

MT. BLUE REGIONAL SCHOOL DISTRICT

SIDE AGREEMENT

Compliance with New Earned Paid Leave Law

This Side Agreement is made this 10th day of August, 2021, by and between the Board of Directors of RSU No. 9 (the "Board") and the Mt. Blue Regional School District Education Association (the "Association") (collectively the "Parties").

WHEREAS, effective January 1, 2021, Maine has enacted a new Earned Paid Leave law (26 M.R.S.A. §637) which permits employees to accrue one hour of earned paid leave for every forty (40) hours worked, beginning with the first day of employment, up to a maximum of forty (40) hours per year;

WHEREAS the new law does not entitle employees who already receive paid leave benefits from their employer to any additional paid leave, so long as existing leave policies permit employees to use up to (40) hours of paid leave per year, in no less than one hour increments, for any reason, subject to reasonable notice limitations depending on the use of the leave; and

NOW, THEREFORE, in order to meet the statutory requirements under 26 M.R.S.A. §637, the Parties hereby agree as follows:

1. The restriction on the number of personal days and the scheduling of personal days for non-emergency purposes shall remain in place;
2. Up to forty (40) hours based on each employee's schedule will be front loaded on July 1st each year. Employees may use the hours in one (1) hour increments. This will be calculated by taking the employee's annual contracted work days multiplied by hours per day divided by forty;
3. Employees seeking to use earned paid leave for planned purposes are required to provide five (5) business days' written notice of the anticipated absence;
4. Employees who request paid leave for emergency purposes shall be required to provide a general description of the purpose of the leave and may be required to provide appropriate documentation demonstrating the necessity of using leave when absent for more than three (3) consecutive days or uses emergency leave for non-emergency purposes;
5. In limited circumstances, the Superintendent will grant supplemental personal leave days for non-emergency purposes solely in order to comply with 26 M.R.S.A. §637. Said days

a. for employees who earn vacation time* shall have days deducted in the following order when a reason is not provided:

i. Sick , personal, sick ,vacation , sick.

*School year only employees that fall under the classification of employees who earn vacation time, will follow the EPL day language as employees who do not earn vacation time.





b. For employees who do not have vacation time shall have days deducted in the following order when a reason is not provided:

i. Sick ,sick , personal, sick, sick

6. Any unused Earned Paid Leave hours will be rolled over into the following year, not to exceed a total of 40 hours for any given year;

7. The Parties recognize that, pursuant to 26 M.R.S.A. §637(7), the Maine Department of Labor has the exclusive authority to enforce the requirements of the new law. Decisions regarding approval of Earned Paid Leave days are subject to the grievance procedure to the board level only, after which may be appealed to the Department of Labor.

8. In the event that the Legislature and/or the Maine Department of Labor determines that 26 M.R.S.A. §637 should not/does not apply to public school units, this Side Agreement shall expire on its own accord at that time.

	2 Sept. 2021
President, Mt. Blue Regional School District Education Association	Date
	7 Sept 2021
Chair, RSU 9 Board of Directors	Date
	
Chair Negotiations Team - Mt. Blue Regional School District Education Association	Date 9/11/21
	
Chair, Negotiations Team - RSU 9 Board of Directors	Date 7 Sept 2021