

From: [Olivas, Zachary](#)
To: [LOPD-HR](#)
Cc: [LOPD-Exec](#); [LOPD-ABQ](#); [LOPD-Alamogordo](#); [LOPD-Appeals](#); [LOPD-Aztec](#); [LOPD-Carlsbad](#); [LOPD-CCLS](#); [LOPD-Clovis](#); [LOPD-Gallup](#); [LOPD-Hobbs](#); [LOPD-Las Cruces](#); [LOPD-Roswell](#); [LOPD-Santa Fe](#); [LOPD-Taos](#)
Subject: Important Instruction and Follow Up to the Statewide Email Admin Leave Memo 1.2 - Family First Coronavirus Response Act (4/1/2020)
Date: Tuesday, April 7, 2020 3:19:44 PM

Attention All LOPD Employees, Supervisors, and Managers.

Good Afternoon,

HR recently received updated information from the State of New Mexico DoIT/SHARE department that directly relates to employee timesheet entries and approval for Coronavirus Leave. Based on the information that was received, the timesheet entry and approval method described in the Chief's Administrative Leave Memorandum 1.2, has changed for the first two categories.

LOPD-HR will be responsible, not employees or managers/supervisors, **for entering leave and approving timesheets for the first two (2) categories of leave**, 1) Family First Paid Coronavirus Leave, and 2) Emergency Family and Medical Leave, on employee timesheets. Employees will enter leave for the 3rd category 3) Social Distancing Leave, and managers/ supervisors will approve timesheets.

Also, please be advised that employees must first request and obtain approval to use 80 Hours of 1) Family First Paid Coronavirus Leave (PDCVL) before utilizing 2) Emergency Family Medical Leave (EFMLA) or 3) Social Distancing Paid Administrative Leave (ADMLV). Once employees have exhausted the 80 hours of PDCVL, that employee is eligible to request ten weeks or 400 hours of Emergency Family Medical Leave (EFMLA) or Social Distancing Paid Administrative Leave.

The responsibilities of the employee, managers/supervisors, and LOPD-HR are described below.

1) Family First Paid Coronavirus Leave (PDCVL) (80 hours).

- Employee Responsibilities:
 - As of April 1, 2020, submit a request to their immediate supervisor or District Defender or Division Head for Family First Paid Coronavirus Leave using the [“Coronavirus Leave Request Form.”](#)
 - The request form should be submitted to the supervisor by email or by calling to relay the required information (if no access to email).
 - Adhere to agency leave policy and procedures
 - This leave may be taken in hourly increments.
 - Exhaust 80 hours of Family First Paid Coronavirus Leave before requesting and utilizing Emergency, and Family Medical Leave and Social Distancing Leave.
 - Employees using Family First Paid Coronavirus Leave (PDCVL) because they are unable to telework, will select the second checkbox in the PDCVL category of the request form. Once the employee exhausts the 80 hours of (PDCVL), the employee will be eligible to submit a request form for Social Distancing Paid Administrative Leave.
- Manager/Supervisor Responsibilities:
 - Review the form to ensure the leave request complies with the Administrative Leave Memo 1.2.
 - Sign/date and forward the completed request form via email to the Deputy Chief Public Defender and LOPD-HR for review and approval.
 - Provide the LOPD-HR with the following information weekly (via email):
 - Employee Name

- Office Location
 - The dates and specific hours that Family First Paid Coronavirus leave was utilized. Example: Monday, April 6, 2020 – 4 hours of PDCVL
- Deputy Chief Public Defender Responsibilities:
 - Review the leave request form, sign/date, and approve or disapprove.
- LOPD-HR Responsibilities:
 - Review the leave request form, sign/date, and approve or disapprove.
 - Notify the employee, immediate supervisor, District Defender, or Division Head by email if the Family First Paid Coronavirus Leave has been approved or disapproved.
 - Maintain a copy of the leave request form
 - Award the 80 hours of PDCVL to the employee's leave balances in SHARE.
 - In coordination with the manager/supervisor, HR will update the employee's timesheet to reflect the correct number of hours of PDCVL that are utilized each workday.
 - Approve the PDCVL leave entered on the timesheet.

2) Emergency Family and Medical Leave (EFMLA)

- Employee Responsibilities:
 - Exhaust the 80 hours of **Family First Paid Coronavirus Leave** before requesting and utilizing Emergency Family Medical Leave Act (EFMLA).
 - Submit a 2nd request to their immediate supervisor or District Defender or Division Head for (EFMLA) using the "[Coronavirus Leave Request Form.](#)"
 - The request form should be submitted to the supervisor by email or by calling to relay the required information (if no access to email).
 - Adhere to agency leave policy and procedures
 - This leave may be taken in hourly increments.
- Manager/Supervisor Responsibilities:
 - Review the form to ensure the leave request is in compliance with the Administrative Leave Memo 1.2.
 - Ensure the employee has exhausted 80 hours of Family First Paid Coronavirus Leave before requesting and utilizing EFMLA leave.
 - Sign/date and forward the completed request form via email to the Deputy Chief Public Defender and LOPD-HR for review and approval.
 - Provide the LOPD-HR with the following information weekly (via email):
 - Employee Name
 - Office Location
 - The dates and specific hours that EFMLA leave was utilized. Example: Monday, April 7, 2020 – 6.5 hours of EFMLA
- Deputy Chief Public Defender Responsibilities:
 - Ensure the employee has exhausted 80 hours of Family First Paid Coronavirus Leave before requesting and utilizing EFMLA leave.
 - Review the leave request form, sign/date, and approve or disapprove.
- LOPD-HR Responsibilities:
 - Review the leave request form, sign/date, and approve or disapprove.
 - Ensure the employee has exhausted 80 hours of Family First Paid Coronavirus Leave before requesting and utilizing EFMLA leave.
 - Notify the employee, immediate supervisor, District Defender, or Division Head by email if the Family First Paid Coronavirus Leave has been approved or

disapproved.

