**﻿ EMERGENCY SICK LEAVE / EMERGENCY FMLA POLICY**

**Purpose**: To explain the emergency leave benefits available to employees during the COVID-19 crisis. These leave benefits are in addition to other leave benefits available under existing company policies, including paid leave policies and the Family and Medical Leave Act policy.

**Eligibility:** All employees are immediately eligible for Emergency Sick Leave for the circumstances described below.

Employees who have been employed for a minimum of 30 days are also eligible for Emergency FMLA. [state whether health care providers will be excluded]

**Effective Dates**

This policy will be effective from April 1, 2020 through December 31, 2020. No leave under either policy may be carried over to the following year.

**EMERGENCY SICK LEAVE**

**Qualifying Reasons**

You can take Emergency Sick Leave if you are unable to work (or telework) for the following reasons:

1. You are subject to a federal, state, or local quarantine or isolation order related to COVID-19;
2. You have been advised by a health-care provider to self-quarantine because of COVID-19 concerns;
3. You are experiencing COVID-19 symptoms and are seeking a medical diagnosis;
4. You are caring for an individual who is subject to a federal, state, or local quarantine or isolation order related to COVID-19, or who has been advised by a health provider to self-quarantine due to concerns related to COVID-19;
5. You are caring for your child because the child’s school or place of child care has been closed, or the child’s child care provider is unavailable, due to COVID-19 precautions; or
6. You are experiencing any other substantially similar condition as may be specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and Secretary of Labor.

**Amount of Leave**

Full time employees are eligible to take up to 80 hours of Emergency Sick Leave.

Part time employees are eligible to take up to the number of hours you work on average during a two-week period.

Any available leave not used by the conclusion of the qualifying reason may be used at a later date for another qualifying reason.

Employer option. The employer can choose to allow employees who are teleworking to use the leave intermittently and in any agreed upon increment. For employees working at the worksite, an employee can only take leave intermittently for the care of a child whose school is closed and only if the employer and employee agree. The exception is in cases where a child’s school is operating on a hybrid basis (ex: only opened M-W with virtual learning on Th-F); in those cases, the employee is entitled to leave for the days on which the school is closed to the child, which has the effect of the employee receiving intermittent/reduced schedule leave. This can be taken in less than full day increments if the employer and employee agree.

**Leave Pay**

For reasons 1-3 above, you will receive your regular pay for the approved duration of the leave. The maximum is $511 per day and $5,110 total.

For reasons 4-6 above, you will receive 2/3 of your regular pay. The maximum is $200 per day and $2,000 total.

You may, but are not required to, use your paid time off available under other company policies.

**Notice**

After the first workday of leave, you are required to follow the company’s regular notice procedures for reporting your absences. You will be required to submit documentation or supporting information to verify the reason for your leave.

**EMERGENCY FAMILY AND MEDICAL LEAVE**

**Qualifying Reasons**

You can take Emergency Family and Medical Leave if you are unable to work (or telework) due to a need for leave to care for your son or daughter if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to a public health emergency.

**Amount of Leave**

You can take up to a maximum of 12 weeks of Emergency Family and Medical Leave, less the amount of other FMLA leave you have already taken during the leave year.

Employer option. An employee can only take Emergency FMLA leave intermittently if the employer and employee agree. The exception is in cases where a child’s school is operating on a hybrid basis (ex: only opened M-W with virtual learning on Th-F); in those cases, the employee is entitled to leave for the days on which the school is closed to the child, which has the effect of the employee receiving intermittent/reduced schedule leave. This can be taken in less than full day increments if the employer and employee agree.

**Leave Pay**

This first 10 days of Emergency FMLA leave is unpaid under this part of the policy. However, you can use Emergency Sick Pay (described above) or other forms of paid leave which you may have available to you under our other leave policies.

After the first 10 days of leave, you will receive 2/3 of your regular rate of pay for the number of hours you would have been scheduled to work for the remainder of your Emergency FMLA leave. This is subject to a maximum of $200 per day and $10,000 total.

Employer option. The employer may require employees to use employer-provided accrued leave that could be used under existing policies for this purpose during the paid portion (weeks 3-12) of Emergency FMLA.

**Reinstatement**

If you return to work at or before the end of your approved Emergency FMLA Leave, you will be reinstated to your previous position or an equivalent position if one exists.

**Notice**

You must provide notice of your need for Emergency FMLA as soon as practicable and must complete an application for Emergency FMLA. You will be required to submit documentation or supporting information to verify the reason for your leave.

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