



BOARD MINUTES

BOARD OF TRUSTEES MEETING SEPTEMBER 15, 2020 7:00 PM

THIS MEETING WILL BE VIRTUAL WITH CALL-IN INFORMATION MADE PUBLIC IN ADVANCE OF THE MEETING.

1. **Call to Order:** 7:05 by John Berger

2. **Reading of the Open Public Meeting Statement**

The New Jersey Open Public Meeting law was enacted to ensure the right of the public to have advance notice and to attend the meetings of public bodies at which any business affecting their interests is discussed and acted upon. This is a public meeting of the Board of Trustees of the Hoboken Charter School. At the public meeting action will be taken on a variety of motions.

In accordance with the requirements of the Sunshine Law, the meeting was announced as a virtual meeting on July 7, 2020 via notification to City Hall, the City Clerk's Office on Washington Street and the *Hudson Reporter* and the *Jersey Journal*.

Please be advised that the Hoboken Charter School will hold their 2020-2021 monthly Board Meetings as listed below. Meetings will occur at 7:00 p.m. and will be held virtually. The agenda and dial-in information will be made available on the school website in advance of each meeting.

- October 20, 2020
- November 17, 2020
- December 15, 2020
- January 19, 2021
- February 23, 2021
- March 16, 2021
- March 23, 2021
- April 20, 2021
- May 11, 2021
- June 15, 2021

All members of the community are invited to attend. At these meetings, the Board of Trustees will conduct regular business including matters related to finance, personnel, facilities, curriculum and instruction, assessment, policy, and miscellaneous board-related matters. The additional meeting on March 23, 2021 will be held to review matters related to finance.

Roll Call

TRUSTEE	PRESENT	ABSENT
John Berger	X	
Lauren Calmas		X
Amanda Grant	X	
Lisa McIntyre	X	
Kelly Pansy	X	

Christine Sheedy	X	
Mark Silberberg	X	
Joy Wheeler		X
Dana Wissing	X	

Also in attendance: Deirdra Grode, Executive Director, Steve Literati, CFO and Board Secretary and Board Treasurer, Lizzie Palma, Principal of K-8, and Joanna Weintraub, Principal of the High School.

Parents in attendance: Daria Vogel, Patty Fernandez, Lindsey Bednar, Petra Hauff, Mark Frazier, Monica Girotra, Raina-Rose Fernandes.

3. Acceptance of Minutes

Minutes of the previous public Board meetings held August 18, 2020 were made available for review and/or correction and acceptance.

Motion for HCS Board of Trustees to accept the minutes of the Hoboken Board of Trustees Meeting on August 18, 2020.

ROLL CALL VOTE

TRUSTEE	MOTION	YES	NO	ABSTAIN	ABSENT
John Berger		X			
Lauren Calmas					X
Amanda Grant	2	X			
Lisa McIntyre		X			
Kelly Pansy		X			
Christine Sheedy		X			
Mark Silberberg	1	X			
Joy Wheeler					X
Dana Wissing				X	

4. Public comment/questions on agenda items for the meeting

Daria Vogel commended teachers and staff on a great start to the school year and asked if we could devote time to further discussion of the memo on ventilation and the HVAC system distributed earlier in the month.

5. Policy

5.1 Resolved, that the Board of Trustees approves a first read of the amended Family and Medical Leaves and Benefits Policy and the new Families First Coronavirus Response Act Policy.

ROLL CALL VOTE

TRUSTEE	MOTION	YES	NO	ABSTAIN	ABSENT
John Berger		X			
Lauren Calmas					X
Amanda Grant		X			
Lisa McIntyre		X			
Kelly Pansy		X			
Christine Sheedy	2	X			
Mark Silberberg	1	X			
Joy Wheeler		X			X
Dana Wissing		X			

Deirdra Grode provided highlights of the acts, which were provided to the board prior to the meeting. Several board members had questions, which were discussed. Among the discussion points was the expected financial impact of the legislation. Deirdra anticipated that the effects would not be significant between the tax credit and the in-house coverage of staff. Another question had to do with whether the legislation included thresholds for the number of cases that might require a shut-down of the school (it does not.) Deirdra noted one clarification to the Families First Coronavirus Response Act, and stated that the first 2 weeks (80 hours for full-time employees) of the EFMLEA leave may be unpaid if the employee does not qualify for or does not have time off available under the Emergency Paid Sick leave program, but an eligible employee may choose to substitute accrued paid time off during these first 2 weeks. These policies are attached as appendices to this report.

6. **Finance**

6.1 Resolved, that the Board of Trustees approved the Board Secretary and Reconciliation Report(s) for August 2020, as per the attached; and pursuant to N.J.A.C. 6A:23-2.11(a), the Hoboken Charter School Board of Trustees secretary's certification, and after review of the monthly financial report (appropriations section) certifies that, to the best of its knowledge, as of August 2020, no major account or fund has been over expended in violation of N.J.A.C. 6A:23-2.11(b), and that sufficient funds are available to meet the school's financial obligations for the remainder of the fiscal year. (Attached schedules.)

6.2 Resolved, that the Board of Trustees approves the bills list from August 13, 2020 to September 10, 2020. (Attached schedule.)

6.3 Resolved, that the Board of Trustees approves the following payrolls:

Date	Amount
August 31, 2020	\$37,494.66

ROLL CALL VOTE

TRUSTEE	MOTION	YES	NO	ABSTAIN	ABSENT
John Berger		X			
Lauren Calmas					X
Amanda Grant		X			
Lisa McIntyre		X			
Kelly Pansy		X			
Christine Sheedy	1	X			
Mark Silberberg	2	X			
Joy Wheeler					X
Dana Wissing		X			

CFO and Treasurer Steve Literati noted that the Treasurer's Report and Secretary's Report were prepared without the assistance of accounting outsourcing provider SBO. There were various small items that still required month-end adjustments normally done by SBO.

The school's cash balances increased in the month of August as a result of low payroll (teachers are paid over 10 months, from September to June). A review of checks and disbursements from August 13 through September 10 showed nothing unusual (payroll for administrative staff, rent, a legal bill, supplies, and some Covid-19 related expenditures).

A review of schedules showing the financial impacts to date of the Covid-19 pandemic showed expenditures by the school on PPE and other measures to reduce the risk of spread of the virus (totaling \$35K). Spending on measures to reduce risk of airborne spread of the virus, approved by the finance and facilities committees of the board on September 1, showed expenditures of \$30K vs. an initial estimate of \$44K. Estimated lost revenue

was detailed and estimated at \$200K. Finally, additional construction spending on the renovation at the 709 Washington Street building (by Friends of Hoboken Charter School) was estimated at \$218K.

