

SECTION 10. ATTENDANCE AND LEAVE

10-8. SICK LEAVE – COVID-19 ADDENDUM

- A) Risk Prevention. Employee risk of exposure to respiratory viruses like coronavirus may increase in crowded settings, particularly closed-in settings with little air circulation. This may include settings such as conferences, public events (like concerts and sporting events), religious gatherings, public spaces (like movie theatres and shopping malls), and public transportation (like buses, metro, trains).
- 1) If an employee has close contact with someone with COVID-19 during travel, the Tribe may ask the employee to stay home to self-monitor and avoid contact with others for 2 up to 14 days after travel. If an employee becomes ill or exhibits symptoms of COVID-19, the employee understands they may be unable to go to work or school until they have been determined noninfectious. Employees will be asked to avoid contact with others (including being in public places) during this period of infectiousness.
- B) Attendance And Punctuality Requirements. It is the policy of the Tribe to require employees to report for work punctually and to work all scheduled hours and any required overtime. This policy has been modified to meet the needs of the tribe while ensuring the maximum protection of health and safety of our Employees. The following is an adjusted policy should the tribe be directly impacted by the COVID-19:
- 1) Supervisors will notify employees of any adjusted schedules to ensure minimal exposure to employees however ensuring essential functions of the business/organization continue. Supervisors will record all absences, tardiness or early departures.
 - 2) Employees must notify their Supervisor, of possible exposure or if symptoms appear that would constitute a precautionary measure for employee to stay home to ensure illness is contained.
 - 3) Employees are required to notify their supervisor of their status by directly contacting the supervisor by cell phone or contact number.
 - 4) Leave Usage: Employees are to be compensated during authorized absences in accordance with leave provisions.
 - 5) Determination of alternative compensation: Tribe's who have determined Administrative pay may require employees to complete duties at home (See Section 16. Telecommuting Policy).
 - 6) Supervisors will maintain contact with employees as to the current situation with the Tribe.

10-19. FAMILY AND MEDICAL LEAVE – COVID-19

An employee is eligible for Coronavirus-FMLA leave if the employee has been employed for at least 30 calendar days by Tribe from which the employee is requesting leave.

- A) Eligibility. Eligible employees may take up to 12 weeks of coronavirus-FMLA leave for these reasons:
- 1) Employee:
 - i) the employee's physical presence at the job would jeopardize the health of others because the employee has been exposed to or has symptoms of coronavirus;
 - ii) the employee is unable to perform the function of the employee's position and to comply with recommendations by the CDC
 - 2) Family Member:
 - i) to care for a family member who cannot be in public because a public official or health care provider has determined that the family member's presence in public would jeopardize the health of others because the family member has been exposed to or has symptoms of coronavirus;
 - ii) to care for a son or daughter under 18 years of age if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to the current public health emergency.
- B) Provisions of Leave.
- 1) Leave cannot be used intermittently;
 - 2) If employee foresees the need for leave, the employee shall provide the employer with such notice as practicable;
 - 3) Leave may run concurrent to traditional FMLA leave and is not in addition to the 12 weeks provided under Traditional FMLA.

10-20. EMERGENCY PAID SICK LEAVE

Emergency Paid Sick Leave provides paid sick time in addition to current sick leave balances earned by all regular part-time and full-time employees. This shall be in effect during the period of Covid-19 Pandemic period.

A) Use of Emergency Paid Sick Leave. Eligible employees shall:

- 1) Self-Isolate if diagnosed with coronavirus;
- 2) Obtain a medical diagnosis or care if the employee is experiencing the symptoms of coronavirus;
- 3) Comply with a recommendation or order by a public official having jurisdiction or a health care provider on the basis that the employee's physical presence at the job would jeopardize the health of others because the employee has been exposed to or has symptoms of coronavirus;
- 4) Care or assistance for a family member of the employee
 - i) Who is self-isolating because such family member has been diagnosed with coronavirus or is experiencing symptoms of coronavirus and needs to obtain medical diagnosis, or
 - ii) Because a public official or health care provider has determined that the family member's presence in public would jeopardize the health of others because of the family member's exposure to coronavirus or having symptoms of coronavirus
- 5) To care for a child of such employee if the school or place of care has been closed, or the child care provider of such child is unavailable, due to the coronavirus.

B) Calculation of Leave.

- 1) Full-time employees are entitled to 80 hours;
- 2) Part-time employees are entitled to the average number of hours worked over a 2-week period;
- 3) Employees compensation for leave will be at their regular rate of pay.

C) Other Considerations:

- 1) Employees may, but are not required, to use ESL before using any other paid leave benefits provided by employer;
- 2) ESL will not carry over from year to year and is not paid out upon separation of an employee from employment for any reason.