

Date: May 18, 2020

From: Executive in Charge, Office of the Under Secretary for Health (10)

Subj: Delegation of Authority to Exclude an Employee from Application of the Emergency Paid Sick Leave Act, Division E of the Families First Coronavirus Response Act (VIEWS 2711601)

To: Veterans Health Administration Senior Leaders and Key Officials

1. **DELEGATION.** Based on the authority delegated by the Secretary on April 23, 2020, this memorandum further delegates to members of the Senior Executive Service (SES) and Title 38 appointed SES-equivalent employees within the Veterans Health Administration (VHA) Central Office, Veterans Integrated Service Network (VISN) Directors, and Medical Center Directors the authority to exclude VHA employees from application of certain provisions under the Emergency Paid Sick Leave Act (EPSLA), Division E of the Families First Coronavirus Response Act (FFCRA).

2. **AUTHORITY.** FFCRA, Public Law 116-127, §§ 5102(a), 5111(1); 38 U.S.C. §§ 303, 512; 29 C.F.R. §§ 826.20(a); 826.30(c); Secretary Delegation of Authority Memorandum, Delegation of Authority to Exclude an Employee from Application of the Emergency Paid Sick Leave Act, Division E dated April 23, 2020.

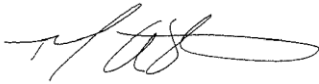
3. **RESTRICTIONS.** VA has determined that all VHA employees fit the definition of "health care provider" and "emergency responder" under 29 C.F.R. § 826.30(c). The exemption authority delegated herein may be applied for all qualifying reasons listed in 29 C.F.R. § 826.20(a)(1), except that an employee may not be excluded from application of the EPSLA if the employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19 as described in 29 C.F.R. § 826.20(a)(1)(ii), or is experiencing symptoms of COVID-19 and seeking medical diagnosis from a health care provider as described in 29 C.F.R. § 826.20(a)(1)(iii). This redelegation of authority does not affect the Executive in Charge's authority to grant such exemptions and does not preclude the Executive-in-Charge from exercising, modifying, or otherwise redelegating such authority.

4. **REDELEGATION.** This authority may be redelegated in writing as follows:

- a. VISN Directors may redelegate to Deputy Network Directors; Chief Medical Officers, Nurse Vs, and GS-15 management officials in their immediate line authority;
- b. Medical Center Directors may redelegate to Deputy, Associate, and Assistant Medical Center Directors, Chiefs of Staff, and Associate Directors for Patient Care Services in their immediate line of authority;

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- c. VHA Central Office Senior Executives may redelegate to GS-15 management officials in their immediate line of authority; and
 - d. No further redelegations are permitted.
5. **EFFECTIVE DATE.** This re delegation is effective upon signature and will expire on December 31, 2020 unless rescinded or modified by the Executive-in-Charge at an earlier date.

A handwritten signature in black ink, appearing to read 'R. Stone', with a long horizontal flourish extending to the right.

Richard A. Stone, M.D.