

Emergency Paid Sick Leave Act

The Company has elected to provide eligible employees with emergency paid sick leave (“EPSL”) in accordance with the federal Emergency Paid Sick Leave Act (“EPSLA”) for certain qualifying reasons intended to aid in minimizing the spread of the virus associated with COVID-19. The federal government enacted EPSLA in response to the COVID-19 pandemic. EPSLA is effective only from April 1, 2020 through December 31, 2020.

Employee Eligibility

All Company employees are eligible for EPSL, for the qualifying reasons set out below, provided that the Company has work for the employee. Eligible employees may use EPSL immediately, regardless of length of service with the Company.

Qualifying Reasons for EPSL

Employees may use EPSL if they cannot work (or telework) due to any of the following reasons:

- (1) The employee is subject to a federal, state, or local quarantine, isolation, containment, shelter-in-place, or stay-at-home order related to COVID-19 issued by any federal, state or local government authority;
- (2) The employee has been advised by a health care provider to self-quarantine based on the provider’s belief that the employee has, or may have, COVID-19, or is particularly vulnerable to COVID-19;
- (3) The employee is experiencing symptoms of fever, dry cough, shortness of breath, or any other COVID-19 symptoms identified by the U.S. Centers for Disease Control and Prevention, and is taking affirmative steps to obtain a medical diagnosis, such as making, waiting for, or attending an appointment for a test for COVID-19;
- (4) The employee is caring for an “individual” who is subject to a federal, state, or local quarantine, isolation, containment, shelter-in-place, or stay-at-home order related to COVID-19, or who has been advised by a health care provider to self-quarantine based on the provider’s belief that the individual has, or may have, COVID-19, or is particularly vulnerable to COVID-19;
- (5) The employee is caring for their “child” whose school or “place of care” has been closed, or whose “child care provider” is unavailable, for reasons related to COVID-19, and no other suitable person will be caring for the child during the hours when the employee is requesting to use EPSL; or
- (6) The 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.

Definitions

For purposes of this policy, the following definitions apply:

- “Child” means the employee’s biological child, adopted child, foster child, stepchild, a legal ward, or a child to whom the employee stands *in loco parentis*, who is either under

18 years of age or is 18 years of age or older and incapable of self-care because of a physical or mental disability.

- “Child care provider” means a provider who receives compensation for providing child care services on a regular basis and that is licensed, regulated or registered under State law and meets specific child care provider State and local requirements required by law. A child care provider may also be a family member or friend (such as a neighbor) who regularly cares for an employee’s child.
- “Individual” means the employee’s immediate family member, a person who regularly resides in the employee’s home, or a similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person if the individual were quarantined or self-quarantined. “Individual” does not include persons with whom the employee has no personal relationship.
- “Place of care” means a physical location in which care is provided for the employee’s child while the employee works for the Company. Examples include day care facilities, preschools, before and after school care programs, schools, homes, summer camps, summer enrichment programs, and respite care programs.

Amount of EPSL

The Company provides employees normally scheduled to work 40 or more hours per week with up to eighty (80) hours of EPSL. The Company provides employees normally scheduled to work fewer than 40 hours per week with EPSL hours equal to the number of hours that the employee works, on average, over a 2-week period.

For employees normally scheduled to work fewer than 40 hours per week, we will follow the documented guidance from the Department of Labor to calculate pay:

“A part-time employee is entitled to leave for his or her average number of work hours in a two-week period. Therefore, you calculate hours of leave based on the number of hours the employee is normally scheduled to work. If the normal hours scheduled are unknown, or if the part-time employee’s schedule varies, you may use a six-month average to calculate the average daily hours.” ... “If this calculation cannot be made because the employee has not been employed for at least six months, use the number of hours that you and your employee agreed that the employee would work upon hiring. And if there is no such agreement, you may calculate the appropriate number of hours of leave based on the average hours per day the employee was scheduled to work over the entire term of his or her employment.”

An employee who reports to a worksite and who uses EPSL for a qualifying reason described in paragraphs (1)-(4) or (6) above must use EPSL in a single block of time, until either: (a) all EPSL is exhausted; or (b) they no longer have a qualifying reason for taking EPSL. An employee who uses EPSL for a qualifying reason described in paragraph (5) above may, if the Company agrees, use EPSL intermittently, which means taking leave in separate blocks of time or working a reduced daily or weekly schedule. Employees who telework may use EPSL intermittently for any qualifying reason with Company approval.

