

*****ATTACHMENTS*****

Minutes
Mead Public Library
Human Resources Committee
Wednesday, November 6, 2019

A meeting of the Mead Public Library (MPL) Human Resources Committee (HR) was held on Wednesday, November 6, 2019 in The Public Conference Room.

STAFF/OFFICIALS PRESENT: Library Board of Trustees Vice President Kathie Norman, presiding; Board President Maeve Quinn, Meg Albrinck and Nancy Mannchen. Staff: Library Director Garrett Erickson and Administrative Assistant Sydney Mehn.

1. OPENING OF MEETING

- 1.1 CALL TO ORDER AND DETERMINATION OF QUORUM Norman called the meeting to order at 9:05 a.m.; she determined there was a quorum present.
- 1.2 APPROVAL OF MINUTES Quinn **moved** to approve the minutes from 5/14/19. Albrinck **seconded**. The motion **passed**.

2. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- 2.1 PROCESS FOR 2019 LIBRARY DIRECTOR REVIEW Erickson first discussed the review process of years past. It was determined that there would be a formal review on a bi-annual basis. On the off years the review would be minimal, more of a check-in/affirmation of goals that are being worked on for compensation purposes.
- 2.2 UPDATE ON HIRING PROCESS FOR SUPORT SERVICES MANAGER Erickson reported on the accepted verbal offer from a Support Services candidate. Tentative start date is December 1. The candidate has a strong team she will be inheriting. She also has an MLS, which is a nice back-up for succession planning.

3. CLOSED SESSION

- 3.1 MOTION TO CONVENE IN CLOSED SESSION FOR THE PURPOSE OF EVALUATING THE PERFORMANCE OF THE LIBRARY DIRECTOR UNDER THE EXCEPTION SET FORTH IN WISCONSIN STATE STATUTES 19.85(1)(c) FOR CONSIDERING EMPLOYMENT, PROMOTION COMPENSATION, OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY. Norman **moved** to go in to closed session. Albrinck **seconded**. The motion **passed**.

4. ADJOURN

- 4.1 MOTION TO ADJOURN Mannchen **moved** to adjourn the meeting. Quinn **seconded**. The motion **passed**.

Being no further business the meeting adjourned at 10:30 a.m.

Generated by Sydney Mehn on Thursday, November 7, 2019

DATE: March 17, 2020
TO: City of Sheboygan Staff
FROM: Darrell Hofland, City Administrator
RE: Coronavirus (COVID-19) Employee Update

The City of Sheboygan values the health and safety of its employees and is committed to protecting the workplace in the event of an infectious disease outbreak. We understand concerns about coronavirus (COVID-19) are at the top of people's mind, and we want to share information about how we are responding.

Except for election polling-related activities and by appointment, all city buildings will be closed to the public, effective Wednesday, March 18. Status of closure will be evaluated on a weekly basis or until conditions allow for reopening.

Essential city services will continue to be provided during this period. City staff will remain working at their regular work site or remotely. City staff is urged to practice social distancing during this time.

All city public park facilities are closed including restrooms for the next 60 days. All rentals during this period will be canceled and refunds will be issued.

Each department manager will have the discretion to determine minimum staffing levels to assure continued service to the public. Options being considered will include flexible schedules and telecommuting. The Human Resources Department is drafting a telecommuting agreement for signature by affected staff. Each manager is coordinating with the Information Technology Department to provide affected telecommuting staff with city-issued computer/device.

Employees that may be affected by service level changes will be considered for temporary reassignment of duties and possibly temporary reassignment to another department.

Recommended Work Protocols

Some city departments have already established internal protocols that are specific to their operations (Police, Fire, Transit, etc.) Nonetheless, the following are prudent steps that the city is recommending for all employees:

- The city has posted notifications as reminders to wash hands and cover your cough. In addition, city departments have provided public hand sanitizer dispensers and disinfectant materials for use through city facilities for use by our employees, suppliers, and the visiting public.

- Employees who have come into close contact with anyone who has been infected should self-report this exposure to their medical provider for further guidance.
- Employees, who display symptoms of illness related to COVID-19 or are subject to a quarantine directive by their physician, may be allowed remote working options, if feasible, or use compensatory time, discretionary PTO, and vacation PTO to ensure no significant risk exists.
- Ultimately, we encourage everyone to make responsible decisions and stay home if you are sick.