Board member John Berger asked about a forecast of remaining spending. Finance committee chairperson Kelly Wilson replied that some additional purchases still had to be made (humidifiers and additional window fans for the 709 building, for example).

7. Personnel

7.1 Resolved, that the Hoboken Charter school Board of Trustees approves the submission of a NJDOE waiver application (N.J.A.C.6H-9-6 5C) to the County Office for the hiring of school staff and/or substitutes while formal criminal history is processed.

- Brett Keeler
- Leonard Moretti
- Adam Hunt

7.2 Resolved, that the Hoboken Charter School Board of Trustees approves the following personnel for the daily assignments as school staff and/or substitutes pending completion of a county sub license and/or criminal background check.

- Brett Keeler
- Leonard Moretti
- Adam Hunt

7.3 Resolved, that the Hoboken Charter School Board of Trustees accepts the resignation of Philana Otrubafhal, Teacher, effective August 24, 2020.

7.4 Resolved, that the Hoboken Charter School Board of Trustees accepts the resignation of Elyse Warren Alter, Teacher, effective September 12, 2020.

7.5 Resolved, that the Hoboken Charter School Board of Trustees approves a contract with Brett Keeler as Substitute Teacher for the 2020-2021 academic year.

7.6 Resolved, that the Hoboken Charter School Board of Trustees approves a contract with Leonard Moretti as Substitute Teacher for the 2020-2021 academic year.

7.7 Resolved, that the Hoboken Charter School Board of Trustees approves a contract with Adam Hunt as Substitute Teacher for the 2020-2021 academic year.

7.8 Resolved, that the Hoboken Charter School Board of Trustees approves engaging in agreements with James Matthew Gregory, Teacher, and Eva Pena, Teacher, to provide consultation services via curriculum writing and asynchronous instructional service support as needed.

Joanna Weintraub noted that the high school still has one open position it is trying to fill. The board discussed the need to find ways to increase the attractiveness of compensation to attract and retain teachers. The board would like to know more about how compensation at HCS compares to other charter schools in the area.

ROLL CALL VOTE

TRUSTEE	MOTION	YES	NO	ABSTAIN	ABSENT
John Berger		X			
Lauren Calmas					X
Amanda Grant		X			
Lisa McIntyre	2	X			
Kelly Pansy		X			

Christine Sheedy	1	X			
Mark Silberberg		X			
Joy Wheeler					X
Dana Wissing		X			

8. Enrollment

Enrollment – September 15, 2020

Grade	Current	Grade	Current	Grade	Current
K	22	5	22	9	26
1	22	6	22	10	25
2	22	7	22	11	23
3	22	8	22	12	26
4	22			Total	298

9. School Calendar Reminder

Friday, September 18 – School Closed for Rosh Hashanah

Monday, September 21 – First day of hybrid instruction, K-8

Thursday, September 24- HCS Back to School Night

Monday, September 28 – School Closed for Yom Kippur

Thursday, October 8 – Lower and Middle School Virtual Open House

Monday, October 12 – School Closed for Indigenous Peoples' Day

Tuesday, October 20 – Board Meeting at 7 p.m.

10. K-12 Report

The K-12 team had been working tirelessly to prepare for reopening with safety, community wellbeing, quality of instruction and equity guiding all decision-making. HCS is prepared to engage all of our students in rich and meaningful learning whether remote or hybrid. Teachers and staff participated in a four-day orientation the week of August 31st which consisted of team building opportunities; a review of new procedures, protocols, schedules and expectations in light of COVID-19; health trainings; and professional development sessions for teachers around a variety of topics including effective and highly engaging synchronous and asynchronous practices and tools that can support and enhance remote learning. TNTTP returned to work with our team with a focus on scaffolding strategies to accompany our commitment to rigor and high expectations for all students with particular attention to students who may have increased gaps in learning due to the spring closure. Separate orientation sessions were held subsequent to the week of the 31st for new teachers.

Understanding the critical need for frequent and explicit communication in preparation for such a different school year, HCS has held town halls at the K-8 and 9-12 divisions and prepared videos for the K-8 and 9-12 families to watch in advance of their return to school that review what to expect. Things will look and feel different in many ways so being mentally prepared for these changes is valuable. It is also important and comforting to underscore what will remain the same – also featured in the videos. Many thanks to the Community and Wellbeing Committee who worked hard to prepare these videos. Additionally, HCS has released a COVID Reopening page on our school website. Here families can find our plans and presentations as well as a handbook created by the Pandemic Response Team around specific actions the school will take to prevent covid-19 transmission and react to potential suspected or confirmed cases.

We have had a successful start to the school year with K-12 students starting with remote instruction on September 8th. We are eager to see our students onsite as we move into the dual hybrid/all remote model as final work is being completed on the facilities to welcome our students in safely.

• Heather DeSimone, the K-12 social worker, has continued to support our teachers in implementing critical social and emotional learning opportunities to our students through this challenging time. The main focus is giving our students opportunities to connect and engage with one another. Here are some of the initiatives we will be working on at the start of the school year:

- **Start with Hello Week** - an initiative by the organization *Sandy Hook Promise* to promote connections and empathy to end social isolation. Students will complete activities provided by the organization to teach and practice the above.
- **Monthly SEL Themes** - Each month will represent a theme that will be the focus of lessons and activities in the classroom. September's theme is *Connections*.
- **Morning Meetings (K-4)** - Teachers will be using this time to check in with students in regard to their overall social and emotional health.
- **Second Step Workshops (5-8)** - Middle school students will be completing lessons and activities from the Second Step Social/Emotional Learning Curriculum.
- **Virtual Social Groups** - Led by our school social worker and behaviorist, groups will be available throughout the day to promote positive interactions and new friendships through activities and conversations.
- **Coffee with the Counselor** - Ms. DeSimone will be holding a virtual Coffee with the Counselor session on the first Friday of each month for K-12 parents. Feel free to drop in to say hello and/or talk through any questions or concerns you may have about your child(ren). The first session will be held on Friday, 10/2 from 8:30-9:30 am.

11. Lower/Middle School Report

On Thursday, August 27, the administration hosted a virtual town hall meeting for K-8 families to discuss HCS's reopening plan. Almost 90 families participated in the meeting. The presentation was recorded and shared with all families on the HCS website and through the Weekly Communication.

