



**Families First
Coronavirus Response
Act (FFCRA)
Employee Q&A
User Guide**

Information as of 4-9-20



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Employee Q&A – COVID-19

ECC is providing this Q&A to help employees understand how the College is responding to various items across campus. ECC reserves the right in its sole discretion to interpret this guidance and amend it at any time. This document provides guidance until further notice.

- a) For the purpose of this document, Telework is also known as working remotely and/or working from home.
- b) Some questions have been included in more than one section since there is overlap in the question and answer.
- c) Questions pertaining to COVID-19 are from the Department of Labor Families First Coronavirus Response Act FAQs. For the complete list of DOL FAQs, please click [here](#).
- d) The questions with an asterisk (*) are East Central College specific that pertain to policies, communications and departmental guidelines.

1. Working Remote

1. I have many questions about working remotely. Where do I even start?*

That is a great question, as this can be overwhelming! You can start by contacting your supervisor and together determine a plan for how you could complete your work duties in a remote location. Keep in mind we are all working diligently during this transition, and in many cases, not everything will run smoothly to fully work remotely, and the College recognizes that.

2. What does it mean to work remote?*

Working from home, also known as telecommuting or remote work, is the act of working from a remote location, while using the Internet, email and telephone to complete your assigned work duties. Information to assist in this process includes:

1. What do I need to perform my job duties remotely? (Computer, wireless mouse/keyboard, webcam, reliable internet connection, etc.)
2. What resources will I need to access? (Email, departmental folders/files, specific software/online services, Colleague, Perceptive Content etc.)
3. How will the communication between colleagues, supervisors and departmental personnel continue during telework? Zoom or Microsoft Teams for meetings, email or other etc.)

We want to make sure College personnel have the materials and resources needed to work remotely. If you need assistance setting up your telecommuting office or discover you cannot access a needed online resource, please contact your supervisor or the IT department.

3. Will I be able to access SharePoint, Outlook, and other tools remotely?*

Yes. Most of the tools you use every day are accessible online. SharePoint and all Microsoft Office products are readily accessible online. Our IT Department recommends connecting securely through a VPN if you are using a public, unsecured wireless network. To inquire about how to set-up a VPN or if you are experiencing any issues with your VPN connection, please contact our IT Department at helpdesk@eastcentral.edu or extension 6738.

4. How will we conduct campus meetings?*

Campus meetings will be online via a web-based platform like Zoom, Microsoft Teams or phone conference where possible.

5. I do not have a medical condition, but I am concerned about exposure to COVID-19. What should I do?*

Talk with your supervisor about your options for working remotely. If you are not able to work remotely, you may use your College accrued paid leave with your supervisor approval. You may not take paid sick leave under the FFCRA if you unilaterally decide to self-quarantine for an illness without medical advice, even if you have COVID-19 symptoms. Note that you may not take paid sick leave under the FFCRA if you become ill with an illness not related to COVID-19.

The [Centers for Disease Control](#) (CDC) website contains many great suggestions for ways to protect yourself, including but not limited to:

- Frequently wash your hands with soap and water for at least 20 seconds
- Practice social distancing
- Avoid touching your eyes, nose, and mouth with unwashed hands
- Use alcohol-based hand sanitizer with at least 60% alcohol if soap and water are unavailable
- Clean and disinfect frequently touched objects and surfaces
- Cover your cough or sneeze with a tissue and then dispose of the tissue
- If you feel sick, then stay offline and at home to rest (per College policy; if eligible for paid leave, accrued leave should be used to record your absence)
- For more information, please refer to the "[How to Protect Yourself](#)" and "[What to Do if You Are Sick](#)" guidance on the Centers for Disease Control (CDD) website

College Administrators are closely monitoring COVID-19. Watch for College updates and information on the College's website.

6. I have many questions about working remotely. Where do I even start?*

That is a great question, as this can be overwhelming! You can start by contacting your supervisor and together determine a plan for how you could complete your work duties in a remote location. Keep in mind we are all working diligently during this transition, and in

many cases, not everything will run smoothly to fully work remotely, and the College recognizes that.

7. What if I do not have a computer or Internet access, or I work with sensitive information, how can I work remotely?*

The first step would be to work with your supervisor to determine your needs and to identify specific solutions to your situation. Then contact IT for assistance in getting the tools you need to work remotely. Internet devices are distributed, upon approval, from Purchasing.

8. As someone who is at-risk for complications associated with COVID-19, can I work remotely?*

Yes, you can work remotely if that is a viable option for your position or you can request unpaid leave.

2. Paid Leave

1. **Can I use my accrued College paid leave instead of working on campus if I do not qualify for the FFCRA leave, working remotely, and/or I have concerns about my personal health and well-being?***

Yes, full-time employees may use College paid sick leave, vacation, and/or personal leave with supervisor approval.

2. **As someone who is at-risk for complications associated with COVID-19, what options are available to me to continue working?***

You may use your College paid leave, work remotely if a viable option for your position or you can request unpaid leave.

3. **As a full-time employee will I have to use sick time, personal or vacation time if I'm unable to work to care for a minor in my family?***

There will be ten days (80 hours) of paid emergency leave made available for current, full-time employees when the College is open for business in the case of an employee who is unable to work due to the need to care of a minor if the child's school or childcare facility has been closed or is unavailable due to the pandemic. Full-time employees may use other accrued leave if more time is needed other than the 10 days.

4. **Do I qualify for paid sick leave or expanded family and medical leave as a part-time employee?**

A part-time employee is entitled to leave for his or her average number of work hours in a two-week period. Therefore, you calculate hours of leave based on the number of hours the you are normally scheduled to work.

5. **May I take 80 hours of paid sick leave for my self-quarantine and then another amount of paid sick leave for another reason provided under the Emergency Paid Sick Leave Act?**

No. You may take up to two weeks—or ten days—(80 hours for a full-time employee, or for a part-time employee, the number of hours equal to the average number of hours that the employee works over a typical two-week period) of paid sick leave for any combination of qualifying reasons. However, the total number of hours for which you receive paid sick leave is capped at 80 hours under the Emergency Paid Sick Leave Act.

6. **If I am home with my child because his or her school or place of care is closed, or child care provider is unavailable, do I get paid sick leave, expanded family and medical leave, or both—how do they interact?**

You may be eligible for both types of leave, but only for a total of twelve weeks of paid leave. You may take both paid sick leave and expanded family and medical leave to care for your child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons. The Emergency Paid Sick Leave Act provides for an initial two weeks of paid leave. This period thus covers the first ten workdays of expanded family and medical leave, which are otherwise unpaid under the Emergency and Family Medical Leave

Expansion Act unless you elect to use existing vacation, personal, or medical or sick leave under your employer's policy. After the first ten workdays have elapsed, you will receive 2/3 of your [regular rate of pay](#) for the hours you would have been scheduled to work in the subsequent ten weeks under the Emergency and Family Medical Leave Expansion Act.

Please note that you can only receive the additional ten weeks of expanded family and medical leave under the Emergency Family and Medical Leave Expansion Act for leave to care for your child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons.

7. How do I request emergency paid sick leave and/ or expanded family and medical leave?*

You will need to contact Human Resources and your supervisor. You may request leave by submitting the information below. You may request both types of leave and you will need to complete both sections below.

