

# ALLIANCE STAFFING

## FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)

### PAID SICK LEAVE AND EXPANDED FAMILY & MEDICAL LEAVE POLICY

#### **POLICY**

Alliance Staffing will comply with all provisions of the Families First Coronavirus Response Act.

#### **EFFECTIVE DATES**

April 1, 2020 through December 31, 2020.

#### **BENEFITS**

##### **Paid Sick Leave**

##### **Qualifying Reasons and Duration**

Alliance Staffing will provide all full-time employees with up to eighty (80) hours of Paid Sick Leave (leave will be pro-rated for part-time employees based on those hours worked on daily average over a six-month period) in addition to existing leave policies to deal with issues specific to the SARS-CoV-2 virus and the disease it causes, named coronavirus disease 2019 (“COVID-19”). The leave may only be taken because the employee is:

1. Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19; or
2. Has been advised by a health care provider to self-quarantine related to COVID-19; or
3. Is experiencing COVID-19 symptoms and is seeking a medical diagnosis; or
4. Is caring for an individual subject to an order described in (1) or self-quarantine as described in (2); or
5. Is caring for a son or daughter whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19; or
6. Is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

The employee must have a genuine need to care for the individual. Accordingly, Paid Sick Leave may not be taken to care for someone with whom the employee has no personal relationship. Rather, the individual being cared for must be an immediate family member, roommate, or a similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person if he or she self-quarantined or was quarantined. Additionally, the individual being cared for must: (a) be subject to a Federal, State, or local quarantine or isolation order as described above; or (b) have been advised by a health care

provider to self-quarantine based on a belief that he or she has COVID-19, may have COVID-19, or is particularly vulnerable to COVID-19.

Under the FFCRA, a son or daughter includes your biological, adopted, or foster child, your stepchild, a legal ward, or a child for whom you are standing in loco parentis—someone with day-to-day responsibilities to care for or financially support a child, up to age 18.

A child is also an adult son or daughter (i.e., one who is 18 years of age or older), who (1) has a mental or physical disability, and (2) is incapable of self-care because of that disability.

Moreover, an employee may take Paid Sick Leave to care for their child only when the employee needs to, and actually is, caring for their child. Generally, an employee does not need to take such leave if another suitable individual such as a co-parent, co-guardian, or the usual childcare provider is available to provide the care the employee's child needs.

### **Calculation of Payment**

For leave reasons (1), (2), or (3) above: employees taking Paid Sick Leave shall be paid at either their regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate (over a 2-week period).

For leave reasons (4) or (6) above: employees taking Paid Sick Leave shall be paid at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).

For leave reason (5) above: employees taking Paid Sick Leave shall be paid at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period—two weeks of Paid Sick Leave followed by up to 10 weeks of Paid Expanded Family & Medical Leave described below).

### **No Carryover**

Employees may not carry over unused Paid Sick Leave under this policy.

## **Paid Expanded Family & Medical Leave**

### **Qualifying Reasons and Duration**

Under the FFCRA, an employee who has completed 30 days of continuous service with Alliance Staffing qualifies for additional 10 weeks (400 hours) (pro-rated for part-time employees based on those hours worked on a daily average over a six-month period) of Paid Expanded Family & Medical Leave if the employee is unable to work (or unable to telework) due to a:

- A bona fide need for leave to care for a child whose school or childcare provider is closed or unavailable for reasons related to COVID-19.

Moreover, an employee may take Paid Expanded Family & Medical Leave to care for their child only when the employee needs to, and actually is, caring for their child. Generally, an employee does not need to take such leave if another suitable individual such as a co-parent, co-guardian, or the usual childcare provider is available to provide the care the employee's child needs.

*Note: Employees may take a total of 12 workweeks for FMLA and/or Paid Expanded Family & Medical Leave reasons during a 12-month period. Employees who have taken some, but not all, of the 12 workweeks of leave under FMLA during the current 12-month period, may take the remaining portion of leave available. Employees who have already taken 12 workweeks of FMLA leave during this 12-month period may not take additional Paid Expanded Family & Medical Leave.*

### **Calculation of Payment**

Employees taking Paid Expanded Family & Medical Leave shall be paid at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period—two weeks of Paid Sick Leave as described above followed by up to 10 weeks of Paid Expanded Family & Medical Leave).

### **Existing Leave Policies**

Paid Sick Leave under the new law is available to employees in addition to leave under an existing company policy. The company will not require employees to first use accrued leave under existing company policy before using Paid Sick Leave or Paid Expanded Family & Medical Leave under the FFCRA, however, the employee may elect to use available leave concurrently to supplement the FFCRA benefit payment providing that the total of both payments does not exceed the employee's regular weekly pay.