EPSL taken in a single block of time will end beginning with the employee’s next scheduled work shift immediately following the termination of a qualifying reason for leave. An employee whose

EPSL terminates before they have exhausted their total EPSL entitlement may take any remaining EPSL at a later time (until December 31, 2020) if another qualifying reason occurs.

An employee is not required to search for or find a replacement worker to cover the hours during which the employee uses EPSL.

Requesting EPSL and Verification of Need for Leave

When the need for EPSL is foreseeable, employees should provide to the Company as much notice of the need for leave as is practicable. Otherwise, an employee requesting EPSL should provide notice as soon as practicable after the need for leave arises. After the first workday (or partial workday) that leave is needed, the employee should follow the Company's normal absence reporting process, absent unusual circumstances.

When an employee requests EPSL, the employee will need to complete an EPSLA Leave Request & Notice Form containing the following information:

- The employee's name;
- Date(s) of leave requested;
- An indication of the reason for leave and written support for such reason; and
- A statement that the employee is unable to work, including by means of telework, for such reason.

Employees may be required to provide additional information, depending on the reason EPSL is requested, to substantiate their eligibility for EPSL to verify their need for EPSL.

Carryover

EPSL will not carry over from one year to the next.

EPSL Pay

EPSL for a qualifying reason described in paragraphs (1), (2) and (3) above is paid at the employee's regular rate of pay (or at the applicable minimum hourly wage, if that would be higher), subject to daily and overall monetary caps set by federal law. EPSL for a qualifying reason described in paragraphs (4), (5) and (6) above is paid at two-thirds the employee's regular rate of pay (or at two-thirds the applicable minimum hourly wage, if that would be higher), subject to daily and overall monetary caps set by federal law. When applicable, the Company will incorporate commissions, tips, and/or piece rates into this calculation.

The amount of EPSL paid for a particular missed work day is determined based on the number of hours the employee normally would have been scheduled to work on that day (including, if applicable, overtime hours). An employee who uses EPSL for a qualifying reason described in paragraphs (1), (2) and (3) above can receive a maximum of \$511 per day in EPSL and \$5,110 in the aggregate. An employee who uses EPSL for a reason described in paragraphs (4), (5), or (6) above can receive a maximum of \$200 per day in EPSL and \$2,000 in the aggregate. EPSL pay does not include a premium for overtime hours.

Benefits During EPSL

The Company will continue making contributions for an employee's group health benefits during EPSL on the same terms as if the employee had continued to work. This means that if the employee wants benefits coverage to continue during EPSL, the employee must also continue to make any premium payments that the employee is regularly required to make for themselves or their dependents.

Separation from Employment

The Company does not pay an employee for unused EPSL upon the employee's separation from employment.

Effect on Other Rights and Policies

EPSL is separate from, and in addition to, any existing benefits provided under other corporate policies, including but not limited to PTO. Employees remain eligible to use any available and applicable paid time off benefits pursuant to company policy or applicable law. Employees may not use accrued paid time off benefits to "top off" or supplement EPSL pay.

EPSL taken by an employee to care for their child whose school or place of care has been closed, or whose child care provider is unavailable, for reasons related to COVID-19, may run concurrent with leave under the Emergency Family and Medical Leave Expansion Act.

Job Restoration

In general, the Company restores employees using EPSL to the same position held at the time the employee takes EPSL, or to a position with equivalent pay, benefits, and other employment terms and conditions. However, employees will not have any greater job restoration rights than if they had been continuously employed rather than taking EPSL.

No Discrimination or Retaliation

The Company will not discharge, discipline, or in any other manner discriminate against employees because they take EPSL in accordance with this policy, file a complaint under the EPSLA, or participate in any proceeding seeking enforcement under the EPSLA.

Additional Information Regarding EPSLA

This policy is subject to change pending final regulatory guidance issued regarding the EPSLA. The policy should be construed in such a way as to be in harmony with the requirements set forth in any such regulatory guidance.

Please contact the Owner or Office Manager for additional information about the EPSLA and review the [Department of Labor's "Employee Rights" poster](#).