- A. **Emergency paid sick leave**, please provide the information below to Human Resources and your supervisor to request leave. You can submit this information through an email message. No form is required to be completed.
1. Your name;
 2. The date(s) for which you request leave;
 3. The reason you unable to work based on one of the eligible reasons for emergency paid sick leave;
 - a. If you request leave because you are subject to a quarantine or isolation order or to care for an individual subject to such an order, you should additionally provide the name of the government entity that issued the order.
 - b. If you request leave to self-quarantine based on the advice of a health care provider or to care for an individual who is self-quarantining based on such advice, you should additionally provide the name of the health care provider who gave advice.
- B. **Paid expanded family and medical leave** to care for your child whose school or place of care is closed, or child care provider is unavailable, please provide the information below to Human Resources and your supervisor to request leave. You can submit this information through an email message. No form is required to be completed.
1. The name of your child;
 2. The date(s) for which you request leave;
 3. The name of the school, place of care, or child care provider that has closed or become unavailable.
- C. **Emergency paid sick leave and expanded family and medical leave**, please provide the information for both leaves as stated above to Human Resources and your supervisor to request leave. You can submit this information through an email message. No form is required to be completed.

8. What does it mean to be unable to work, including telework for COVID-19 related reasons?

You are unable to work if your employer has work for you and one of the COVID-19 qualifying reasons set forth in the FFCRA prevents you from being able to perform that work, either under normal circumstances at your normal worksite or by means of telework.

If you and your employer agree that you will work your normal number of hours, but outside of your normally scheduled hours (for instance early in the morning or late at night), then you are able to work and leave is not necessary unless a COVID-19 qualifying reason prevents you from working that schedule.

9. If I am or become unable to telework, am I entitled to paid sick leave or expanded family and medical leave?

If your employer permits teleworking—for example, allows you to perform certain tasks or work a certain number of hours from home or at a location other than your normal workplace—and you are unable to perform those tasks or work the required hours because of one of the qualifying reasons for paid sick leave, then you are entitled to take paid sick leave.

Similarly, if you are unable to perform those teleworking tasks or work the required teleworking hours because you need to care for your child whose school or place of care is closed, or child care provider is unavailable, because of COVID-19 related reasons, then you are entitled to take expanded family and medical leave. Of course, to the extent you are able to telework while caring for your child, paid sick leave and expanded family and medical leave is not available.

10. May I take my paid sick leave or expanded family and medical leave intermittently while teleworking?

Yes, if your employer allows it and if you are unable to telework your normal schedule of hours due to one of the qualifying reasons in the Emergency Paid Sick Leave Act. In that situation, you and your employer may agree that you may take paid sick leave intermittently while teleworking. Similarly, if you are prevented from teleworking your normal schedule of hours because you need to care for your child whose school or place of care is closed, or child care provider is unavailable, because of COVID-19 related reasons, you and your employer may agree that you can take expanded family medical leave intermittently while teleworking.

You may take intermittent leave in any increment, provided that you and your employer agree. For example, if you agree on a 90-minute increment, you could telework from 1:00 PM to 2:30 PM, take leave from 2:30 PM to 4:00 PM, and then return to teleworking.

The Department encourages employers and employees to collaborate to achieve flexibility and meet mutual needs, and the Department is supportive of such voluntary arrangements that combine telework and intermittent leave.

11. May I take my paid sick leave intermittently while working at my usual worksite (as opposed to teleworking)?

It depends on why you are taking paid sick leave and whether your employer agrees. Unless you are teleworking, paid sick leave for qualifying reasons related to COVID-19 must be taken in full-day increments. It cannot be taken intermittently if the leave is being taken because:

- You are subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- You have been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- You are experiencing symptoms of COVID-19 and seeking a medical diagnosis;
- You are caring for an individual who either is subject to a quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or
- You are experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.

Unless you are teleworking, once you begin taking paid sick leave for one or more of these qualifying reasons, you must continue to take paid sick leave each day until you either (1) use the full amount of paid sick leave or (2) no longer have a qualifying reason for taking paid sick leave. This limit is imposed because if you are sick or possibly sick with COVID-19, or caring for an individual who is sick or possibly sick with COVID-19, the intent of FFCRA is to provide such paid sick leave as necessary to keep you from spreading the virus to others.

If you no longer have a qualifying reason for taking paid sick leave before you exhaust your paid sick leave, you may take any remaining paid sick leave at a later time, until December 31, 2020, if another qualifying reason occurs.

In contrast, if you and your employer agree, you may take paid sick leave intermittently if you are taking paid sick leave to care for your child whose school or place of care is closed, or whose child care provider is unavailable, because of COVID-19 related reasons. For example, if your child is at home because his or her school or place of care is closed, or child care provider is unavailable, because of COVID-19 related reasons, you may take paid sick leave on Mondays, Wednesdays, and Fridays to care for your child, but work at your normal worksite on Tuesdays and Thursdays.

The Department encourages employers and employees to collaborate to achieve maximum flexibility. Therefore, if employers and employees agree to intermittent leave on less than a full work day for employees taking paid sick leave to care for their child whose school or place of care is closed, or child care provider is unavailable, because of COVID-19-related reasons, the Department is supportive of such voluntary arrangements.

12. May I take my expanded family and medical leave intermittently while my child’s school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons, if I am not teleworking?

Yes, but only with your employer’s permission. Intermittent expanded family and medical leave should be permitted only when you and your employer agree upon such a schedule. For example, if your employer and you agree, you may take expanded family and medical leave on Mondays, Wednesdays, and Fridays, but work Tuesdays and Thursdays, while your child is at home because your child’s school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons, for the duration of your leave.

The Department encourages employers and employees to collaborate to achieve flexibility. Therefore, if employers and employees agree to intermittent leave on a day-by-day basis, the Department supports such voluntary arrangements.

13. As an employee, may I use my employer’s preexisting leave entitlements and my FFCRA paid sick leave and expanded family and medical leave concurrently for the same hours?

No. If you are eligible to take paid sick leave or expanded family and medical leave under the FFCRA, as well as paid leave that is already provided by your employer, unless your employer agrees you must choose one type of leave to take. You may not simultaneously take both, unless your employer agrees to allow you to supplement the amount you receive from paid sick leave or expanded family and medical leave under the FFCRA, up to your normal earnings, with preexisting leave. For example, if you are receiving 2/3 of your normal earnings from paid sick leave or expanded family and medical leave under the FFCRA and your employer permits, you may use your preexisting employer-provided paid leave to get the additional 1/3 of your normal earnings so that you receive your full normal earnings for each hour.

14. If I take paid sick leave under the Emergency Paid Sick Leave Act, does that count against other types of paid sick leave to which I am entitled under State or local law, or my employer’s policy?

No. Paid sick leave under the Emergency Paid Sick Leave Act is in addition to other leave provided under Federal, State, or local law; an applicable collective bargaining agreement; or your employer’s existing company policy.

15. May I use paid sick leave and expanded family and medical leave together for any COVID-19 related reasons?

No. The Emergency Family and Medical Leave Expansion Act applies only when you are on leave to care for your child whose school or place of care is closed, or whose child care provider is unavailable, due to COVID-19 related reasons. However, you can take paid sick leave under the Emergency Paid Sick Leave Act for numerous other reasons.

