



## **Emergency Modification to the Family and Medical Leave Policy**

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### **TOWN OF EAST BRIDGEWATER**

#### **Pursuant to the Enactment of the Federal Families First Corona Virus Response Act**

##### **I. Introduction**

The Town of East Bridgewater ("Town") is adopting this emergency modification to its Family and Medical Leave policy in response to the new federal legislation known as the Families First Corona Virus Response Act ("FFCRA") and the Emergency Family and Medical Leave Expansion ("EFMLE") contained therein. Congress passed FFCRA in the wake of the unprecedented public health emergency related to the novel coronavirus and its related disease, COVID-19. This temporary emergency policy is intended to bring the Town onto compliance with the requirements of the FFCRA's EFMLE.

##### **II. Duration**

The EFMLE is effective as of April 1, 2020. This policy shall remain in effect so long as the EFMLE is in effect, currently scheduled to expire on December 31, 2020. Upon the expiration of EFMLE, this policy too shall be deemed terminated and shall not create a past practice or precedent.

##### **III. Eligibility**

**Emergency responders and/or essential public health and safety personnel, as listed Attachment A, are not eligible for EFMLE leave.**

Employees who have been employed by the Town for at least thirty (30) calendar days are eligible to take leave under the EFMLE, except for those who are listed in Attachment A.

##### **IV. MODIFIED EMERGENCY FMLA EXPANSION LEAVE POLICY**

An eligible employee may take up to twelve (12) weeks of EFMLE leave if the employee is unable to work (including telework) in order to care for their child under the age of eighteen (18) as a result of the closure of their school or place of care for reasons related to the COVID-19 public health emergency.



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The initial ten (10) days, with a maximum of eighty (80) hours total, of EFMLE leave are unpaid, but an employee may elect to use any accrued paid time off, including ordinary sick, vacation or personal time. Employees may be eligible to take FFCRA's emergency paid sick leave for the initial ten (10) days of EFMLE leave. Employees who wish to use FFCRA's emergency paid sick leave for the first ten (10) days of the EFMLE leave should review the Town's FFCRA Sick Leave Policy and consult with Human Resources/Town Administrator in order to determine their eligibility.

After the initial 10-day period of EFMLE, an employee is entitled to receive two-thirds (2/3) of their regular rate of pay for the number of hours he or she would be regularly scheduled to work, up to a maximum of \$200 per day and \$10,000 in total.

In the case of an employee whose schedule varies from week to week to such an extent that the Town is unable to determine with certainty the number of hours the employee would have worked if the employee had not taken leave, the Town shall calculate their regular rate of pay based on the average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes such leave, including hours for which the employee took leave of any type.

Employees taking EFMLE leave must provide the Town with as much notice as is practicable. Employees on EFMLE leave are expected provide the Town updates as to their status and intent to return to work, as requested by the Town.