



SFMTA

Paid Leave Update Memo

To: All SFMTA Staff Members
From: Kimberly Ackerman, Director of Human Resources
Date: October 29, 2020
Subject: Paid Leave Update

The SFMTA is committed to providing additional resources to our employees during the public health emergency. Dealing with COVID-19 has created the need for greater flexibility regarding employee paid leave benefits. **The bold and grey highlighted verbiage denotes new updates effective as of October 31, 2020.**

Federal Emergency Paid Sick Leave

The MTA has implemented the Emergency Paid Sick Leave provisions under the federal Families First Coronavirus Response Act (FFCRA) for all employees. Full-time employees are eligible for up to 80 hours of paid sick leave for specified COVID-19 related purposes, including school closures; MTA uses a specific pay code for this federal sick leave (i.e., pay code "ESP"). Part-time employees are eligible for a prorated number of hours. These paid sick leave hours are subject to the daily and aggregate caps set in the FFCRA. Under the FFCRA, eligible employees may also request Family and Medical Leave Act (FMLA) leave for COVID-19 related school closures.

Unless extended by the federal government, these benefits expire December 31, 2020.

Integration

Employees eligible for compensation through workers compensation/4850 pay and other third-party benefits like SDI and unemployment insurance must use those benefits and integrate them into the City-provided compensation. Employees using paid compensation under the FFCRA may affirmatively opt out of integration with other benefits.

Additional City Paid Sick Leave Allocation (COV)

The City provides all regularly scheduled employees an additional 80 hours of new paid sick leave that employees can use for specified COVID-19 related reasons, including school/childcare closures and remote/hybrid learning arrangements. Part-time employees receive a prorated number of hours. The City will use a specific pay code for this additional sick leave (e.g., pay code 'COV'). **COV Sick Leave will be expanded to employees hired on or after April 1, 2020. Effective October 31, 2020, the COV Sick usage will be limited to COVID-19 related reasons including school closures and remote learning. COV sick leave expires on June 30, 2021.**

City Leave Advancement

If employees exhaust their FFCRA Emergency Paid Sick Leave, the additional 80 hours of sick leave from the City, and their own leave balances, then regularly scheduled employees may still request to advance up to an additional 80 hours of sick or vacation leave under the City's current leave advance program. **Employees may credit the additional sick leave (COV Sick) toward any already advanced sick pay in lieu of foregoing sick pay accruals until the City has recovered the hours advance.**

Paid Leave Caps

For regularly scheduled employees who are near or at the maximum accruals for vacation and floating holiday but who cannot take time off during the public health emergency, MTA will waive vacation leave and floating holiday caps through the duration of the declared emergency.



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Vacation Leave

Employees can accrue up to an additional 80 hours over the vacation maximum accrual limit through June 30, 2021. Part-time employees can accrue a prorated number of hours. Employees will stop accruing vacation when they reach the cap plus 80 hours. Vacation accruals will begin again at the normal rates after employees use accrued time. Employees must use vacation and reduce their balance below the maximum accrual by December 31, 2021.

The current maximum vacation accruals are stated below.

Years of Service	Current Vacation Accrual Limits
1-5 years	40 days
5 years or more of service	45 days
15 years or more of service	50 days

Floating Holidays

Effective April 1, 2020, regularly scheduled employees required to work onsite or in the field accrue up to 80 hours of additional Floating Holidays. The accrual rate is 8 hours for every 40 hours of regularly scheduled work onsite or in the field. Effective October 30, 2020, this benefit will end. On or before November 30, 2020, Floating Holidays earned will be credited to employee leave balances.

All Floating Holidays accruals, including the additional accruals, will carryover subject to the following limits:

Fiscal Year 2020-21: 200 hours maximum Floating Holiday accrual balance allowed

Fiscal Year 2021-22: 160 hours maximum Floating Holiday accrual balance allowed

Employees must forfeit any Floating Holidays in excess of these caps.

Effective July 1, 2022, Floating Holiday accruals will be subject to caps and carryover provisions in the MOUs.

Employees Eligible for Compensatory Time

The city will waive compensatory time caps for salaried ("Z" Symbol) employees so that they can earn up to an additional 80 hours above current compensatory time caps for the extra work they perform through October 30, 2020. Part-time employees are eligible for a prorated number of hours. Compensatory time is not subject to cash out for salaried employees. Any compensatory time earned above the compensatory time caps, up to 80 hours, must be used by December 31, 2021.

Employees Not Eligible for Compensatory Time

For MEA Miscellaneous and other employees who are not eligible to earn compensatory time, the city will allow those employees to earn up to 80 hours of compensatory time on an hour for hour basis for work through October 30, 2020 for hours worked in excess of their regular work week. Part-time employees are eligible for a prorated number of hours. Compensatory time is not subject to cash out for salaried employees. Any compensatory time earned must be used by December 31, 2021.

Paid Administrative Leave

For employees performing essential services who must remain in the workplace, the SFMTA will provide paid administrative leave if those employees are diagnosed with COVID-19, have symptoms consistent with COVID-19 infection, or must isolate/quarantine pursuant to direction of a healthcare provider or order from a federal,



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state or local official. For purposes of eligibility for paid administrative leave only, the SFMTA will presume these employees became exposed or sick in the workplace if the symptoms or diagnoses occurs within fourteen (14) days of having been in the workplace. Employees must use their FFCRA Emergency Paid Sick Leave and additional City Paid Sick Leave (COV) first and can supplement with this paid administrative leave or other available benefits above.

Additional Floating Holidays

For regularly scheduled employees performing essential services who must remain in the workplace, the city will provide 8 hours of floating holidays (FHP) for every 40 hours of regularly scheduled hours worked (WKP) in the workplace (i.e., 0.2 FHP hours for every hour of WKP), up to a maximum of 80 hours of floating holiday **through October 30, 2020**. Part-time employees are eligible for a prorated number of hours. **The City will credit these floating holiday hours by November 30, 2020.** As with other floating holidays, these hours are not subject to cash out.

Furloughed Employees per Shelter in Place Order

The city will continue to provide paid furlough for employees who are available to work but who are not required to work in the workplace providing essential services and who cannot perform their work remotely. **This benefit will remain in effect through December 31, 2020.**