16. How do I know if I can receive paid sick leave for a Federal, State, or local quarantine or isolation order related to COVID-19?

For purposes of the FFCRA, a Federal, State, or local quarantine or isolation order includes quarantine or isolation orders, as well as shelter-in-place or stay-at-home orders, issued by any Federal, State, or local government authority that cause you to be unable to work (or to telework) even though your employer has work that you could perform but for the order. You may not take paid sick leave for this qualifying reason if your employer does not have work for you as a result of a shelter-in-place or a stay-at-home order. In the instance where your employer does not have work for you as a result of a shelter-in-place or a stay-at-home order, please see Questions 19-22.

17. When am I eligible for paid sick leave to self-quarantine?

You are eligible for paid sick leave if a health care provider directs or advises you to stay home or otherwise quarantine yourself because the health care provider believes that you may have COVID-19 or are particularly vulnerable to COVID-19, and quarantining yourself based upon that advice prevents you from working (or teleworking).

18. I am an employee. I become ill with COVID-19 symptoms, decide to quarantine myself for two weeks, and then return to work. I do not seek a medical diagnosis or the advice of a health care provider. Can I get paid for those two weeks under the FFCRA?

Generally no. If you become ill with COVID-19 symptoms, you may take paid sick leave under the FFCRA only to seek a medical diagnosis or if a health care provider otherwise advises you to self-quarantine. If you test positive for the virus associated with COVID-19 or are advised by a health care provider to self-quarantine, you may continue to take paid sick leave. You may not take paid sick leave under the FFCRA if you unilaterally decide to self-quarantine for an illness without medical advice, even if you have COVID-19 symptoms. Note that you may not take paid sick leave under the FFCRA if you become ill with an illness not related to COVID-19. Depending on your employer's expectations and your condition, however, you may be able to telework during your period of quarantine.

19. When am I eligible for paid sick leave to care for someone who is subject to a quarantine or isolation order?

You may take paid sick leave to care for an individual who, as a result of being subject to a quarantine or isolation order is unable to care for him or herself and depends on you for care and if providing care prevents you from working and from teleworking.

Furthermore, you may only take paid sick leave to care for an individual who genuinely needs your care. Such an individual includes an immediate family member or someone who regularly resides in your home. You may also take paid sick leave to care for someone if your relationship creates an expectation that you would care for the person in a quarantine or self-quarantine situation, and that individual depends on you for care during the quarantine or self-quarantine.

You may not take paid sick leave to care for someone with whom you have no relationship. Nor can you take paid sick leave to care for someone who does not expect or depend on your care during his or her quarantine or self-quarantine.

20. Can I take paid sick leave to care for any individual who is subject to a quarantine or isolation order or who has been advised to self-quarantine?

You may take paid sick leave under the FFCRA to care for an immediate family member or someone who regularly resides in your home. You may also take paid sick leave under the FFCRA to care for someone where your relationship creates an expectation that you care for the person in a quarantine or self-quarantine situation, and that individual depends on you for care during the quarantine or self-quarantine.

However, you may not take paid sick leave under the FFCRA to care for someone with whom you have no relationship. Nor can you take paid sick leave under the FFCRA to care for someone who does not expect or depend on your care during his or her quarantine or self-quarantine due to COVID-19.

21. When am I eligible for paid sick leave to care for someone who is self-quarantining?

You may take paid sick leave to care for a self-quarantining individual if a health care provider has advised that individual to stay home or otherwise quarantine him or herself because he or she may have COVID-19 or is particularly vulnerable to COVID-19 and provision of care to that individual prevents you from working (or teleworking).

22. May I take paid sick leave or expanded family and medical leave to care for my child who is 18 years old or older?

It depends. Under the FFCRA, paid sick leave and expanded family and medical leave include leave to care for one (or more) of your children when his or her school or place of care is closed or child care provider is unavailable, due to COVID-19 related reasons. This leave may only be taken to care for your non-disabled child if he or she is under the age of 18. If your child is 18 years of age or older with a disability and cannot care for him or herself due to that disability, you may take paid sick leave and expanded family and medical leave to care for him or her if his or her school or place of care is closed or his or her child care provider is unavailable, due to COVID-19 related reasons, and you are unable to work or telework as a result.

In addition, paid sick leave is available to care for an individual who is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19. If you have a need to care for your child age 18 or older who needs care for these circumstances, you may take paid sick leave if you are unable to work or telework as a result of providing care. But in no event may your total paid sick leave exceed two weeks.

23. Can more than one guardian take paid sick leave or expanded family and medical leave simultaneously to care for my child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons?

You may take paid sick leave or expanded family and medical leave to care for your child only when you need to, and actually are, caring for your child if you are unable to work or telework as a result of providing care. Generally, you do not need to take such leave if a co-

parent, co-guardian, or your usual child care provider is available to provide the care your child needs. See Question 16 for more details.

24. My child’s school or place of care has moved to online instruction or to another model in which children are expected or required to complete assignments at home. Is it “closed”?

Yes. If the physical location where your child received instruction or care is now closed, the school or place of care is “closed” for purposes of paid sick leave and expanded family and medical leave. This is true even if some or all instruction is being provided online or whether, through another format such as “distance learning,” your child is still expected or required to complete assignments.

25. Who is a son or daughter?

Under the FFCRA, a “son or daughter” is your own child, which includes your biological, adopted, or foster child, your stepchild, a legal ward, or a child for whom you are standing in loco parentis—someone with day-to-day responsibilities to care for or financially support a child. For additional information about in loco parentis, see [Fact Sheet #28B: Family and Medical Leave Act \(FMLA\) leave for birth, placement, bonding or to care for a child with a serious health condition on the basis of an “in loco parentis” relationship.](#)

In light of Congressional direction to interpret definitions consistently, WHD clarifies that under the FFCRA a “son or daughter” is also an adult son or daughter (i.e., one who is 18 years of age or older), who (1) has a mental or physical disability, and (2) is incapable of self-care because of that disability. For additional information on requirements relating to an adult son or daughter, see [Fact Sheet #28K](#) and/or call our toll free information and help line available 8 am–5 pm in your time zone, 1-866-4US-WAGE (1-866-487-9243).

26. May I take paid sick leave to care for a child other than my child?

It depends. The paid sick leave that is provided under the FFCRA to care for one (or more) of your children when their place of care is closed (or child care provider is unavailable), due to COVID-19 related reasons, may only be taken to care for your own “son or daughter.”

However, paid sick leave is also available to care for an individual who is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19. If you have a need to care for a child who meets these criteria, you may take paid sick leave if you are unable to work or telework as a result of providing care. But in no event may your total paid sick leave exceed two weeks.

27. May I take expanded family and medical leave to care for a child other than my child?

No. Expanded family and medical leave is only available to care for your own “son or daughter.”

28. May I take paid sick leave or expanded family and medical leave under the FFCRA if I am on an employer-approved leave of absence?