### **Supplementing Paid Leave with PTO**

An employee may elect to substitute any accrued PTO for any weeks of partial paid leave under this policy.

### **Procedure for Requesting Paid Sick Leave and/or Paid Expanded Family & Medical Leave**

Employees needing to utilize Paid Sick Leave and/or Paid Expanded Family & Medical Leave must follow the current call-in/reporting procedures before the start of their shift, except in emergency circumstances, in which the employee should contact their on-site representative as soon as practicable. Employees requesting leave under FFCRA will complete a FFCRA Leave Request Form and submit it to Human Resources/on-site representative.

Employees are expected to request leave under this policy for bona fide reasons as listed above. Misrepresenting the need for a leave covered under this policy may result in disciplinary action up to and including termination of employment.

### **Certification of Need for a Leave**

Employees are required to provide documentation to support their request for emergency Paid Sick Leave. Such 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 (including the healthcare provider's name) advising the employee to self-quarantine due to concerns related to COVID-19.

If emergency Paid Sick Leave and/or Paid Expanded Family & Medical Leave is taken to care for an employee's child whose school or place of care is closed, or childcare provider is unavailable, due to COVID-19-related reasons, the employee should provide documentation such as:

- Name of the child being cared for, AND
- A notice of closure or unavailability from the employee's child's school, place of care, or childcare provider (including name of the school or provider), including a notice that may have been posted on a government, school, or day care website, published in a newspaper, or emailed from an employee or official of the school, place of care, or childcare provider, AND
- A statement that no other suitable person is available to care for the child during the period of requested leave.

### **Intermittent Leave**

#### **If eligible employee is teleworking:**

Eligible employees who become unable to telework their normal schedule of hours due to one of the qualifying reasons under the FFCRA may be entitled to take leave intermittently while teleworking. Employees should consult with Human Resources/the on-site manager to request an intermittent leave schedule and understand that depending on business needs, it may not be possible to provide leave on an intermittent basis.

#### **If eligible employee is required to work on Alliance Staffing's or a client's premises:**

If an eligible employee is required to work on Alliance Staffing's or a client's premises, once the employee begins taking Paid Sick Leave for one or more of the qualifying reasons, the employee must continue to take Paid Sick Leave each day until the employee has either (1) used the full amount of Paid Sick Leave or (2) no longer has a qualifying reason for taking Paid Sick Leave. This limit is imposed because if employees are sick or possibly sick with COVID-19 or caring for an individual who is sick or possibly sick with COVID-19, the intent of FFCRA is to provide such Paid Sick Leave as necessary to keep employees from spreading the virus to others.

If an employee no longer has a qualifying reason for taking Paid Sick Leave before the employee exhausts their emergency Paid Sick Leave balance, the employee may take any remaining Paid Sick Leave at a later time, until December 31, 2020, if another qualifying reason occurs.

In certain situations, Alliance Staffing may agree to allow non-teleworking employees to take Paid Sick Leave intermittently if the employee is taking Paid Sick Leave to care for their child whose school or place of care is closed, or whose childcare provider is unavailable, because of COVID-19 related reasons. Employees should consult with Alliance Staffing to request an intermittent leave schedule and understand that depending on business needs, it may not be possible to provide leave on an intermittent basis.

### **Group Coverage Continues During Leave**

Employees who take emergency Paid Sick Leave and/or Paid Expanded Family & Medical Leave under this policy will be allowed to continue their group insurance benefits under the same terms and conditions as if they were still working, including making required employee contributions.

### **Restoration to Position after Leave Ends**

In most instances, employees who take leave under this policy will be restored to the same or equivalent position upon their return to work provided the employee would not otherwise have been employed at the time reinstatement is requested.

### **Termination of Employment**

Upon termination of employment for any reason, employees forfeit any unused leave under this policy.

### **Duration of Policy**

This policy is intended to be in place only temporarily to provide relief during the current COVID-19 outbreak (April 1, 2020 through December 31, 2020). This policy may be modified or revoked at any time with a one (1) week notice provided to employees.

### **Additional Time**

Should an employee need time beyond what is provided in this policy, the employee may explore other existing leave policies to talk with Human Resources/the on-site representative.

### **Questions**

If you have any questions about this policy, please contact Human Resources/the on-site representative.

***Note – Please sign policy acknowledgment on the next page.***



**FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)  
PAID SICK LEAVE AND EXPANDED FAMILY & MEDICAL LEAVE POLICY  
POLICY ACKNOWLEDGMENT**

I acknowledge that I have received and read a copy of Alliance Staffing’s FCCRA Paid Sick Leave and Expanded Family & Medical Leave Policy, dated April 1, 2020, and understand that it is my responsibility to be familiar with and abide by its terms. This policy is not promissory and does not set terms or conditions of employment or create an employment contract.

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Signature

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Printed Name

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Date