

## **COVID-19 EMERGENCY LEAVE BENEFIT POLICIES**

This policy will become effective on April 1, 2020 and **remain in effect until December 31, 2020 only**. Covered employees are eligible for leave under this Policy in the event that they are unable to work, or telework, due a qualifying reason as set forth below.

The United States Department of Labor (DOL) is currently working to provide additional guidance under the Families First Coronavirus Act. In the event modifications or amendments are needed due to this guidance or other changes, employees will be notified as soon as practicable.

### **EMERGENCY FAMILY AND MEDICAL LEAVE BENEFITS.**

Under the Emergency Family and Medical Leave Expansion Act within the Families First Coronavirus Act, eligible employees are entitled to take Emergency FMLA Leave as set forth below.

#### **Eligibility for Emergency FMLA Leave**

Any employee that National Network to End Domestic Violence (“NNEDV” or the “Organization”) has employed for at least 30 days is immediately eligible for Emergency FMLA Leave under this policy. As a reminder, NNEDV employees are not eligible for federal FMLA leave, as the Organization does not currently meet the requirements necessary to provide this leave, however, employees may be eligible for additional leave under applicable state law and our current leave benefits also remain in effect.

#### **Amount of Emergency FMLA Leave**

An employee may not take more than 12 weeks of Emergency FMLA leave.

For an employee who regularly works fewer than forty hours per week, his or her Emergency FMLA Leave entitlement will be prorated to a maximum number of days each week based on his or her regular employment schedule.

Employees may be entitled to take intermittent Emergency FMLA leave pending approval from NNEDV, which will be granted in NNEDV’s sole discretion. If an employee believes he or she needs intermittent leave, the employee should contact his or immediate supervisor with the request, who will then advise the Human Resources (“HR”) Director, or in the absence of the HR Director, the CEO and President and E-Team.

#### **Reason for Emergency FMLA Leave**

An employee may take Emergency FMLA Leave under this policy due to a public health emergency regarding COVID-19 declared by a federal, state or local authority where the employee is unable to work (including an inability to telecommute) because:

1. of a need to care for his or her son or daughter under 18 years of age if the son or daughter's school or place of care has closed, or
2. the employee's child-care provider for his or her son or daughter is unavailable.

### **Notice of Emergency FMLA Leave**

If the need for leave is foreseeable – that is, the employee is able to predict or know in advance that the employee will need to use leave – the employee is required to provide notice to his or her immediate supervisor as soon as practicable. The immediate supervisor will then advise the Human Resources (“HR”) Director, or in the absence of the HR Director, the CEO and President and E-Team.

### **Required Documentation**

If an employee is taking Emergency FMLA leave for a qualified reason, the employee must provide to NNEDV documentation in support of the Emergency FMLA taken to care for a child whose school or place of care is closed, or child care provider is unavailable, due to a public health emergency. A public health emergency is defined as, an emergency with respect to COVID-19 declared by a Federal, State, or local authority. For example, this requirement may be satisfied with a notice of closure or unavailability from an employee's child's school, place of care, or child care provider, including a notice that may have been posted on a government, school, or day care website, published in a newspaper, or emailed to an employee from an employee or official of the school, place of care, or child care provider.

### **Payment of Emergency FMLA Leave Benefits**

The first 10 days of Emergency FMLA Leave will be unpaid. Thereafter, NNEDV will pay an employee two-thirds of his or her regular rate of pay up to a maximum of \$200 per day and up to a maximum of \$10,000 in the aggregate while this policy is in effect.

### **Substitution and Coordination With Other Leaves**

Emergency FMLA Leave will run concurrently with any Emergency Paid Sick Leave (see policy below) or other emergency-related leave for which the employee also qualifies as permitted by applicable law.

An employee may elect, but is not required, to utilize accrued annual or sick leave, concurrently with all or part of his or her Emergency FMLA Leave, whether paid or unpaid. All payments of Emergency FMLA Leave and other accrued paid leave will be integrated so that the employee will receive no more than 100% of his or her regular compensation during the period of Emergency FMLA Leave.

### **Job Restoration**

Except for key employees in certain permissible situations or whereas otherwise permitted by law, upon return from Emergency FMLA Leave, an employee will be reinstated to his or her position

or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment that is available, and for which he or she is qualified to perform.