It depends on whether your leave of absence is voluntary or mandatory. If your leave of absence is voluntary, you may end your leave of absence and begin taking paid sick leave or expanded family and medical leave under the FFCRA if a qualifying reason prevents you from being able to work (or telework). However, you may not take paid sick leave or expanded family and medical leave under the FFCRA if your leave of absence is mandatory. This is because it is the mandatory leave of absence—and not a qualifying reason for leave—that prevents you from being able to work (or telework).

29. I still have questions about leave and work options, who should I contact?*

Please contact your supervisor and/or Human Resources should you have additional questions not covered in these FAQ's. We appreciate your patience, particularly in situations where we may not have immediate answers or need to research additional information.

3. Can't Come to Campus

1. I do not have a medical condition, but I am concerned about exposure to COVID-19. What should I do? *

College Administrators are closely monitoring COVID-19. Watch for College updates and information on the College's website. Talk with your supervisor about your options for working remotely. If you are not able to work remotely, you may use your College accrued paid leave with your supervisor approval. You may not take paid sick leave under the FFCRA if you unilaterally decide to self-quarantine for an illness without medical advice, even if you have COVID-19 symptoms. Note that you may not take paid sick leave under the FFCRA if you become ill with an illness not related to COVID-19.

The [Centers for Disease Control](#) (CDC) website contains many great suggestions for ways to protect yourself, including but not limited to:

- Frequently wash your hands with soap and water for at least 20 seconds
- Practice social distancing
- Avoid touching your eyes, nose, and mouth with unwashed hands
- Use alcohol-based hand sanitizer with at least 60% alcohol if soap and water are unavailable
- Clean and disinfect frequently touched objects and surfaces
- Cover your cough or sneeze with a tissue and then dispose of the tissue
- If you feel sick, then stay offline and at home to rest (per College policy; if eligible for paid leave, accrued leave should be used to record your absence)
- For more information, please refer to the "[How to Protect Yourself](#)" and "[What to Do if You Are Sick](#)" guidance on the Centers for Disease Control (CDD) website

2. What does it mean to be unable to work, including telework for COVID-19 related reasons?

You are unable to work if your employer has work for you and one of the COVID-19 qualifying reasons set forth in the FFCRA prevents you from being able to perform that work, either under normal circumstances at your normal worksite or by means of telework.

If you and your employer agree that you will work your normal number of hours, but outside of your normally scheduled hours (for instance early in the morning or late at night), then you are able to work and leave is not necessary unless a COVID-19 qualifying reason prevents you from working that schedule.

4. Payroll

1. I am full-time hourly employee receiving the FFRCA leave benefits, how do I record my hours?*

You will need to complete the COVID-19 timesheet. To report your hours, please follow the instructions below:

- If you are working remotely or on-campus, record all hours worked as **regular time**.
- If you should be working remotely or on-campus, but cannot due to illness, record leave hours as **Sick, Personal, Vacation, Emergency Paid Sick Leave, or shared sick leave and submit your timesheet**.
- If you are working remotely or working on-campus and wish to take supervisor-approved vacation time, you may do so and report all hours as **Vacation leave**.
- If you canceled previously scheduled vacation or sick time, please submit an updated leave form if necessary. If it is a complete cancellation, contact Carol Bailie and communicate the situation.
- If approved for **Expanded FMLA (EFMLA)** or the **emergency paid sick leave (EPSL)** for self or caring for others, record accordingly on your timesheet.
- If approved for regular **FMLA**, record accordingly on your timesheet.
- For College closed dates, report hours as **Other College Closed due to COVID-19**.

2. I am part-time hourly employee receiving the FFRCA leave benefits, how do I record my hours?*

You will need to complete a timesheet for **emergency paid sick leave and/or expanded FMLA**. To report your hours, please follow the instructions below:

- If you are working remotely or on-campus, record all hours worked as **regular time**.
- If approved for **Expanded FMLA (EFMLA)** or the **emergency paid sick leave (EPSL)** for self or caring for others, record accordingly on your timesheet.
- If approved for regular **FMLA**, record accordingly on your timesheet.
- For College closed dates, report hours as **Other College Closed due to COVID-19**. Part-time employees you will have access to the 10 paid days as approved by the board. Record the hours you would normally be scheduled to work.

3. I am a full-time professional staff or faculty employee, how do I record my leave time?*

You will need to complete a timesheet if you will be using FFCRA Expanded FMLA or FFCRA Emergency Paid Sick Leave or other College paid leave.

To report your leave hours, please follow the instructions below:

- If you should be working remotely or on-campus, but cannot due to illness, record leave hours as **Sick, Personal, Vacation, Emergency Paid Sick Leave, or shared sick leave**.
- If you are working remotely or working on-campus and wish to take supervisor-approved vacation time, you may do so and record hours as **Vacation leave or Personal leave**.

- If you are working remotely or working on-campus and wish to take supervisor-approved vacation time, you may do so and report all hours as **Vacation leave**.
 - If you canceled previously scheduled vacation or sick time, please submit an updated leave form if necessary. If it is complete cancellation, contact Carol Bailie and communicate the situation.
 - If approved for **Expanded FMLA (EFMLA)** or the **emergency paid sick leave** for self or caring for others, (**EPSL**), record accordingly on your leave form.
 - If approved for regular **FMLA**, record accordingly on your leave form.
 - For College closed dates, report hours as **Other College Closed due to COVID-19**.
- 4. Will part-time employees be paid if the College closes as a result of a pandemic?***
Part-time employees will be paid for up to 10 days (not to exceed 40 hours) of work as otherwise scheduled. This will include the hours for the week of March 30 – April 3, 2020 or other dates when the College is closed.
- 5. Will student workers be paid if the College is closed for an unscheduled period of time?***
Yes. There is an allowance to pay student workers for the time they would be normally be scheduled to work.

5. Benefits (Insurance, FSA, EAP)

1. **Are there resources available if I am feeling anxious or upset about what is happening?***

These situations can be challenging and stressful. New Directions Behavioral Health (EAP) staff are available 24/7 at **800-624-5544** or by visiting ndbh.com. Our employer ID is ECC.

2. **Will our medical insurance (Anthem) be effected by COVID 19 pandemic?***

Anthem's website provides an in-depth FAQs section pertaining to the crisis. According to the insurer, as with all managed care organizations, Anthem is required to follow COVID-19 guidance and protocols provided by the Centers for Disease Control and Prevention (CDC), and state and local public health and insurance departments. Anthem recommends employees follow the CDC guidelines regarding exams or treatment, including utilizing Telehealth options. For more information, please go to www.anthem.com

3. **What does Anthem provide in regards to COVID-19 health care coverage?***

Anthem has provided the College with a thorough explanation of its coverage to ECC employees in regard to COVID-19.

To avoid in-person meetings, Anthem is providing several Telehealth options. Also, Anthem will waive member cost share for telehealth visits, including visits for mental health, for our fully-insured employer, individual, and Medicare Advantage plans, and where permissible, Medicaid plans for 90 days, beginning March 17 and ending June 14.

The main FAQ topics are listed below. The complete list of FAQs from Anthem is provided [HERE](#).

- Employer Impact
- Privacy
- Benefit Coverage Questions
- Pharmacy
- Telehealth, Sydney Care and 24/7 Nurseline
- Underwriting and Financial Questions
- Life and Disability Questions

4. **Will our health care provider, Anthem, cover COVID 19 testing?***

Yes. Anthem health plan covers COVID-19 testing and the visit where you get the test with no out of pocket costs. If you're diagnosed as having COVID-19, your Anthem health plan benefits apply to treatments.