During staff orientation, rising fifth graders and their families were invited to a virtual Middle School orientation session on Thursday, September 3. Students were able to meet with their teachers and practice their middle school schedule. All Middle School teachers met with families to review programming and answer questions. Rising kindergartners and their families also had orientation on Thursday, September 3. Each child and family introduced themselves and families met with Ms. Swentzel and Ms. Palma.

12. Upper School Report

This was a beginning of school like no other year. In the weeks before school, we hosted virtual meetings to help answer questions for families. Many families joined for a "Town Hall" regarding the plans for opening school in an All Remote format. New 9th grade students and families joined just before school in a presentation designed to welcome and orient them.

The staff had a week filled with collaborative work and planning centered on creating the best remote learning program we can. Much time was devoted to best practices for remote and hybrid learning, studying resources for supportive technology available, and supporting students and families who have experienced traumatic events.

The schedule this year is designed for seamless transitions from remote to in-person and back again, as we anticipate the possibilities of individual students, grades, or even the whole school needing to make these changes. Even with the hurdles of remote and hybrid learning, our schedule includes time for each class above and beyond what is required by the state. Each "core content" class in English, History, Math and Science meets at least three times/ week synchronously with asynchronous content, small group and one on one meetings completing and supplementing the mandated time. Special classes such as World Languages, Arts, and Physical Education meet at least twice synchronously, supplemented with asynchronous work.

We are continuing our Electives program with unique courses that provide opportunities to highlight social justice themes, experience social justice activist tools, explore career opportunities, and delve in to learner-centered individual interests. Elective choices this first marking period include Black Art Matters, Audio Production as an

Activist Tool, and Career Opportunities in Sports. Other elective classes are designed to support students in developing study and life skills and preparing for post-secondary life. All students will take the following courses: Foundations, Sophomore Passion Projects, Junior College and Career, Senior College and Career, and Graduation Project Seminar. We are also continuing our Advisory Program to prioritize time for developing executive functioning and social-emotional learning skills.

The Upper School looks forward to the completion of the 709 building and transitioning from All Remote to a Hybrid program with an All Remote option.

Deirdra, Lizzie, and Joanna provided comments that added to these reports. They noted the success of teacher orientation sessions and professional development by TNTP. Lizzie noted that the quality of online instruction was very high.

Joanna reported on the popularity of several dual enrollment programs at local colleges, notably a course in criminal justice via Fairleigh Dickinson University and a program via Hudson County Community College. The technology is working well, and some students had been provided with hotspot modems so that they could connect the internet at home.

The board asked whether it could help by placing calls to high school parents. Deirdra said that she would consider this and respond once we are further into the school year.

13. Board Business/Miscellaneous

- 13.1 Resolved, that the Hoboken Charter School Board of Trustees approves an agreement that extends the lease at 360 First Street by month (through September 30, 2020) to be able to store high school furniture and supplies until the construction at 709 Washington Street allows a move into that facility. (Lease is attached.)
- 13.2 Discussion of recommended additional actions to reduce the risk of Covid-19 spread (abbreviated letter to the Hoboken Charter School Community dated September 3, 2020 – attached.)

ROLL CALL VOTE

TRUSTEE	MOTION	YES	NO	ABSTAIN	ABSENT
John Berger		X			
Lauren Calmas					X
Amanda Grant	1	X			
Lisa McIntyre		X			
Kelly Pansy	2	X			
Christine Sheedy		X			
Mark Silberberg		X			
Joy Wheeler					X
Dana Wissing		X			

The vote was for 13.1. Deirdra noted that she was still working with Regal Construction to coordinate a move of high school furniture and equipment from 360 First Street into the 709 building.

Steve Literati provided a summary of the efforts to mitigate the risk of spread of the Covid-19 virus, and the letter that he sent to HCS community describing these efforts dated September 3, 2020.

14. Committee Reports

Lisa McIntyre reported on her conversations with Enrollhand, a firm the school engaged last year to assist with identifying and applying for grants from charitable foundations. She noted that the school has made it to the

final rounds of a \$20K grant selection process from Provident Bank on Restorative Justice. We will be notified if we have been selected in November. Lisa also noted that Enrollhand had dropped its service related to grant procurement and as a result, the school would not renew its contract with this firm in the current school year. Deirdra noted that they learned a lot from Enrollhand and have resources to use moving forward independent of the firm.

Amanda Grant reported that the school received a donation of \$5K from a family foundation.

Dana Wissing reported on a meeting among a small group of board members, school administrators, and Friends of HCS Officers and Trustees that discussed efforts to promote and communicate the school’s mission to parents and the community to increase engagement and support. She also reported on initiatives at Friends of HCS that included various efforts to show appreciation to teachers and to improve community outreach.

There were no public comments and no executive session. The meeting adjourned at 8:52 pm.

15. Adjournment of Meeting

Whereas, the business of the regular meeting has been concluded, now, therefore be it resolved that the HCS Board of Trustees adjourned their meeting of Tuesday, September 15, 2020. It is hereby certified that the foregoing resolution was duly adopted by the HCS Board of Trustees, by the vote below indicated at the regular meeting held on Tuesday, September 15, 2020.

ROLL CALL VOTE

TRUSTEE	MOTION	YES	NO	ABSTAIN	ABSENT
John Berger		X			
Lauren Calmas					X
Amanda Grant		X			
Lisa McIntyre		X			
Kelly Pansy		X			
Christine Sheedy	2	X			
Mark Silberberg		X			
Joy Wheeler					X
Dana Wissing	1	X			

Certified by Board Secretary: Steve Literati

Date: September 16, 2020 Adjournment: 8:52 pm

FAMILY AND MEDICAL LEAVES AND BENEFITS POLICY – FIRST READ

Federal Family and Medical Leave Act (FMLA) Leave of Absence

The Federal Family and Medical Leave Act (FMLA) entitles eligible employees to take up to twelve (12) weeks of qualifying medical and/or family leave per twelve-month period, measured on a rolling look-back basis from the date for which leave is requested. If the time is needed for a qualifying leave to care for a member of the Armed Forces, the time allowed extends to twenty-six (26) weeks.

If an employee is not eligible for FMLA leave or if the medical or family leave does not qualify as a protected leave under the FMLA, the employee will not be entitled to the benefits and protections provided under the FMLA, but may be eligible for other benefits pursuant to New Jersey State law. Questions regarding medical and/or family leave should be directed to the Human Resources representative of the School.