Attached is an update from Sheboygan County Division of Public Health regarding issuing certificates and verification to the City of Sheboygan, as an employer, regarding return to work by virus-exposed city staff.

FMLA

As a reminder, staff who are sick or are in a caretaker role of someone who is sick may be eligible for Family and Medical Leave Act (FMLA). Please contact the Human Resources Department for an application if you think you may be eligible.

It is anticipated that federal officials will amend FMLA rules in light of coronavirus. For those employees with children who are impacted by the closure of schools or day care centers may become eligible for FMLA.

Short-term Disability Leave

For staff who are eligible for short-term disability leave, please review the communication from city's short-term disability insurance provider, The Standard.

Unpaid Leave of Absence

Consistent with Chapter 82 of the Code of Ordinances, I would consider requests by staff who are impacted by the coronavirus to take a special leave of absence (up to 3 calendar months) without pay.

Sick Leave Bank

Staff who were hired before January 2012 may have a sick leave bank balance. Staff may use this balance immediately during the duration of any state or federal qualifying FMLA event.

Child Care

With the recent announcement of school and day care center closures, staff may experience child care challenges. To assist staff who will face this challenge, discretionary PTO, vacation PTO, and unpaid leave of absence may be used. If you are

in this situation, please gain approval from your direct Supervisor so the city can ensure minimum staffing requirements are met.

Donated Sick Time

Per current policy, staff may use donated time only after exhausting all other available paid benefits, including discretionary PTO, vacation PTO, and compensatory time. This policy is currently under review and any changes will be communicated.

Fitness Reimbursement

Due to the closure of or limited access to fitness-related centers, staff who were eligible for a monthly reimbursement of center membership (meet minimum number of workouts) in February will be automatically reimbursed for the month of March.

Training

All external training (outside city facilities) of city staff is cancelled until Monday, May 4. The cancellation period will be re-evaluated at a later date.

Travel

Effective immediately, employees who return from **international** travel are required to self-quarantine for 14 days by utilizing the employee's discretionary PTO, vacation PTO or compensatory time. Please contact the Human Resources Department prior to your scheduled return to work.

Employees are encouraged to avoid discretionary **domestic** travel. If you will be traveling out of Wisconsin, we ask that you communicate your travel plans, including the airports through which you will be traveling and your return date, with your direct Supervisor and Department Head. This will help the City to prepare for and respond to issues that may arise.

Upon return from vacation, staff members are required to self-quarantine under the following two circumstances:

- 1) If you, or a member of your traveling party, have knowingly come in contact with someone contagious or if you otherwise have reason to believe someone in your party may have contracted COVID-19; and/or
- 2) If, consistent with direction from the Sheboygan County Division of Public Health, the State Division of Public Health, and the Centers for Disease Control (CDC), staff who have traveled to a state or country currently designated as having "community transmission" or "community spread." This means that transmission is occurring not only through individuals who have traveled, but is expected to be generally prevalent in the community. Please consult the following map to identify states with community transmission: <https://www.cdc.gov/coronavirus/2019-ncov/cases-in-us.html>. Scroll down to the map and hover your mouse over each state; those that indicate "Community Transmission: Yes" are subject to this rule. While this currently

includes only Washington State, California, and New York, be advised this map changes daily. A decision on self-quarantine should be made based on the status of each state when one returns from vacation and not when one leaves.

In this circumstance, self-quarantine means remaining away from work and other public places, typically in one's home, for 14 calendar days. Please see the [Sheboygan County Public Health Department's website](#) for links to information about other steps to take during a self-quarantine.

Depending on the spread of the Coronavirus in Sheboygan County and among our workforce, the city may be required to take a more aggressive posture with regard to keeping staff away from work. Please do not take offense if your Supervisor sends you home due to recent travel or because you are exhibiting symptoms; remember that self-quarantine is not a punishment but rather a selfless act intended to keep your co-workers, our community, including the elderly and at-risk individuals, from being infected.

