



MEMORANDUM OF UNDERSTANDING
BETWEEN
THE SPOKANE SCHOOL DISTRICT
AND
THE SPOKANE EDUCATION ASSOCIATION
REPRESENTING
ALL SEA REPRESENTED EMPLOYEES

To replace section "XIII. Leaves" from the 8/24/2020 MOU - COVID General Working Conditions

Leave Options Due to COVID-19

1. In the event an employee is directed not to report to the work site due to a COVID -19 workplace exposure (as determined by the SRHD), the employee shall contact and work with their supervisor to secure meaningful work to be completed off site until their workplace return is approved and no leave shall be used by the employee. If an employee should decline meaningful work, leave will need to be used.
 - a. In the event an employee is diagnosed with COVID-19 as a result of a known exposure in the workplace, the employee may explore an occupational exposure claim with workers compensation.
 - i. Employees with an approved worker's compensation claim, up to a maximum of thirty (30) workday absences will not be deducted from employee leave accruals.
2. The Families First Coronavirus Response Act (FFCRA or Act) provides eligible employees up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave. This federal leave was not extended past 12/31/2020.
 - a. For employees who have not used any of the 10 days allowed through the FCCRA, the district will provide COVID leave up to 10 days paid at their regular rate of pay for the qualifying reasons #1-3 below.
 - b. For employees who have only used a portion of the 10 days allowed through the FCCRA, the district will provide the remaining days as COVID leave at their regular rate of pay for the qualifying reasons #1-3 below.

An employee is eligible if the employee is unable to work, including unable to work from home, because the employee:

- i. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- ii. has been advised by a health care provider to self-quarantine related to COVID-19;
- iii. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

Employees are not required to use their individual leave accruals (e.g. sick, vacation, personal, and comp time) prior to using this option. HR has developed a leave of absence request form specific to these new leaves for employees to use; HR will coordinate the use of leave with the employee during the leave approval process. This provision will apply from January 1, 2021 through August 31, 2021.

3. Employees who have not been provided a work-at-home assignment and who are in a high-risk category as described by the Centers for Disease Control and Prevention (as noted at <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html>) and as confirmed by a doctor's note for underlying medical conditions will use one of the following options;
 - a. As provided by the Washington State Governor's Proclamation 20-46 and lasting through the duration of the current state of emergency initially proclaimed in Proclamation 20-05, or until otherwise rescinded or amended, at risk employees are protected in the following ways:
 - i. The District is required to seek any and all options for alternative work arrangements.
 - ii. The District is required to permit any high-risk employee in a situation where an alternative work arrangement is not feasible to use any available employer granted accrued leave or unemployment insurance in any sequence at the discretion of the employee.
 - iii. The District is required to fully maintain all employer-related health insurance benefits until the employee is deemed eligible to return to work.
 - iv. The District is prohibited from taking adverse employment action against an employee for exercising their rights under this Proclamation that would result in loss of the employee's current employment position by permanent replacement.
4. Leave requests unrelated to COVID-19 will be processed through the normal protocols.

In addition to the COVID leaves outlined above and the leaves included in the Collective bargaining agreements, the parties agree to the following for all SEA represented groups:

5. As allowable by [RCW 41.04.665](#), an employee may request to use shared leave if they, a relative or household member, is isolated or quarantined as recommended, requested, or ordered by a public health official or health care provider as a result of suspected or confirmed infection with or exposure to the 2019 novel coronavirus (COVID-19).
6. The District shall utilize the current shared leave pool.
 - a. Employees may only access this leave after they have utilized their District's COVID leave above and have exhausted all of their own accrued leave options.
 - b. This option to use shared leave will be available from the signature date of this MOU through August 31, 2021.
 - c. Any days remaining in the pool at the end of the 20/21 school year shall be returned to the individuals that donated last.

7. Employees may donate sick leave per current CBA to be used by others as described above.
8. As federal and state provisions change that may impact District requirements to provide leave to employees, this leave section will be reviewed and updated by the parties.

FOR THE ASSOCIATION:



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Michelle Jenner
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February 16, 2021

Date

FOR THE DISTRICT:



Jodi Harmon
Executive Director, Human Resources



Adam Swinyard, Ed.D.
Superintendent, Spokane Public Schools

February 16, 2021

Date