Eligibility Requirements for FMLA Leave

An employee is eligible for FMLA leave if he or she has:

- been employed with the School for at least 12 months, and the 12 months need not be consecutive;
- worked at least 1,250 hours during the last 12 months; and
- worked at or reported to a worksite that has 50 or more employees or is within 75 miles of the worksite where the School employs 50 or more employees.

Qualifying Reasons for FMLA Leave

An eligible employee may qualify for FMLA leave for *any of the following reasons*:

- (1) If the employee personally has a serious health condition, as defined by applicable law, which renders the employee unable to perform his or her job.
- (2) To care for a spouse, child, or parent who has a serious health condition.
- (3) To care for his or her child after birth, or after placement of the child with him/her for adoption or foster care. Leave based upon a birth, adoption, or foster care placement of a child must be completed within the 12-month period beginning on the date of birth or placement.
- (4) Under certain exigent circumstances, if a spouse, son, daughter or parent is on active duty.
- (5) To care for a member of the Armed Forces, including a member of the National Guard or Reserves who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness.

Use of Leave – Intermittent/Reduced Schedule

Leave does not need to be taken in one block, it may be taken intermittently or on a reduced schedule if medically necessary but the leave must not exceed 12 weeks over the applicable 12-month period (or 26 weeks to care for an ill or injured military services member). The employee must obtain the agreement of the School before taking intermittent leave or working a reduced hour schedule for FMLA purposes. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the School's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis. Using FMLA for a reduced work schedule, or intermittent leave taken for the birth, adoption or foster care of a child must be mutually agreeable to the employee and the School, and any leave for birth, adoption or foster care of a child must be taken within 12 months of the birth or placement of the child. Intermittent or reduced-schedule leave arrangements may require a temporary transfer during the leave to an available alternative position for which an employee is qualified and better accommodates recurring periods of leave, unless otherwise prohibited by applicable law.

If the leave is for planned medical treatment or care, the employee shall schedule (to the extent possible) the treatment or care so as to create minimum disruption to School's operations.

Pay During FMLA Leave

FMLA leave is generally unpaid leave, except that an **employee** may substitute any accrued paid time off, including School-provided paid personal, sick or vacation days (up to the maximum cap of 30 days, if available), for any otherwise unpaid leave, including intermittent leave.

An employee may be eligible to receive New Jersey Temporary Disability Insurance ("TDI") benefits or Workers' Compensation benefits during the time that he/she is out on medical leave for his/her own serious health condition. During the time he/she is eligible for TDI benefits, he/she may be eligible for supplemental pay from the School up to the employee's regular rate of pay for up to a maximum of six (6) weeks per 12-month period. See Temporary Disability Supplemental Pay.

An employee may also be eligible for New Jersey Family Leave Insurance ("FLI") benefits during FMLA leave to care for a

family member with a serious health condition or to care for and bond with a new child.

If an employee takes time off to bond with and care for a new child and receives FLI benefits, he/she may be eligible for Parental Leave Supplemental pay from the School up to the employee's regular rate of pay for up to a maximum of two (2) weeks per 12-month period (measured on a rolling look-back basis). See Parental Leave Supplemental Pay.

Use of paid personal or sick days and/or receipt of TDI, FLI or Workers' Compensation benefits during FMLA leave will not extend an employee's eligibility for FMLA leave beyond the maximum allotment of twelve (12) weeks in a 12-month period (measured on a rolling look-back basis). The time off will run concurrently.

During FMLA leave, including intermittent leave, no paid sick, personal or vacation time off will accrue.

Notice and Documentation Requirements for FMLA Leave

Eligible employees are required to provide written notice to the Human Resources representative of any reason for which they may need to take FMLA leave at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events. The School may require employees to provide documentation substantiating the basis for their leave.

Employees requesting family/medical leave are required to submit written certification from an appropriate health care provider verifying the need for a family or medical leave. Medical certification forms are available from the Human Resources representative and are due no later than fifteen (15) days from receipt of the form from the School. Failure to provide the requested medical certification¹ in a timely manner may result in denial of leave. The School may require recertification every 30 days of a serious medical condition of either the employee or of the family member for which FMLA leave is being taken. The School also may require that the employee on FMLA leave recertify every 30 days (a) that s/he intends to return to work; (b) the anticipated date of return to work, and (c) the status of the leave.

The School reserves the right to require an examination by a second health care provider designated by the School. If the second health care provider's opinion conflicts with the original medical certification, the School may require a third, mutually agreed upon, health care provider to conduct an examination and provide a final opinion.

Health Insurance during FMLA Leave

Subject to the terms and conditions of the plan, the School will continue to provide health insurance benefits, if applicable, for the time an employee is on an approved FMLA leave as long as the employee continues to pay any applicable contribution toward the cost of coverage under the School's group policy. The employee must pay this amount directly to the School by the first day of each month to continue coverage for that month. If the employee fails to pay the required portion of the premium, the School may, upon notice as required by law, discontinue his or her coverage or family coverage. If the employee fails to return at the end of the FMLA leave, the School may recover from the employee its entire premium costs in continuing coverage during the leave, in accordance with applicable law.

During approved medical leaves of absence that are not covered by the FMLA, employees who wish to continue their health insurance benefits, may be required to do so at their own cost, pursuant to the Consolidated Omnibus Budget Reconciliation Act ("COBRA").

Prohibition On Other Employment during FMLA Leave

Employees shall not take another job while on FMLA leave, unless otherwise permitted by applicable law.

Multiple Requests by Spouses for FMLA Leave

¹ Certain laws protect the confidentiality of medical information, including but not limited to the Genetic Information Nondiscrimination Act ("GINA"). In accordance with such applicable laws, the School asks that you not provide any confidential medical or genetic information when responding to a request for medical information. "Genetic information" as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Spouses who are eligible for FMLA leave and are both employed by the School may be limited to a combined total of 12 weeks (combined total of 26 weeks for the care of a covered service member) of leave during any 12-month period in certain circumstances, such as for the birth, adoption or foster placement of a child.

