

Memorandum of Understanding
BETWEEN
THE STATE OF WISCONSIN
AND THE
WISCONSIN LAW ENFORCEMENT ASSOCIATION

The abovenamed parties to the collective bargaining agreement covering the Wisconsin Law Enforcement Association (WLEA), agree to the following terms and conditions regarding implementing federal Emergency Paid Sick Leave Act.

SECTION I. SUMMARY OF FEDERAL PROVISIONS

In brief, the Act provides the following for WLEA employees that are unable to work:

- A. Provides up to 10 days (80 hours) of emergency paid sick leave for all WLEA employees who meet qualifying reasons.

SECTION II. EMERGENCY PAID SICK LEAVE-- QUALIFYING REASONS

Starting April 1, 2020, WLEA employees are eligible to use emergency sick leave for the following reasons:

- A. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
- B. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.

Also ineligible are employees laid off, on furlough, or otherwise not permitted to work because of the unavailability of work.

SECTION III. ADMINISTRATION OF EMERGENCY PAID SICK LEAVE

Effective April 1, any WLEA employee shall be entitled to use emergency paid sick leave in accordance with Sections II. This leave is in addition to any paid leave previously used by, or otherwise currently available to an employee.

- A. Amount of Hours.** The total amount of hours of emergency paid sick leave to which a WLEA employee is entitled shall be as follows:
 - 1. For full-time employees, 80 hours. This leave may not be used on an intermittent basis.
- B. Rate of Pay for Employee's Own Illness or Exposure.** For circumstances identified in Section II, A., B., or C., emergency paid sick leave will be paid at the employee's regular rate of pay.
- C. Total Hours.** The total combined hours of emergency paid sick leave regardless of reason is limited to 80 hours.
- D. Immediate Availability.** Starting on April 1, 2020, eligible WLEA employees with a qualifying need under Sections II may begin to use emergency paid sick leave. The Department of Transportation may not require an employee to use other paid leave prior to use of emergency paid sick leave.
- E. No Retroactive Application.** Use of emergency paid sick leave is prospective only. It may not be substituted for paid or unpaid leave used prior to April 1, 2020.
- F. End of Individual Eligibility.** Eligibility for emergency paid sick leave ends when an employee no longer qualifies for a reason listed in Section II, or has used a total of 80 hours or prorated portion thereof for part-time employees.

G. No Carryover or Cashout. Emergency paid sick leave shall not carry over from one year to the next and shall not be available for cashout under any circumstance as unused leave.

H. Reporting Paid Sick leave in PeopleSoft. Emergency paid sick leave will be recorded in PeopleSoft using temporary time reporting codes.

I. Additional Administrative Provisions.

1. Emergency paid sick leave is not counted as hours worked for FLSA purposes.
2. The 80 hours maximum for full time WLEA employees is per-employee regardless of the number of positions held by the employee. Leave hours should be allocated to different positions as instructed by the employee's supervisor.

SECTION VI. IMPACT ON OTHER BENEFITS

Use of emergency paid sick leave is above and beyond other paid leave benefits and will not deplete an employee's regular sick leave or vacation leave accounts.

For purposes of benefit accrual, use of emergency paid sick leave will be treated in a manner similar to regular paid sick leave. This means that for permanent employees, continuous service, WRS contributions (by both the employee and employer) and creditable service, annual leave, and sick leave will all continue to accrue while on emergency paid sick leave

SECTION VII. EXPIRATION OF EMERGENCY PAID SICK LEAVE

The availability of emergency paid sick leave expires on December 31, 2020 or when the WLEA employee has exhausted the hours available to them, whichever is earlier.

SECTION VIII. DOCUMENTATION REQUIRED FOR EMERGENCY PAID SICK LEAVE

When using the leave described in this MOU, WLEA employees will be asked to provide the following information depending upon the basis for the requested leave on forms provided by DPM. Supervisors may request further documentation of the information provided.

- A. The WLEA employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.** The employee's name, name of health care provider who advised, statement that the employee is unable to work and the date(s) for which leave is requested. Supervisors are authorized to request further documentation of the information provided.
- B. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.** The employee's name, name of health care provide who has been contacted, statement that the employee is unable to work for that reason, and the date(s) for which leave is requested is all that is required. Supervisors are authorized to request further documentation of the information provided.

FOR THE UNION DATE

FOR THE EMPLOYER DATE

Chad Thompson,

Douglas Thayer

Wisconsin Law Enforcement Association

Division of Personnel Management

CONFIDENTIAL