



ÁREA LOCAL
DE DESARROLLO LABORAL
GUAYNABO / TOA BAJA

**Guaynabo-Toa Baja Workforce Development Local Board
Workforce Innovation and Opportunity Act (WIOA)**

**LOCAL BOARD PUBLIC POLICY FOR PERSONNEL ISSUES IN SITUATIONS DECLARED EMERGENCY
OR CRISIS**

POLICY NUMBER: WIOA 20-09

I. INTRODUCTION

Section 107(a) of the Workforce Innovation and Opportunity Act (WIOA) establishes that there will be a Workforce Development Local Board in each Workforce Development Local Area (WDLA) in charge of establishing the Public Policies that rule the general operation to comply with the provisions of the law, and to properly manage all of its operations.

Essential aspects include everything regarding the rights of the personnel that works in the Local Area to ensure their function and well being as employees and citizens.

Serious unforeseen situations may arise that are considered an emergency, which go beyond what can be controlled because of their nature and affect the regular and routine operation of the work that must be performed in an organization.

One of these crisis situations, which made evident the need for a Public Policy, has been the pandemic, which forced the State Government to issue Preventive Measures. Through Administrative Notices No. OE-2020-023: *Executive Order of the Governor of Puerto Rico, Hon. Wanda Vázquez Garced, to facilitate the necessary closures of the government and the private sector in order to fight the effects of the coronavirus (Covid-19) and control the risk of infection in our island; and OE-2020-029: Executive Order of the Governor of Puerto Rico, Hon. Wanda Vázquez Garced to extend the measures taken to control de risk of infection with coronavirus (COVID-19) in Puerto Rico, under which she declared a general closure of all government and private sector activities for a considerable period of time.*

II. PURPOSE

The purpose of this Policy is to establish Measures and Provisions to cover the employees of the Local Area in situations of emergency and crisis because of natural disasters or situations affecting the health

of the people, at the local, state, or global level such as the pandemic caused by COVID-19. Serious situations in which the basic needs must not remain unattended for employees covered under the Personnel Regulation because they may lack the income.

III. LEGAL REFERENCES

- * Guaynabo-Toa Baja Consortium Personnel Regulation of 2000, Part V, Section 5.4: Licenses, Subsection 7, Special Leave with Pay. Page: 105.
- * *2 CFR Chapter I, Chapter II, Part 200 et al - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards: Final Rule, December 26, 2013: Section 200.431(b) - Compensation - Fringe Benefits.*
- * *Workforce Innovation and Opportunity Act (WIOA), PL 113-128 of 2014.*

IV. DEFINITIONS

For the effects of this Policy, the following definitions are implemented:

1. **Emergency because of a Natural Disaster:** This category includes disasters caused by hurricanes, flooding, earthquakes, tsunamis, and fires, among others.
2. **Emergency because of a Health Crisis:** This category includes crisis situations caused by infectious diseases declared at the local, insular, national, or global level such as epidemics, or in a greater degree a pandemic, which requires a closure of work places and general operations.
3. **Emergency Leave:** It is activated in an emergency situation, according those [rules] defined in this Policy.

V. PUBLIC POLICY

The provisions established in this Policy will be an addition to the leaves of absence established in the Personnel Regulation, mentioned above. We establish the following as Public Policy:

- This Policy will be applicable in defined emergency situations, which begin when the Government issues a declaration in response to a disaster situation or when the State or Federal Government declare a State of Emergency.
- The emergency situation will end when the Government declares conditions are back to normal or restores the regular conditions.

A. Emergency Leave

Emergency Leave is activated in an emergency situation defined and applicable as provided in this Policy. To apply for a leave of absence, the following will be taken into consideration in addition to all the previous points:

1. The leave will be with pay, as applicable, for each regular or part-time employee and it will not affect their regular leave balance.
2. If the employee gets sick while in leave status, not because of the crisis declared, the corresponding sick leave will apply as long as the employee presents a health certificate issued by a certified physician.
3. It will apply to all Local Area employees.
4. Local Area Management will determine, according to each employee's functions, whose work is essential despite the emergency for the partial or total operation of the Local Area, be it in-person or remotely.

If the declared emergency exceeds more than sixty (60) days, the organization will wait for guidance from the Federal Agency that delegates the funds in order to continue with the provisions established herein.

VI. VALIDITY

This Public Policy was approved in an Extraordinary Meeting on April 15, 2020, and will be in effect from March 15, 2020.

In Guaynabo, Puerto Rico, today, April 15, 2020.



Mr. Oriel Ramírez Rodríguez
President

Guaynabo-Toa Baja Workforce
Development Local Board