Special FMLA Regulations Relating to Time Off for Eligible Instructional Employees

- Leave taken for a period that ends with the school year and begins the next trimester is considered consecutive leave, rather than intermittent leave. The period during the summer vacation when the employee would not have been required to report for duty is not counted against the employee's FMLA leave entitlement. An instructional employee who is on FMLA leave at the end of the school year must be provided with any benefits over the summer vacation that employees would normally receive if they had been working at the end of the school year.
- In addition, if an eligible instructional employee requires intermittent leave or a reduced leave schedule to care for a family member with a serious health condition or for the employee's own serious health condition, and the employee would be on leave for more than 20% of the total number of working days over the period that the leave would extend, the School may require the employee to take leave for a particular duration or to transfer to an available alternative position for which the employee is qualified, has equivalent pay and benefits and which better accommodates recurring periods of leave.
- An instructional employee who begins leave more than five weeks before the end of the school term and whose leave will last for at least three weeks such that the employee would return to work during the three-week period before the end of the term, may be required, if the School so chooses, to continue taking leave until the end of the term, unless otherwise prohibited by applicable law.
- If an instructional employee takes a leave for any qualifying reason, other than for his or her own serious health condition, that begins more than five weeks before the end of the term and will last more than two weeks and the employee would return to work during the last two weeks before the end of the term, the employee may be required by the School to continue taking leave until the end of the term, unless otherwise prohibited by applicable law.
- If the employee begins leave during the three-week period before the end of the term for any reason other than his or her own serious health condition, he or she may be required to continue taking leave until the end of the term if the leave will last more than five days, unless otherwise prohibited by applicable law.
- If the School requires the aforementioned leaves of absence to be taken until the end of the academic term, the additional time off will not count as FMLA leave; however, the School shall be required to maintain the employee's health benefits and restore the employee to an equivalent position at the end of the leave.
- If the employee elects to take intermittent leave for a fixed block of time, the entire block shall all count as FMLA leave.

Returning From FMLA Leave

If medical/family leave is based upon the employee's own serious health condition, the employee will be required to provide medical certification that he or she is fit to resume work. Employees shall be responsible for obtaining such certification from their health care provider and submitting it no later than their first scheduled return date. Employees failing to provide the appropriate certification may not be permitted to return to work.

Employees are expected to return to work on their scheduled return to work date. If an employee wishes to return to work prior to the anticipated expiration of an approved family leave, he/she must make every effort to give the School reasonable notice prior to the planned return. If an employee fails to respond and/or fails to report to work promptly at the end of the approved leave period, the School may assume the employee has resigned. In such case, the School also may exercise its right to recover from the employee the amount of the premium cost which it paid for the employee's health insurance coverage during the term of the leave, unless otherwise provided by applicable law.

When an FMLA medical/family leave ends, the School will return the employee to the same position, if it is still available, or to an equivalent position with the same employment benefits and pay, unless the former position was eliminated and/or the employee would have been terminated regardless of the FMLA leave.

New Jersey Family Leave Act (NJFLA) Leave Of Absence

***If the reason for time off taken under the New Jersey Family Leave Act ("FLA") is also a covered reason for time off under the federal Family and Medical Leave Act, the time off will run concurrently under both laws. Thus, time off to bond with a new child or to care for a family member with a qualifying serious health condition, will count against both the FMLA and the NJFLA time off for which an employee is eligible.**

The New Jersey Family Leave Act (NJFLA) entitles eligible employees to take up to twelve (12) weeks of ~~qualifying~~ time off for qualifying reasons during a twenty-four (24) month period, measured on a rolling look-back basis from the date for which leave is requested.

If an employee is not eligible for NJFLA leave or if the leave does not qualify as a protected leave under the NJFLA, the employee will not be entitled to the benefits and protections provided under the NJFLA, but may be eligible for other benefits pursuant to New Jersey State law. Questions regarding family leave should be directed to the Human Resources representative of the School.

Eligibility Requirements for NJFLA Leave

An employee may be eligible for NJFLA leave if:

- the School employs at least thirty (30) employees;
- the employee has worked for the School for at least twelve (12) months; ~~and~~
- the employee has worked at least 1000 hours in the twelve (12) months immediately preceding the first day of leave;

Qualifying Reasons for NJFLA Leave

An eligible employee may qualify for NJFLA leave:

(1) to care for an immediate family member (as defined by applicable law) with a serious health condition; ~~or~~

(2) in connection with the birth, adoption or foster placement of a child;~~;~~

(3) to care for a child whose school or place of care has been closed by order of a public official because of an epidemic or other public health emergency;

(4) to care for a family member who must quarantine by order of a public health authority or recommendation of a health care provider because the family member is ill with or may have been exposed to a communicable disease, in order to prevent the spread of such disease.–

NJFLA leave is not available for an employee's own medical condition.

Use of NJFLA Intermittent/Reduced Schedule

An employee may request to take NJFLA leave on an intermittent ~~or~~ reduced schedule basis to care for a family member, as defined by law.

Reduced leave schedules are only permitted for a period of up to 12-consecutive months for any one period of leave. Any remaining family leave that the employee may be eligible for may be taken on a consecutive or intermittent basis.

Leave to care for a new child may be consecutive, intermittent or taken on a reduced-schedule basis. Leave to care for a new child must start within the first year of the child's life or adoption or foster placement with the employee.

The employee shall make a reasonable effort to schedule reduced leave or intermittent leave, including to care for a family member who must quarantine in connection with a communicable disease, so as not to disrupt unduly the operations of the School and the employee shall provide the School with prior reasonable notice of the care or treatment that must be provided to a family member due to a serious health condition. If possible, the employee shall provide a schedule of the day(s) of the

week on which intermittent leave needs to be taken. The School may require an employee to transfer temporarily to an available alternative position with equivalent pay and benefits, for which the employee is qualified, and better accommodates recurring periods of leave than the employee's regular position.

Pay During NJFLA Leave

NJFLA leave is generally unpaid leave, except that an employee may choose to substitute any available accrued paid time off such as School-provided paid personal, sick or vacation days (up to the maximum cap of 30 days, if available) for any otherwise unpaid leave, including intermittent leave.

An employee may also be eligible for New Jersey Family Leave Insurance ("FLI") benefits during NJFLA leave to care for a family member with a serious health condition or to care for and bond with a new baby.

If an employee takes time off to bond with and care for a new child and receives FLI benefits, he/she may be eligible for Parental Leave Supplemental pay from the School up to the employee's regular rate of pay for up to a maximum of two (2) weeks per 12-month period (measured on a rolling look-back basis). See Parental Leave Supplemental Pay.

Use of paid personal, sick or vacation time and/or receipt of FLI benefits during NJFLA leave will not extend an employee's eligibility for NJFLA leave beyond the maximum allotment of twelve (12) weeks in a 24-month period (measured on a rolling look-back basis). The time off will run concurrently under both the paid time off or paid benefit program and the NJFLA.

During NJFLA leave, including intermittent leave, no paid personal, sick or vacation days will accrue.

