

Families First Coronavirus Response Act (FFCRA) Leave Flow Chart (Effective April 1, 2020 to December 31, 2020)

Emergency Paid Sick Leave (EPSL)



When an employee is:

1. Subject to a federal, state or local quarantine/isolation order related to COVID-19;
2. Advised by a health care provider to self-quarantine due to COVID-19 concerns;
 - *Need name of health care provider*
3. Experiencing symptoms of COVID-19 and seeking medical diagnosis;
4. Caring for an individual who is subject to a quarantine order or advised by a health care provider to self-quarantine due to concerns related to COVID-19;
 - *Need name of individual and relationship to employee, and name of health care provider*
5. Caring for a son or daughter if the child's school or place of care has been closed or the child's care provider is unavailable due to a COVID-19 related reason (*see info to be provided under FMLA Expansion*); or
6. Experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.



Not Eligible:

- * Different reason for absence, check CBA or policy for other leave **OR**
- * No work for employee **OR**
- * Eligible for telework

Eligible:

- * No telework option
- * No minimum number of days employed

Full-time employees are eligible for up to 2 weeks (80 hours) of leave for a qualifying reason.

Part-time employees are eligible for up to the number of hours normally worked, on average, over a 2-week period.

EPSL must be applied first **before** any other leave.

Once EPSL is exhausted, check CBA or policy for other leave if employee still cannot return.



EPSL is employer-paid leave.

- * For Nos. 1-3: 100% of employee's applicable pay rate (capped at \$511 p/day p/employee, \$5,110 aggregate).
- * For Nos. 4-6: 2/3 of employee's applicable pay rate (capped at \$200 p/day p/employee, \$2,000 aggregate).

Emergency FMLA Expansion



When an employee is:

Caring for a son or daughter if the child's school or place of care has been closed or the child's care provider is unavailable due to a COVID-19 related reason.



Employed for at least 30 days **AND** not eligible to telework

Employed for less than 30 days **OR** eligible to telework **OR** no work for employee



Not eligible; check CBA or policy for other leave options



Employee **must** provide:

- * Name of son/daughter;
- * Name of school, place of care or child's care provider that is closed/unavailable; and
- * Representation that no other suitable person will be caring for son/daughter during period of leave.



If criteria is met, employee **is eligible** for up to a total of 12 workweeks of job-protected leave between April 1 and December 31, 2020.

- * First 2 weeks are unpaid, but employee may substitute available paid leave (i.e. EPSL).
- * Remainder of qualifying leave is **paid by the employer** at 2/3 of employee's applicable pay rate (capped p/employee at \$200 p/day, \$12,000 in aggregate).
- * Block leave, unless employer agrees to intermittent leave.
- * Check employee's use of FMLA for other qualifying reasons during the applicable FMLA year.