

# **COVID-19 LEAVE OPTIONS**

**HUMAN RESOURCES ADMINISTRATION**

# FAMILIES FIRST CORONAVIRUS RESPONSE ACT

- In March 2020, Congress Passed the FAMILIES FIRST CORONAVIRUS RESPONSE ACT **(FFCRA)**
- This act created two new leave types available for employees impacted by the coronavirus:
  - 1.) Emergency Paid Sick Leave **(EPSL)**
  - 2.) Emergency Family Medical Leave **(E-FMLA)**

# EMERGENCY PAID SICK LEAVE



## ***Eligible Employees:***

All employees, regardless of length of employment

## ***Emergency Paid Leave Circumstances:***

Employee is unable to work from the office or from home due to employee:

- Being subjected to a federal, state or local quarantine or isolation order
- Has been advised by health care provider to self-quarantine
- Is experiencing symptoms of COVID-19 and is seeking a diagnosis
- Is caring for an individual who is quarantined
- Is caring for a son or daughter whose school or place of care has been closed or whose child care provider is unavailable due to COVID-19 precautions
- Is experiencing any other substantially similar conditions specified by the Secretary of Health and Human Services

# EMERGENCY PAID SICK LEAVE



## ***Emergency Paid Sick Leave Hours***

- Employees working 40 hours per week: 80 hours total
- Employees working less than 40 hours per week or varying hours: Pro-rated  
Pro-ration is based on the average number of hours worked in a two (2) week period. If the part time or temporary employee's hours vary then the average is taken over a six (6) month period.  
*(ex: A teacher, who works 37.5 hours per week, would be granted 75 hours of EPSL)*

## ***Emergency Paid Sick Leave Rate of Pay:***

- Employee's own sickness - Regular rate of pay  
(capped at \$511 per day and \$5,110 aggregate)
- Care of another person – 2/3 of pay  
(capped at \$200 per day and \$10,000 aggregate)

# EMERGENCY FAMILY MEDICAL LEAVE



## ***Eligible Employees***

Any employee employed for at least 30 calendar days

## ***Expanded Emergency FMLA Events***

- Employees who must care for a minor child because of a COVID-19 related school or daycare closure and is unable to work from home
- Employees who become ill from COVID-19
- Employees who are caring for family members who have COVID-19

# EMERGENCY FAMILY MEDICAL LEAVE



## ***E-FMLA Leave Entitlement:***

- *12 weeks total – 10 of which are paid at 2/3 rate of pay*
- *If the employee has taken traditional FMLA in the previous rolling calendar year, their E-FMLA leave entitlement is reduced by this amount.*
- ***The first 2 weeks (10 days) of E-FMLA are UNPAID.***
- The employee may choose to use EPSL or their own sick leave to supplement this unpaid period.

## ***E-FMLA Rate of Pay:***

- 10 Weeks paid up to 2/3 of pay  
*(capped at \$200 per day and \$10,000 aggregate)*
- The employee may choose to use their existing sick leave bank to supplement the remaining 1/3 unpaid time.

# EXISTING MEDICAL CONDITIONS



- *FFCRA does NOT cover employees that have an existing medical condition that may make them more susceptible to the coronavirus. Employees may apply for traditional FMLA for this purpose.*
- *Employees must be eligible for FMLA and provide proper medical certification to take FMLA for a pre-existing condition.*
- *Age, though a risk factor, does not fall under the qualifications of traditional FMLA. Only certification from a medical provider will be accepted for traditional FMLA.*
- *If an employee exhausts their FMLA entitlement, per ORC & contractual obligations, they may first exhaust any remaining available leave, and then request a long term unpaid medical leave of absence upon supplying appropriate medical certification.*

# STAFF ACCOMMODATIONS



- If an employee requests an accommodation, they may do so under the Americans with Disabilities Act by contacting the CCS Compliance Office at [ADARequest@Columbus.k12.oh.us](mailto:ADARequest@Columbus.k12.oh.us)
- Employees are highly advised to apply for FMLA leave while going through the ADA interactive process.



# EMPLOYEES PRESENTING COVID-19 SYMPTOMS



## **RETURN TO WORK:**

**AN EMPLOYEE SENT HOME FOR COVID-19 SYMPTOMS  
MAY ONLY RETURN TO WORK ONCE THEIR SUPERVISOR  
HAS RECEIVED A WRITTEN NOTIFICATION FROM HR (VIA  
EMAIL) THAT THEY ARE CLEARED TO DO SO.**

If an employee reports to work and the supervisor does not have written notification from HR that they are cleared they are to be sent home immediately and advised to **contact** HR. This likely means they did not supply the proper medical documentation to HR for clearance.

# REPORTING TIME OFF DUE TO COVID

- This time should be recorded normally in SEMS, Kronos, or ESS as “Sick Leave”
- Once the employee completes the FFCRA leave application, EPSL or E-FMLA time will be credited back to them by payroll – There is NO ACTION the supervisor or timekeeper must take to grant the staff member FFCRA leave.
- Employees have 14 days after their absence starts to complete and submit an FFCRA application, unless medically unable to do so or there are extenuating circumstances. Employees will not receive FFCRA time unless they have submitted complete paperwork within this timeframe.
- Note that this process awards your time RETROACTIVELY.