

**Torkildson Katz Hetherington Harris & Knorek**

**Model Families First Coronavirus Response Act Policy**

From April 1, 2020 to December 31, 2020, the Company provides the following additional leave benefit:

**Temporary Emergency Paid Leave Due to COVID-19-Related Reasons**

From April 1, 2020 to December 31, 2020, the Company will provide emergency paid sick time to eligible employees due to the outbreak of COVID-19 in the United States.

You are eligible for paid sick time under this policy **if you are unable to work (or telework)** due to a need for leave for any of the following reasons (“Qualifying Reasons”):

- (1) You are subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- (2) You have been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- (3) You are experiencing symptoms of COVID-19 and seeking a medical diagnosis;
- (4) You are caring for an individual who is subject to an order as described in subparagraph (1) or has been advised as described in paragraph (2);
- (5) You are caring for a son or daughter because the school or place of care of the son or daughter has been closed, or the child care provider of your son or daughter is unavailable, due to COVID-19 precautions and no other suitable person is available to provide care for the child during the period for which you are seeking leave;
- (6) You are experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

***Duration of Emergency Paid Sick Time:***

- Full-time eligible employees are entitled to 80 hours of paid sick time.
- Part-time eligible employees are entitled to the number of hours that such employee works on average over a 2-week period.

You must exhaust emergency paid sick time under this policy before electing to use other types of applicable accrued paid leave. Once you no longer have any Qualifying Reason, paid sick time terminates at the beginning of your next scheduled workshift.

***Compensation***

If you use paid sick time for Qualifying Reason (1), (2) or (3), the leave benefit is 100% of your regular rate of pay. In no event shall paid sick time exceed \$511 per day and \$5,110 in the aggregate for Qualifying Reason (1), (2), or (3).

If you use paid sick time for Qualifying Reason (4), (5) or (6), the leave benefit is two-thirds of your regular pay. In no event shall paid sick time exceed \$200 per day and \$2,000 in the aggregate for Qualifying Reason (4), (5), or (6).

During paid sick time you will be paid not less than the minimum wage rate in effect in Hawaii.

[Optional: During your Emergency Paid Sick Leave you may supplement your leave with applicable accrued paid leave to receive your regular full pay.]

After the first workday (or portion thereof) that you receive emergency paid sick time under this policy you may be required to follow reasonable notice procedures in order to continue receiving such paid sick time.

### **Temporary Expanded Family and Medical Leave Policy**

From April 1, 2020 to December 31, 2020, the Company provides the following additional leave benefit under the federal Family and Medical Leave Act to any employee who has been employed for at least 30 calendar days. If eligible, you may take up to twelve weeks of leave **if you are unable to work (or telework)** due to a need for leave to care for the son or daughter under 18 years of age if the school or place of care has been closed, or the child care provider is unavailable, because of an emergency with respect to COVID-19 declared by a Federal, State, or local authority, and there is no other suitable person available to provide care for the child during the period for which you are requesting paid leave.

The first ten days of leave under this policy is unpaid leave, however, you may elect to use the Emergency Paid Leave benefit for the first eighty (80) hours, or if you no longer have any Emergency Paid Leave you may use any applicable accrued paid leave. If your need for leave exceeds eighty (80) hours, you may take up to ten (10) additional weeks of leave but will be required to exhaust any form of applicable accrued paid leave during such leave. If you exhaust all forms of applicable accrued paid leave, subsequent days of leave under this policy will be compensated at no less than two-thirds of your regular rate of pay but not more than \$200 per day.

[Alternate Option: If your need for leave exceeds eighty (80) hours, you may take up to ten (10) additional weeks of leave. During such leave you will be compensated at no less than two-thirds of your regular rate of pay but not more than \$200 per day. During your Expanded Family and Medical Leave you may supplement your paid leave with applicable accrued paid leave to receive your regular full pay.]

You may be required to follow reasonable notice procedures in order to continue receiving such paid sick time.

### **Health Insurance Coverage**

During any period of Emergency paid Leave or Expanded Family and Medical Leave the Company will continue your health care coverage on the same basis as it did while you were working.

### **Intermittent Use**

Neither Emergency Paid Sick Leave nor Expanded Family and Medical Leave may be taken intermittently

## **Retaliation**

We will not require as a condition of providing paid sick time that you search for or find a replacement employee to cover the hours during which the employee is using the paid sick time.

We will not discharge, discipline, or in any other manner discriminate against any employee who takes paid sick time and has filed any complaint or instituted any proceeding based on violations of this policy.

**If you have any questions about paid sick time under this policy, please contact the Human Resources Manager.**