Medical Care

In the event that staff or a family member is showing symptoms of the COVID-19 virus, including a fever, cough, or shortness of breath, staff should contact our In-Health Clinic (920-457-4210 or <https://www.healics.com>) or their primary care provider immediately for direction. Please call ahead before visiting a health care facility. Please see the CDC website for additional information – <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/index.html>


Sheboygan Memorial Medical Center (SMMC) will be establishing drive-up COVID-19 testing in the parking lot utilizing the flow chart criteria for testing. SMMC is establishing hotline for questions, increasing virtual visit capabilities, restricting all visitors with the exception of end of life and spouse/partner of maternity patients, and cancelling all well patient check-up appointments.

St. Nicholas Hospital is urging patients to contact their primary physician if they have questions or concerns about possible exposure or symptoms associated with the coronavirus.

The City will continue to coordinate with Sheboygan County's Public Health Office and UMR to provide you with updates.

Questions

If you have any questions or concerns, please contact the Human Resources Department at 920-459-3373.

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I. PURPOSE

The purpose of this policy is to prevent the spread of illnesses and diseases between City employees, and the public with whom employees interact.

II. POLICY

The City's primary goals when addressing contagious illness are to:

- Safeguard the community (residents, business, and visitors);
- Deter the spread of the contagious temporary illness within capabilities;
- Provide essential services to the community; and
- Safeguard City of Sheboygan employees

In this regard, the interest of the entire workforce and the public may outweigh the interest of the individual. Illnesses under this policy include influenza, measles, leprosy, H1N1, Severe Acute Respiratory Syndrome (SARS), tuberculosis, COVID-19, and any other identified pandemic illness.

III. CONTAGIOUS TEMPORARY ILLNESS

A. General Policy

The City's decisions regarding employees who have a contagious temporary illness will be based upon:

- Current and informed medical information concerning the illness,
- The risks of transmitting the illness to others,
- The symptoms and special circumstances of each employee who has a contagious temporary illness, and
- A careful weighing of the identified risk, and available alternatives for responding to an employee with a contagious temporary illness.

Cases of pandemics are subject to rapid change. The City needs to maintain flexibility to respond to rapidly changing information, and respond accordingly. Therefore, the matters addressed in this policy are subject to change during one pandemic, and for different pandemics.

B. Absenting Employees Showing Symptoms From Work

1. During a pandemic, the City encourages employees with symptoms of a contagious illness to stay away from work and remain at home. The City reserves the right to temporarily prohibit any employee who displays the symptoms of a contagious illness or disease and, in the City's determination, poses a direct threat to the workplace from working or from being at a City of Sheboygan workplace building, facility, job site, program, and/or function. Employees must immediately and fully comply with their supervisor's directions to leave such places when directed by their supervisor to do so. Upon the supervisor's decision to temporarily prohibit an employee from working because of their symptoms of a contagious illness, the supervisor shall notify their Department Head and the Human Resources Office. The supervisor's decision shall be final. Employees who have contagious illness symptoms shall not come into work until they are free of symptoms for at least 24 hours without the use of symptom-altering medications or such later time as the Centers for Disease Control (CDC) may promulgate, from time to time, for a particular contagious illness.
2. In the event that an employee is confirmed to have the contagious illness, the employee must immediately inform their supervisor. The supervisor must then confidentially notify their Department and Division Head and the Human Resources Office. The Human Resources Office should inform City co-workers of their possible exposure to such contagious illness in the workplace but will make efforts to maintain confidentiality as required by the Americans with Disabilities Act (ADA) and other applicable



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laws. City employees exposed to a co-worker who has a confirmed contagious illness should refer to CDC for guidance on [how to conduct a risk assessment](#) of their potential exposure.

