



Pete Ricketts, Governor

DATE: April 1, 2020
TO: NDCS Teammates
FROM: Director Scott Frakes
RE: NDCS & FMLA Exemptions

Some of you may be aware that there is a new federal expansion of FMLA in response to the current COVID-19 pandemic. The Families First Coronavirus Response Act allows additional leave time for employees not eligible to work remotely, but includes exemptions for emergency responders and health care workers. Corrections teammates are included in that exemption definition and therefore, we have made the decision that our entire agency will not be eligible for this additional leave.

As we've shared in multiple communications, the work of all corrections team members is critical. We also recognize the importance of taking care of yourself and family members. As we've previously explained, if you are ill – you should stay home. We know many of you are dealing with child care and homeschooling situations. While we need each one of you at work, we are asking supervisors to continue to work creatively with scheduling and time off requests, while we still maintain the safety and security of our facilities.

With this announcement, we will continue to grant leave requests by our current policy. If needed, we will advance leave. I will do my best to make sure teammates are not negatively impacted during these difficult times.

Scott R. Frakes, Director

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