



## SECTION V: EMPLOYEES

## POLICY 5245

### PERSONAL BUSINESS LEAVE AMENDMENT FOR FISCAL YEAR 2020-2021

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In 2020, Congress enacted the Emergency Paid Sick Leave Act (“EPSLA”) as part of the Families First Coronavirus Relief Act. The EPSLA provided specific types of paid leave, and its leave provisions expired on December 31, 2020. If EPSLA benefits are not extended by Congress, this will result in inequitable paid leave being available to similarly situated Employees during the 2020-2021 fiscal year. To address this inequity, the District is amending the provisions of its personal business leave available for eligible employees, without regard to classification, between January 1 and June 30, 2021, as set forth herein. The leave provided by this policy is in addition to—and not in lieu of—existing personal business leave provided to eligible employees which remains unaffected. This policy (and the additional leave provided by it) is subject to revision, modification, or repeal in the event of the enactment of subsequent state or federal legislation providing similar benefits.

#### COVID Related Personal Business Leave

For the 2020-2021 fiscal year, the district shall provide all eligible employees, in addition to existing personal business leave, an additional COVID Related Personal Business Leave (“CRPBL”), subject to the following:

- (1) Qualifying Condition. CRPBL is only available to eligible employees who are unable to work due to the reasons as set forth in 29 C.F.R. § 826.20(a)(i) through (iii): (i) the employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19; (ii) the employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or (iii) the employee is experiencing symptoms of COVID-19 and seeking medical diagnosis from a health care provider. Documentation required to support CRPBL shall not exceed that permitted to be required under the EPSLA.
- (2) Calculation of Paid Leave Amount. The daily and aggregate amount of pay for CRPBL shall be calculated in conformity with the provisions of 29 C.F.R. §§ 826.22 & 826.25.
- (3) Calculation of Number of Available CRPBL Hours. The amount of CRPBL hours available to a qualifying employee shall be calculated in conformity with 29 C.F.R. § 826.21, and in no event shall it exceed eighty (80) hours. A reduction shall be made for those hours (or parts thereof) that the employee has used and has been paid by the district pursuant to the EPSLA prior to January 1, 2021. For example, if the employee had been paid for 60 hours available under the EPSLA prior to January 1, 2021, the most CRPBL leave available for the remainder of the 2020-2021 fiscal year would be 20 hours.
- (4) Expiration of CRPBL Hours. Any hours of CRPBL remaining on June 30, 2021, shall automatically expire and cannot be carried over by an employee into the district’s 2021-2022 fiscal year. Additionally, the district will not compensate an

employee for any unused CRPBL hours at the end of the 2020-2021 fiscal year.

Source: *Broken Arrow Board of Education policy adoption, January 11, 2021.*