



To: Technical Solutions Employees Permanently Located in CA

From: Melanie Anderson, Vice President, Human Resources

Date: April 6, 2021

Subject: COVID-19 Leave Pay for California Employees

This memorandum implements a policy to comply with requirements of a COVID-19 supplemental paid sick leave law (California Senate Bill 95 (SB 95)) that applies to covered TSD employees located in California.

California (SB 95): This Bill applies to California employees of private employers with 25 or more employees. As such, it applies to any TSD employees located in California. It provides up to 80 hours of paid leave to TSD employees located in California for COVID-19 related reasons who are unable to work for a qualifying reason. The law is effective March 29, 2021 through September 30, 2021 and is retroactive to January 1, 2021.

Applicability: This policy applies to all direct full time and part time employees of TSD in California. The policy does not apply to such TSD employees who can work from home (*i.e.*, telework).

Qualifying Reasons for COVID-19 Paid Leave: Paid leave under this policy is provided to eligible employees who are unable to work because the employee is:

1. Subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidelines of the State Department of Public Health, the federal Centers for Disease Control and Prevention or a local health officer who has jurisdiction over the workplace.
2. Advised by a health care provider to self-quarantine.
3. Attending an appointment to receive a COVID-19 vaccine.
4. Experiencing symptoms related to a COVID-19 vaccine that prevent the employee from being able to work or telework.
5. Experiencing symptoms of COVID-19 and seeking a medical diagnosis.
6. Caring for a family member who is subject to an order or guidelines, or who has been advised to self-quarantine.
7. Caring for a child whose school or place of care is closed for COVID-19 reasons.

COVID-19 Paid Leave: Generally, employers covered under this Bill must provide employees paid leave at their regular rate of pay:

- For nonexempt employees, employers must pay the highest of the following rates:
 - Rate calculated in the same manner as the regular rate of pay for the workweek in which the employee uses COVID-19 supplemental paid leave, whether or not the employee actually works overtime in that workweek.
 - Rate calculated by dividing the employee's total wages, not including overtime premium pay, by the employee's total hours worked in the full pay periods of the prior 90 days of employment.
 - The state minimum wage.

- The local minimum wage to which the employee is entitled.
- For exempt employees, the rate of pay must be calculated in the same manner that the employer calculates wages for other forms of paid leave.
- The amount of pay is capped at \$511 per day and \$5,110 total per employee.

Requests for Leave/Pay: Eligible employees should contact the TSD Leave Admin Dept. at (888) 281-5949 or HR to initiate a request under this policy.

If you are taking leave beyond the two weeks for a COVID-19 quarantine or isolation because your medical condition for COVID-19-related reasons rises to the level of a serious health condition, you must continue to [provide medical certifications](#) under the FMLA or to support other leave options that may be applicable (such as Short Term Disability).

Miscellaneous: While on this leave, eligible employees must continue to pay the employee portion for any applicable health and welfare plans. Other elected deductions such as for any applicable savings plans also will continue during the leave.

Duration of Policy: This policy expires on September 30, 2021, or until rescinded.

Supervisors/Managers: *Please ensure your employees, particularly those with limited computer/email access, are aware of this communication.*

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