3. For employees who themselves have not been diagnosed with contagious illness but who have a family or household member who has been so diagnosed, such employees must immediately notify their supervisor. The supervisor must then confidentially notify their Department Head and the Human Resources Office. Such employee should refer to CDC for [guidance on how to conduct a risk assessment](#) of their potential exposure.
4. Supervisors are encouraged to remind employees that the City provides paid discretionary PTO to cover absences because of contagious temporary illnesses. In addition, employees are reminded that the City sponsors annual seasonal influenza vaccinations during the fall. Employees are encouraged to contact the Human Resources Office regarding questions of the possible contagious nature of another employee's temporary illness.
5. An employee showing contagious illness symptoms who has exhausted their available discretionary PTO, and is unable to return to work, may use their vacation PTO and any other available accrued and unused paid time off benefits. If no paid-time-off benefits are available, then the employee must continue to stay home until the illness passes, as set forth elsewhere in this policy. In such instances, employees may be advanced up to ten (10) days of discretionary PTO. The employee must pay back this advancement in the various manners customary for paybacks for advanced time-off benefits.
6.
 - a. As of 17 March 2020, under the 2020 COVID-19 pandemic, the City will not require a medical slip from a health care professional for any illness on the condition that the employee timely and fully follows the provisions and directives of the CDC and City Policies.
 - b. Please refer to the City's Family and Medical Leave Act policy for further information regarding whether a particular contagious illness of the employee or immediate family member may be covered by the state or federal FMLA.
7.
 - a. By CDC definition, "Isolation" separates sick people with a contagious disease from people who are not sick. "Quarantine" separates and restricts the movement of people who were exposed to a contagious disease to see if they become sick.
 - b. In either case, employees who isolate or quarantine must not be at work and will be eligible to use their available accrued, unused paid time off benefits in the following order: discretionary PTO, vacation PTO, other available accrued and unused paid time off benefits, and if needed, may be advanced up to 10 days of discretionary PTO which must be paid back in the customary manner. As an alternative, such employee may be able to work from home per Section C, below.

C. Alternative Work Arrangements During Pandemic

1. Depending upon the extent and severity of a pandemic, the City may consider addressing employee attendance issues through alternative work arrangements, including flexible work schedules, working from home, and social distancing at work so that employees may care for themselves, and their family members with a contagious disease, and still perform their jobs. Such arrangements will be based upon work function, existing circumstances, and will be documented. Please see the City of Sheboygan policy regarding telecommuting.



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2. In the event that the City Administrator authorizes City building, facility, or other worksite closures or authorizes full-time and regular part-time employees to work from home, then the employee shall not receive a loss in regular or base pay if they are otherwise available to work. A telecommuting employee will be paid only for the work directed by their supervisor and actually performed, in accord with the non-exempt hour and exempt professional rules of the Fair Labor Standards Act (FLSA).
 - a. The wages for regular part-time employees with variable work schedules will be based upon the average hours worked in the preceding six months.
 - b. Temporary and seasonal employees are exempt from this provision.


D. Salaries and Benefits of Those Unable to Work During Pandemic

As of March 30, 2020, up to 80 hours of COVID-19 leave (prorated by % FTE) shall be made available to employees unable to perform their assigned duties, pursuant to the following provisions:

1. Employees who are unable to perform their assigned duties during the COVID-19 pandemic are eligible to use COVID-19 leave. This includes, but is not limited to, employees who are unable to perform their assigned duties due to the inability to work remotely (telecommute or telework).
2. In instances where employees are unable to perform their assigned duties due to the type of work they perform (meaning the work cannot be performed remotely) but are assigned other duties that CAN be performed remotely, they cannot refuse a reassignment of duties in order to take COVID-19 leave.
3. Employees may use COVID-19 leave prior to using any other accrued and unpaid leave categories.
4. COVID-19 leave use, including a determination that an employee is unable to perform their assigned duties, is subject to approval by the employee's Department Head, after consultation with the Human Resources Director and/or the City Administrator.
5. Use of COVID-19 Leave is only available to be claimed beginning at 8:00 a.m. on Wednesday, March 25, 2020, and shall remain in effect until the 8:00 a.m. on Friday, April 24, 2020. This policy may be extended by order of the City Administrator for as long as Emergency Order #12 ("Safer At Home Order") or a substantially similar Emergency Order signed by the Governor of Wisconsin remains in effect.
6. There is no entitlement to COVID-19 leave after the dates provided for in subsection III.D.5 above.
7. COVID-19 leave does not accrue and may not be rolled over or combined into other types of leave.

E. School Closures

The Centers for Disease Control and Prevention (CDC) may not advise school closures as a result of a pandemic illness outbreak; however, individual school districts may still make that decision to protect public health. Employees who cannot provide for daycare of their healthy children during a school closure and must stay home may use vacation PTO, floating holiday, compensatory time, or unpaid leave of absence for the day(s) away from work. As an alternative, such employee may be able to work from home, pursuant to Section C, above.

