

MEMORANDUM OF UNDERSTANDING

Columbia Gorge Education Service District & Columbia Gorge ESD Education Association

June 13, 2022

This Memorandum of Understanding is entered into by the Columbia Gorge Education Service District (herein referred to as "the District") and the Columbia Gorge ESD Education Association (herein referred to as "the Association").

The purpose of this Memorandum of Understanding is to address how additional leave due to COVID (Exposure: *Quarantine*) & (Diagnosed Medically: *Tested Positive*) and the District will be afforded to Columbia Gorge ESD Staff.

Understandings of Medical and Personal Leave

Article 10 – Leaves & Holidays

A. Leaves

1. Sick Leave

- a. Sick Leave shall be granted according to ORS 332.507 (One - 1 day for each month worked with a minimum of ten - 10 days) granted on July 1st of each year.
- b. Regular employees who work less than full-time shall earn sick leave on a pro-rated basis.
- c. Staff members shall be able to transfer District sick leave as prescribed by and shall be allowed to use accumulated and unused sick leave in accordance with the provisions of ORS 332.507.
- d. All members may utilize accrued sick leave for absence due to illness, bodily injury, disability resulting from pregnancy, or necessary medical or dental care or for any other reason, including absences to care for family members, covered by ORS 659A.159 (Oregon Family Leave act), 653.601 (Oregon Paid Sick Time), ORS 659A.093 (Oregon Military Family Leave act), or ORS 659A.272 (Oregon Protections Because of Domestic Violence, Harassment, Sexual Assault or Stalking).
- e. "Family member" means an employee's spouse, domestic partner, custodial parent, noncustodial parent, adoptive parent, foster parent, biological parent, stepparent, parent-in-law, a parent of an employee's domestic partner, an employee's grandparent or grandchild, or a person with whom the employee is or was in a relationship of in loco parentis. "Family member" also includes the biological, adopted, foster child or stepchild of an employee or the child of an employee's same-gender domestic partner. An employee's child in any of these categories may be either a minor or an adult at the time qualifying leave is taken.
- f. If a substitute is hired, sick leave must be used in at least four-hour increments. If no substitute is hired, sick leave may be used in one-hour increments.
- g. As per ORS 332.507 (3) "At the option of the local governing board, sick leave in excess of five (5) consecutive workdays shall be allowed only upon certificate of the school employee's attending physician or practitioner that the illness or injury prevents the school employee from working."

7. Personal Leave

- a. A cumulative total of five (5) days per year of paid leave shall be allowed. This leave shall not accumulate. Personal leave must be scheduled with the program director as soon as possible, and not later than 24 hours in advance of the leave.
- b. Requests for more than two (2) consecutive days of personal leave shall require explanation and are subject to the approval of the employee's supervisor.
- c. It is not the intent of this section to allow personal leave on the day before or the day after holidays or vacations or the first or last day of the employee's work calendar.

Additional Leave

1. Both Parties agree the final authority on COVID guidance and restrictions will reside with the Oregon Health Authority.
2. The Columbia Gorge ESD will afford those employees who are restricted from attending work due to COVID quarantine requirements or due to diagnoses of COVID will be afforded an additional 10 days of paid leave based on the following criteria:
 - a. The Employee MUST have exhausted all accrued sick leave at the time of the request.
 - b. The Employee MUST have exhausted all personal leave time at the time of the request.
 - c. This leave may be provided to the employee to take care of a family member diagnosed with COVID.
 - d. The Employee may use remote work if under an approved plan if quarantined due to exposure.
3. If the above requirements are met, the employee may submit a request to the Director of Human Resources for up to 10 days of paid COVID leave. The Employee must provide a written statement and verification of diagnosis.
4. Once approved, the Employee will record the additional leave into TCP.
5. Approval or disapproval of leave cannot be grieved, and the final say shall reside with the Superintendent.
6. This MOU is in effect July 1, 2022 and will sunset on June 30, 2023.

For the District:

Pat Sublette
Pat Sublette – Superintendent

August 18, 2022
Date

For the Association:

Maureen Donahue-Revier
Maureen Donahue-Revier, Association President

18 Aug 2022
Date