

# Families First Coronavirus Response Act (FFCRA) Paid Leave



April 1, 2020 - December 31, 2020

Emergency Paid Sick Leave Act

Emergency Family & Medical Leave Act Expansion

# Eligible Employees

## Emergency Paid Sick Leave (EPSL)

- ❖ All employees

## Emergency Family & Medical Leave Expansion (EFMLA)\*

- ❖ All employees employed for at least 30 days prior to leave

\***Exceptions:** Essential employees such as Campus Police, Facilities Management, etc.

# Eligibility

- ❖ For Emergency Paid Sick Leave Act (E-PSL):
  - Are subject to a quarantine/isolation order related to COVID-19
  - Have been advised by a health care provider to self-quarantine due to COVID-19
  - Are experiencing symptoms of COVID-19
  - Are caring for an individual subject to quarantine or isolation
  - Are caring for a child whose school or place of care is closed
  - Are experiencing any other, substantially similar situations

# Leave Allowance

The Emergency Paid Sick Leave Act (E-PSL), provisions allows for **two weeks of paid leave at their regular rate of pay** (up to 80 hours), pro-rated based on FTF and average hours worked, for personal illness or to care for loved ones who are ill.

*In instances where employees are unable to perform their assigned duties due to the type of work they perform (meaning the work cannot be performed remotely) but are assigned other duties that **can be performed remotely**; they cannot refuse a reassignment of duties in order to take COVID-19 Leave.*

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Employees who do not meet COVID-19 requirements or who cannot telework may use annual, personal and, if applicable, sick leave.

COVID-19 Leave use, including a determination that an employee is unable to perform their assigned duties, is subject to approval by their supervisor, then by the cognizant Vice President (President for direct reports) or their designee. The Director of Human Resources or their designee verifies information provided to document the use of COVID-19 Leave.

# Emergency Family and Medical Leave Expansion Act

## Leave Allowance

The Emergency Family and Medical Leave Expansion Act (E-FML) provides up to 10 weeks of paid leave under FMLA for employees who have been employed for 30 days who are caring for a son or daughter under the age of 18, whose school or place of care has closed due to COVID-19 or whose child care provider is unavailable due to the public health emergency.

Employees approved for E-FML are **required to take annual leave concurrently with E-FML; after available annual leave is exhausted**, employees are entitled to pay at  $\frac{2}{3}$  their regular rate, up to a max of \$25 per hour, for up to a grand total of 10 weeks combined annual leave and E-FML (total of 400 hours, pro-rated by FTE and average hours worked).

### PLEASE NOTE:

**UNLIKE COVID-19 EMERGENCY PAID SICK LEAVE (EPSL) - THE ONLY ALLOWABLE CRITERIA FOR EXPANDED FAMILY MEDICAL CARE IS TO CARE FOR A SON OR DAUGHTER UNDER THE AGE OF 18 WHOSE SCHOOL OR PLACE OF CARE WAS CLOSED DUE TO COVID-19.**

# Employees Excluded From E-FML

- ❖ Employees performing critical campus operations
- ❖ Employees performing emergency management, public works and utilities
- ❖ Employees unable to perform their assigned duties cannot refuse reassignment of duties in order to take COVID-19 leave
- ❖ Employees who do not meet COVID-19 requirements or who cannot telework may use annual, personal and, if applicable, sick leave

# COVID-19 Leave Use

1. Leave request must be submitted in writing to employee's supervisor for approval & to Division VP/Director
2. Use of COVID-19 Leave is only available to be claimed during the time period covering the COVID-19 pandemic emergency
3. After discussing with the supervisor, employees wishing to use expanded family leave need to complete the Telework (Work-at-Home) Request Form and submit to the Human Resources Department.
4. There is no entitlement to the COVID-19 Leave after the conclusion of the COVID-19 pandemic emergency.
5. COVID-19 Leave does not accrue and may not be rolled-over or combined into other types of leave.
6. COVID-19 Leave will be charged according to an employee's payroll distribution
7. This Policy shall expire on December 31, 2020

Qualifying Reasons for Leave	Act	Employee Eligibility*	Duration	Pay Rate	Pay Maximum
Employee is unable to work (or unable to telework) due to a need for leave because the employee:					
1. Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19	<b>EPSL</b>	<b>All employees</b>	2 weeks	100%	\$511/day \$5,110 aggregate
2. Has been advised by a health care provider to self-quarantine related to COVID-19	<b>EPSL</b>	<b>All employees</b>	2 weeks	100%	\$511/day \$5,110 aggregate
3. Is experiencing COVID-19 symptoms and is seeking a medical diagnosis	<b>EPSL</b>	<b>All employees</b>	2 weeks	100%	\$511/day \$5,110 aggregate
4. Is caring for an individual subject to an order described in (1) or self-quarantine as described in (2)	<b>EPSL</b>	<b>All employees</b>	2 weeks	2/3	\$200/day \$2,000 aggregate
5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19	<b>EPSL</b>	<b>All employees</b>	2 weeks	2/3	\$200/day \$2,000 aggregate
	<b>EFMLA</b>	<b>All employees</b>	Up to 12 weeks	1st 2 weeks unpaid** 10 weeks 2/3	\$200/day \$2,000 aggregate
6. is experiencing any other substantially-similar condition specified by the Secretary of Health & Human Services	<b>EPSL</b>	<b>All employees</b>	2 weeks	2/3	\$200/day \$2,000 aggregate