Notice and Documentation Requirements for NJFLA Leave

Generally, eligible employees are required to give thirty (30) days' written notice prior to the anticipated first day of leave, except in emergent situations for which oral notice must be given as soon as possible (and must be followed by written notice as soon as possible). Employees must give fifteen (15) days' advance notice for intermittent leave requests to care for a family member with a serious health condition. Except in emergency circumstances, if an eligible employee fails to provide proper notice of leave, the starting date of the leave may be delayed.

The School may require employees to submit documentation substantiating the basis for leave. Eligible employees requesting family leave to care for an immediate family member must submit a Medical Certification form completed by a licensed physician or other qualified health care provider documenting the reason (Serious Health Condition) and anticipated duration of the proposed leave.² An employee may also be required to submit a Certification of Familial Relationship. Any employee who fails to submit a signed and completed Medical Certification form may be denied family leave or delayed in starting because the Medical Certification is the basis on which the School determines whether an employee qualifies for family leave.

The School reserves the right to require an examination by a second health care provider designated by the School. If the second health care provider's opinion conflicts with the original medical certification, the School may require a third, mutually agreed upon, health care provider to conduct an examination and provide a final opinion.

Employees seeking leave to care for a child due to a public health emergency closure of the child's school or place of care must provide a certification from the school or place of care setting forth the date on which the closure took place and the reason for such closure.

Employees seeking leave to care for a family member who must quarantine to prevent the spread of a communicable disease must provide a certification by the public health authority or the health care provider setting forth the date of the order or recommendation to quarantine, the probable duration of that order to quarantine and, if applicable, the medical or other facts within the knowledge of the health care provider or public health authority regarding the condition.

Forms are available from the School and should be submitted to the Human Resources representative.³

² See Footnote 1 on page 3.

³ See Footnote 1 on page 3.

Health Insurance Coverage during NJFLA Leave

Throughout a covered leave of absence taken by an eligible employee for any qualifying reason, the School will continue medical insurance coverage for covered employees under the same terms that the School provided medical insurance coverage to such employees prior to their leave. Such employees must continue to make timely contributions towards their portion of the premium cost. The employee must pay this amount directly to the School by the first day of each month to continue coverage for that month. If the employee fails to pay the required portion of the premium, the School may, upon notice as required by law, discontinue his or her coverage or family coverage. If the employee fails to return at the end of the NJFLA leave, the School may recover from the employee its entire premium costs in continuing coverage during the leave, in accordance with applicable law.

During a leave of absence that is not covered by the NJFLA or FMLA, employees who wish to continue their health insurance benefits, may be required to do so at their own cost pursuant to the Consolidated Omnibus Budget Reconciliation Act (“COBRA”).

Prohibition On Other Employment During NJFLA Leave

Employees shall not work full-time at another job while on NJFLA leave, unless otherwise permitted by applicable law.

Multiple Requests for Family Leave

More than one School employee from the same family may be eligible for family leave at the same time.

Return From NJFLA Leave

Employees are expected to return to work on their scheduled return to work date. If an employee wishes to return to work prior to the anticipated expiration of an approved family leave, he/she must give the School reasonable notice prior to the planned return.

If an employee fails to return to work without notice and upon the scheduled expiration of a family leave of absence, the School may treat the eligible employee’s failure to return as a voluntary resignation without notice. In such case, the School also may exercise its right to recover from the employee the amount of the premium cost which it paid for the employee’s health insurance coverage during the term of the family leave, unless otherwise provided by applicable law.

Eligible employees taking an approved family leave of absence in accordance with applicable law will be entitled to reinstatement to their former position, or to another position of substantially equivalent compensation, benefits, status and responsibility, if they return from the leave on the agreed upon date, and the leave does not extend beyond the maximum time off permitted under law.

TEMPORARY DISABILITY INSURANCE⁴

Employees may be eligible for New Jersey Temporary Disability Insurance (“TDI”) benefits for up to 26 weeks per twelve month period, measured pursuant to applicable law, for a qualifying disability that precludes the employee from working. TDI is not to be confused with Workers’ Compensation. Workers’ Compensation covers only workplace injury or illness.

Eligibility for TDI Benefits

Employees may be eligible for TDI benefits through a state plan and eligibility and the amount of benefits is determined by the State. If there is any question about the details relating to these benefits, please ask the Human Resources representative.

Notice and Documentation: School

Employees must notify the Human Resources representative any time they are or expect to be absent for illness or medical conditions for a period of 7 consecutive days. In addition to TDI claim forms that must be submitted to the State of New Jersey, employees will be required to provide the School with documentation from their health care provider relating to and

⁴Employees on extended disability leaves of absence may be eligible to apply for Long Term Disability benefits to the extent the School has such a benefit plan in place. Employees should direct any questions to the Human Resources representative of the School.

substantiating their need for time off⁵.

Notice and Documentation: State of New Jersey

Employees are required to submit their claim for TDI benefits directly to the State of New Jersey; the Human Resources representative cannot do it for them. Employees may submit their claim form to the State of New Jersey to apply for TDI benefits on or after the date that they are no longer able to work and cannot submit any documentation prior to that date. The claim form must be completed by the employee's health care provider and immediately submitted to the State of New Jersey, no later than thirty (30) days following the onset of the medical condition. Failure to timely submit any such claim form may negatively impact the employee's eligibility for benefits from the State of New Jersey.

Use of School-provided Paid Time Off

Employees may, but are not required, to use any accrued School-provided paid time off (paid personal, sick or vacation time -- up to the maximum cap of 30 days, if available) during the period of time that they are not able to work due to their medical condition and during which they are waiting for a determination as to their eligibility for TDI benefits from the State of New Jersey or in lieu of receiving TDI benefits. The employee will otherwise not be compensated by the School during the time that they are out of work as a result of the medical condition unless they are eligible for Temporary Disability Leave Supplemental Pay set forth below.

Time off runs concurrently with other leaves

The time off during which an employee is eligible for TDI benefits will run concurrently with other applicable leaves of absence such as an employee's FMLA leave, if applicable and/or available and if the condition qualifies for FMLA leave. If the time off during which an employee is eligible for and receives TDI benefits qualifies for FMLA leave, all FMLA requirements will apply during the FMLA leave.

Health Insurance Coverage and Job Protection

If the FMLA does not apply to the time off that an employee is out for a medical condition and eligible for and/or receiving TDI benefits, an employee is not entitled to job protection or to health insurance benefits, unless otherwise required by applicable law.

