

To: All OCJP Subrecipients

**From: Jennifer L. Brinkman, Director
Office of Criminal Justice Programs**

Date: March 24, 2020

Re: COVID19 and Staffing FAQs

[All Subrecipients] 2020-06

As we continue to cope with the COVID-19 national emergency, OCJP is working to respond to the host of questions this emergency has created for our subrecipients.

OCJP strongly encourages you to carefully read the attached FAQs and to review, and modify if necessary, your existing human resource policies to ensure they address telework, remote work, and administrative leave in the event of an unexpected or extraordinary circumstance, such as this national emergency. If necessary, OCJP recommends you, your agency, and your board if appropriate, consider making such policies effective on the date such circumstances began, if permissible under your laws, rules, and policies.

Agency and/or program specific questions should be directed to your OCJP Program Manager.

We will continue to provide updated information on potentially impacted grants activities, including financial and other required reporting. Thank you for your patience during this time. OCJP and the Department of Finance and Administration appreciate your ongoing commitment to your missions and the safety of all Tennesseans.

COVID-19 FAQs for OCJP Grantees Regarding the Payment and Use of Leave for Grant-Funded Staff

1. Question: Can grant funds be used to pay staff if they are teleworking?

Answer: Staff may be paid with grant funds while teleworking if your organization has an established policy in place allowing staff to telework. If your organization does not currently have a telework policy, we recommend that you follow the necessary procedures to establish a policy for your organization as quickly as possible. Please keep in mind that the policy must be consistent for both federally and non-federally funded staff positions.

2. Question: Can we use grant funds to pay staff if they take leave?

Answer: Programs should continue to use their current leave policies and pay staff accordingly. It is important to remember that both federally funded and non- federally funded positions must be treated consistently.

3. Question: Can grant funds be used to pay staff if they are unable to telework because of the kind of work they normally perform?

Answer: While an employee may not be able to perform their normal day-to-day duties while teleworking, organizations should consider other related work that could be performed remotely by the employee. Examples: Program planning, staff development (including taking advantage of remote training opportunities), catching up on administrative work, internal capacity building, performance reviews, etc.

4. Question: Can grant funds be used to pay staff who are on administrative leave?

Answer: Programs should continue to use their current leave policies and pay staff accordingly. If your organization does not currently have an administrative leave policy, we recommend that you follow the necessary procedures to establish a policy addressing administrative leave, including administrative leave in the case of unexpected or extraordinary circumstances, for your organization as quickly as possible. You may consider making the policy effective on the date these circumstances began, if permissible under your laws, rules, and policies. It is important to

remember that both federally funded and non-federally funded positions must be treated consistently. This should include a separate coding process to distinguish administrative leave from other types of leave and there should be clear documentation from agency leadership that administrative leave was enacted.

5. Question: Can grant funds be used to pay staff who would normally telework but are unable to because they must care for children who are out of school?

Answer: OCJP recommends that organizations be as accommodating as possible during this temporary national emergency in order to continue to be productive and meet the needs of your programs and those you serve. This may mean allowing staff to work on flexible schedules that permit them to accomplish both personal and professional responsibilities from home.

6. Question: Can grantees modify grant program activities?

Answer: We recommend that grantees contact their OCJP Program Manager to discuss the possibility of making temporary modifications to grant activities during the national emergency in alignment with the above FAQs.

7. Question: What should an organization do if staff are able to work but another agency on which they rely (e.g., a court) is closed?

Answer: If staff may not be able to perform all of their normal day-to-day duties due to the closure of another agency, organizations should consider other related work that employees could focus on while the other agency is closed.

8. Question: Can grant funds be used to pay for the cost of home office space and related utility costs for those employees who are teleworking during this national emergency?

Answer: No, the costs of home office space and related utility expenses are unallowable costs.

We will monitor the situation for any additional information that may change this guidance.