TEMPORARY University Policy 20.T2: COVID-19 Paid Leave

Covered Individuals: All Employees

Responsible Executive: Vice President for Business and Finance

Policy Custodian: Office of Human Resources, Executive Director of Human Resources

Last Revised: April 15, 2020

Previous USU Policy Number: Temporary Policy

PURPOSE AND SCOPE

In response to COVID-19 pandemic and state and local declarations of a public health emergency, the University has activated its Infectious Disease Plan. To reduce the spread of an infectious disease, USU’s Infectious Disease plan requires various mitigation strategies, including requiring employees who are ill to stay home and increasing social distancing by facilitating remote work options. These mitigation strategies are consistent with guidance from the Center for Disease Control (the “CDC”) and with the state of Utah’s Stay Home, Stay Safe directive and the Utah Leads Together plan. In more severe circumstances, USU’s Infectious Disease Plan contemplates a campus closure wherein only on-site essential services are performed and all other services are performed remotely or not at all.

This temporary policy ensures that during this period of unexpected and extraordinary circumstance supervisors and employees are able to implement social distancing and stay home requirements by providing emergency paid leave for COVID-19 related reasons. This temporary policy implements the Families First Coronavirus Response Act (“FFCRA”) and covers the leave referred to as “FFCRA Leave” in other guidance documents.

POLICY

At various times during the COVID-19 public health emergency, employees may be directed not to report to the workplace due to a quarantine or isolation order. Employees may also be unable to report to work due to bona fide needs to care for an individual in isolation or to care for children due to school and/or child care closures. In addition, employees who are experiencing COVID-19 symptoms are directed to stay home and not report to their worksite. These COVID-19 related situations mean that the employee is unable to work or telework and therefore, are appropriate reasons for approval of COVID-19 Paid Leave, which will be covered through Emergency Paid Sick Leave and/or Emergency Family and Medical Leave, effective April 1, 2020 to December 31, 2020. A summary chart of approved COVID-19 related reasons and how COVID-19 Paid Leave will be handled is appended to this temporary policy. COVID-19 Paid Leave is additive to and not a replacement of accrued annual leave or sick leave (referred to as USU Leave).

Under this temporary policy, COVID-19 Paid Leave is available to all current employees regardless of the funding source for their position. Departments are responsible for the costs associated with wage and salary payments associated with COVID-19 Paid Leave and accrued USU Leave and for charging such costs to the appropriate funding source. COVID-19 Paid Leave does not accrue and cannot be carried over or used after December 31, 2020. Supervisors cannot require employees to use USU Leave prior to taking COVID-19 Paid Leave.

The two forms of COVID-19 Paid Leave (Emergency Paid Sick Leave and Emergency Family and Medical Leave) may be taken intermittently in any increment. Emergency Paid Sick Leave may be combined with Emergency Family Medical Leave (in qualifying situations) for a total of 12 weeks.

Also, when telework and COVID-19 Paid Leave are combined, the employee must coordinate with their supervisor. For example, if an employee teleworks Monday, Wednesday and Friday but uses Emergency Family
Medical Leave to take off Tuesday and Thursday, this schedule must be coordinated with and approved by their supervisor.

Emergency Paid Sick Leave is capped at 80 hours regardless of the COVID-19 related reason. If an employee needs Emergency Paid Sick Leave beyond 80 hours, the employee’s supervisor should contact Human Resources to discuss an expansion of the 80-hour cap. Exceptions to the 80-hour cap may be granted by Human Resources, in consultation with the dean or vice president of the unit, on a case-by-case basis.

Benefitted employees will continue to accrue annual and sick leave and will continue to be covered by USU health insurance while away from work on COVID-19 Paid Leave. Health insurance premiums will continue to be deducted while an employee is on COVID-19 Paid Leave.

