Existing Policies

10.05 Sick Leave Policy

Supplement

Effective Date: March 25, 2020

Expands Definition - Six (6) Purposes per Families First Coronavirus Response Act Enacted 3/18/2020

Self Care 1  The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19;
Self Care 2  The employee has been advised by a health care provider to self-quarantine due to COVID-19 concerns;
Self Care 3  The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
Others 4  The employee is caring for an individual who is subject to a government quarantine or isolation order or has been advised by a health care provider to self quarantine as described above;
Others 5  The employee is caring for a child because the child's school or place of care has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions; and
Others 6  The employee is experiencing any other substantially similar condition specified in the U.S. Secretary of Health and Human Services, in consultation with the U.S. Secretaries of Treasury and Labor.

Notification to immediate supervisor as soon as possible, but no later than 30 minutes before the start of the work day. Waives 3-day certification from licensed medical practitioner for return to work.

10.09 & APPENDIX E - Family Medical Leave

Supplement

Effective Date: April 2, 2020

An employee may use leave if the employee is unable to work (or telework) due to a need for leave to care for the employee’s child under 18 years of age if the child’s school or other place of care has been closed, or the child care provider of such child is unavailable, due to a public health emergency.

11.12 & APPENDIX M - Sick Bank Policy

Supplement

Remaining days in bank at end of March 31, 2020 will carry over to FY 2021.
**Emergency Paid Sick Leave Act**

Covered Employer: >500 and Government

Reason for Use: An employee qualifies for emergency paid sick time, assuming the employee cannot work/telework for any of the 6 reasons stated above in Sick Leave Policy.

Key Requirements:
- Up to two weeks paid leave to all employees for certain COVID-19 related matters (See 6 reasons stated above under Sick Leave Policy)
- Immediate Use - Regardless of employee's length of service.
- Employer may elect to exclude emergency responders from application to this rule.

Hours:
- Full-Time employees up to 80 hours; Part-time employees receive the average number of hours scheduled per day over the prior six-month period.

Rate of Pay & Caps:
- Employee’s Own Care (Reasons 1-3), employee receives greater of rate of pay or the applicable min. wage, pay capped at $511 per day or $5,110
- Care for Others (Reason 4-6), employee receives two-thirds of employee's regular rate or the applicable min. wage, but pay capped at $200 per day or $2,000 in total.

Interaction with Existing Policies:
- Employees have the right to choose to use paid emergency sick leave before existing paid time off benefits (PTO, vacation, personal days, sick days, etc.)

**Family and Medical Leave Act Extension**

Effective Date: April 2-December 31, 2020

Covered Employer: >500 and Government

Key Requirements:
- An employee may use leave if the employee is unable to work (or telework) due to a need for leave to care for the employee’s child under 18 years of age if the child’s school or other place of care has been closed, or the child care provider of such child is unavailable, due to a public health emergency.
- All full-time and part-time and temporary employees who have been employed with an employer for 30 calendar days.
- No minimum hours worked.
- Employer may elect to exclude emergency responders from application to this rule.
Paid vs. Unpaid Leave:
The first ten days are generally unpaid; however the Emergency Paid Sick Leave Act requirement of two weeks' paid sick leave.
After the first ten days, the remaining time off, up to the 12-week maximum of FMLA leave must be paid at two-thirds of the employees regular rate (using the same hours of pay calculations described in the Emergency Paid Sick Leave Act.

Notice:
If the need for leave is foreseeable, an employee must provide notice as soon as practicable.

Restoration to Position:
Employers with >25 or more employees must return employees to the same or substantially equivalent position under the existing FMLA rules.

No Discrimination or Retaliation:
No discrimination or retaliation is permitted against employees taking FMLA leave under the new law or for reporting complaints, testifying or instituting proceedings related to the law.

Penalties/Remedies:
A violation of the FMLA Expansion is a violation of the FMLA.
The penalties include lost wages and benefits, other actual monetary losses, an equivalent amount as liquidated damages, and attorney's fees and costs.

Reasons for Emergency Pay - Up to 2-Weeks Paid (In addition to Emergency Paid Leave Act)
Effective Date: March 25, 2020
Reason for Use:
Facility/Agency shut-down due to national emergency (COVID-19) Pandemic due to Federal, State of Local Agency.
Employee would qualify if the employee cannot work or telework, for any of the six reasons.
Allows for additional paid time to address national emergency during this time of crisis. Demonstrates to employees that we genuinely care about their health and safety - goes beyond Federal law.
Pay Regular Part-Time Staff for Hours through April 7, 2020.
General Provisions for Working Remotely

Everyone on call.
Sites & Fleet, Facilities Maintenance and Police in Field
Executive Director's Office, Administration, Planning, Natural Resources, Education, Marketing & Communications Working Remotely

Flexibility in work schedule.