	City of Seabrook – Personnel Policies and Procedures		
	TEMPORARY EMERGENCY FAMILY & MEDICAL LEAVE EXPANSION POLICY		
	Effective Date: 4/1/2020		

PURPOSE

With the expiration of the Families First Coronavirus Response Act (FFCRA) requiring employers to provide Paid Family Medical Leave to eligible employees in the case where an employee is unable to work (or telework) to care for their minor child(ren) if the child(ren)’s school or place of child care has been closed or is unavailable due to a public health emergency, this policy is a voluntary city policy to extend the deadline date of the Emergency Family Medical Leave from December 31, 2020 to April 30, 2021. This is a continuation from the previous policy and does not reset the benefit of any past cases where employees used Emergency Family Medical Leave in 2020. The City of Seabrook’s existing FMLA leave policy still applies to all other reasons for leave outside of this policy.

ELIGIBLE EMPLOYEE:

Full-time or part-time employees that have been employed by the City for a minimum of 30 calendar days is eligible to for Emergency Family and Medical Leave. This policy does **NOT** apply to Emergency Responders. *Emergency Responders as defined by the Department of Labor (DOL) include, but is not limited to law enforcement officers, 911 operators, emergency medical technicians, paramedics, emergency management personnel, and public works personnel.*


DURATION OF LEAVE:

Employees will have up to 12 weeks of leave to use from January 1, 2021, through April 30, 2021, for the purposes stated above. This time is included in and not in addition to the total FMLA leave entitlement of 12 weeks in a 12-month period.

For example, if an employee has already taken 6 weeks of FMLA leave, that employee would be eligible for another 6 weeks of FMLA leave under this policy. Those employees who are able to work part of their regular work schedule or telecommute may take this leave intermittently.

COORDINATION OF PAY:

The first two (2) weeks off under EFMLE are unpaid, however an employee may elect to use accrued sick leave, vacation accruals, holiday bank, floating holidays, personal day, comp-time and Emergency Sick Pay (See Emergency Sick Leave Policy) to substitute for unpaid leave according to the provisions of the Emergency Family and Medical Leave Expansion Act. The remainder of the ten (10) weeks will be paid at 2/3 of the employee’s regular rate, for the number of hours the employee would otherwise be scheduled to work. The employee may elect to use accrued sick leave, vacation accruals, holiday bank, floating holidays, personal day and comp-time to supplement their pay in an effort to receive their full regular rate.

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EMPLOYEE’S NOTICE REQUIREMENTS:

In order for the City to accommodate an employee's workload during his/her absence, an employee seeking to take Emergency Family Medical Leave must provide both his/her Department Director and Human Resources with at least **two days** advance notice when the leave is foreseeable. If the leave is not foreseeable, an employee is expected to provide both his/her Department Director and Human Resources with as much advance notice as possible.

SUPERVISOR’S NOTICE REQUIREMENTS:

All supervisors must immediately notify both their Department Director and Human Resources, if an employee’s absence is due to the Emergency Family Medical Leave-covered reason.

REQUIRED DOCUMENTATION:

The employee will need to complete a Request for Emergency Family Medical Leave form and submit documentation from their child’s school or childcare indicating the closure due to the public health emergency. The employee must notify his or her supervisor and/or the Department Director of the need for leave.

BENEFITS DURING EMERGENCY FAMILY MEDICAL LEAVE:

During any period of Emergency Family Medical Leave, the City will continue to pay its portion of any group health insurance coverage for the employee on the same terms as if the employee had continued to work.

JOB RESTORATION AFTER EMERGENCY FAMILY MEDICAL LEAVE:

Upon return from Emergency Family Medical Leave, an employee will be restored to his/her original job or to an equivalent job with equivalent pay, benefits, and other terms and conditions.

EFFECT ON MARRIED COUPLES:

If a City employee is married to another City employee and either or both employees request Emergency Family and Medical leave to care for a minor child(ren), if the child(ren)’s school or place of child care has been closed or is unavailable due to a public health emergency, the total time allowed shall be limited to no more than twelve (12) weeks combined.