

## **CNRA and COVID-19 Response: Summary of Flexibilities for Caregivers**

*Updated: August 5, 2020*

The California Natural Resources Agency (CNRA) is committed to caring for its workforce as we navigate together the many unprecedented challenges presented by the COVID-19 crisis. As case numbers grow across the state, we have seen reopening plans change, employees and their family and friends fall ill, and schools implement alternative plans for education. These uncertain circumstances present intensified challenges for our colleagues who are undertaking significant caregiving responsibilities. For the purposes of this memo, caregivers include employees balancing professional responsibilities with duties to care for children at home learning remotely, family members in a high-risk category, and/or loved ones who are sick.

In the midst of a global public health crisis and a painful economic recession, no member of the Natural Resources team should ever feel they have to choose between income, opportunity, and caring for family members in need. Meeting this moment is also an opportunity to be the change we want to see. We will actively work to ensure our approach recognizes and closes gender, economic, and racial workforce disparities.

As we keep our collective work moving forward during this crisis, we will support the caregivers among us. This document outlines:

- A. The Natural Resources Agency's best practices for supporting caregiver staff and keeping critical work moving forward.
- B. A list of existing flexibilities potentially available to team members seeking to manage their work and caregiving responsibilities.

### **A. CNRA Best Practices to Support Caregivers**

We are committed to supporting our team members through increased leadership, communication, and flexible teamwork.

#### Leadership

- ✓ Share with employees various approaches for balancing work and caregiving responsibilities and apply these approaches as flexibly and as customized as possible and appropriate.

- ✓ Revisit and communicate these approaches regularly. Pay attention to what is working best for both employees and managers, and adjust as necessary over time.
- ✓ Form informal caregiver group(s) in departments and divisions to bring together supervisors and/or employees to exchange best practices, answer and flag common questions, and create community support for individuals.
- ✓ Identify workstreams with flexible timelines through the end of 2020 for employees undertaking new caretaking responsibilities due to COVID. Mutually agree with managers and employees the best approach to meeting deadlines required by law in their portfolio. Attempt to address difficulty meeting expectations or producing deliverables through a time-base reduction and/or other means before approaching it from a corrective or disciplinary lens.
- ✓ Schedule regular check-ins with staff to discuss priorities, workload, and well-being. Emphasize that people with caregiver responsibilities should not be viewed differently or judged based on what they can/cannot do during this crisis.
- ✓ Recognize that employees that do not have caregiving responsibilities face other unique challenges presented by this period, and ensure that support to staff is not limited to caregivers.

#### Flexible Teamwork

- ✓ Create a team culture and clear expectations around schedule flexibility; meetings and schedules are likely to shift more and/or be difficult to schedule. Executive managers should regularly remind first and second line supervisors that this will occur.
- ✓ Consider flexible schedules when scheduling all-hands and multi-day meetings. Consider shifting to shorter and/or smaller team meetings or other formats that can be tailored to individual schedules.
- ✓ Consider appropriate platforms for meetings and choose those that create flexibility where possible. For example, phone meetings can often work as effectively as videoconference meetings, while not requiring employees to sit within their home office.

#### Agency-wide Communication

- ✓ Agency leadership will amplify new state guidance and existing opportunities relevant for caregivers, such as the [Governor's July 24 announcement](#) outlining expanded support for state workers, and request all HR units to similarly share and amplify.
- ✓ Agency and Department leadership will develop and/or share caregiver specific materials and resources to help regularly inform employees of flexibilities available to individuals, answer common questions, and flag mutual areas of concerns.

- ✓ CNRA's IT team has created an email account through which caregivers can directly convey concerns, suggestions, feedback to Agency leadership:  
[cnrac19feedback@resources.ca.gov](mailto:cnrac19feedback@resources.ca.gov)

## B. Existing Flexibilities Available to Caregivers

There are several potential options available to caregivers seeking flexibility during this crisis. The availability and/or applicability of any given option may vary depending on the unique circumstances of our team members (ex, bargaining unit; classification; etc.). Questions regarding the applicability of any particular flexibility discussed below can be directed to each Department's Human Resources staff.

This list is meant to serve as a starting point for caregivers seeking to learn more about existing flexibilities, and set the stage for more detailed discussions with our HR teams.

All managers within CNRA have been fully empowered to:

1. Immediately launch an awareness campaign on the Families First Coronavirus Response Act ([FFCRA](#)). *Note, this federal paid leave requirement is set to expire on December 31, 2020.*
2. Whenever possible, provide caregivers the option of working remotely.
3. Make sure caregivers are aware of existing flexible work arrangements. These may include:

Type of Schedule	Description
Alternate Work Week Schedule	A work schedule which allows employees to work a fixed schedule other than 5 days per week, 8 hours per day.
Reduced Work Time Schedule	A fixed work schedule that is less than 40 hours per week. Pay and leave credits are proportionate to the employee's time base.
Job Sharing	Allows two employees to share the responsibilities of one full-time position while each employee is accountable for the success of the total job. Each

Type of Schedule	Description
	employee receives a prorated salary and leave accruals.
Flextime	An arrangement that permits employees to adjust their start and end time. Flex schedules must meet the employer's core hour requirements.
Telework	An arrangement that allows employees to regularly work at a location other than their normal work location for a pre-established number of days. Employees must be available and accessible by phone and email during the agreed upon work schedule.
Personnel Action Request	An option that allows employees to request a short term reduction in time base with agreement to return to full time status post-COVID.

