

# FAMILIES FIRST CORONAVIRUS RESPONSE ACT LEAVE POLICY

Code **G** \_\_\_\_\_ Issued

---

**Purpose:** The District will comply with the requirements of the Federal Families First Coronavirus Response Act (FFCRA). The FFCRA provides employees with Emergency Paid Sick Leave (EPSL) and Emergency Paid Family and Medical Leave (EFMLEA) for those affected by the COVID-19 pandemic, from April 1, 2020 through December 31, 2020.

## **Two Types of Leave Covered Under FFCRA**

### **1) Emergency Paid Sick Leave (EPSL)**

Emergency paid sick leave will be available for an employee who is unable to work or work remotely because:

1. The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19;
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
3. The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis;
4. The employee is caring for an individual who is subject to quarantine or isolation or advised to self-quarantine by a health care provider due to concerns related to COVID-19;
5. The employee is caring for a son or daughter<sup>1</sup> whose school or place of care is closed, or childcare provider is unavailable, due to COVID-19 precautions; or
6. The employee is experiencing substantially similar conditions as specified by the Secretary of Health and Human Services.

### **Eligibility for EPSL**

All employees, regardless of their tenure, with full-time or part-time status are eligible to receive this benefit.

### **Paid Benefits for EPSL**

Eligible employees will receive up to two weeks of paid sick leave.

- Full-time employees (scheduled to work 40 or more hours per week): 80 hours at their regular rate of pay, subject to caps and reasons noted below.
- Part-time employees (scheduled to work less than 40 hours per week): the number of hours that the employee works, on average, over a two-week period, subject to caps and reasons noted below.

Payments are capped at \$511 a day (\$5,110 in total) for dealing with an employee's own illness or quarantine (reasons 1, 2 and 3 above). Employees who are caring for an individual affected by COVID-19

<sup>1</sup> The Family Medical Leave Act (FMLA) definition of "son or daughter" applies to both the EPSL and EFMLEA provisions of the FFCRA.

and those whose children's schools or child care providers have closed (reasons 4, 5 and 6 above) receive up to two-thirds of their pay, and that benefit is limited to \$200 a day (\$2,000 in total).

## **2) Emergency Family Medical Leave Act Expansion (EFMLEA)**

Employees will be entitled to take up to 12 weeks of job-protected leave if an employee is unable to work (or remote work) due to caring for the employee's son or daughter because the child's school or place of care has been closed or his or her child care provider is unavailable due to the public health emergency.

### **Eligibility for EFMLEA**

Under this policy, full-time and part-time employees who have been on District payroll for 30 days, prior to taking the leave, are eligible for leave.

### **Paid Benefits for EFMLEA**

The EFMLEA provides for a combination of unpaid and paid leave.

- The first 10 days of EFMLEA may be unpaid. An employee may choose to take any existing pay benefit (i.e. PTO, vacation, sick pay) during the 10-day unpaid period, or the 10 days may be paid under emergency paid sick leave, if taken for a qualifying reason.
- After ten days of unpaid leave, employees are entitled to 10 weeks of job-protected leave of two-thirds their usual pay. Part-time employees are entitled to be paid two-thirds of their usual pay based on the average number of hours worked for the six months prior to taking the leave.
- The cap of the paid leave entitlement for employees is \$200 per day (\$10,000 in the aggregate).

### **Legal References:**

Families First Coronavirus Response Act, Public Law 116-127 (FFCRA)  
Department of Labor's Temporary Regulations for the FFCRA