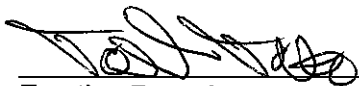


Letter of agreement
between the
Elkton-Pigeon-Bay Port board of education
and the
Elkton-Pigeon-Bay-Port association of paraprofessionals

re: 2020-2023 contract

it is hereby acknowledged agreed by the parties set forth above as follows:

1. The parties acknowledge that the Covid 19 pandemic has placed an extraordinary burden on the State of Michigan tax revenues that was unanticipated when Governor Whitmer issued her proposed state aid act proposal in February of 2020. The parties further acknowledge in light of the pandemic that there will be no state aid act approved in the near term and that eventually, it will likely contain a level of reduction in per pupil funding never experienced by Michigan's public schools.
2. In recognition and acknowledgement of the foregoing, the parties have agreed to a freeze the wage schedule in article x and that no steps will be issued the wage schedule or additional credit for the longevity pay schedule for 2022-2023 if the per pupil foundation allowance for 2022-2023 is approved at or less than the per pupil foundation allowance for 2020-2021.
3. This constitutes the entire understanding of the parties and shall not be deemed precedent setting.



For the Board 11-16-20
Date



For the Association 11/17/20
Date

Addendum

Since the approval of the handbook by the Board of Education, the Michigan Legislature enacted and later amended legislation impacting upon certain employees "paid medical leave" benefits effective March 29, 2019 unless a ratified contract was in effect.

The Act (Public Act 369 of 2018) requires that certain employees be provided each "benefit year" (July 1 to June 30) with paid medical leave for certain defined conditions including personal or family health needs, as well as purposes related to domestic violence and sexual assault that may not be afforded under the terms of the current handbook.

"Eligible employees" means a non-probationary (maximum of 90 days while in probationary status) employee engaged in service to an employer in the business of the employer and from whom an employer is required to withhold for federal income tax purposes certain exceptions and whom is not exempt from the payment over overtime under the Fair Labor Standards Act (generally means those employees paid on any hourly basis). Excluded are salaried employees who are exempt from the payment of overtime under the Fair Labor Standards Act (salaried personnel) and those employees employed by an employer for 25 weeks or fewer in a calendar year for a job scheduled for 25 weeks or fewer and an individual who worked, on average, fewer than 25 hours per week during the immediately preceding calendar year.

Lakers at present affords more paid time off each year (paid sick leave; personal business; and in where applicable paid vacation time for certain classifications of hourly employees) than the Act requires, however, the restrictions on use of paid time off in the handbook in some instances does not meet the new standards required under the Act.

Lakers also currently affords for the carry-over of unused hours that is not required by the Act. This addendum is intended to supersede any conflicting obligations under the handbook but only to the extent the law requires as such during a benefit year.

The Act only regulates the first 40 hours of paid time off required under the Act. Lakers credits at least 40 hours of paid time off at the start of the employees work year which is in compliance with the Act and also affords the ability to accumulate paid time off from year to year which exceeds the requirements of the Act. As such and by way of example, an employee who has used 40 hours paid time off in a benefit year for the employees own personal illness would not be afforded the ability to use any additional paid time off where the handbook restricts usage for that purpose even though the Act would have afforded that ability had the employee not used the aforementioned 40 hours.

Under the Act, Lakers will afford eligible employees the ability to use credited paid medical leave for the following reasons for the first 40 hours of paid time off each benefit year. Following the usage of the first 40 hours in a benefit year, the restrictions in the handbook will apply in all instances.

- a. The eligible employee's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the eligible employee's mental or physical illness, injury, or health condition; or preventative medical care for the eligible employee.
- b. The eligible employee's family member's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the eligible employee's family member's mental or physical illness, injury, or health condition; or preventative medical care for a family member of the eligible employee.
- c. If the eligible employee or the eligible employee's family member is a victim of domestic violence or sexual assault, the medical care or psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
- d. For closure of the eligible employee's primary workplace by order of a public official due to a public health emergency; for an eligible employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or if it has been determined by

the health authorities having jurisdiction or by a health care provider that the eligible employee's or eligible employee's family member's presence in the community would jeopardize the health of others because of the eligible employee's or family member's exposure to a communicable disease, whether or not the eligible employee or family member has actually contracted the communicable disease.

Under the Act, a family member includes all of the following:

- a. A biological, adopted or foster child, stepchild or legal ward, or a child to whom the eligible employee stands in loco parentis.
- b. A biological parent, foster parent, stepparent, or adoptive parent or a legal guardian of an eligible employee or an eligible employee's spouse or an individual who stood in loco parentis when the eligible employee was a minor child.
- c. An individual to whom the eligible employee is legally married under the laws of any state.
- d. A grandparent.
- e. A grandchild.
- f. A biological, foster, or adopted sibling.

An eligible employee wanting to use time under the Act must comply with Lakers usual and customary procedures for requesting time off and any documentation required to make a determination on the request.

Paid time off will be charged at the same rate as leaves not regulated by the Act.

Lakers has posted information relating to the Act in prominent places for eligible employees to use as a resource and may contact the central office or Michigan Department of Licensing and Regulatory Affairs with any questions. A copy of Public Act 369 of 2018 can be obtained on the State of Michigan Legislature's web site.