4. Ensure caregivers are made aware that they can use PLP hours in smaller increments, rather than taking a full 8-hour day.
5. Support caregivers who request to use leave, and connect them with an HR team member that can clearly explain the implications of each leave program (such as whether they affect state service, benefits, etc.). Many leave programs that are potentially available to caregivers are described in [this CalHR manual](#), and include:

Leave Programs	Description
Leave of Absence Program	A leave of absence (LOA) without pay is a temporary separation for a period of time in which an employee is away from their job, while maintaining a mandatory right of return to their position. More information on this program can be found here: <a href="http://hrmanual.calhr.ca.gov/Home/ManualItem/1/2122">http://hrmanual.calhr.ca.gov/Home/ManualItem/1/2122</a> .

Leave Programs	Description
Personal Holiday	Most employees receive a personal holiday after serving six months of their initial probationary period and once every fiscal year thereafter. The number of hours an employee receives for this day is based on their time base of either full time, part time, or intermittent.
Annual Leave	The Annual Leave Program allows for the replacement of traditional vacation and sick leave credits with a more discretionary use of annual leave credits. Annual leave can be used to meet an employee's need for paid time off for any management-approved absence that is covered by sick leave or vacation.
Vacation	Eligible state employees have the option to enroll in either the Vacation/Sick Leave Program or the Annual Leave Program (ALP). Employees enrolled in Vacation/Sick Leave Program receive a separate vacation and sick leave accrual, whereas employees enrolled in annual leave do not receive a separate sick leave accrual.
Sick Leave	Permits leave for the diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member; or when an employee is a victim of domestic violence, sexual assault, or stalking and is seeking relief, medical attention, counseling, or safety planning.
Professional Development Days	The state provides most employees Professional Development Days (PDD) for activities such as professional association activities, professional and/or personal development seminars, etc. These days are to enhance and promote both professional and personal growth and goals. These activities are at the employee's expense; therefore, the choice of activity is at the employee's discretion.

Leave Programs	Description
Personal Leave Program (PLP)	PLP was established July 1, 1992, to achieve savings in employee salary costs during a fiscal crisis. In 2003, 2010, and 2012, PLP was reinitiated to assist in achieving budget savings to improve the state's ability to meet its financial obligations. Effective July 1, 2020, in response to the economic crisis caused by the COVID-19 pandemic, CalHR is implementing the Personal Leave Program 2020. Depending on applicable bargaining unit, employees will receive a specified reduction in pay in exchange for a specific number of hours of PLP 2020 leave credits. These hours can be used in smaller increments, rather than taking a full 8-hour day.
Family Leave	Family Medical Leave Act (FMLA) and California Family Rights Act (CFRA) entitles eligible employees up to 12 workweeks of unpaid, job-protected leave each calendar year for specified family and medical leave reasons.
Catastrophic Leave	The Catastrophic Leave program allows employees who have exhausted their leave credits and must miss work due to a prolonged illness or injury (including that of an eligible family member), or due to a natural disaster, to request catastrophic leave.
Transferring Leave Credits to Other Employees	An employee may transfer leave credits (except sick leave) to another employee whose illness or injury is expected to incapacitate the employee or a family member and that situation creates a financial hardship. Such transfers also are permitted in cases of natural disasters.
Families First Coronavirus Response Act	On March 18, 2020, the federal government enacted the Families First Coronavirus Response Act (FFCRA), which enacted both the Emergency Paid Sick Leave Act and the Emergency Family and Medical Leave Expansion Act (E-FMLA).

Leave Programs	Description
	<ul style="list-style-type: none"> <li>- The Emergency Paid Sick Leave Act (EPSLA) is effective April 1, 2020. Under the EPSLA, employees who are unable to work or telework are entitled to two-weeks of emergency paid sick leave for sick leave related to COVID-19.</li> <li>- E-FMLA requires certain employers to provide employees with up to 12-workweeks of paid FMLA leave if they are unable to work or telework for specified reasons related to COVID-19.</li> </ul> <p>Details on the FFCRA can be found here:  <a href="http://hrmanual.calhr.ca.gov/Home/ManualItem/1/2127">http://hrmanual.calhr.ca.gov/Home/ManualItem/1/2127</a></p>
Family School Partnership Act	The Family School Partnership Act allows eligible employees to take time off for child-related activities in the areas of education, licensed child care, and school emergencies.

**Our HR teams are ready to provide additional information and further detail for anyone interested.**