



MIAMI COUNTY EMPLOYEE COVID-19 LEAVE OF ABSENCE POLICY

To do our part to stop the spread of COVID-19 and protect Miami County's employees and members of the public, the following policy will apply to all Miami County employees, effective from April 1, 2020 through December 31, 2020. This policy may be updated as new information and guidance becomes available.

Employees may need to be away from work for a number of reasons related to COVID-19. If an employee cannot work (including work from home), due to a government-ordered or healthcare provider-ordered isolation, the employee's own illness, or the need to care for others, the employee may be eligible for leave as described below. The paid leave set forth in this policy will be administered on a case-by-case basis and in compliance with the Families First Coronavirus Response Act.

All requests for an absence from work due to an illness unrelated to COVID-19 are subject to current sick leave, vacation leave, unpaid leave, and FMLA policies and should be addressed pursuant to standard Miami County policies.

EMERGENCY PAID SICK LEAVE

An employee who meets one or more of the following criteria may be eligible for emergency paid sick leave if they are unable to work or telework because the employee:

1. Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. Has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
3. Is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. Is caring for an individual subject to an order described in (1) or has been advised as described in (2);
5. Is caring for his or her son or daughter whose school or place of care is closed (or childcare provider is unavailable) due to COVID-19 precautions; or
6. Is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services.

For reason #3, the term "son or daughter" means the employee's children under 18 years of age and children 18 years of age or older who are incapable of self-care because of a mental or physical disability.

For reason #4, the term "individual" means the employee's immediate family member, a person who regularly resides in the employee's home, or a similar person with whom the employee has a personal relationship that creates an expectation of care.

Full-time employees may receive up to 80 hours of emergency paid sick leave, and part-time employees may receive the number of hours that the employee works, on average, over a two-week period, based on the employee's regular rate of pay, paid at:

- 100% for qualifying reasons #1-3, up to \$511 daily and \$5,110 total, or
- 66% for qualifying reasons #4-6, up to \$200 daily and \$2,000 total

Employees are required to follow guidelines established by the Centers for Disease Control and Prevention as it relates to returning to work following home isolation for any reasons.

To request emergency paid sick leave, an employee must submit a "Request for Emergency Sick Leave" form and required documentation to the employee's immediate supervisor.

EMERGENCY FAMILY AND MEDICAL LEAVE

Employees who have been employed by Miami County for at least 30 days prior to their leave request may be eligible for up to twelve weeks of emergency family and medical leave (EFML) to care for the employee's son or daughter whose school or place of care is closed or unavailable due to COVID-19. The term "son or daughter" means the employee's children under 18 years of age and children 18 years of age or older who are incapable of self-care because of a mental or physical disability.

EFML will be administered in a combination of unpaid and paid leave:

- The first 10 days of EFML will be unpaid. An employee may choose to take any existing pay benefit (i.e. emergency paid sick leave, vacation, sick pay) during the 10-day unpaid period.
- After the first 10 days, employees are entitled to take up to 10 weeks of leave at two-thirds their regular rate of pay. Part-time employees are entitled to be paid two-thirds of their regular rate of pay based on the average number of hours worked for the six months prior to taking such leave.
- The cap of the paid leave entitlement for employees is \$200 daily and \$10,000 total.
- Employees may use accrued sick leave or vacation leave for the remaining one-third of their salary.

To request EFML, an employee must submit a "Request for Emergency Family and Medical Leave" form and required documentation to the employee's immediate supervisor.

DOCUMENTATION REQUIRED

Any employee requesting emergency paid sick leave or EFML must notify their immediate supervisor of their need for leave as soon as possible, specifying the qualifying reason and the date of the requested leave. Calling in "sick" does not qualify as adequate notice.

An employee must provide appropriate documentation to establish their need for qualifying leave under this policy. This documentation includes: (1) the employee's name; (2) the dates for which leave is requested; (3) the qualifying reason for the leave; and (4) a statement that the employee is unable to work because of the qualified reason for leave.

For a leave request based on a quarantine order or self-quarantine advice, the employee's statement should include the name of the governmental entity ordering quarantine or the name of the health care professional advising self-quarantine, and, if the person subject to quarantine or advised to self-quarantine is not the employee, that person's name and relation to the employee.

For a leave request based on the employee's COVID-19 symptoms, the employee's statement should include the name of the health care professional providing him or her with medical care.

For a leave request based on a school closing or child care provider unavailability, the employee's statement should include the name and age of the child (or children) to be cared for, the name of the school that has closed or place of care that is unavailable, and a representation that no other person will

be providing care for the child during the period for which the employee is receiving family medical leave and, with respect to the employee's inability to work or telework because of a need to provide care for a child older than fourteen during daylight hours, a statement that special circumstances exist requiring the employee to provide care.

Miami County reserves the right to request additional documentation if there is reason to believe an employee has fraudulently obtained leave or paid benefits.

INTERMITTENT LEAVE

For employees working on the premises, intermittent leave will only be considered if the employee is requesting leave to care for his or her child whose school or place of care is closed, or childcare provider is unavailable.

For employees working remotely, intermittent leave will be permitted if the employee is unable to work his or her normal schedule of hours. The employee and Miami County will come to an agreement on a schedule that provides for the least amount of disruption to the employee's job.

HEALTHCARE PROVIDER AND EMERGENCY RESPONDER EXEMPTION

Consistent with the Families First Coronavirus Response Act, Miami County employees who qualify as health care providers and emergency responders may be exempted from emergency paid sick leave or EFML by Miami County. Miami County desires to make available the forms of paid leave described in this policy to the greatest extent feasible, but it retains the discretion to delay, limit, deny, or discontinue any such leave if Miami County management concludes that providing such leave may interfere with Miami County's healthcare or emergency response operations.

FOR MORE INFORMATION

This policy does not cover each situation that might occur. For more information, please contact the Human Resource Department at 913-294-9530 or Holly Ray at hray@miamicountyks.org. For general information about COVID-19 and the workplace, please visit:

<https://www.dol.gov/agencies/whd>