

PUBLIC HEALTH EMERGENCY LEAVE

Pursuant to the Families First Coronavirus Response Act (FFCRA), certain employees are entitled to up to twelve (12) weeks of partially paid leave for coronavirus related child care reasons for absences between April 1, 2020 and December 31, 2020.

This Public Health Emergency Leave (PHEL) is a temporary type of leave under the Family Medical Leave Act (FMLA). Accordingly, all School policies regarding FMLA leave shall apply to PHEL unless otherwise stated herein or as otherwise permitted or required by applicable law. PHEL counts as FMLA leave and is not in addition to any other FMLA leave that the employee may be eligible for. A maximum of twelve (12) weeks of PHEL is available.

Posters regarding employee PHEL rights shall be posted in each building in a conspicuous place, which is expected to be the same location as other workplace notices are posted.

All employees that have been employed by the School for thirty (30) calendar days or more are qualified for PHEL.

PHEL is available for a qualified employee who is unable to work due to a need to care for his or her child because the child's school or daycare is closed or the child's regular care provider is unavailable due to coronavirus-related reasons. "Child" includes a son or daughter under age-18 or a disabled adult son or daughter unable to self-care.

Employees must provide the School with notice of a need for leave as soon as practicable and provide all information requested by the School in a timely manner in order for the School to make a determination regarding the need for and qualification for leave. At a minimum, employees requesting PHEL shall be required to provide name of child, name of school, daycare, or care provider, and a representation that no other suitable person will be caring for the child during leave. If child is over age 14, the employee must also provide a statement that s/he is unable to work due to special circumstances that require the employee to provide care.

The first ten (10) days of PHEL is unpaid leave. However, if an employee is eligible for Emergency Paid Sick Leave or has other paid days available, this paid leave may be used concurrently with PHEL.

After the first ten (10) days of PHEL, the employee shall be paid 2/3 of his/her regular rate of pay for the number of hours s/he would otherwise normally be scheduled to work, up to \$200/day or \$10,000 total. If the employee's work schedule is variable, the average number of hours that the employee was scheduled to work per day over the 6-month period (including overtime) immediately prior to leave will be used, calculated as the equivalent to 14 times the average number of hours the employee was scheduled to work on a daily basis over the past 6 months. If the employee has not been employed for 6 months, the number of hours agreed to at the time of hiring that the employee would work on average each calendar day will be used. If there was no such agreement, the daily average for the entire period of employment will be used.

An employee may elect to use available sick/personal days or other available paid time off concurrently with PHEL to receive full pay. If the employee makes such an election, at least 1/3 day of sick/personal or other paid time will be used for every one day of PHEL, up to the full per diem or as otherwise agreed upon with the employee.

An employee may request to take PHEL on an intermittent basis. The School reserves the right to approve or deny such a request on a case-by-case basis. If intermittent leave is approved, the School reserves the right to revoke its consent to intermittent leave in its sole discretion and require continuous leave.