



## **COVID-19 EMERGENCY LEAVE BENEFIT POLICIES**

### **EMERGENCY FAMILY AND MEDICAL LEAVE BENEFITS.**

Under the Emergency Family and Medical Leave Expansion Act, eligible employees are entitled to take Emergency FMLA Leave as set forth below.

This policy supplements Ohio Domestic Violence Network's (ODVN) existing Family and Medical Leave Policy, and will become effective on April 1, 2020 and remain in effect until December 31, 2020.

### **Eligibility for Emergency FMLA Leave**

Any employee that ODVN has employed for at least 30 days is immediately eligible for Emergency FMLA Leave under this policy.

### **Amount of Emergency FMLA Leave**

Emergency FMLA Leave counts towards an employee's 12 weeks of FMLA leave under ODVN's existing Family and Medical Leave Policy. An employee may not take more than 12 weeks of FMLA leave, inclusive of Emergency FMLA Leave, and such Emergency FMLA Leave does not otherwise supplement the 12 week FMLA leave allowance.

For an employee who regularly works fewer than five days per week, his or her Emergency FMLA Leave entitlement will be prorated to a maximum number of days each week based on his or her regular employment schedule.

### **Reason for Emergency FMLA Leave**

An employee may take Emergency FMLA Leave under this policy due to a public health emergency regarding COVID-19 declared by a federal, state or local authority where the employee is unable to work (including an inability to telework) because:

1. of a need to care for his or her son or daughter under 18 years of age if the son or daughter's school or place of care has closed, or
2. the employee's child-care provider for his or her son or daughter is unavailable.

### **Notice of Emergency FMLA Leave**

If the need for leave is foreseeable – that is, the employee is able to predict or know in advance that the employee will need to use leave – the employee is required to provide notice to his or her immediate supervisor as soon as practicable. The immediate supervisor will then advise the Executive Director and Director of Administration.

### **Payment of Emergency FMLA Leave Benefits**

The first 10 days of Emergency FMLA Leave will be unpaid. Thereafter, ODVN will pay an employee two-thirds of his or her regular rate of pay up to a maximum of \$200 per day and up to a maximum of \$10,000 in the aggregate while this policy is in effect.

### **Substitution and Coordination With Other Leaves**

Emergency FMLA Leave will run concurrently with any Emergency Paid Sick Leave (see policy below) or other emergency-related leave for which the employee also qualifies as permitted by applicable law.

An employee may elect, but is not required, to utilize accrued paid time off (PTO) concurrently with all or part of his or her Emergency FMLA Leave, whether paid or unpaid. All payments of Emergency FMLA Leave and other accrued paid time off will be integrated so that the employee will receive no more than 100% of his or her regular compensation during the period of Emergency FMLA Leave.

### **Job Restoration**

Except for key employees in certain permissible situations or whereas otherwise permitted by law, upon return from Emergency FMLA Leave, an employee will be reinstated to his or her position or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment that is available, and for which he or she is qualified to perform.

### **EMERGENCY PAID SICK LEAVE BENEFITS**

Under the Emergency Paid Sick Leave Act, eligible employees are entitled to take Emergency Paid Sick Leave as set forth below.

This policy supplements ODVN's existing Paid Time Off (PTO) Policy, and will become effective on April 1, 2020 and remain in effect until December 31, 2020.

### **Eligibility for Emergency Paid Sick Leave**

All employees are immediately eligible for Emergency Paid Sick Leave under this policy.

### **Amount of Emergency Paid Sick Leave**

A full-time employee may take up to 80 hours of Emergency Paid Sick Leave. Part-time employees are entitled to take a pro-rated amount of Emergency Paid Sick Leave.

### **Reason for Emergency Paid Sick Leave**

An employee may use Emergency Paid Sick Leave under this policy where they cannot work (including an inability to work telework), because:

1. The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19;
2. The employee has been advised by a health care provider to self-quarantine due to COVID-19-related concerns;
3. The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis;
4. The employee is caring for someone who is subject to a quarantine or isolation order related to COVID-19 or who has been advised by a health care provider to self-quarantine due to COVID-19 related concerns;
5. The employee is caring for a son or daughter if the son or daughter's school or place of care is closed or the employee's child-care provider for his or her son or daughter is unavailable because of COVID-19 precautions; or
6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of Treasury and the Secretary of Labor.

### **Notice of Emergency Paid Sick Leave**

If the need for Emergency Paid Sick Leave is foreseeable – that is, the employee is able to predict or know in advance that the employee will need to use leave – the employee is required to provide notice to his or her immediate supervisor as soon as practicable. The immediate supervisor will then advise the Executive Director and Director of Administration.

### **Payment of Emergency Paid Sick Leave Benefits**

ODVN will pay an employee taking Emergency Paid Sick Leave based on reasons (1) to (3) above his or her regular rate of pay up to a maximum of \$511 per day and up to a maximum of \$5,110 in the aggregate while this policy is in effect.

ODVN will pay an employee taking Emergency Paid Sick Leave based on reasons (4) to (6) above two-thirds of his or her regular rate of pay up to a maximum of \$200 per day and up to a maximum of \$2,000 in the aggregate while this policy is in effect.

In no case will an employee receive payment that is less than the applicable minimum wage.

### **Substitution and Coordination With Other Leaves**

Emergency Paid Sick Leave will run concurrently with any Emergency FMLA Leave (see policy above) or other emergency-related leave for which the employee also qualifies as permitted by applicable law.

ODVN provides Emergency Paid Sick Leave under this policy in addition to the paid time off it provides under its Paid Time Off (PTO) Policy. An employee is permitted to use Emergency Paid Sick Leave before using any other personal and sick time. Notwithstanding the foregoing, an employee may elect, but is not required, to utilize accrued PTO concurrently with all or part of his or her Emergency Paid Sick Leave to receive 100% wages during the Emergency Paid Sick Leave period.

All payments of Emergency Paid Sick Leave and other accrued paid leave will be integrated so that the employee will receive no more than 100% of his or her regular compensation during the period of Emergency Paid Sick Leave.

### **Carryover and Forfeiture**

Emergency Paid Sick Leave may not be carried over to the following year, and any accrued but unused Emergency Paid Sick Leave will be forfeited and not paid out at termination and at the expiration of this policy.

Adopted and approved by ODVN's Board of Directors on April \_\_, 2020