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F. Maintaining Employee Privacy

The City will comply with applicable statutes and regulations, and make every effort procedurally to protect the privacy of persons who have contagious illness or disease. At the same time, the City may have the duty to implement certain protective measures, e.g., warn other employees if they have been exposed to a co-worker diagnosed with a contagious illness, and notify local and state health officials of the same.

G. Travel

1. Work-Related Travel

Travel during a pandemic is another area that is subject to rapid change. Work-related travel outside the country, state, county and city may be restricted. A decision regarding travel restrictions will be made based upon the location, extent and severity of the pandemic balanced with the purpose of the intended travel. Travel essential to the operational needs of the City where no reasonable alternative is available will be given higher consideration.

Under the 2020 COVID-19 pandemic the following work-related travel restrictions will apply, as of 17 March 2020.

- a. Travel outside of the City of Sheboygan but within Sheboygan County is not restricted.
- b. Travel outside Sheboygan County but within the State of Wisconsin must be submitted for prior review for the department head to determine whether the planned travel should proceed on behalf of the City of Sheboygan. Previously approved travel must be re-submitted for evaluation by the employee's Department Head to determine whether the planned work-related travel may proceed.
- c. Travel outside the State of Wisconsin, including outside of the United States, is prohibited

2. Personal Travel

Under the 2020 COVID-19 pandemic the following work-related travel restrictions will apply, as of 17 March 2020.

- a. Employees are directed to communicate in advance their personal travel plans to their supervisor or to the Human Resources Office. It is strongly recommended that employees postpone or cancel personal travel outside of Wisconsin. Documented cases are growing rapidly both domestically and internationally. Employees may face a higher risk of infection, significant delays returning to Wisconsin, and/or the requirement to self-isolate upon return, all of which could significantly impact professional and personal obligations at great individual expense.
- b. Employees travelling internationally will not be allowed to return to work to their City of Sheboygan workplace for not less than fourteen (14) calendar days after their return. This travel restriction will remain in place until further notice as the City Administrator continues to monitor the efficacy of this measure.
- c. Employees travelling domestically out of the state of Wisconsin must follow CDC guidelines for travel within the United States and refer to the CDC for guidance on how to conduct a risk



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assessment of their potential exposure. Such employees should review CDC travel updates daily for information on communities with sustained community transmission.

- d. The sole exception to these provisions is commuting between Illinois and work for the City by those City employees who legally reside in Illinois. Such employees should refer to the CDC for [guidance on how to conduct a risk assessment](#) of their potential exposure.
3. In the event that the Mayor issues a state of emergency for the City of Sheboygan, then employees may expect that their personal vacations and discretionary time off may be cancelled. The City has always reserved such management right to do so.

IV. ADDENDUM FOR 2020 CORONAVIRUS AND CONTAGIOUS TEMPORARY ILLNESS

A. Introduction

1. This Addendum is designed to make the City of Sheboygan compliant with the “Families First Coronavirus Response Act (FFCRA)” that was approved by the U.S. Congress and signed by the President on March 18, 2020.
2. The Act takes effect on April 1, 2020, and most provisions expire on December 31, 2020.
3. Eligible employees with a qualifying need related to a public health emergency, as described by the FFCRA, may be eligible for the leaves described in the Addendum. Eligible employees must provide the City with notice of their need for leave under this Policy as soon as reasonably practicable. Notice should be provided either orally, telephonically, or in writing, including an e-mail to the Human Resources Director. Requests for leave should not be conveyed via voicemail unless circumstances prevent other forms of communication. The failure to provide notice of your need for leave may result in an unauthorized absence from work.

B. Emergency Responders

Employees who are classified as emergency responders are not eligible for leave or the benefits available under this policy, or the FFCRA pursuant to Section 3105 of the FFCRA. The City has classified the following positions as emergency responders for purposes of this policy:

- City Administrator
- Assistant City Attorney
- Legal Assistant
- Chief of Police
- All Police Department personnel except Crossing Guards
- Fire Chief
- All sworn Fire and EMS personnel
- Director of Public Works
- City Engineer
- All Public Works field employees and supervisors in the Operations, Parks, and Wastewater Divisions
- All field employees and supervisors at the Water Utility

The nature of the work performed by these employees, the possible need for additional staffing, and the exigent and dire circumstances that may exist when these employees are needed most to respond to an emergency



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during a pandemic necessitates their availability as emergency responders. The City Administrator may amend this list of emergency responders at any time.

