

COVID-19-RELATED FMLA LEAVE POLICY AND PROCEDURE

Effective from April 1, 2020 to December 31, 2020.

Purpose: The Families First Coronavirus Response Act (ACT), enacted on March 18, 2020, increases employee access to Family and Medical Leave Act (FMLA) leave to cover leave needs related to the COVID-19 pandemic. As of April 1, 2020, FMLA leave is available to all employees who have been employed with their current employer for more than 30 days and who otherwise qualify. All leave is subject to certain caps, which are addressed below.

Policy: Employees may request FMLA leave because of a qualifying need related to a public health emergency in accordance with the FMLA. A qualifying need related to a public health emergency means the employee is unable to work (or telework) due to a need for leave to care for the employee's son or daughter who is under 18 years of age if their school or place of care has been closed, or the child care provider of the employee's son or daughter is unavailable due to an emergency related to COVID-19 declared by a Federal, State, or local authority.

Pursuant to the Act, the first ten days of this leave (Initial Period) is unpaid. However, if requested for certain COVID-19-related reasons, employees are eligible to apply for Emergency Paid Sick Leave during the Initial Period (please see the Emergency Paid Sick Leave Policy and Procedure for details) at the applicable level of compensation.

This FMLA leave, after the Initial Period, provides for partial pay, which will be two-thirds of the employee's regular compensation. Compensation for FMLA leave taken because of a COVID-19-related reason will be determined based on the number of hours the employee is normally scheduled to work. Exact compensation will be determined upon submission of the form referenced below in "Procedure," and it will vary depending upon the exact amount of leave requested by the employee. If necessary, the State may request additional information or documentation regarding such a request for leave.

Employee may utilize accrued sick or vacation leave to supplement the difference between the employee's regular compensation and the amount paid pursuant to the FMLA leave.

Except as stated in this Policy and Procedure, all other terms and conditions of FMLA continue to apply. Refer to other FMLA policies and procedures to determine and understand such requirements.

Procedure: To request the above-described leave, employees should complete the FMLA Eligibility Supplemental Form for COVID-19-Related Leave Form. The Form needs to be completed if the employee is requesting FMLA Leave for reasons related to COVID-19. The State may request reasonable confirmation and documentation of qualification for this leave; however, the State may also waive such requirement.