5. **I'd like health care assistance online. Is that available?***

Sydney Care & LiveHealth Online offers services. Simply download the free mobile app for a quick and easy way to evaluate symptoms. They can connect you with a doctor through a LiveHealth Online video session or a Virtual Care text session right from their smartphone.

The doctor they connect with can evaluate their symptoms, help them understand whether they're at risk for COVID-19, and let them know whether they need to visit a local health care provider in person for COVID-19 testing.

6. Is there mental health assistance to help with the pressures and anxiety from the pandemic?*

Employees will find resources regarding information pertaining to COVID-19 at www.ndbh.com. Password: ECC. Anyone can call our emotional support number 833-848-1764, a free and confidential 24/7 mental health helpline staffed by trained and caring professionals ready to guide you to the care you need. The number will be open as long as necessary to support individuals and communities affected by disasters.

7. What other mental health resources are available?*

The Employee Assistance Program (EAP) has several resources to assist employees and families during the pandemic. New Directions Behavioral Health provides free and confidential counseling 24/7. The helpline (1.833.848.1764) is staffed by trained and caring professionals to guide you to the care you need. Assistance is open to all and not just employees.

- [How to talk to your kids about COVID](#)
- [Coronavirus + Mental Health](#)
- [Coronavirus Anxiety New Directions](#)
- [Working from Home During the COVID-19](#)
- Compass Health Access/Disaster Hotline: 1.888.237.4567 (Mon-Fri 7 a.m. – 7 p.m.)
- Behavioral Health Crisis Hotline: 1.800.833.3915 (24 hour)

8. Will our vision insurance (EYEMED) be effected by the COVID 19 pandemic? *

EyeMed provided several FAQs pertaining to the crisis. According to the insurer, as with all managed care organizations, EyeMed is required to follow COVID-19 guidance and protocols provided by the Centers for Disease Control and Prevention (CDC), and state and local public health and insurance departments. We recommend you follow CDC guidelines regarding routine eye exams, including postponing routine visits.

- EyeMed COVID-19 – [Member FAQs](#)
- EyeMed Customer Care Center: 1.866.933.3633 (or your group-specific number on your ID card).
- EyeMed [Webpage](#)

9. How the CARES Act changed the Medical FSA & HSA*

The President signed the Coronavirus Aid, Relief, and Economic Security Act (CARES) Act into law on Friday afternoon (March 27, 2020). The Act contains numerous provisions, and there are two sections that directly affect flexible spending accounts (FSAs) and Health Savings Accounts (HSAs):

- It permanently reinstates coverage of over-the-counter (OTC) drugs and medicines without a prescription! This allows participants to be reimbursed for items such as Tylenol, Advil, Claritin, and Tamiflu. No more need to ask your doctor for unnecessary prescriptions.
- Menstrual products (such as tampons, pads, cups, liners, etc.) are now included as qualifying expenses.

The Act also made a change to Qualified High Deductible Health Plans (QHDHPs) which affects the use of HSA funds. The IRS released guidance ([Notice 2020-18](#)) allowing QHDHPs to cover the cost of testing and treatment for the COVID-19 (coronavirus) prior to meeting the deductible. The CARES Act allows HDHPs to cover telehealth services without a deductible having to be met and still be a “qualified” plan. In other words, a participant’s HSA can be used with a QHDHP that offers telehealth services without requiring a copayment or a deductible to be met.

10. When are the CARES Act changes effective?

These two changes are retroactive to January 1, 2020 (regardless of the client’s plan year). For example, if your health care FSA (or limited purpose FSA) is on a July 1, fiscal year, participants can now claim any expenses for qualifying OTC drugs or medicines purchased as of January 1, 2020 or later. And, they no longer need a prescription for these medicines.

11. Can a participant make a change in election due to this change?*

Unfortunately, no. However, participants can make new elections at the next open enrollment date to take advantage of this change in coverage. Participants may use existing funds for any of these qualifying expenses incurred on or after January 1, 2020.

12. What type of documentation will need to be submitted in order to be reimbursed for these items?*

The same documentation used for other claims. Participants will need an itemized receipt from the merchant indicating: store name, purchase date, description of product and cost of the item.

13. Can the ASIFlex debit card be used for these items?*

Yes. However, please keep in mind that merchants will need some time to update their Inventory Information Approval System (IIAS) in order for these items to be recognized as eligible. Please be patient as many merchants are currently understaffed. It is currently anticipated that this process could take up to six weeks.

14. What if the items do not show as eligible when the debit card is used?*

Initially, debit cards may not work for these items. If the card cannot be used to purchase these items, the employee can simply snap a picture of the itemized store receipt and submit the claim via the mobile app or file a claim online after scanning the documentation.

15. Which merchants will accept the ASIFlex card for these types of purchases?*

We anticipate that the same merchants who accept cards now for general OTC health care products will accept the cards for OTC drugs and medicines. But keep in mind that the merchants will need time to modify their inventory system.

16. Has the FSA Store site been updated for these items?*

The FSA Store and the HSA Store are already in the process of updating their inventory and websites.

17. Am I able to change my dependent care election? (only eligible for those currently participating in the FSA)*

Yes, if the employee’s dependent care cost changes because they are no longer taking their child to day care, that is a qualifying event to allow a change in annual election. Any change in provider or change in cost of care is considered qualifying as long as the corresponding change makes sense. (i.e. loss of provider or decrease in cost should equate to decrease/stop of DCAP; gain of provider or increase in cost should equate to a new or increased election in DCAP.)

| EXAMPLES OF CHANGES ALLOWED FOR DEPENDENT CARE FSA | |
|----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| EVENT | ALLOWED CHANGES |
| Daycare provider increases cost | <ul style="list-style-type: none">• Increase election consistent with the new cost• Change to another provider at a lower cost and make an election change consistent with the new cost• Stop the election if no other similar provider is available |
| Daycare provider decreases cost | <ul style="list-style-type: none">• Decrease election consistent with the new cost |
| Employee changes daycare provider | <ul style="list-style-type: none">• Increase or decrease election consistent with new cost |
| Daycare closes | <ul style="list-style-type: none">• Decrease or stop election |
| Child is out of school due to summer | <ul style="list-style-type: none">• Increase election consistent with need for more daycare hours• Decrease or stop election if daycare is needed for fewer hours or not needed |
| Child start school in the fall | <ul style="list-style-type: none">• Increase election if before or after school care is needed• Decrease election if fewer hours of daycare are needed |

Note: Change in cost rules do not apply if the care provider is a relative of the participant.

18. Will I be able to re-enroll once I need child care again?*

Yes, if there is a change in cost of care allowing the employee to stop or decrease, and then another change in cost resulting from putting the child back in daycare, again, this is still considered a qualifying event to make another change

19. What date are changes effective? Can my changes be retroactive back to an earlier date?*

Changes for Dependent Care will become effective the first of the following month. Changes cannot be retroactive; so if you want to make a change, the FSA Change Form will need to be submitted as soon as possible.