C. Emergency Paid Sick Leave

1. Pursuant to the Families First Coronavirus Response Act (“FFCRA”), on March 18, 2020, President Trump signed into law the Emergency Paid Sick (“EPSLA”). Emergency Paid Sick Leave under the FFCRA is in addition to discretionary PTO provided by the City of Sheboygan by policy or collective bargaining agreement. The Act will take effect on April 1, 2020, with a sunset date of December 31, 2020.
2. An employee is eligible for Emergency Paid Sick Leave if the employee is unable to work (or telework) because of a COVID 19 related reason AND the employee:
 - a. Is subject to federal, state, or local quarantine or isolation,
 - b. Is told by a health care provider to self-quarantine,
 - c. Is having symptoms and seeking a medical diagnosis,
 - d. Is having to care for an individual subject to a federal, state, or local quarantine or isolation,
 - e. Is having to care for a child if the child’s school, place of care, or child care provider is closed because of the public health emergency, or
 - f. Is experiencing a substantially similar condition as specified by the Department of Health and Human Services.
3. Full-time employees are eligible to take up to 80 hours of Emergency Paid Sick Leave and part-time employees are eligible to take Emergency Paid Sick Leave based upon the average number of hours they work in a two-week period.
 - a. If the COVID-19 related leave taken by the employee is for their own care, then the employee will be paid at their regular rate of pay.
 - b. If the leave taken by the employee is for the care of a family member, then the employee will be paid at two-thirds of their regular rate of pay.
 - c. In this instance, the employee may use their accrued unused and available paid time off benefits to receive the remaining one-third of their regular rate of pay.
 - d. Certain daily and aggregate total wage caps in pay based upon the reason for the Emergency Paid Sick Leave are provided for in the law. The City of Sheboygan will comply with these maximum payment caps.
 - e. Emergency Paid Sick Leave may be taken by employees regardless to the length of their City of Sheboygan employment.
 - f. Emergency Paid Sick Leave may not be carried over from this year to the next. This pay and federal law terminate on December 31, 2020.

D. Emergency Family and Medical Leave Expansion

1. Pursuant to the Families First Coronavirus Response Act (“FFCRA”), on March 18, 2020, President Trump signed into law the Emergency Family and Medical Leave Expansion Act (“EFMLEA”). The EFMLEA provides job protected leave for employees who need to care for their son or daughter because their school or daycare is closed due to COVID-19. The Act will take effect on April 1, 2020, with a sunset date of December 31, 2020.
2. The EFMLEA allows employees up to 12-weeks of job protected leave if an employee is unable to work or telework because the employee is needed to care for the employee’s dependent son or daughter (who is



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under the age of 18) because the child’s school, or childcare facility has been closed, or the childcare provider is unavailable due to the COVID-19 pandemic.