- Maintain a copy of the leave request form
- In coordination with the manager/supervisor, HR will update the employee's timesheet to reflect the correct number of hours of EFMLA that are utilized each workday.
- Approve the EFMLA leave entered on the timesheet.

3) Social Distancing Paid Administrative Leave

This procedure has not changed employees, supervisors are responsible for all the timesheet entries, and approvals. The comment bubble must indicate the following- (Approved Social Distancing Administrative Leave)

- Employee Responsibilities:
 - Exhaust the 80 hours of **Family First Paid Coronavirus Leave**, before requesting and utilizing Social Distancing Paid Administrative Leave.
 - Submit a 2nd request to their immediate supervisor or District Defender or Division Head for Social Distancing Paid Administrative Leave using the "[Coronavirus Leave Request Form.](#)"
 - The request form should be submitted to the supervisor by email or by calling to relay the required information (if no access to email).
 - Enter the Time Reporting Code (TRC) Administrative Leave Taken (ADMLV) on your timesheet. Administrative leave may be taken in hourly increments and no more than 40 hours in a week/80 hours in a pay period.
 - Enter a note in the comment bubble indicating "approved to utilize admin leave for category 3".
 - Adhere to agency leave policy and procedures
- Manager/Supervisor Responsibilities:
 - Review the form to ensure the leave request complies with the Administrative Leave Memo 1.2.
 - Ensure the employee has exhausted 80 hours of Family First Paid Coronavirus Leave before requesting and utilizing Social Distancing Leave.
 - Sign/date and forward the completed request form via email to the Deputy Chief Public Defender and LOPD-HR for review and approval.
 - Confirm and approve the TRC "ADMLV" on the employee timesheet. Also, ensure the comment bubble contains this note, "approved to utilize admin leave for category 3".
- Deputy Chief Public Defender Responsibilities:
 - Ensure the employee has exhausted 80 hours of Family First Paid Coronavirus Leave before requesting and utilizing Social Distancing Leave.
 - Review the leave request form, sign/date, and approve or disapprove.
- LOPD-HR Responsibilities:
 - Ensure the employee has exhausted 80 hours of Family First Paid Coronavirus Leave before requesting and utilizing Social Distancing Leave.
 - Review the leave request form, sign/date, and approve or disapprove.
 - Notify the employee, immediate supervisor, District Defender, or Division Head by email if the Social Distancing Paid Administrative Leave has been approved or

disapproved.

- Maintain a copy of the leave request form.

Please contact LOPD-HR for any questions or concerns,

Thank you,

Zachary A. Olivas

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“The secret of your success is determined by your daily agenda.”
John C. Maxwell

From: Herrera, Ronald <ronald.herrera@lopdnm.us>
Sent: Tuesday, March 31, 2020 10:24 PM
Cc: LOPD-Exec <LOPD-Exec@lopdnm.us>; LOPD-HR <LOPD-HR@lopdnm.us>
Subject: Admin Leave Memo 1.2 - Family First Coronavirus Response Act (4/1/2020)
Importance: High

Dear all LOPD Colleagues,

First and foremost, we hope you are staying safe and well. Within the last few weeks, we have all endured what seems to be consistent changes to our daily lives and work procedures. We are working diligently to keep you updated with changes to federal laws, health practices, and internal processes as they evolve during the COVID-19 outbreak.

We are changing the prior Administrative Leave Memorandum dated March 17, 2020, to comply with the newly enacted Federal Law, the [Families First Coronavirus Response Act](#) (FFCRA). When you review the FFCRA and the documents attached to this email, you will notice that the employee paid leave rights are different from what the Chief is authorizing.

To help you understand the recent changes and what they mean to you, we have attached some documents explaining the eligibility criteria and the leave usage. We hope you find them helpful.

Attachment #1- Please take a moment to review the amended Administrative Leave Memo; Administrative Leave Award **1.2-** Families First Coronavirus Response Act (H.R. 6201) and Emergency Family and Medical Leave Act.

Attachment #2- LOPD Coronavirus Leave Table provides an “at a glance” description of the three leave categories.

Attachment #3 - Families First Coronavirus Response Act and Emergency Family

Medical Leave Request Form- Effective April 01, 2020,

All LOPD Employees requesting leave related to coronavirus must submit a request to their immediate supervisor or District Defender or Division Head. The request form should be submitted to the supervisor by email or by calling to relay the required information (if no access to email). The supervisor must then forward a completed form to the Deputy Chief Public Defender and LOPD-HR for approval. Please reference the attached memo (Attachment #1) for specific information while completing the request form

Attachment #4- We have also included the Families First Coronavirus Response Act (FFCRA) poster for your review. The law requires LOPD to post this poster in a conspicuous area of each office. District Defenders and Office Managers should work together to ensure this poster is put in the same area that all other employment law posters are placed. You will see that at present time the department is offering paid leave options that are more generous than what the Federal law requires.

The initial memorandum dated March 17, 2020, indicated that LOPD employee's impacted by the coronavirus outbreak would continue to be paid. This initiative **has not changed**. However, to remain compliant with Federal Law and guidelines, as of April 01, 2020, we are issuing this new memo, which adds specific details to the type, the amount, and the procedure for requesting and utilizing Administrative Leave.

All four documents will be posted and accessible by visiting the [LOPD website](#) tomorrow (4/1/2020).

If you need any clarification, please contact your HR Team.

Please take care of yourself, family, and friends.

Ronald Herrera
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