

Philip D. Murphy, Governor
Sheila Y. Oliver, Lieutenant Governor
Diane Gutierrez-Scaccetti, Commissioner
Kevin S. Corbett, President & CEO



September 20, 2021

via email to: jeromejohnson@utulocal60.com

Mr. Jerome Johnson, General Chairman
SMART- Transportation Division, Local 60
8 Wilson Ave.
Newark, NJ 07105

Re: Handling of Rail Agreement Employee absences and payments related to COVID-19

Dear Mr. Johnson:

As you know, Carrier published a “Q &A” on March 14, 2020 (“Rail Policy”) which outlined how Agreement employees would be handled with respect to pay and attendance during the ongoing Coronavirus pandemic. As you also know, this policy was modified as set forth in letters dated May 5, 2020 and December 31, 2020. This letter is another modification to our Policy.

Effective today, September 20, 2021, the following will apply to all new cases:

There will be no coverage for employees who are required to care for family members who have Covid-19 or are quarantining due to the family member’s possible exposure for Covid-19. These employees may use sick leave which will be deducted from their allotment (although not subject to the attendance policy) or receive no pay, in which case the employee will also not be subject to the attendance policy. The employee must continue to notify their immediate supervisor (or crew caller as applicable) of the need to mark off and should likewise contact the Covid-19 Hotline at 888-890-0729 and furnish acceptable proof of the need for the employee to be absent from work for these reasons within three (3) business days of the notification to quarantine (Furnish information to Medical via email at medical@njtransit.com or fax at 908-445-3393). Failure to furnish acceptable documentation will result in the absences being subject to the attendance policy.

Employees who on September 20, 2021, are presently absent for any of the above reasons and covered by the Rail Policy will continue to be covered under the Rail Policy and its amendments for the duration of the absence.

An employee who contracts Covid-19 on or after September 20, 2021 must notify his/her immediate supervisor (or crew caller as appropriate) by phone or email upon learning of the diagnosis and should indicate that he/she is “unavailable for work due to a Covid-19 related medical issue.” The

Mr. J. Johnson
Re: COVID-19 Policy Update
September 20, 2021
Page 2 of 3

employee must provide documentation acceptable to Carrier of a positive diagnosis result for Covid-19 within three (3) working days of the positive diagnosis result, and submit said information to the NJT Medical Department via email at medical@njtransit.com or via fax to 908-445-3393. The employee will receive sick leave pay in the manner set forth in his/her collective bargaining agreement without said sick days being deducted from the employee's allotment and without activation of the attendance policy.

If the employee does not provide the required documentation to the NJT Medical Department within three (3) working days of the initial absence, or provide Medical with a justification for the delay which is acceptable to the Medical Department, the employee will be subject to the attendance policy for the entire absence (note: employee may be exempt from the first five days of sickness in the year, if so provided in the employee's CBA) and any sick days utilized will be deducted from the employee's sick leave allotment.

Effective September 20, 2021, employees advised to quarantine for any reason may use their sick leave (which will be deducted from their allotment) or other personal time off (vacation and/or personal days) or go without pay, however, said absence will not be counted as an absence subject to the attendance policy if acceptable proof of the quarantine (letter from medical professional or government health department official) is furnished within the aforementioned three (3) working days period. In the event the employee is deemed positive for Covid-19 during the quarantine period and follows the above-referenced protocol for reporting and furnishing information satisfactory to the Medical Department, the employee will then have the entire absence considered a Covid-19 absence, meaning he/she will receive sick leave pay in accordance with the applicable CBA and said sick leave payments previously used for this absence will be credited back and not be deducted from the employee's allotment nor will the period of absence be considered subject to the attendance policy. Employees who are advised to quarantine and who do not timely notify the Carrier and/or do not timely furnish acceptable proof of the quarantine and subsequent positive diagnosis result will not be compensated and may be subject to the attendance policy.

There is no change to school-closure absences presently in effect, as explained in the December 31, 2020 letter addressing this matter. Namely:

Employees that intend to mark-off school closure must be pre-approved to do so. Employees can obtain pre-approval for school closure absence by contacting the Rail Covid-19 Policy Group:

- i. T & E – Lisa Belle LBelle@njtransit.com 973-202-5169
- ii. OT&E – Brendan Egan Began@njtransit.com 973-491-7943

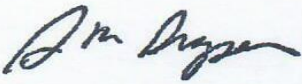
Mr. J. Johnson
Re: COVID-19 Policy Update
September 20, 2021
Page 3 of 3

Employees marking -off for school closure may elect to take either single vacation days (maximum of five) and/or personal leave days. Employees must provide adequate documentation for such absences (proof of dependent relationship; proof of school closure).

All employees are reminded of the Supplement to Communicable Disease in the Workplace Policy, Policy Number 3.36A.

Should you have any questions, please do not hesitate to contact Labor Relations.

Very truly yours,



S. M. Drayzen
DGM – Labor Relations and Administration

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