20. How do I make changes to my current plan?*

Employees will be required to fill out the Flexible Spending Account Change form, and submit it to Human Resources.

21. Where may I refer employees if they have questions?*

ASIFlex is in the process of updating the following pages of its website (asiflex.com):

- Homepage News: links to a new participant education flyer
- Programs tab: Debit Card links and FAQs
- Resources tab: FAQs; Eligible Expenses
- Useful Links tab: Eligible Expenses; Menstrual care products, over-the-counter health care products, drugs & medicine

22. Will ASIFlex send information to my employees?*

Yes, ASIFlex will release email and text alerts with a brief update referring plan participants to the updated website.

23. Will my PSRS/PEERS benefits be effected?*

PSRS/PEERS has provided detailed information. They want to reassure its members that their PSRS/PEERS benefit is secure. PSRS/PEERS is a long-term investor and can withstand market volatility.

6. General (department operations/ mailroom)

1. **Will I be asked to perform additional duties and/or responsibilities outside of my typical assignments or may I be asked to work for a different department or perform a different job?***

These are unprecedented circumstances and we appreciate your flexibility in helping the College conduct business differently. Your supervisor may request that you do things outside your normal responsibilities. If you are not able to perform these duties, you will need to discuss with your supervisor your options for paid leave or unpaid leave.

2. **How will I know if something changes for the College's operations?***

The College will post all new information to the College's website. New information will also be distributed primarily by e-mail and possibly accompanied by social media, President Announcements or a text alert. Your supervisor should make sure you are aware of any changes to the work environment.

3. **How do I know if I am supposed to come to work, if I can or should work remotely, or whether I should not be working at all?***

Your supervisor will provide guidance on whether your position should report to campus, work remotely, a mix of both, or whether you are not required to work.

4. **Are there circumstances in which I should NOT report to campus?***

Yes. Do not come to campus if:

- You are sick or don't feel well.
- You are under a physician's care and/or quarantined due to COVID-19.
- You have been advised to self-isolate or quarantine because of travel or potential exposure (in such situation you may be reassigned to remote duties or released from your duties during the quarantine).
- If you have not been approved to work on campus.

5. **Do I need a note from the College during the Stay at Home order?***

No, the statewide order acknowledges that there are essential services that need to be maintained. This includes education. The specific language in the federal guidelines that are generally referenced in the statewide order reads as follows: Educators supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other essential functions. Human Resources can provide documentation if you would like.

6. **I still have questions about leave and work options, who should I contact?***

Please contact your supervisor and/or Human Resources should you have additional questions not covered in these FAQ's. We appreciate your patience, particularly in situations where we may not have immediate answers or need to research additional information.

7. Illness/COVID-19

1. **I do not have a medical condition, but I am concerned about exposure to COVID-19. What should I do?***

College Administrators are closely monitoring COVID-19. Watch for College updates and information on the College's website. Talk with your supervisor about your options for working remotely. If you are not able to work remotely, you may use your College accrued paid leave with your supervisor approval. You may not take paid sick leave under the FFCRA if you unilaterally decide to self-quarantine for an illness without medical advice, even if you have COVID-19 symptoms. Note that you may not take paid sick leave under the FFCRA if you become ill with an illness not related to COVID-19.

The [Centers for Disease Control](#) (CDC) website contains many great suggestions for ways to protect yourself, including but not limited to:

- Frequently wash your hands with soap and water for at least 20 seconds
- Practice social distancing
- Avoid touching your eyes, nose, and mouth with unwashed hands
- Use alcohol-based hand sanitizer with at least 60% alcohol if soap and water are unavailable
- Clean and disinfect frequently touched objects and surfaces
- Cover your cough or sneeze with a tissue and then dispose of the tissue
- If you feel sick, then stay offline and at home to rest (per College policy; if eligible for paid leave, accrued leave should be used to record your absence)
- For more information, please refer to the "[How to Protect Yourself](#)" and "[What to Do if You Are Sick](#)" guidance on the Centers for Disease Control (CDD) website

2. **What should I do if I have been exposed to the coronavirus?***

If you have been exposed to the coronavirus, please do not report to work, follow the CDC guidelines, and email to Human Resources Director. The College will follow the CDC guidelines.

3. **I am not feeling well, what should I do?***

If you are ill and not feeling well for any reason, please follow your department's procedures for calling in sick. In some circumstances, you may qualify for protection under the Family and Medical Leave Act. Please contact Human Resources should you have questions regarding FMLA qualification.

4. **Can I use my accrued College paid leave instead of working on campus or remote if I do not qualify for the FFCRA leave, and/or I have concerns about my personal health and well-being?***

Yes, full-time employees may use College paid sick leave, vacation, and/or personal leave with supervisor approval.

5. As a full-time employee will I have to use sick time, personal or vacation time if I'm unable to work to care for a minor in my family?*

There will be ten days (80 hours) of paid emergency leave made available for current, full-time employees when the College is open for business in the case of an employee who is unable to work due to the need to care of a minor if the child's school or childcare facility has been closed or is unavailable due to the pandemic. Full-time employees may use other accrued leave if more time is needed other than the 10 days.

6. What should I do if I've tested positive with COVID-19?*

Contact the ECC Human Resources director, Wendy Hartmann or 314-210-9648 immediately. If you are not able to contact Wendy, please contact your Administrator.

If you have a diagnosis of COVID-19 please stay home, follow the CDC guidelines, and your physician. Contact Human Resources and your immediate supervisor. The College will follow the CDC guidelines for reporting. You may qualify for the FFCRA expanded FMLA or emergency paid sick leave, and/or protection under the Family and Medical Leave Act. Please contact Human Resources to discuss your options.

7. What should I do if I have symptoms of COVID-19?*

If you experience symptoms, isolate yourself, do not come to work, and seek medical attention. Inform medical professionals of your symptoms and any recent travel or potential exposure before going to the health facility. As with any contagious illness, limit the potential for exposure to other people and do not come to work.

8. What will the College do if an employee is found to be positive with COVID-19?*

The College will follow the guidance and regulations of the area county health department and the Centers for Disease Control if an employee is tested positive with COVID-19.

9. When can I return to work if I've had Influenza or another contagious illness?

The current message from health care providers and the CDC is to stay home and don't return to work until you haven't had a fever for 24 hours without the use of fever-reducing medications. Anyone diagnosed with COVID-19 should closely follow the instructions of medical professionals.

10. How are the area health departments handling the COVID 19 pandemic?*

The area health departments are working closely and communicating with the state of Missouri's health department. East Central College is communicating with our area health departments.

- Franklin County Health Department
- Phelps-Maries Health Department

11. What is the Families First Coronavirus Response Act (FFCA)

The Families First Coronavirus Response Act (FFCRA or Act) requires certain employers to provide their employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19. The Department of Labor's (Department) 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 through December 31, 2020. Generally, the Act provides that covered employers must provide to all employees:

1. 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 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
2. 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 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, in consultation with the Secretaries of the Treasury and Labor. A covered employer must provide to employees that it has employed for at least 30 days:

Up to an additional 10 weeks of paid expanded family and medical leave 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.

