



FAMILIES FIRST CORONAVIRUS RESPONSE ACT NOTICE TO EMPLOYEES

The **Families First Coronavirus Response Act (FFCRA or Act)** requires municipal employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. The Department of Labor's Wage and Hour Division (WHD) administers and enforces the new law's paid leave requirements. These provisions will apply from the effective date of **April 1, 2020 through December 31, 2020**.

Generally, the Act provides Emergency Paid Sick Leave (EPSL) to **all employees**:

- **Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay** where the employee is unable to work (onsite, or remotely if permitted) because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
- **Two weeks (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay** because the employee is unable to work (onsite, or remotely if permitted) because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services.

Please note, employees do not meet eligibility requirements for sheltering in place.

The Act provides enhanced Family & Medical Leave (FMLA+) to **all employees on payroll for 30 calendar days** immediately prior to leave (with the exception of emergency responders):

- **Up to an additional 10 (ten) weeks of paid expanded Family and Medical Leave (FMLA+) at two-thirds the employee's regular rate of pay** where an employee is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

Under the Act an employee may not take 80 hours of paid sick leave for self-quarantine and then another amount of paid sick leave for another reason provided under the Emergency Paid Sick Leave Act. The total number of hours for which an employee receives emergency paid sick leave is capped at 80 hours under the Emergency Paid Sick Leave Act.

Additionally, all FMLA-qualifying leave (FMLA+ and medical leave for personal or family illness) runs collectively – employees are eligible for an aggregate maximum of twelve (12) weeks of FMLA leave over a 12-month period for all qualifying purposes.

Any questions regarding the Emergency Paid Sick Leave Act (EPSL) and/or the Emergency Family and Medical Leave Expansion Act (FMLA+) should be directed to Joanne Faust, HR Director.

QUALIFYING REASONS FOR LEAVE, DURATION, AND CALCULATION OF PAY:

Under the FFCRA, an employee qualifies for paid sick time if the employee is unable to work (onsite, or remotely if permitted) due to a need for leave for the following reasons:

QUALIFYING REASON	DURATION AND PAID SICK LEAVE
1. The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19	Up to 2 weeks paid at regular rate (80 hours max), up to \$511 daily and \$5,110 total.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.	Up to 2 weeks paid at regular rate (80 hours max), up to \$511 daily and \$5,110 total.
3. The employee is experiencing symptoms for COVID-19 and seeking a medical diagnosis.	Up to 2 weeks paid at regular rate (80 hours max), up to \$511 daily and \$5,110 total.
4. The employee is caring for a family member who is subject to an order as described in reason No. 1 above or has been advised as described in reason No. 2 above.	Up to 2 weeks, at a rate of $\frac{2}{3}$ of a week's equivalent regular rate of pay, up to \$200 daily and \$2,000 total.
5. The employee is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions. <i>The child must be under 14 years of age, or special circumstances must exist requiring the employee's care of their child age 14 or over.</i>	Up to 2 weeks, at a rate of $\frac{2}{3}$ of a week's equivalent regular rate of pay, up to \$200 daily and \$2,000 total. Then up to 10 weeks, at a rate of $\frac{2}{3}$ of a week's equivalent regular rate of pay, up to \$200 daily and \$10,000 total. <i>These additional 10 weeks are only available to employees who have been employed for at least 30 days prior to leave, and are not available to sworn public safety employees or dispatchers.</i>
6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.	Up to 2 weeks, at a rate of $\frac{2}{3}$ of a week's equivalent regular rate of pay, up to \$200 daily and \$2,000 total.

Leave must be taken in full-day increments and can only be used intermittently for child care reasons, and only then with department head consent. For reasons 1-4 above only, employees may supplement any unpaid portion of time off with any of their own available accrued leave.

Employees needing to apply for these leave benefits should complete the [online form](#) and must submit appropriate documentation to verify their need for EPSL and FMLA+. Documentation includes quarantine or isolation orders, doctor's recommendations, name of the governmental entity ordering quarantine or the name of the health care professional advising self-quarantine or a notice of a school or place of care closure.