

EMERGENCY FAMILY AND MEDICAL LEAVE EXPANSION POLICY

This policy is developed in response to the Families First Coronavirus Response Act and shall become effective on and after April 1, 2020. This Emergency Family and Medical Leave Expansion Policy is effective through December 31, 2020. The Emergency Family and Medical Leave Act is a temporary expansion of the existing FMLA that can be used by parents impacted by school and childcare closures.

The County shall provide Emergency Family and Medical Leave (FMLA) to employees employed by the County for at least 30 days [before the first day of leave] for up to 12 weeks of job-related leave to allow an employee, who is unable to work or work remotely, **to care for the employee's child** (under 18 years of age) if the child's school or place of care is closed or the childcare provider is unavailable due to a public health emergency.

The first 10-days of Emergency FMLA may be unpaid unless the employee elects to substitute any paid leave (including emergency paid sick leave days) to cover some or all of the 10-day unpaid period. After the 10-day period, the County will pay full-time employees at two-thirds the employee's regular rate for the number of hours the employee would otherwise be normally scheduled. Employees who work a part-time or irregular schedule are entitled to be paid at two-thirds their regular rate based on the average number of hours the employee worked for the six months prior to taking Emergency FMLA.

The Federal government has mandated that paid wages under the Emergency FMLA are limited to \$200 per day and \$10,000 in the aggregate per employee. Employees who have worked for less than six months prior to leave are entitled to the employee's reasonable expectation at hiring of the average number of hours the employee would normally be scheduled to work. The County has decided to pay all employees who qualify their regular hourly wages/salary which may be above and beyond what the Federal government has required. (2/3 required pay, 1/3 using employees own paid benefit time if elected)


On return from Emergency FMLA leave, an employee is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

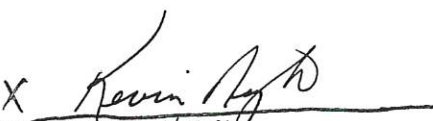
Accruals for benefit calculations, such as vacation, sick leave, or holiday benefits, shall accrue while an employee is on Emergency FMLA.

Any health plan, including self-insured plans, provided by the County will be continued for the employee on Emergency FMLA leave on the same terms that would have been provided if the employee had continued his or her work during the period that he or she was on approved Emergency FMLA leave. Employees are responsible for paying their normal share of the premium costs while on Emergency FMLA leave.

This Emergency FMLA leave shall run concurrently with Emergency Paid Sick Leave.

For this policy only, if 1/3 of employee's own paid benefit time is elected, it will be used and rounded up/down to the nearest .25 increment.

X  4/06/2020
CHRIS ROSS

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KEVIN NIGH

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by phone