FAMILY LEAVE INSURANCE BENEFITS

Employees may be eligible for up to six-twelve (126) weeks⁶ of New Jersey Family Leave Insurance ("FLI") benefits, during a 12-month period, measured in accordance with applicable law:

1. to care for a family member, as defined by the New Jersey Family Leave Act ("NJFLA"), who has a serious health condition;
2. to care for a newborn child, during the 12 months following the birth;
3. to care for a newly adopted child or foster placement of a child, during the 12 months following the placement;
- or
4. for domestic violence-related reasons as set forth under the New Jersey Security and Financial Empowerment Act ("SAFE Act"); or
- 4-5. to care for a family member who has been ordered to quarantine by a public health authority or health care provider in order to prevent the spread of a communicable disease during an epidemic.-

Eligibility

Eligibility for FLI benefits is determined by the State of New Jersey. In general, an employee may be eligible for family leave insurance benefits if he/she has worked at least 20 calendar weeks in covered New Jersey employment in which he/she earned no less than an amount equal to 20 times the minimum wage or has earned at least 1000 times the minimum wage in the year preceding the requested leave.

Employee Obligations

⁵ See Footnote 1 on page 3.

⁶ ~~Pursuant to an amendment to this law, effective July 2020, it is anticipated that employees may be eligible for up to twelve weeks of Family Leave Insurance benefits per twelve-month period, measured in accordance with applicable law.-~~

In order to seek benefits, Employees must submit a claim to the Division of Temporary Disability Insurance within 30 days of the start of leave. Failure to do so may negatively impact eligibility for benefits. Employees who are recovering from a pregnancy or child-birth related disability may only apply for FLI benefits after they are no longer eligible for TDI benefits.

1. Eligible employees may submit a claim for FLI benefits up to 60 days in advance of the date that the leave period will commence.
2. Eligible employees must provide the Human Resources representative 30 days' notice if leave is sought to care for a child after the birth of that child or the placement of the child for adoption or foster care.
3. Eligible employees must provide the Human Resources representative prior notice of the leave in a reasonable and practicable manner if the leave is to care for a family member with a serious health condition, unless an emergency or other unforeseen circumstance precludes prior notice.
4. Eligible employees must provide a medical certification from the health care provider of the family member setting forth:
 - a. the date on which the serious health condition commenced;
 - b. the probable duration of the condition;
 - c. the medical facts regarding the condition⁷;
 - d. a statement that the condition warrants the employee providing care; and
 - e. an estimate of the amount of time the employee may need to care for the family member.

Intermittent Leave - up to 5642⁸ days

~~Generally, leave taken in connection with FLI benefits to care for a new child shall be taken for a single continuous time or during non-consecutive weeks.~~ Time off can be taken intermittently_-
to care for a new child or to care for a family member with a serious health condition if:

1. the total time within which the leave is taken does not exceed 12 months;
2. the employee provides not less than 15 days' notice before the first day on which benefits are paid, unless an emergency or other unforeseen circumstance precludes prior notice;
3. the employee makes a reasonable effort to schedule the leave so as not to unduly disrupt the operations of the school and, if possible, provide a schedule of the intermittent leave; and
4. the employee submits a medical certification which includes the information set forth above and a statement of the medical necessity (applicable to leaves taken to care for a family member with a serious health condition) for the intermittent leave, the duration of the intermittent leave and, if leave is for planned treatments, the dates of the treatments.

Use of School-provided Paid Time Off

Employees may choose to use accrued School-provided paid time off (paid personal, sick or vacation -- up to the maximum cap of 30 days, if available) to the time during which an employee may otherwise be eligible for FLI benefits. In addition, employees may be eligible for Parental Leave Supplemental Pay for up to two weeks.

Time off runs concurrently with other leaves

If an eligible employee is entitled to leave under other laws such as the New Jersey Family Leave Act or the Federal Family and Medical Leave Act, the employee shall take such time off and collect FLI benefits concurrently with such other leaves of absence.

Health Insurance and Job Protection

If the FMLA and/or the NJFLA does not apply to the time off that an employee is out for and eligible for and/or receiving FLI benefits, an employee is not entitled to continuation of health insurance benefits, unless otherwise required by applicable law. Unless the reason for the leave of absence is also covered by the NJFLA and/or the FMLA and only in the event that such laws apply to the School, the School cannot guarantee that the employee will have a position to return to at the expiration of the leave. Employees shall not be retaliated against for requesting and or claiming Family Leave Insurance benefits.

PARENTAL LEAVE SUPPLEMENTAL PAY

Provided a full-time employee has been employed at the School for at least twelve months, he/she, may be eligible to receive

⁷See Footnote 1 on page 3.

⁸~~Effective July 2020, employees may be eligible for up to 56 days.~~

full pay for up to two (2) weeks in a twelve (12) month period to bond with a new child(ren). Specifically, the School will supplement an employee's New Jersey Family Leave Insurance benefits up to 100% of his/her regular base pay for up to two (2) weeks during the approved leave period ("Parental Leave") to care for or bond with a newborn, newly adopted or newly placed foster child within the first 12 months after the child's birth or placement.

Failure to apply for and receive state-provided paid family leave benefits may result ineligibility for some or all of the Parental Leave Supplemental Pay benefit under this Policy.

Time off taken for parental leave during which an employee receives the School's Parental Leave Supplemental Pay benefit runs concurrently with any applicable FMLA and/or NJFLA leave that an employee may be eligible for. This Parental Leave Supplemental Pay is solely a monetary benefit and not an entitlement to a leave of absence. Employees who will be out of work to bond with a new child must request a leave of absence and provide notice in accordance with the FLI benefit law.

While an eligible employee is on parental leave, the School will continue to pay its portion of health insurance benefits, as long as the leave qualifies for leave under the FMLA or the NJFLA. The employee remains responsible for his or her contribution to the School's group health insurance during the FMLA or NJFLA period of time. All voluntary insurance policy premiums will continue to be the responsibility of the employee.

During a leave of absence not covered by FMLA or NJFLA, employees who wish to continue their health insurance benefits may be required to do so at their own cost, pursuant to COBRA.

TEMPORARY DISABILITY SUPPLEMENTAL PAY

Provided a full-time employee has been employed at the School for at least twelve months, the School will provide supplemental temporary disability pay for up to six weeks within a twelve-month period while that employee is on an authorized medical leave of absence. Supplemental pay will be the employee's full salary less the amount of State Temporary Disability benefits to which he or she is entitled. This Supplemental Pay benefit will only apply when an eligible employee is on leave for his or her own serious medical condition and receives State Temporary Disability Insurance benefits.