### **EMERGENCY PAID SICK LEAVE BENEFITS.**

Under the Emergency Paid Sick Leave Act within the Families First Coronavirus Act, eligible employees are entitled to take Emergency Paid Sick Leave as set forth below.

This policy supplements NNEDV's existing Sick Leave Policy, and will become effective on April 1, 2020 and remain in effect until December 31, 2020.

### **Eligibility for Emergency Paid Sick Leave**

All employees are immediately eligible for Emergency Paid Sick Leave under this policy.

### **Amount of Emergency Paid Sick Leave**

A full-time employee may take up to 80 hours of Emergency Paid Sick Leave. Part-time employee are entitled to take a pro-rated amount of Emergency Paid Sick Leave, equal to the number of hours that such employee works, on average, over a 2-week period.

Employees may be entitled to take intermittent Emergency Paid Sick Leave pending approval from NNEDV, which will be granted in NNEDV's sole discretion. If an employee believes he or she needs intermittent leave, the employee should contact his or immediate supervisor with the request, who will then advise the Human Resources ("HR") Director, or in the absence of the HR Director, the CEO and President and E-Team.

### **Reason for Emergency Paid Sick Leave**

An employee may use Emergency Paid Sick Leave under this policy where they cannot work (including an inability to telecommute), because:

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 due to COVID-19-related concerns;
3. The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis;
4. The employee is caring for someone who is subject to a quarantine or isolation order related to COVID-19 or who has been advised by a health care provider to self-quarantine due to COVID-19 related concerns;
5. The employee is caring for a son or daughter if the son or daughter's school or place of care is closed or the employee's child-care provider for his or her son or daughter is unavailable because of COVID-19 precautions; or
6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of Treasury and the Secretary of Labor.

## **Notice of Emergency Paid Sick Leave**

If the need for Emergency Paid Sick Leave is foreseeable – that is, the employee is able to predict or know in advance that the employee will need to use leave – the employee is required to provide notice to his or her immediate supervisor as soon as practicable. The immediate supervisor will then advise the Human Resources Director, or in the absence of the HR Director, the CEO and President and E-Team.

## **Required Documentation**

If an employee is taking Emergency Paid Sick Leave for a qualified reason, he or she must provide NNEDV with documentation in support of the reasons for the paid sick leave. These documents may include a copy of the Federal, State or local quarantine or isolation order related to COVID-19 or written documentation by a health care provider advising the employee to self-quarantine due to concerns related to COVID-19.

## **Payment of Emergency Paid Sick Leave Benefits**

NNEDV will pay an employee taking Emergency Paid Sick Leave based on reasons (1) to (3) above his or her regular rate of pay up to a maximum of \$511 per day and up to a maximum of \$5,110 in the aggregate while this policy is in effect.

NNEDV will pay an employee taking Emergency Paid Sick Leave based on reasons (4) to (6) above two-thirds of his or her regular rate of pay up to a maximum of \$200 per day and up to a maximum of \$2,000 in the aggregate while this policy is in effect.

In no case will an employee receive payment that is less than the applicable minimum wage.

## **Substitution and Coordination With Other Leaves**

Emergency Paid Sick Leave will run concurrently with any Emergency FMLA Leave (see policy above) or other emergency-related leave for which the employee also qualifies as permitted by applicable law.

NNEDV provides Emergency Paid Sick Leave under this policy in addition to the time it provides under its Annual and Sick Leave Policies. An employee is permitted to use Emergency Paid Sick Leave before using any other accrued Annual or Sick Leave time. Notwithstanding the foregoing, an employee may elect, but is not required, to utilize accrued Annual or Sick Leave time concurrently with all or part of his or her Emergency Paid Sick Leave to receive 100% wages during the Emergency Paid Sick Leave period.

All payments of Emergency Paid Sick Leave and other accrued paid leave will be integrated so that the employee will receive no more than 100% of his or her regular compensation during the period of Emergency Paid Sick Leave.

### **Carryover and Forfeiture**

Emergency Paid Sick Leave may not be carried over to the following year, and any accrued but unused Emergency Paid Sick Leave will be forfeited and not paid out at termination and at the expiration of this policy.

NNEDV reserves the right to modify or amend this Policy in accordance with additional guidance provided by the United States Department of Labor. In the event modifications or amendments are made to the Policy, employees will be notified as soon as practicable.

Please acknowledge receipt of this addendum to the Personnel Policies.

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Signature and Date