**An Act To Clarify COVID-19 Paid Leave for School Employees**

**Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** Public Law 2021, chapter 378 requires school administrative units to grant up to 15 sick leave days used by a public school employee affected by COVID-19; and

**Whereas,** the provisions of Public Law 2021, chapter 378 apply only to leave taken before the effective date of that law; and

**Whereas,** public school employees continue to experience the personal and economic effects of the COVID-19 pandemic but remain without sufficient paid leave to weather these effects; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec.** **1. 20-A MRSA §13605,** as enacted by PL 2021, c. 378, §1, is amended to read:

**§****13605.** **School administrative units to grant** **~~sick~~** **paid leave to public school** **employees affected by COVID-19**

A school administrative unit shall grant up to 15 ~~sick~~ paid leave days ~~used by~~ to a public school employee affected by the illness caused by infection with the coronavirus SARS-CoV-2, referred to in this section as “COVID-19,” in accordance with the following.

**1.** **Requirements.**  A public school employee who ~~was~~ is affected by COVID-19 ~~and~~ ~~used sick~~ is granted up to a maximum of 15 days of paid leave ~~prior to the effective date of~~ ~~this section is entitled to have sick leave time restored for those days used by that employee~~ ~~up to a maximum of 15 days if~~ when needed by the employee because the employee:

A. ~~Was~~  Is subject to a federal, state or local quarantine order related to COVID-19;

B. ~~Had~~ Has been or ~~was~~ is advised by a health care provider to self-quarantine for reasons related to COVID-19;

C. ~~Experienced~~ Is experiencing symptoms of COVID-19 and ~~sought~~ is seeking a medical diagnosis;

D. ~~Cared~~ Is caring for an individual subject to a federal, state or local quarantine order related to COVID-19; or

E. Is a parent or guardian who ~~provided~~ is providing care for a child whose school or place of child care ~~was~~ is closed or unavailable due to precautions related to COVID-19.

**2.** **Application.**  This section applies ~~to any sick leave used by an employee~~ from January 1, 2021 until the employee has been granted a maximum of 15 days of ~~sick time~~ paid leave for the purposes described in this section.

**Sec.** **2.** **Restoration.** A public school employee who used sick leave pursuant to the Maine Revised Statutes, Title 20-A, section 13605 prior to the effective date of this Act may request that that leave time be restored, and the school administrative unit shall comply with that request.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

**SUMMARY**

This bill amends the law requiring school administrative units to restore up to 15 sick leave days used by a public school employee affected by COVID-19 to instead grant up to a maximum of 15 days of paid leave for the purposes described in the law from January 1, 2021 until the maximum has been reached. The bill provides that a public school employee who used sick leave prior to the effective date of this legislation is entitled to request that that leave time be restored, and the school administrative unit is required to comply with the request.