To qualify for this benefit, an eligible employee must provide medical documentation from a health care provider substantiating the medical condition and the need for a leave of absence. Employees may, but are not required, to utilize School-provided paid personal, sick and/or vacation during the time that he/she is waiting for a determination as to eligibility for TDI benefits.

While an eligible employee is on temporary disability leave, the School will continue to pay its portion of health insurance benefits, as long as the leave qualifies for leave under the FMLA. The employee remains responsible for his or her contribution to the School's group health insurance during the FMLA period of time. All voluntary insurance policy premiums will continue to be the responsibility of the employee.

During a non-FMLA medical leave of absence, employees who wish to continue their health insurance benefits may be required to do so at their own cost, pursuant to COBRA.

WORKERS' COMPENSATION BENEFITS

Employees who are injured or become ill on the job, may be eligible to receive Workers' Compensation insurance benefits.

Notice and Documentation

Employees who suffer from any work-related injury or illness must immediately report it to the School, regardless of how minor the injury/illness may be. Employees may be required to complete a claim form and may be directed to seek medical treatment from certain providers. Employees may also be required to submit documentation from their health care provider relating to their inability to work due to their medical condition. In addition, employees may need to complete and submit FMLA forms.

Use of School-provided Paid Time Off

Employees may, but are not required, to use any accrued School-provided paid personal, sick or vacation time off during the period of time that they are not able to work due to their medical condition and during which they are waiting for a determination as to their eligibility for Workers' Compensation benefits from the carrier. The employee will otherwise not be compensated by the School during the time that they are out of work as a result of the medical condition.

Time off runs concurrently with other leaves

The time off during which an employee is eligible for Workers' Compensation benefits will run concurrently with other applicable leaves of absence such as an employee's FMLA leave, if applicable and/or available and if the condition qualifies for FMLA leave. If the time off during which an employee is eligible for and receives Workers' Compensation benefits qualifies for FMLA leave, all FMLA requirements will apply during the FMLA leave.

Fraudulent Claims

State law imposes legal consequences on the abuse of Workers' Compensation benefits. The School is required to report any concerns of false or fraudulent claims to the Workers' Compensation insurance carrier for investigation. Any person who makes or causes to be made any material statement or representation, known to be false or fraudulent, for the purpose of obtaining or denying workers' compensation benefits or payments can be guilty of a crime and subject to criminal and civil penalties.

FAMILIES FIRST CORONAVIRUS RESPONSE ACT⁹ - FIRST READ

Eligible employees may be eligible for leave pursuant to the Families First Coronavirus Response Act (the "Families First Act" or "FFCRA") in connection with Covid-19 related circumstances. The Families First Act is comprised of two parts: (1) Emergency Family and Medical Leave Expansion Act (EFMLEA) and (2) Emergency Paid Sick Leave Act.

Employees may also be eligible for leave or for benefits under New Jersey's Family Leave Act, New Jersey's Family Leave Insurance benefits law or New Jersey's Temporary Disability Insurance benefits law. Employees should refer to those policies for more information.

⁹ FFCRA leave is scheduled to expire on December 31, 2020.

Employees who are unable to work due to Covid-19 related issues, should contact the Human Resources representative of the School.

Emergency Family and Medical Leave Expansion Act (EFMLEA)

Employees who have been employed for at least 30 calendar days, may be eligible for up to 12 weeks of time off if they are unable to work (or telework) because they need to care for their child whose school or place of care has been closed, or the child care provider is unavailable, due to a COVID-19-related public health emergency declared by a Federal, State, or local authority.

The first 2 weeks (80 hours for full-time employees) of the EFMLEA leave may be unpaid, but an eligible employee may choose to substitute accrued paid time off during these first 2 weeks.

After the first 2 weeks of EFMLEA leave, employees may be eligible for paid leave for each subsequent day at two-thirds of their regular rate of pay for the number of hours they would normally be scheduled to work, up to \$200 per day.

Emergency Paid Sick Leave

In addition to the EFMLEA, employees may be eligible for up to 2 weeks (up to 80 hours) of Emergency Paid Sick Leave paid at their regular rate of pay up to \$511 per day and \$5,110 in the aggregate if employees are unable to work (or telework) because:

1. employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or
3. employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.

If an employee is unable to work for any of the following reasons described in paragraphs (4), (5), or (6), employee may be eligible for up to 2 weeks of Emergency Paid Sick Leave paid at 2/3 of employee's regular rate of pay up to \$200 per day:

4. employee is caring for an individual who must isolate or quarantine due to COVID-19 pursuant to a Federal, State or local order or health care provider recommendation;
5. employee is caring for their child if the school or place of child care has been closed, or the child care provider is unavailable, due to COVID-19 precautions (this time off runs concurrently with the EFMLEA, if applicable).
6. employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Documentation to Support Leave Request

If employee is unable to work or telework because they must care for a child due to a school/daycare closure, employee must notify Human Resources as soon as practical and provide documentation to support employee's request for leave. Under the EFMLEA, employee must submit a signed statement containing the following information:

- employee's name;
- the date(s) for which leave is requested;
- the COVID-19 qualifying reason for leave;
- a statement representing that employee is unable to work or telework because of the COVID-19 qualifying reason;
- the name of the child being cared for;

- the name of the school, place of care, or child care provider that closed or became unavailable due to COVID-19 reasons; and
- a statement representing that no other suitable person is available to care for the child during the period of requested leave.

If employee is unable to work or telework because employee is ill with or must quarantine as a result of COVID-19 by order of a public official or upon a recommendation by their health care provider due to actual or suspected exposure to the illness, employee must provide the following information:

- employee's name;
- the date(s) for which leave is requested;
- the COVID-19 qualifying reason for leave;
- a statement representing that the employee is unable to work or telework because of the COVID-19 qualifying reason; and
- the name of the government entity who ordered, or the name of the health care provider who recommended, employee quarantine due to concerns related to COVID-19.

If employee is unable to work or telework because they need to care for a family member relating to COVID-19, employee must provide the following information:

- employee's name;
- the date(s) for which leave is requested;
- the COVID-19 qualifying reason for leave;
- a statement representing that employee is unable to work or telework because of the COVID-19 qualifying reason; and
- the name of the government entity who ordered, or the name of the health care provider who recommended, the family member being cared for quarantine due to concerns related to COVID-19.

Employee's taking leave under the Families First Act may be required to provide a doctor's note clearing employee to return to work.

No Retaliation

Employees that take leave under the Families First Act will not be retaliated against for exercising their rights to the benefits provided by the Act.