

**MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
Independent School District
347 WILLMAR, Minnesota (ISD 347)
And
EDUCATION MINNESOTA WILLMAR Local #7190,
AFSCME Council 65 AND MSEA
Regarding the Paid Sick Leave Due to COVID-19**

WHEREAS, the recent outbreak and spread of coronavirus (COVID-19) has prompted many necessary changes for school districts and employees for the 2020-21 school year; and

WHEREAS, ISD 347 and the EMW, AFSCME and MSEA, agree that the current collective bargaining agreements between the parties governs the terms and conditions of employment; and

WHEREAS, in response to COVID-19, Congress passed the Families First Coronavirus Response Act (FFCRA or Act). Among other things, this Act requires certain employers to provide two weeks (up to 80 hours, or part-time employee's two week equivalent) of paid sick leave to eligible employees for specified reasons related to COVID-19. This provision expired on December 31, 2020; and

WHEREAS, in recent events, March 11, 2021, Congress passed the American Rescue Plan (ARP). While the American Rescue Plan did not reinstitute the requirement for employers to provide leave, it does provide tax credits for qualifying family leave and sick leave wages until September 2021.

NOW THEREFORE, the parties resolve as follows:

1. ISD 347 agrees to provide support to employees impacted by a loss in pay that are consistent with the parameters provided in the FFCRA. The School District agrees that the main goal for this MOU is to provide employees who may have lost paid time due to COVID-19 an opportunity to receive paid time.
2. Employees may submit a request for hardship to the District. The District will have the sole ability to determine if an employee's request is approved and to what degree. No employee will receive more than 80 hours (or a prorated amount for part time employees) of additional paid leave time during the time period beginning January 1, 2021 through the end of the regular 2020-2021 school year.
3. The School District agrees that employees may submit hardship requests retroactively to January 1, 2021. Employees will be required to submit a hardship request form provided by the District, as well as any supporting documentation.
4. Employees who are able to telework (work remotely) when they cannot be in the workplace due to COVID-19 related reasons will not be entitled to the paid leave provided under this MOU.
5. This MOU is not grievable. No party to this agreement has an objection to the MOU and each party hereby waives any right they may have to file a grievance or pursue any other action and/or remedy against the District regarding any matter that arises out of or relates to the parties entering into this MOU or any of the items stated above.

6. Nothing in this MOU may be deemed to establish an interpretation of the CBA, a precedent, or a practice or to alter any established interpretation, precedent, or practice arising out of or relating to the CBA between the Union and the District. No party may submit this MOU in any proceeding as evidence of a contract interpretation, a precedent, or a practice.
7. This MOU constitutes the entire agreement between the parties relating to this matter. No party has relied on any statements or promises on this issue that are not set forth in this document. The MOU controls to the extent that it conflicts with the CBA. No changes in this MOU are valid unless they are in writing and signed by all parties.
8. The parties agree that this MOU will sunset at the end of the regular 2020-2021 school year and does not include summer programming.

By signing below, each party specifically acknowledges that it has read, understands, and agrees to be legally bound by all the terms of this Memorandum of Understanding.

EMW:

Tamara J. Knappert
Tamara J Knappert (Jun 1, 2021 11:19 CDT)

 President

Dated: Jun 1, 2021

AFSCME:

Angie Lien
Angie Lien (Jun 2, 2021 11:01 CDT)

 Steward

Dated: Jun 2, 2021

For Independent School District 347:

Mike Reynolds
Mike Reynolds (Jun 2, 2021 14:52 CDT)

 Chairperson

Scott Thaden
Scott Thaden (Jun 2, 2021 15:28 CDT)

 Clerk

Dated: Jun 2, 2021

MSEA:

Cynthia Daigh

 Steward

Dated: 06-01-21

Abia Beeler

 MSEA Field Representative









MOU - Expanded Sick Leave II Willmar

Final Audit Report

2021-06-02

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Final Audit Report

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