12. What are the Qualifying Reasons for Leave?

Under the FFCRA, an employee qualifies for paid sick time if the 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;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for
6. is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

13. Where can I find more information about FFCRA?

The U.S. Department of Labor has more detailed information on its [FAQ page](#).

14. As an employee, how much will I be paid while taking paid sick leave or expanded family and medical leave under the FFCRA?

It depends on your normal schedule as well as why you are taking leave. If you are taking paid sick leave because you are unable to work or telework due to a need for leave

because you (1) are subject to a Federal, State, or local quarantine or isolation order related to COVID-19; (2) have been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or (3) are experiencing symptoms of COVID-19 and are seeking medical diagnosis, you will receive for each applicable hour the greater of:

- a. your regular rate of pay,
- b. the federal minimum wage in effect under the FLSA, or
- c. the applicable State or local minimum wage.

In these circumstances, you are entitled to a maximum of \$511 per day, or \$5,110 total over the entire paid sick leave period.

If you are taking paid sick leave because you are: (1) caring for an individual who is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or an individual who has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; (2) caring for your child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons; or (3) experiencing any other substantially-similar condition that may arise, as specified by the Secretary of Health and Human Services, you are entitled to compensation at 2/3 of the greater of the amounts above.

Under these circumstances, you are subject to a maximum of \$200 per day, or \$2,000 over the entire two-week period.

If you are taking expanded family and medical leave, you may take paid sick leave for the first ten days of that leave period, or you may substitute any accrued vacation leave, personal leave, or medical or sick leave you have under your employer's policy. For the following ten weeks, you will be paid for your leave at an amount no less than 2/3 of your regular rate of pay for the hours you would be normally scheduled to work. The regular rate of pay used to calculate this amount must be at or above the federal minimum wage, or the applicable state or local minimum wage. However, you will not receive more than \$200 per day or \$12,000 for the twelve weeks that include both paid sick leave and expanded family and medical leave when you are on leave to care for your child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons.

15. May I take 80 hours of paid sick leave for my self-quarantine and then another amount of paid sick leave for another reason provided under the Emergency Paid Sick Leave Act?

No. You may take up to two weeks—or ten days—(80 hours for a full-time employee, or for a part-time employee, the number of hours equal to the average number of hours that the employee works over a typical two-week period) of paid sick leave for any combination of qualifying reasons. However, the total number of hours for which you receive paid sick leave is capped at 80 hours under the Emergency Paid Sick Leave Act.

16. If I am home with my child because his or her school or place of care is closed, or child care provider is unavailable, do I get paid sick leave, expanded family and medical leave, or both—how do they interact?

You may be eligible for both types of leave, but only for a total of twelve weeks of paid leave. You may take both paid sick leave and expanded family and medical leave to care for your child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons. The Emergency Paid Sick Leave Act provides for an initial two weeks of paid leave. This period thus covers the first ten workdays of expanded family and medical leave, which are otherwise unpaid under the Emergency and Family Medical Leave Expansion Act unless you elect to use existing vacation, personal, or medical or sick leave under your employer's policy. After the first ten workdays have elapsed, you will receive 2/3 of your [regular rate of pay](#) for the hours you would have been scheduled to work in the subsequent ten weeks under the Emergency and Family Medical Leave Expansion Act.

Please note that you can only receive the additional ten weeks of expanded family and medical leave under the Emergency Family and Medical Leave Expansion Act for leave to care for your child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons.

17. If I am or become unable to telework, am I entitled to paid sick leave or expanded family and medical leave?

If your employer permits teleworking—for example, allows you to perform certain tasks or work a certain number of hours from home or at a location other than your normal workplace—and you are unable to perform those tasks or work the required hours because of one of the qualifying reasons for paid sick leave, then you are entitled to take paid sick leave.

Similarly, if you are unable to perform those teleworking tasks or work the required teleworking hours because you need to care for your child whose school or place of care is closed, or child care provider is unavailable, because of COVID-19 related reasons, then you are entitled to take expanded family and medical leave. Of course, to the extent you are able to telework while caring for your child, paid sick leave and expanded family and medical leave is not available.

18. May I take my paid sick leave or expanded family and medical leave intermittently while teleworking?

Yes, if your employer allows it and if you are unable to telework your normal schedule of hours due to one of the qualifying reasons in the Emergency Paid Sick Leave Act. In that situation, you and your employer may agree that you may take paid sick leave intermittently while teleworking. Similarly, if you are prevented from teleworking your normal schedule of hours because you need to care for your child whose school or place of care is closed, or child care provider is unavailable, because of COVID-19 related reasons, you and your employer may agree that you can take expanded family medical leave intermittently while teleworking.

You may take intermittent leave in any increment, provided that you and your employer agree. For example, if you agree on a 90-minute increment, you could telework from 1:00 PM to 2:30 PM, take leave from 2:30 PM to 4:00 PM, and then return to teleworking.

The Department encourages employers and employees to collaborate to achieve flexibility and meet mutual needs, and the Department is supportive of such voluntary arrangements that combine telework and intermittent leave.

19. May I take my paid sick leave intermittently while working at my usual worksite (as opposed to teleworking)?

It depends on why you are taking paid sick leave and whether your employer agrees. Unless you are teleworking, paid sick leave for qualifying reasons related to COVID-19 must be taken in full-day increments. It cannot be taken intermittently if the leave is being taken because:

- You are subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- You have been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- You are experiencing symptoms of COVID-19 and seeking a medical diagnosis;
- You are caring for an individual who either is subject to a quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or
- You are experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.

Unless you are teleworking, once you begin taking paid sick leave for one or more of these qualifying reasons, you must continue to take paid sick leave each day until you either (1) use the full amount of paid sick leave or (2) no longer have a qualifying reason for taking paid sick leave. This limit is imposed because if you are sick or possibly sick with COVID-19, or caring for an individual who is sick or possibly sick with COVID-19, the intent of FFCRA is to provide such paid sick leave as necessary to keep you from spreading the virus to others.

If you no longer have a qualifying reason for taking paid sick leave before you exhaust your paid sick leave, you may take any remaining paid sick leave at a later time, until December 31, 2020, if another qualifying reason occurs.

In contrast, if you and your employer agree, you may take paid sick leave intermittently if you are taking paid sick leave to care for your child whose school or place of care is closed, or whose child care provider is unavailable, because of COVID-19 related reasons. For example, if your child is at home because his or her school or place of care is closed, or child care provider is unavailable, because of COVID-19 related reasons, you may take paid sick leave on Mondays, Wednesdays, and Fridays to care for your child, but work at your normal worksite on Tuesdays and Thursdays.

The Department encourages employers and employees to collaborate to achieve maximum flexibility. Therefore, if employers and employees agree to intermittent leave on less than a full work day for employees taking paid sick leave to care for their child whose school or place of care is closed, or child care provider is unavailable, because of COVID-19-related reasons, the Department is supportive of such voluntary arrangements.

20. May I take my expanded family and medical leave intermittently while my child’s school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons, if I am not teleworking?

Yes, but only with your employer’s permission. Intermittent expanded family and medical leave should be permitted only when you and your employer agree upon such a schedule. For example, if your employer and you agree, you may take expanded family and medical leave on Mondays, Wednesdays, and Fridays, but work Tuesdays and Thursdays, while your child is at home because your child’s school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons, for the duration of your leave.