This temporary policy will expire on December 31, 2020.
<table>
<thead>
<tr>
<th>REASON</th>
<th>DETAILS/CONDITIONS</th>
<th>DURATION</th>
<th>PAY ENTITLEMENT</th>
<th>PROCESS FOR SUBMITTING LEAVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ordered Quarantine or Self-Isolation</td>
<td>Pursuant to • federal, state, or local government order or • University directive or • advice of a health care provider</td>
<td>Up to Two Weeks Emergency Paid Sick Leave • <strong>Benefitted Employees</strong>-- up to 80 hours of leave • <strong>Non-benefitted Employees</strong>-- the number of hours of leave that the employee works on an average over a two-week period</td>
<td>• All employees are eligible from first date of employment • Paid at regular rate of pay • HR will determine non-benefitted employees’ average hours based on hours worked over past six months of employment • Capped at $511/day and $5,110 total</td>
<td><strong>Benefited Employees</strong> – Employee submits leave request using <strong>MyTime</strong> and selecting “Emergency Sick COVID-19” as the leave type Employees may use accrued annual, sick, or comp time to supplement and fill-in for capped pay amounts. <strong>Non-Benefited Employees</strong> – Supervisor will submit leave request in Service Now</td>
</tr>
<tr>
<td>COVID-19 Symptoms</td>
<td>Experiencing <a href="https://www.cdc.gov/coronavirus/2019-ncov/index.html">COVID-19 symptoms</a> and seeking medical diagnosis</td>
<td>Up to Two Weeks Emergency Paid Sick Leave (up to 80 hours) • <strong>Benefitted Employees</strong>-- up to 80 hours of leave • <strong>Non-benefitted Employees</strong>-- the number of hours of leave that the employee works on an average over a two-week period</td>
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<td>Bona Fide Need to Care for Quarantined or Self-Isolating Individual</td>
<td>Quarantine issued pursuant to • federal, state, or local government order or</td>
<td>Up to Two Weeks Emergency Paid Sick Leave (up to 80 hours) • <strong>Benefitted Employees</strong>-- up to 80 hours of leave • <strong>Non-benefitted</strong></td>
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</tr>
</tbody>
</table>
| School Closure/Unavailable Child Care | Employees -- the number of hours of leave that the employee works on an average over a two-week period | average hours based on hours worked over past six months of employment
- Capped at $200/day and $2,000 total | Employees may use accrued annual, sick, or comp time to supplement and fill-in for capped pay amounts.

**Non-Benefited Employees** – Supervisor will submit leave request in Service Now

- Employees eligible from first date of employment
- Paid at 2/3 regular rate of pay
- Prorated for non-benefitted employees; HR will determine prorated amount based on average hours over past six months of employment
- Capped at $200/day and $2,000 total

**Benefited Employees** – Employee submits leave request using MyTime and selecting “Emergency Sick COVID-19” as the leave type

- Employees may use accrued annual, sick, or comp time to supplement and fill-in for reduced pay or capped pay amounts.

**Non-Benefited Employees** – Supervisor will submit leave request in Service Now

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| Care for a child (any age) whose school or child care provider is closed or unavailable for reasons related to COVID-19. | Up to Two Weeks Emergency Paid Sick Leave (up to 80 hours) | Employees eligible only if they have worked at least 30 days
- Employees should provide as much notice as is reasonably possible

Employees with regular (non-variable) work hours:
- At least 2/3 regular rate of pay for normally scheduled hours
- Capped at $200/day and $10,000 total

Employees with variable-hours | All Employees - Submit FFCRA emergency FMLA Request in Service Now under Human Resources.
Communication will be sent to employee and supervisor from HR about eligibility and how to record time during FFCRA emergency FMLA leave.

Employees may use accrued annual, sick, or comp time to supplement and fill-in for reduced pay or capped pay amounts.

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| Care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19. | 10 days Unpaid Emergency Family Medical Leave
Followed by up to 10 Weeks Paid Emergency Family Medical Leave that is paid at a reduced rate or normal pay
Employee may elect to use accrued paid leave, including Emergency Paid Sick Leave described above, during unpaid 10-day period of Emergency Family | Employees with regular (non-variable) work hours:
- At least 2/3 regular rate of pay for normally scheduled hours
- Capped at $200/day and $10,000 total

Employees with variable-hours | All Employees - Submit FFCRA emergency FMLA Request in Service Now under Human Resources.
Communication will be sent to employee and supervisor from HR about eligibility and how to record time during FFCRA emergency FMLA leave.

Employees may use accrued annual, sick, or comp time to supplement and fill-in for reduced pay or capped pay amounts. |
<table>
<thead>
<tr>
<th>Substantially Similar Condition</th>
<th>Two Weeks Emergency Paid Sick Leave (up to 80 hours)</th>
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<tbody>
<tr>
<td>Benefitted Employees - up to 80 hours of leave</td>
<td>Benefitted Employees - Employee submits leave request using MyTime and selecting “Emergency Sick COVID-19” as the leave type</td>
</tr>
<tr>
<td>Non-benefitted Employees - the number of hours of leave that the employee works on an average over a two-week period</td>
<td>Employees eligible from first date of employment to paid emergency sick time at 2/3 regular rate of pay for normally-scheduled hours</td>
</tr>
<tr>
<td></td>
<td>Prorated for non-benefitted employees; HR will determine prorated amount based on average hours worked for past six months of employment</td>
</tr>
</tbody>
</table>

| Benefitted Employees – Employee submits leave request using MyTime and selecting “Emergency Sick COVID-19” as the leave type |
| Employees may use accrued annual, sick, or comp time to supplement and fill-in for reduced pay or capped pay amounts. |
|                |                | Capped at $200/day and $2,000 total | **Non-Benefited Employees** – Supervisor will submit leave request in Service Now |