 related reason, including school or daycare micro closures, that cannot perform their work remotely will use available paid emergency leave or vacation leave (once emergency leave has been exhausted) during this period.
  - Employees may be granted up to 80 hours of paid emergency leave for COVID-19 related reasons up until June 1, 2021, when emergency leave will be suspended. Employees must complete the [emergency paid leave application](#) and be approved in order to utilize paid emergency leave. Contact [Human Resources Leave Administration](#) for assistance.
  - If the employee or family member becomes sick during this period and has used their maximum 80 hours of available emergency leave, the employee will use [sick leave](#) as appropriate.
- Supervisors may also approve flexible work schedules in such cases. An employee working a flexible work schedule must account for an entire work day either as time worked or a combination of time worked, emergency leave, vacation, or sick leave as appropriate. All flex time must be completed in the same work week, defined as between 12:00 a.m. Sunday and ending at 11:59 p.m. the following Saturday. In no case will flexible work schedules cross work weeks. See [TTU OP 70.06](#) for details.

### Section 3 – Temporary Change of Duty Point

Through June 1, Managing Directors, Department Chairs or above may approve remote work arrangements only as provided in Sections 1 and 2 above. Any remote work arrangements, even if temporary or intermittent, not meeting these purposes **must** follow the [Change of Duty Point](#) process. This section addresses requests only as needed due to COVID-19 related reasons.

**NOTE:** Faculty members seeking a temporary change of duty point must also request a Course Modality Change and/or Modified Instructional Duties through their Dean and must be approved by the Provost.

- **Employees with a health condition defined as vulnerable by the CDC:** [Workplace Accommodations under the Americans with Disabilities Act](#). Employees who have a physical or mental health impairment that substantially limits one or more major life activities, such as accessing the workplace due to a health-related vulnerability of contracting COVID-19, may make a request for accommodation through the TTU's ADA process. Employees who have questions regarding ADA accommodations should contact [Human Resources Talent Management](#).
- Requests for accommodation based on age or other conditions defined as vulnerable by the CDC, but not regarded as a disability, should be made through the [Change of Duty Point](#) process and not the ADA process.
- Accommodations for employees who are unable to work remotely may include:
  - **Leave of Absence:** Employees will use vacation accruals during their leave of absence. Once all appropriate accruals have been exhausted, an employee may be granted [leave without pay](#).

### Section 4 – Employees Required to Care for an Immediate Family Member Due to Health-Related Vulnerability, Long-Term School or Daycare Closure

Employees required to care for an immediate family member who has a health-related condition that causes them to be vulnerable to serious illness due to COVID-19 as provided by the CDC, or whose children's school or daycare closes long-term (greater than 2-weeks), have several options.

- **Change of Duty Point:** Employees may request a temporary change of duty point following the process provided in [TTU OP 70.06: Employee Working Hours](#) (see Item 4). Human Resources has developed an automated process for such requests <https://apps.hr.ttu.edu/epef/>. On behalf of President Schovanec, Grace Hernandez, Chief of Staff will review requests for a change of duty point other than those made in conjunction with the ADA due to COVID-19 reasons. Faculty requests will be sent directly to Rob Stewart, Sr. Vice Provost, who will forward the Provost's recommendation to the President's Office for a final decision.

**NOTE:** Faculty members seeking a temporary change of duty point must also request a Course Modality Change and/or Modified Instructional Duties through their Dean and must be approved by the Provost.

- **Family and Medical Leave:** [The Family Medical Leave Act \(FMLA\)](#) provides eligible employees up to 12 weeks of job and benefit protected leave time when they are unable to work due to a serious health

condition or to care for an immediate family member with a serious health condition. Employees will use their sick and vacation leave accruals while on FMLA. Family and Medical Leave may be taken continuous or intermittently based on the health care provider's recommendation.

- **Flexible Work Schedules:** Employees may request a flexible work schedule through their supervisor. This decision is generally made at the department level. Employees working a flexible schedule must account for a 40-hour work week. The 40 hours must occur within the same workweek (Sunday-Saturday) to remain in compliance with the Fair Labor Standards Act.

## Section 5 – Employees Caring for K-12 Children Choosing Home Course Modality

Employees who have school age children (K-12) that choose to keep their children at home for school due to COVID-19 may request a change of duty point or flexible work schedule if the employee is able to work remotely. Employees who cannot work remotely may request a leave of absence.

- **Change of Duty Point:** Employees may request a temporary change of duty point following the process provided in [TTU OP 70.06: Employee Working Hours](#) (see Item 4). Human Resources has developed an automated process for such requests <https://apps.hr.ttu.edu/epef/>. Grace Hernandez, Chief of Staff, will review requests for a change of duty point. Faculty requests will be sent directly to Rob Stewart, Sr. Vice Provost, who will forward the Provost's recommendation to the President's Office for a final decision.

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- **Leave Without Pay:** A regular employee may be granted [leave without pay](#) for reasons other than medical or disability for a period not to exceed one year, with the approval of the employee's administrative officer and the Assistant Vice President for Human Resources. An employee must exhaust all vacation accruals prior to entering a leave without pay. Employees who enter a leave without pay status should be aware of the impact on their benefits as outlined in [TTU OP 70.43](#).

## Section 6 – Employee Evaluations and Job Protection

Employees who take leave under the Family and Medical Leave Act (FMLA) or receive an accommodation under the ADA will not be evaluated during periods of leave protected by the FMLA or ADA, nor will evaluations negatively reflect and employee's absence from the workplace due to an approved FMLA event or ADA accommodation. Employees protected by the FMLA and ADA will be returned to their original or equivalent position upon completion of their leave. An employee who is approved for leave without pay will be restored to a position upon their return, although it may not be their original position.

Faculty employees on approved Modified Instructional Duties (MID) will only be evaluated in the areas identified on the MID application. Faculty will not be negatively evaluated based on being on an approved MID.

Employees on an approved change of duty point (remote work) will be evaluated on all aspects of their position as identified on the Change of Duty Point Application. Employees working remotely will be expected to meet all expectations established for their position unless it is determined that an essential function cannot be performed remotely.

## **Section 7 – Right to Change**

This guidance is being issued based on current and available information. As such, Texas Tech University reserves the right to interpret, change, modify, amend or rescind this guidance, in whole or in part, at any time.

### **University Resources Available to Faculty and Staff Employees:**

[Workplace Accommodations under the Americans with Disabilities Act](#)

[The Family Medical Leave Act \(FMLA\)](#)

[Faculty Sick Leave](#)

[Sick Leave and Sick Leave Pool](#)

[Vacation Leave](#)

[Sick Leave Donation](#)

[Leave Without Pay](#)

[Employee Working Hours \(Change of Duty Point\)](#)

[Modified Instructional Duty](#)

[Texas Tech Faculty & Staff Health and Wellness Information](#)

### **COVID-19 Texas Tech University Resources:**

Office of Emergency Management [covid19@ttu.edu](mailto:covid19@ttu.edu)

TTUHSC Nurse on Demand 806-743-2911

[Texas Tech Commitment](#)

[EHS COVID-19 Resource Hub](#)

[Human Resources - Employee Resources for COVID-19](#)

[COVID-19 Awareness Training](#)