



**MEMORANDUM**

**TO:** Cabinet Secretaries, Agency Heads, Bureau Chiefs, and Health Department Administrators

**FROM:** Sheryl R. Webb, Director *SRW*

**DATE:** March 26, 2020

**RE:** COVID-19 – Suspension of Rule and Policy

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At the regular meeting of the State Personnel Board on this day, the Board authorized the Director of the Division of Personnel (DOP) to suspend provisions of the *Administrative Rule of the West Virginia Division of Personnel*, W. Va. Code R. § 143-1-1 *et seq.*, and various policies response to the Proclamation of a state of emergency by Governor Jim Justice on March 16, 2020, as a result of the COVID-19 virus. The suspensions will only be authorized where it is determined by the Director of Personnel that compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency. In addition, certain provisions may only be suspended after the Governor's Office approves suspension of the corresponding provisions of DOP's statute.

For your convenience, a summary of the Rule and policy provisions is attached. As noted on the summary, the Rule and policy requirements pertaining to the necessity for a physician's/practitioner's statement have been suspended. Provided, that an appointing authority may require a physician's release to return to work, as appropriate

At this meeting, the Board also approved the DOP *Families First Coronavirus Response Act* policy (DOP-P25) to be effective April 1 through December 31, 2020 (attached). The policy is intended to ensure a clear and uniform understanding and administration of leave and pay under the Act for employees affected by the COVID-19 pandemic. Attached is Families First Coronavirus Response Act Leave Request Form.

Please be certain that the DOP is working diligently to ensure that your agencies continue to meet essential obligations during the COVID-19 crisis. Any questions regarding the content of this memorandum should be directed to the DOP Employee Relations section at 681-313-2706.

**Attachments:**

Summary of Suspended Rule and Policy Provisions  
DOP *Families First Coronavirus Response Act* Policy  
Families First Coronavirus Response Act - Leave Request Form