

Approved:	April 7, 2021, October 20, 2021
Ordinance:	None
Resolution:	None

MORAGA-ORINDA FIRE DISTRICT DISTRICT POLICY 19

2021 COVID-19 PAID SUPPLEMENTAL SICK LEAVE POLICY

The State of California recently enacted a new law requiring certain public sector employers, including the Moraga-Orinda Fire District (“MOFD” or “District”), to provide covered employees with paid leave for qualifying reasons related to COVID-19. The District enacts this policy in accordance with the new law.

An employee is entitled to use this policy if, upon an oral or written request to their supervisor or within the chain of command, they advise that they are unable to work or telework for the following reasons:

- are subject to a quarantine or isolation period related to COVID-19 (and may use such leave for the minimum quarantine period or the longest minimum isolation period under federal, state, or local guidelines);
- have been advised to self-quarantine by a health care provider;
- are attending a vaccine appointment;
- are symptomatic for COVID-19 and are seeking a medical diagnosis;
- are experiencing symptoms after receiving a vaccine for COVID-19;
- are caring for a qualified family member who is subject to a quarantine or isolation order related to COVID-19; or
- are caring for a child whose school or place of care is closed or otherwise unavailable because of COVID-19.

This policy does not apply to employees subject to a general stay-at-home order absent one of the qualifying reasons stated above. If the District believes that an employee is not using the leave for a qualifying reason, it may, in its discretion, require the employee to provide medical certification to support a leave request.

The policy applies to leave requests made on or after March 29, 2021. The District reserves the right to terminate this policy, provided it does not do so before September 30, 2021.

If, between January 1, 2021 and March 28, 2021, an employee took a qualifying leave as defined above, and used then-existing paid leave benefits, was not paid for such leave, or was not paid at least the amount required under the new law, then an employee may request leave under this policy retroactively.

Employees must submit a retroactive payment request form to Human Resources no later than April 30, 2021. An employee's wage statement will reflect a deduction from their COVID-19 leave bank for payment of retroactive benefits and, if applicable, a credit towards the other form of paid leave used.

Employees in the job classifications of Firefighter, Firefighter Paramedic, Engineer, Engineer Paramedic I or II, Fire Captain, Fire Captain Paramedic I or II or Battalion Chief scheduled to work more than 80 hours in the two weeks prior to taking a qualifying leave are entitled to qualifying leave in the amount equal to those same number of hours. For example, if a firefighter contracts COVID-19 and had worked 112 hours in the two weeks prior to their diagnosis, then the firefighter is entitled to 112 hours of qualifying leave.

Full-time employees in all other job classifications are entitled to 80 hours of qualifying leave.

Part-time employees in all other job classifications are entitled to qualifying leave under the conditions described below.

- If the employee has a normal weekly schedule, then they are entitled to qualifying leave in an amount equal to those same number of hours.
- If the employee works a variable schedule, then they are entitled to qualifying leave in an amount 14 times the average number of hours worked each day in the six months preceding the date that the employee took qualifying leave. If the employee has worked less than six months, but more than 14 days, then the District will make this same calculation over the entire period that the employee has worked for the District. If the employee has worked for the District 14 days or less, then they are entitled to qualifying leave in an amount equal to the number of hours worked for the District in total.

Part-time employees are entitled to take qualifying leave even if they are not entitled to other employee benefits provided by the District.

Leave provided under this policy will be reflected as CA SUP AVAIL on employee wage statements.