EMERGENCY PAID SICK LEAVE
(Families First Coronavirus Response Act)

Eligibility and Reasons for Leave

Any full-time or part-time employee who is employed with the District is eligible to take emergency paid sick leave if the employee is unable to work (or telework) because the employee:

1.   is subject to a federal, state or local quarantine or isolation order related to COVID-19;

2.   has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19;

3.   is experiencing symptoms of COVID-19 and seeking a medical diagnosis;

4.   is caring for an individual who is subject to either number 1 or 2;

5.   is caring for his/her child if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions;

6.   is experiencing any other substantially similar condition specified by the secretary of health and human services in consultation with the secretary of the treasury and the secretary of labor.

Emergency Paid Sick Leave Entitlement

An eligible full-time employee is entitled to up to 80 hours of Families First Coronavirus Response Act (FFCRA) emergency paid sick leave. Eligible part-time employees are entitled to emergency paid sick leave for the number of hours worked, on average, over a two-week period. Emergency paid sick leave is available between April 1, 2020 and December 31, 2020. Emergency paid sick leave under this policy will not be provided beyond December 31, 2020. Any unused emergency paid sick leave will not carry over to the next year or be paid out to employees.

For employees with varying hours, one of two methods for computing the number of hours paid will be used:

1.   The average number of hours that the employee was scheduled per day over the six-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type or

2.   If the employee has worked less than six months, the expected number of hours to be scheduled per day at the time of hire.

Pay During Leave

The employee's rate of pay for emergency paid sick leave depends on the reason for which the employee is taking leave. For an employee taking leave for reasons 1 through 3, the rate of pay for emergency paid sick leave will be the employee's regular rate of pay (or minimum wage, whichever is greater). Pay for leave taken for reasons 1 through 3 will not exceed $511 per day and $5,110 in total.

For an employee taking leave for reasons 4 through 6, the rate of pay for emergency paid sick leave will be two-thirds of the employee's regular rate of pay (or minimum wage, whichever is greater). Pay for leave taken for reasons 4 through 6 will not exceed $200 per day or $2,000 in total.

Interaction with Other Paid Leave

An employee may use emergency paid sick leave under this policy before using any other paid time off for the qualifying reasons stated above.

Intermittent Leave

Emergency paid sick leave may be taken intermittently under certain circumstances. Intermittent leave is leave taken in separate blocks of time due to a single qualifying reason.

An employee who is teleworking, and is taking emergency paid sick leave for reason 1 through 6, may take the leave intermittently.

An employee who is not teleworking, and it is taking emergency paid sick leave for reason 5 (to care for the employee's child while the employee's child's school or place of care is closed, or childcare provider is unavailable, due to a COVID-19 precautions), may take the leave intermittently.

An employee who is not teleworking, and is taking emergency paid sick leave for reasons 1 through 4 or 6, must continue to take emergency paid sick leave until the employee either: (1) has used the full amount of emergency paid sick leave to which the employee is entitled; or (2) no longer has a qualifying reason for taking emergency paid sick leave.

Notice and Requesting Leave

All employees requesting emergency paid sick leave must notify the District of the need and specific reason for leave under this policy. A form will be provided to District employees in a manner accessible to all. Verbal notice will be accepted until it is practicable to provide written notice.

Once emergency paid sick leave has begun, the employee and the District must determine reasonable procedures for the employee to report periodically on the employee's status and intent to continue to use paid sick leave.

Definitions

"Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is:

1. under 18 years of age or

2. 18 years of age or older and incapable of self-care because of a mental or physical disability.

"Childcare provider" means:

1. a provider who receives compensation for providing childcare services on a regular basis, including:

    A. a center-based childcare provider;

    B. a group home childcare provider;

    C. a family childcare provider (one individual who provides childcare services for fewer than 24 hours per day, as the sole caregiver, and in a private residence);

    D. other licensed provider of childcare services for compensation.

2. a childcare provider that is 18 years of age or older who provides childcare services to children who are either the grandchild, great grandchild, sibling (if such provider lives in a separate residence), niece, or nephew of such provider, at the direction of the parent.

A family member or friend of an employee who regularly cares for an employee's child can be a childcare provider for purposes of this regulation even if he/she is not compensated or licensed.

"Individual" means an employee's immediate family member, a person who regularly resides in the employee's home, or a similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person if he/she were quarantined or self-quarantined. "Individual" does not include persons with whom the employee has no personal relationship.

"School" means an elementary or secondary school.

(Approval date:)