

NOTE: Providing this employee notice does not replace the requirement to post the [DOL notice](#).

**Families First Coronavirus Response Act:
Employee Paid Sick and Family Leave**

Under the Families First Coronavirus Response Act (FFCRA), employees may be entitled to paid sick and/or family leave for specified reasons related to COVID-19. This leave entitlement and the below related provisions will apply to leaves taken from April 1, 2020 through December 31, 2020.

Paid leave under the FFCRA is to be used only for those reasons specified by law. Abuse of the paid leave will not be tolerated.

Paid Sick Leave

Eligibility – The Company [DLW(x1)] provides paid sick leave to all employees *who are unable to work or telework* for *any combination* of the reasons related to COVID-19 specified below.

Authorized Use for Paid Sick Leave – The following are the authorized purposes for paid sick leave:

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 related to COVID-19.
3. The employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis.
4. The employee is caring for an individual subject to a federal, state or local quarantine or isolation order related to COVID-19 or who has been advised by a health care provider to self-quarantine related to COVID-19.
5. The employee is caring for his/her child whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19.
 - A child includes a biological, adopted, foster, or step- son or daughter, legal ward, or child for whom you are standing in loco parentis who is under 18 years of age and an adult son or daughter who has a mental or physical disability and is incapable of self-care because of that disability.
6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

Duration of Leave – A full-time employee is eligible for up to 80 hours of paid sick leave. A part-time employee is eligible for the number of hours of leave that the employee works during an average two-week period. This leave entitlement is in addition to any other accrued vacation, personal, medical or sick leave or paid time off to which the employee is eligible and entitled (subject to existing policies). This leave entitlement is also in addition to any leave you may have taken under the FMLA.

Availability of Intermittent Leave

- Teleworking Employees: With advanced approval from the Company, teleworking employees taking paid sick leave for an authorized reason may be permitted to take their leave intermittently. For example, a teleworking employee who is unable to work a portion of their normal work schedule due to COVID-19-related care responsibilities may be permitted to take intermittent sick leave.
- Employees Working From Their Usual Worksite:
 - Employees who are working at their usual worksites (as opposed to teleworking) must take paid sick leave in full-day increments. With advanced approval from the Company, if such employees are taking paid sick leave to care for their child whose school or place of care is closed (or child care provider unavailable), they may be permitted to take their leave intermittently.
 - Once an employee who is working from their normal worksite begins taking paid sick leave for any reason other than to care for their child whose school or place of care is closed (or child care provider unavailable), they must continue to take paid sick leave until they have either: (1) used the full amount of paid sick leave; or (2) no longer have a qualifying reason for taking paid sick leave.

Pay Received During Sick Leave

- For leave reasons (1)-(3) above, the employee will receive their regular rate of pay^[DLW(x2)] up to \$511 per day and \$5,110 in the aggregate (over a 2-week period).
- For leave reasons (4)-(6) above, the employee will receive pay at 2/3 their regular rate of pay^[DLW(x3)] up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).
- For leave reason (5) above, the employee may be entitled to additional paid family leave as described below.

Paid Family Leave

Eligibility –The Company provides up to 12 workweeks of paid family leave (based on the number of hours the employee would normally be scheduled to work in a week, including overtime hours) to employees who have been employed for at least 30 days prior to the date the leave commences for the reasons related to COVID-19 specified below. The 12 workweeks of paid family leave is *reduced* by any FMLA taken during the current FMLA year. Accordingly, if you have taken some, but not all, of the 12 weeks of leave available under FMLA during the current FMLA leave year, you may take the remaining portion of leave available. If you have already taken 12 workweeks of FMLA during the current FMLA year, you may *not* take paid family leave. The 12 weeks of paid family leave is *in addition* to any other accrued vacation, personal, or sick leave or paid time off to which the employee is eligible and entitled under existing policies.

Authorized Use for Paid Family Leave – Eligible employees may take paid family leave if they are ***unable to work or telework*** due to a bona fide need for leave to care for their child (as defined above) whose school or childcare facility is closed due to COVID-19 or whose childcare provider is unavailable due to COVID-19. A childcare provider is defined as an individual who receives compensation for providing child care services on a regular basis.

Availability of Intermittent Leave - With advanced approval from the Company, employees taking paid family leave for an authorized reason may be permitted to take their leave intermittently. For example, an employee who is unable to work a portion of their normal work schedule due to COVID-19-related childcare responsibilities may be permitted to take intermittent family leave.

Pay Received During Family Leave

- During the first ten (10) days of the leave, employees will not receive pay unless:
 - The employee is eligible for and has not exhausted the paid sick leave described above; or
 - The employee chooses to use other accrued, unused paid time off to which he/she is eligible and entitled (subject to existing policies).
- From day eleven (11) through week twelve (12) of the leave, employees will receive pay at 2/3 their regular rate of pay [DLW(x4)] for their regular hours worked up to \$200/day and \$10,000 in the aggregate.

Policies and Procedures Applicable to Both Paid Sick and Paid Family Leave

Simultaneous Leaves – An employee who is taking paid sick and/or family leave will not be required to and, without the Company’s permission, will not be able to take other unused, accrued leave (e.g., vacation or PTO) to supplement the amount of pay received under the FFCRA. [DLW(x5)]

Benefits Received During Leave – An employee who has elected group health coverage (including family coverage) is entitled to continue the coverage during their paid sick and/or family leave on the same terms as if they continued to work. The employee generally must continue to make any normal contributions to the cost of his/her health coverage.

Employee Notice Requirements - Where the need for paid sick and/or family leave is foreseeable, an employee must provide advanced notice of the leave to the Company’s Human Resources Department as is practicable. Where the need for paid sick and/or family leave is not foreseeable, the employee must notify the Company’s Human Resources Department as soon as practicable after the need for the leave arises.

All employees requesting paid sick and/or family leave pursuant to the FFCRA will be required to complete an election form and return it, along with documentation supporting the need for the leave (e.g., a copy of the applicable quarantine order, a doctor’s note, or notice of the school/childcare facility closure posted by the government, school, or daycare website), to Human Resources.

After the first workday of paid sick and/or family leave, employees taking such leave are required to follow the Company’s reasonable notice procedures in order to continue receiving paid leave. Failure to follow required notice procedures may result in disciplinary action.

Job Restoration – Following paid sick and/or family leave, the Company will generally restore [DLW(x6)] the employee to the same or a similar position held prior to the leave. This general right to restoration does not apply to employment actions that would have affected the employee regardless of whether he/she took the leave. This general right to restoration also does not apply to “key” employees, as defined under the FMLA.

No Retaliation - The Company will not discharge, discipline, or otherwise discriminate or retaliate against any employee who takes paid sick and/or family leave under the foregoing provisions or files a complaint or institutes a proceeding under or related to the FFCRA.