

Date: April 23, 2020

From: Secretary (00)

Subj: Delegation of Authority to Exclude an Employee from Application of the Emergency Paid Sick Leave Act, Division E, and the Emergency Family and Medical Leave Expansion Act, Division C, of the Families First Coronavirus Response Act (VIEWS 2671671)

To: Under Secretaries, Assistant Secretaries, and Other Key Officials

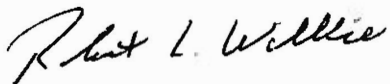
**1. DELEGATION.** This memorandum delegates to the Department of Veterans Affairs (VA) Under Secretaries, Assistant Secretaries, and Other Key Officials at equivalent level of authority, the authority to exclude an employee, who is a health care provider or emergency responder, from application of the Emergency Paid Sick Leave Act, Division E, and the Emergency Family and Medical Leave Expansion Act, Division C, of the Families First Coronavirus Response Act (FFCRA).

**2. AUTHORITY.** FFCRA, Public Law 116-127, §§ 3102, 3105, 5102(a); 38 United States Code §§ 303, 512; 29 Code of Federal Regulations (C.F.R.) 826.30(c); and VA Directive 0000, *Delegations of Authority*.

**3. RESTRICTIONS.** The authority delegated herein shall be applied in accordance with 29 C.F.R. § 826.30(c), which defines "health care provider" and "emergency responder." This delegation of authority is concurrent with the Secretary's authority to make such determinations, and does not preclude the Secretary from exercising, modifying, or further delegating such authority.

**4. REDELEGATION.** This authority may be redelegated, in writing, to VA officials who have authority to administer leave. No further redelegations are authorized.

**5. EFFECTIVE DATE.** This delegation is effective upon signature and will expire 1 year from the effective date, unless rescinded or modified by the Secretary at an earlier date.



Robert L. Wilkie