

Absences, Leave and Workplace Modifications Due to COVID-19 Related Conditions

This MOU is entered upon by the Gervais School District and Gervais OSEA Chapter 135 for the 2020-21 school year and expires June 30, 2021 or at the conclusion of applicable Executive Orders as issued by the Governor, whichever occurs first.

Absences must be entered into absence management in accordance with contract and district policy. Employees will follow established protocols in communicating with direct supervisor and office manager.

During the COVID-19 pandemic, if an employee is unable to work due to the following:

- a) A local, state, and/or federal health authority determines that the presence of an employee in the workplace would jeopardize the health of others; or
- b) A licensed medical provider (including but not limited to physicians and licensed physician assistants) determines that the presence of an employee in the workplace would jeopardize the health of others; or
- c) The employee's COVID-19 diagnosis or active sickness; or
- d) The District elects to send an employee home out of concern that the employee's continued presence in the workplace could jeopardize the health of the employee or others and the employee maintains that they are not ill or suffering from the infectious disease;

Employees will have the ability to use all available leave types including but not limited to FFCRA (or its successor), FMLA/OFLA, sick leave, sick leave donations, personal leave and vacation leave.

To the extent that the employee is able to perform any or all of the employee's regular duties from the employee's residence or place of quarantine, the employer may allow the employee to do so, but only to such extent as the employee's condition and access to work materials and equipment allows. If the employee is expected to work from home they will not be required to use any form of leave and will be paid their regular wage. Written confirmation of any such telecommuting arrangement shall be provided to the employee.

High Risk Health Conditions

When an employee has an ADA qualified disability, which affects their ability to perform the essential functions of their job duties the following procedure will be implemented:

1. The District shall discuss with the employee accommodations that would allow the employee to work on site.
2. The employee will provide appropriate documentation from their medical provider to the District.
3. An employee will be allowed to bring a representative to attend the meeting.
4. The District shall consider work that might be done remotely as a possible accommodation.

If the employee qualifies, and the District is unable to make an accommodation the employee may utilize OFLA/FMLA or applicable leave laws/provisions, including the Families First Coronavirus Response Act.

Employees who reside with a high risk family member and has concerns about returning to work may request a meeting with the district to discuss potential work modifications in an effort to address their concerns. Association representative may be present in this meeting.


Dandy Stevens, Superintendent

10/1/2020
Date



10/1/2020
Date