



**IDAHO NATIONAL GUARD
JOINT FORCE HEADQUARTERS
HUMAN RESOURCE OFFICE
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BOISE, IDAHO 83705-8112**



10 May 2021

MEMORANDUM FOR Federal Employees of the Idaho National Guard

SUBJECT: Emergency Paid Leave

References (a) The American Rescue Plan Act of 2021 (Public Law 117-2)
(b) DCPAS Message 2021026 - Emergency Federal Employee Leave Fund
(c) Guidance on COVID-19 Emergency Paid Leave (Section 4001 of the American Rescue Plan Act of 2021)

1. PURPOSE. The American Rescue Plan Act established a new, temporary paid leave program to help Federal employees who are impacted by COVID. This memorandum establishes policy and guidance to the request and use of Emergency Paid Leave (EPL) for Federal employees with the Idaho National Guard.

2. APPLICABILITY. Full-time employees experiencing qualifying circumstances can receive a maximum of 600 hours of EPL. For part-time employees, the total hours are prorated based on the employee's tour of duty. Intermittent employees are not eligible for EPL. Eligible employees may request leave for circumstances covered in paragraph 3 below. The period of eligibility is 11 March 2021 until 30 September 2021. If the Fund becomes exhausted before 30 September 2021, any EPL that was conditionally approved that cannot be paid out of the Fund will have to be canceled.

3. SPECIFIED CIRCUMSTANCES AND PAY.

(a) The employee may use EPL if unable to work because the employee is:

- (1) Subject to COVID-19 governmental quarantine or isolation order/advisory;
- (2) Self-quarantining due to COVID-19 concerns on the advice of a health care provider;
- (3) Caring for an individual subject to (1) such order/advisory or (2) such advice;
- (4) Experiencing symptoms of COVID-19 and actively seeking (i.e., taking immediate steps to obtain) a medical diagnosis;
- (5) Caring for a child when required because, due to COVID-19 precautions, the child's school or place of care has been closed, or the child is participating in virtual learning instruction, or the child's care provider is unavailable;
- (6) Experiencing any other substantially similar condition (as approved by OPM);
- (7) Caring for a family member (i) who has a mental or physical disability or who is 55 years of age or older and (ii) who is incapable of self-care, without regard to whether another individual other than the employee is available to care for such family member, if the place of care for such family member is closed or the direct care provider is unavailable due to COVID-19; and/or
- (8) Obtaining immunization related to COVID-19 or recovering from any injury, disability, illness, or condition related to such immunization (after using any administrative leave provided by the employing agency).

(b) Employees will receive the same pay for EPL hours they would receive if they were on annual leave, subject to the biweekly limit. An employee may be granted EPL hours only to the extent that the value of those EPL hours in a biweekly pay period does not exceed \$2,800 for a full-time employee or an equivalent limit for a part-time employee.

(c) Since EPL is set up as a Fund, granting EPL is tentative and conditional upon monies being available in the Fund. If any conditional EPL subsequently granted to the employee is not available due to exhaustion of the Fund, the employee will apply other paid leave or paid time off.

(d) Periods of time covered by EPL reduce the employee's total service used to calculate Federal civilian retirement annuity benefit. When OPM calculates an employee's retirement annuity benefit, total creditable service will be reduced by the amount of EPL used. Hours of EPL remain creditable for purposes of determining an employee's total service credit for determining retirement eligibility and the employee's high-3 average rate of basic pay.

4. WORK, TELEWORK. Employees are unable to work if their supervisor has work for them to perform and one of the qualifying reasons set forth prevents the employee from being able to perform that work, either under normal circumstances at the normal worksite or by means of telework.

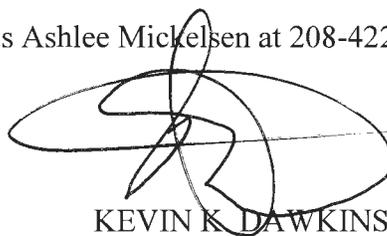
(a) An employee who is not scheduled for work, on Leave without Pay (LWOP) for FMLA or other reason, or is on leave without pay in the uniformed services (Absent-US) may not use EPL.

(b) EPL is a separate paid leave entitlement that is used in place of other paid leave or paid time off an employee might otherwise use. EPL may not be used by an employee concurrently with any other paid leave or paid time off, but may use other types of paid leave or paid time off in the same biweekly pay period in which EPL is used. This intermittent coding must be coordinated through HRO.

5. APPROVAL FOR EPL. All EPL leave must be coordinated through HRO. The employee must complete the EPL Request Form and Agreement and provide applicable supporting documentation to HRO for approval.

6. APPLICABLE CODES. After approval, employees should use leave code 'LV' to record qualifying circumstances. Retroactive leave substitution may be required once appropriate leave codes are established.

7. The point of contact for this policy is Ashlee Mickelsen at 208-422-3349.

A handwritten signature in black ink, appearing to read 'KEVIN K. DAWKINS', is written over a horizontal line. The signature is stylized and somewhat abstract.

KEVIN K. DAWKINS, Colonel, IDANG
Human Resource Officer