3. The EMFLEA is available for regular full-time and part-time employees who have worked for the City for at least 30 calendar days prior to taking the leave. Emergency responders as defined in Section IV.B. above are exempt from and, therefore, not eligible and not included with those City employees provided EMFLEA.
4. If two spouses are employed by the City and are eligible for leave under the EMFLEA, they are each entitled to a separate 12-week period of EMFLEA leave to care for their child whose school or childcare facility is closed as the result of COVID-19. In order to be eligible for leave under the EMFLEA, the employee must be ***needed*** to care for a child due to school or daycare closing. If and when necessary, the Human Resources Director will decide who is “needed” for purposes of EMFLEA and will do so based upon the particular facts and circumstances of each situation on a case-by-case basis.
5. Pay During Leave: The EFMLEA provides for paid time away from work for up to 12 weeks.
 - a. The first two weeks (10 work days) of EFMLEA leave is unpaid under the federal law; however, employees may, but are not required, to substitute accrued, unused, paid time off benefits during the initial 10-day portion of EMFLEA. This includes the 80 hours of emergency paid leave provided by the EPSLA (Section 26.03A above). Paid leave provided by the EPSLA can run concurrently with leave provided by the EMFLEA.
 - b. Thereafter, for weeks 3 – 12 of EMFLEA, job-protected leave is paid at 2/3 of the employee’s regular rate of pay. Payments are capped at \$200 per day (\$10,000 for the total leave period) for regular full-time employees and are pro-rated at the same amount for regular part-time employees. Employees may, but are not required, to substitute accrued paid time off during the last 10 weeks of EMFLEA.
 - c. For full time employees, the paid leave opportunity will be based on the regular rate of pay of the employee for the hours the employee would normally work for a forty hour work week. Part-time employees pay eligibility will be based on their regular hours worked per week – or if variable – the average hours worked in the preceding six months.
6. EMFLEA time off runs concurrently with traditional regular federal and state FMLA. The total EMFLEA and FMLA that an employee may take in 2020 is still twelve (12) weeks.
7. All of the rules, regulations, policies, and requirements for traditional state and federal FMLA remain in full force and effect for 2020, except as otherwise specifically provided in the EMFLEA.
8. Intermittent Leave: Under some circumstances, employees may take EMFLEA on an intermittent basis, subject to staffing levels and Department Head approval.
9. Traditional Family Medical Leave Act Benefits: An employee may be eligible for traditional federal and state FMLA leave if they have a COVID-19 diagnosis and they meet the requirements of the FMLA. An employee who is not ill but merely quarantined because of coming into contact with COVID-19 would not be eligible for EFMLEA or traditional FMLA. Please refer to the City of Sheboygan FMLA policy for information pertaining to the provisions of the FMLA. It is important to note that while an employee is entitled to 12 weeks of leave under the EFMLEA, the length of the EFMLEA leave is reduced by any FMLA Leave previously taken by the employee during the same year. EFMLEA is not a separate or additional 12-week leave entitlement. In other words, the Emergency Leave for childcare purposes is automatically



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reduced by the amount of EFMLEA and FMLA leave an employee has already taken for all purposes in the current calendar year, without regard to the reason for the previous leave.

10. **Benefits During Leave:** Benefits during leave will be applied as benefits under the FMLA.
11. **Employee Status after Leave:** The FMLA's job protected leave requirements and anti-retaliation provisions also apply to EFMLEA scenarios.
12. **Procedure for Requesting Leave and Certification:** Employees shall complete the FFCRA form that will be used specifically for the purposes under the FFCRA. Forms can be requested by contacting the Human Resources Office or printing the form from the City's intranet. In compliance with the recommended social distancing, please do not physically go to the Human Resources Office. You may email your completed request form to the Human Resources Director.
13. Understanding that schools and day cares are closed, and health care providers are overwhelmed at this time, the required doctor's certification is not necessary and will be waived through December 31, 2020, unless there is cause to believe the employee has falsified the request.
14. **Enforcement:** Nothing in this provision shall be construed to in any way to diminish the rights or benefits that an employee is entitled to under any law, collective bargaining agreement, or existing City of Sheboygan policy. An employee is encouraged to consult with the Human Resources Office regarding any questions or concern.
15. For employees who are classified as emergency responders and exempted from the EFMLEA and EPSLA provisions of the FFCRA and who are eligible for paid discretionary PTO under the City's current personnel policies or collective bargaining agreements, the City will provide up to 80 hours of additional paid leave to be used during the first fourteen calendar days by those emergency responders who are unable to work (or telework) due to the following reasons:
 - a. The employee tests positive for COVID-19
 - b. The employee has been directed by a Department of Health or a designee of a Department of Health to self-quarantine due to exposure to COVID-19

The City may follow up with an employee requesting such leave to obtain additional information and to advise the employee of other benefits available including FMLA benefits to run concurrently where permitted. The employee may also use his or her own paid leave. Emergency responders may request this leave either orally or in writing, including email to the Human Resources Director. This Emergency Responder Discretionary PTO expires on June 15, 2020. This paragraph regarding this added leave benefit does not apply to employees covered by a collective bargaining agreement unless agreed to by the collective bargaining representative and City.