

Paid Family and Medical Leave Policy

INTRODUCTION

The purpose of the policy is to establish guidelines to comply with the Families First Coronavirus Response Act (“FFCRA”) and its Emergency Family and Medical Leave Expansion Act (“E-FMLA”) for [employer name] (“_____”) as required by the new federal law.

EFFECTIVE DATE

This Policy is only effective for leave taken between April 1, 2020 to December 31, 2020.

ELIGIBILITY

This policy applies to all employees (full & part-time) who have been employed at least thirty (30) days. You are considered to have been employed for at least 30 calendar days if you have been on our payroll for the 30 calendar days immediately prior to the day your leave would begin.

For example, if you wish to take leave on April 1, 2020, you will need to have been on our payroll as of March 2, 2020. If you have been working for us as a temporary employee, and [employer name] subsequently hires you on a full-time basis, you may count any days you previously worked as a temporary employee toward this 30-day eligibility period.

To take leave under the E-FMLA, an employee must be unable to work or telework due to a qualifying need related to a public health emergency which is defined as to a need for leave to care for a child under 18 years of age who was affected by school or child care closures or whose child care provider is unavailable due to COVID-19. A childcare provider is one who receives compensation for providing services.

EMPLOYEE BENEFITS

1. [Employer name] will provide employees with unpaid leave for the first 10 days. The first 10 days can be covered by the E-PSL Act. Employees can also elect to use paid leave (vacation, personal, medical, sick etc.) concurrently with E-FMLA during the first unpaid leave of 10 days.
2. After 10 days, the employee receives at least two-thirds (2/3) of their regular rate of pay for the number of hours the employee would normally be scheduled over the time period.
3. An Employee may receive a maximum of \$200 a day, and \$10,000 in the aggregate over the remaining 10 weeks.

4. Part-time employees will be paid for the number of hours they are normally scheduled to work in a two-week period. If normal schedules are not followed, a six-month average will be used to calculate average daily hours. If the employee has been employed less than six months, [employer name] will calculate the appropriate number of hours of leave based on the average hours per day the employee was scheduled to work over the entire term of his or her employment.
5. The 12-week leave provided by this Policy is reduced by any Family Medical Leave Act ("FMLA") the employee has already used in the preceding 12 months.
6. [employer name] will restore any employee taking this leave to his or her position or an equivalent position upon their return to work.

NOTICE

Where leave is foreseeable, an employee should provide notice of leave to the employer as is practicable. After the first workday of paid sick time, an employer may require employees to follow reasonable notice procedures in order to continue receiving paid sick time.

PROHIBITIONS

[employer name] will not discharge, discipline or otherwise discriminate against any employee who take paid leave under the E-FMLA Act or who files a complaint or institutes a proceeding under the FFRCA, and the E-FMLA section.