

LETTER OF AGREEMENT

THIS LETTER OF AGREEMENT is made and entered into between the Nebraska Association of Public Employees, Local #61 of the American Federation of State, County, and Municipal Employees (NAPE) and the State of Nebraska (State) to amend the 2019-2021 Labor Contract (Labor Contract) between the parties.

The parties agree to add the following to Article 14:

14.28 **COVID-19 Administrative Leave.** Employees who are excluded by the State from eligibility for both Emergency Paid Sick Leave and Expanded FMLA under the Families First Coronavirus Response Act shall have available up to 80 (eighty) hours of paid time off if employed full-time, or the number of hours equal to the number of hours that such employee works, on average, over a 2 (two) week period if employed part-time, subject to the following eligibility requirements:

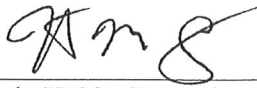
- a) Employee is unable to work or telework and is subject to federal/state/local quarantine or isolation order related to COVID-19; or
- b) Employee is unable to work or telework and is advised by a health care provider to self-quarantine due to COVID-19; or
- c) Employee is unable to work or telework and is experiencing symptoms of COVID-19 and is seeking a medical diagnosis; or
- d) Employee is unable to work or telework and is caring for an individual subject to (a) or (b).

14.28.1 **Request for COVID-19 Administrative Leave.** COVID-19 Administrative Leave shall be requested in advance when possible and such requests shall be answered within 2 (two) work days. In the case of any absence not approved in advance, the employee should inform the first level of supervision outside the bargaining unit as soon as possible. An employee may be required to submit substantiating evidence of eligibility and leave may be denied if the employee fails to do so. Eligibility requirements will be interpreted using U.S. Department of Labor guidance on Emergency Paid Sick Leave under the Families First Coronavirus Response Act as such guidance existed on April 21, 2020.

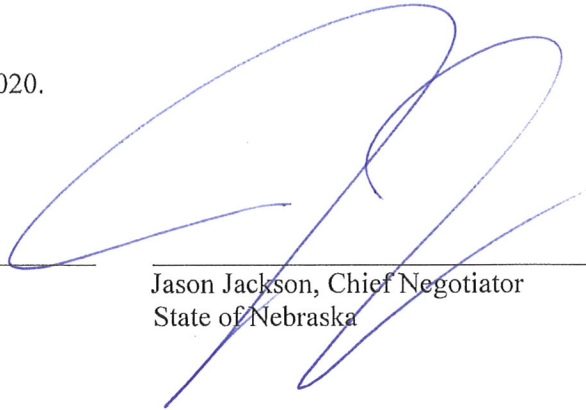
14.28.2 **Retroactive Application.** COVID-19 Administrative Leave may be applied for absences occurring on or after April 1, 2020 due to the qualifying reasons outlined in Article 14.28.

14.28.3 All COVID-19 Administrative Leave shall be forfeited upon separation from employment or on December 31, 2020, whichever occurs sooner.

Dated this 27th day of April, 2020.



Justin Hubly, Executive Director
NAPE/AFSCME



Jason Jackson, Chief Negotiator
State of Nebraska