



## **City of Westfield, Massachusetts Personnel Department**

*59 Court Street, Room 109  
Westfield, MA 01085*

### **Employees Request for Expanded Sick Leave and/or Family or Medical Leave related to COVID-19 Policy**

The City of Westfield provides eligible employees with up to 12 weeks of emergency family and medical leave for a qualifying need related to a public health emergency.

#### Eligibility

Emergency family and medical leave is available to all employees that have been employed by the City of Westfield for at least 30 calendar days.

#### Reason for Leave

Leave under this policy is limited to circumstances where you are unable to work (including at home) due to your need to care for your child (either under the age of 18 or over the age of 18 but incapable of self-care because of a mental or physical disability) because the child's school or place of childcare has been closed or is unavailable due to a public health emergency.

#### Requesting Leave

If you need to take emergency family and medical leave, provide notice as soon as possible. Normal call-in procedures apply to all absences from work.

#### Compensation

The first 10 days (two weeks) of leave are unpaid, but you may substitute accrued paid leave, including emergency paid sick leave.

The remaining portion of your leave (up to 10 weeks) is paid at 2/3 of your regular rate for the number of hours you would otherwise be scheduled to work (with a maximum payment of \$200 per day and \$10,000 total).

#### Restoration

Upon returning to work at the end of leave, the City of Westfield will make its best effort to return you to your original or an equivalent position. However, if your position has been eliminated due to the impacts of the pandemic and no equivalent position exists, restoration is not guaranteed. You will not lose any unused benefits that accrued before leave was taken.

#### Retaliation

The City of Westfield will not retaliate against employees who request or take leave in accordance with this policy.

### Potential Exemption

The City of Westfield may need to deny otherwise qualifying leave under this policy if granting such leave would jeopardize the viability of the City of Westfield's business as an ongoing concern. The City of Westfield is exempt from the requirement of providing expanded family and medical leave when:

- Such leave would cause the City of Westfield's expenses and financial obligations to exceed available business revenue and cause the City of Westfield to cease operating at a minimal capacity;
- The absence of the employee or employees requesting such leave would pose a substantial risk to the financial health or operational capacity of the City of Westfield because of their specialized skills, knowledge of the business, or responsibilities; or
- The City of Westfield cannot find enough other workers who are able, willing, and qualified and who will be available at the time and place needed, to perform the labor or services the employee or employees requesting leave provide, and these labor and services are needed for the small employer to operate at a minimum capacity.

### Expiration

This policy expires on December 31, 2020.

### Documentation

Employees should fill out the FFCRA leave request form provided by Personnel or along with this policy.