

LETTER OF AGREEMENT BETWEEN HENRY FORD COLLEGE AND SUPPORT STAFF ORGANIZATION (SSA)

This non-precedent setting letter of agreement (“Agreement”) is executed by and between the Henry Ford College (“Employer”), and the Henry Ford Community College Support Staff Association (HFCC-SSA), collectively referred to as the “Parties” as follows:

Effective June 1, 2020 through June 30, 2020, the Parties agree to a temporary modification of the current HFCC-SSA Collective Bargaining Agreement (CBA) provisions that are related to the following Articles, as necessary in response to changes related to the workforce during COVID-19 pandemic:

Definition of supplementing hours:

All employees have pre-identified profiled hours that reflect the number of hours they were hired to perform the job. If employees are offered limited available work short of their profiled hours, **and** also do not or qualify for the Work Share Program, the employee will supplement the shortage of profiled hours from their earned banks ***(in any order Vacation, Sick, Personal Business)***.

In addition, employees may save vacation leave (up to 10 days), and personal business leave banks (up to 3 days), which does not have to be supplemented.

Supplement of hours will be necessary prior to the employer being approved for the Workshare program, or if the employer is ineligible for participation in the workshare program, or if an employee does not qualify for participation in the workshare program.

Article 6 – Work Assignments

- A. The work day for regular full-time employees shall be considered as eight (8) hours of work per day, five (5) days per week, or ten (10) hours of work per day, four (4) days per week, *except* for employees that have been identified to supplement profile hour shortages, due to limited work, as determined by the supervisor.

Article 15 – Illness, Bereavement, Personal Business and Emergencies

A. Sick Leave -

- Paid sick leave shall be deducted from the accumulated sick leave of an

employee for events a – d as outlined in the CBA. *In addition, sick leave may be used to supplement biweekly profiled hour shortages caused by limited available work due to the COVID-19 pandemic, if the employee elects to use it.*

- Employees who are unable to report to work due to COVID-19 related issues, may be eligible for Families First Coronavirus Response Act (FFCRA), according to the FFCRA policy.
- HFC and SSA will work together on a case by case basis to address any employee who has exhausted all available time and is unable to report to work due to personal illness or illness of dependents.
- After four (4) or more consecutive days of illness unrelated to COVID-19, the HFC SSA employee is required to submit a doctor's note to the Human Resources Department before they are allowed to start their shift. Employees that do not present a doctor's note will not be allowed to begin their shift and any additional time off will be unpaid, even if the employee has available leave time. Failure to present a doctor's note after four (4) days will result in disciplinary action.

B. Bereavement – No changes to the CBA.

C. Personal Business Leave – Personal business leave may be used for the *events identified in the CBA. In addition, personal business leave may be used to supplement biweekly profiled hour shortages caused by limited available work due to the COVID-19 pandemic, if the employee elects to use it.*

D. Emergencies or Catastrophes - No changes to the CBA.

E. Emergency Leave Bank - No changes to the CBA.

Examples of when to supplement time: a) when there is not enough available work that totals their weekly profiled hours; b) if employee does not have the resources to work (internet, phone, computer, etc). Employees are required to establish a remote work environment that is conducive to a safe and productive work environment and must have the necessary resources to work remotely (computer, internet, phone, etc.).

Example of when employees do not need to supplement time: a) Supplement of time is not needed if an employee is scheduled to be online and available for their shift, and is logged into College systems/email and available during that entire shift, they would report their full scheduled shift. As an example - if an employee in the Call Center experiences a slow period in the day (few calls coming in, for example) but they are still on the computer/phone/Microsoft Teams and available, that is considered work time.

Employees may continue to request time off as they normally would:

Employees with available sick time, vacation time, and PRB time, should still request to use it when they need time off, in accordance with the CBA and/or departmental policies.

In the event that an employee is scheduled to be available for a specific shift (for example, 8:00 am – 4:30 pm) and does not log into HFC systems at the required start time, does not respond to phone calls, etc., supervisors maintain the right to follow progressive disciplinary procedures outlined in Article 26 of the contract.

Article 17 – Absence Program

In order to address the non-precedent setting HFCC-SSA absence policy during the COVID-19 related concern, the Parties agree:

A. Program Definitions

1. This program **excludes**:

- The events currently listed in the CBA. Items a-g remain unchanged.

2. The following events are added to the list of exclusions and are **excused**:

- Common illnesses including but not limited to flu, cold, sore throat, fever, cough, runny or stuffy nose, body aches or chill. Employees should stay home.
- COVID-19 symptoms and confirmed COVID-19 diagnosis, [as defined by FFCRA](#).

3. Absences for the following reasons **are included**:

- a. ~~Common illnesses~~ - **moved to excused**.
- b. Doctor's appointments - No changes to the CBA.

- c. Patterns of absences are disruptive to the Employers ability to manage the workforce/department. Therefore, during this Agreement, employees who present patterns of continual absence, defined as consistent (once or more every week) and or consecutive absences (every Monday/Friday, the day before or after a holiday, the day before or after an approved vacation, or any other pattern) will receive progressive discipline as follows: 1st occurrence-verbal documented warning; 2nd occurrence-written warning; 3rd occurrence-one day suspension without pay; 4th occurrence- Discharge from employment with College.
- d. All other absences - No changes to the CBA.

B. Attendance Notification

When an employee is absent for a total of six days (48 hours), the employee shall be given a verbal warning. Absences for part-time employees will be based on days, not hours. *Employees shall not be given a verbal warning when employee's vacation, sick, and personal business leave is used for the purpose of supplementing a shortage of profile hours, based on limited work due to the COVID-19 pandemic, as determined by the supervisor.*

C. Excessive Included Absences in One Fiscal Year

Effective July 1, 2016, if in a fiscal year an employee's record of included absences causes the employee's absentee record to reach the levels indicated in the CBA, then the employee will be subjected to disciplinary action.

Absences related to illness occurring prior to March 9, 2020 will remain applicable to the employee's absentee record.

An employee shall not receive disciplinary action when vacation days, personal business leave, or sick leave is used to supplement profile hour shortages, due to limited work due to the COVID-19 pandemic, as determined by the supervisor. These hours will not be included in an employee's absence level.

The Parties agree that the Employer has the right to discontinue this Agreement with

a 24-hour written notice including explanation prior to termination to SSA and that the Employer decision to discontinue this limited term policy modification is not subject to the grievance process. If the Agreement is not terminated by the Employer prior to the expiration date, the Parties agree to meet on or before June 30, 2020 to evaluate whether this limited term Agreement should be continued, changed, or cancelled.

For HFCC

For SSA

LaDonna Holley, Executive Director HR

Kimberly Kaier, SSA President