The Department encourages employers and employees to collaborate to achieve flexibility. Therefore, if employers and employees agree to intermittent leave on a day-by-day basis, the Department supports such voluntary arrangements.

21. As an employee, may I use my employer’s preexisting leave entitlements and my FFCRA paid sick leave and expanded family and medical leave concurrently for the same hours?

No. If you are eligible to take paid sick leave or expanded family and medical leave under the FFCRA, as well as paid leave that is already provided by your employer, unless your employer agrees you must choose one type of leave to take. You may not simultaneously take both, unless your employer agrees to allow you to supplement the amount you receive from paid sick leave or expanded family and medical leave under the FFCRA, up to your normal earnings, with preexisting leave. For example, if you are receiving 2/3 of your normal earnings from paid sick leave or expanded family and medical leave under the FFCRA and your employer permits, you may use your preexisting employer-provided paid leave to get the additional 1/3 of your normal earnings so that you receive your full normal earnings for each hour.

22. Who is a son or daughter?

Under the FFCRA, a “son or daughter” is your own child, which includes your biological, adopted, or foster child, your stepchild, a legal ward, or a child for whom you are standing in loco parentis—someone with day-to-day responsibilities to care for or financially support a child. For additional information about in loco parentis, see [Fact Sheet #28B: Family and Medical Leave Act \(FMLA\) leave for birth, placement, bonding or to care for a child with a serious health condition on the basis of an “in loco parentis” relationship.](#)

In light of Congressional direction to interpret definitions consistently, WHD clarifies that under the FFCRA a “son or daughter” is also an adult son or daughter (i.e., one who is 18 years of age or older), who (1) has a mental or physical disability, and (2) is incapable of

self-care because of that disability. For additional information on requirements relating to an adult son or daughter, see [Fact Sheet #28K](#) and/or call our toll free information and help line available 8 am–5 pm in your time zone, 1-866-4US-WAGE (1-866-487-9243).

23. Do I qualify for leave for a COVID-19 related reason even if I have already used some or all of my leave under the Family and Medical Leave Act (FMLA)?

If you are an eligible employee, you are entitled to paid sick leave under the Emergency Paid Sick Leave Act regardless of how much leave you have taken under the FMLA.

However, if your employer was covered by the FMLA prior to April 1, 2020, your eligibility for expanded family and medical leave depends on how much leave you have already taken during the 12-month period that your employer uses for FMLA leave. You may take a total of 12 workweeks for FMLA or expanded family and medical leave reasons during a 12-month period. If you have taken some, but not all, 12 workweeks of your leave under FMLA during the current 12-month period determined by your employer, you may take the remaining portion of leave available. If you have already taken 12 workweeks of FMLA leave during this 12-month period, you may not take additional expanded family and medical leave.

For example, assume you are eligible for preexisting FMLA leave and took two weeks of such leave in January 2020 to undergo and recover from a surgical procedure. You therefore have 10 weeks of FMLA leave remaining. Because expanded family and medical leave is a type of FMLA leave, you would be entitled to take up to 10 weeks of expanded family and medical leave, rather than 12 weeks. And any expanded family and medical leave you take would count against your entitlement to preexisting FMLA leave.

24. May I take leave under the Family and Medical Leave Act over the next 12 months if I used some or all of my expanded family and medical leave under the Emergency Family and Medical Leave Expansion Act?

It depends. You may take a total of 12 workweeks of leave during a 12-month period under the FMLA, including the Emergency Family and Medical Leave Expansion Act. If you take some, but not all 12, workweeks of your expanded family and medical leave by December 31, 2020, you may take the remaining portion of FMLA leave for a serious medical condition, as long as the total time taken does not exceed 12 workweeks in the 12-month period. Please note that expanded family and medical leave is available only until December 31, 2020; after that, you may only take FMLA leave.

For example, assume you take four weeks of Expanded Family and Medical Leave in April 2020 to care for your child whose school is closed due to a COVID-19 related reason. These four weeks count against your entitlement to 12 weeks of FMLA leave in a 12-month period. If you are eligible for preexisting FMLA leave and need to take such leave in August 2020 because you need surgery, you would be entitled to take up to eight weeks of FMLA leave.

However, you are entitled to paid sick leave under the Emergency Paid Sick Leave Act regardless of how much leave you have taken under the FMLA. Paid sick leave is not a form of FMLA leave and therefore does not count toward the 12 workweeks in the 12-month period cap. But please note that if you take paid sick leave concurrently with the first two weeks of expanded family and medical leave, which may otherwise be unpaid, then those two weeks do count towards the 12 workweeks in the 12-month period.

25. If I take paid sick leave under the Emergency Paid Sick Leave Act, does that count against other types of paid sick leave to which I am entitled under State or local law, or my employer's policy?

No. Paid sick leave under the Emergency Paid Sick Leave Act is in addition to other leave provided under Federal, State, or local law; an applicable collective bargaining agreement; or your employer's existing company policy.

26. May I use paid sick leave and expanded family and medical leave together for any COVID-19 related reasons?

No. The Emergency Family and Medical Leave Expansion Act applies only when you are on leave to care for your child whose school or place of care is closed, or whose child care provider is unavailable, due to COVID-19 related reasons. However, you can take paid sick leave under the Emergency Paid Sick Leave Act for numerous other reasons.

27. What is a full-time employee under the Emergency Paid Sick Leave Act?

For purposes of the Emergency Paid Sick Leave Act, a full-time employee is an employee who is normally scheduled to work 40 or more hours per week.

In contrast, the Emergency Family and Medical Leave Expansion Act does not distinguish between full- and part-time employees, but the number of hours an employee normally works each week will affect the amount of pay the employee is eligible to receive.

28. What is a part-time employee under the Emergency Paid Sick Leave Act?

For purposes of the Emergency Paid Sick Leave Act, a part-time employee is an employee who is normally scheduled to work fewer than 40 hours per week.

In contrast, the Emergency Family and Medical Leave Expansion Act does not distinguish between full- and part-time employees, but the number of hours an employee normally works each week affects the amount of pay the employee is eligible to receive.

29. If I take paid sick leave under the Emergency Paid Sick Leave Act, does that count against other types of paid sick leave to which I am entitled under State or local law, or my employer's policy?

No. Paid sick leave under the Emergency Paid Sick Leave Act is in addition to other leave provided under Federal, State, or local law; an applicable collective bargaining agreement; or your employer's existing company policy.

30. May I use paid sick leave and expanded family and medical leave together for any COVID-19 related reasons?

No. The Emergency Family and Medical Leave Expansion Act applies only when you are on leave to care for your child whose school or place of care is closed, or whose child care provider is unavailable, due to COVID-19 related reasons. However, you can take paid sick leave under the Emergency Paid Sick Leave Act for numerous other reasons.

31. How do I know if I can receive paid sick leave for a Federal, State, or local quarantine or isolation order related to COVID-19?

For purposes of the FFCRA, a Federal, State, or local quarantine or isolation order includes quarantine or isolation orders, as well as shelter-in-place or stay-at-home orders, issued by any Federal, State, or local government authority that cause you to be unable to work (or to telework) even though your employer has work that you could perform but for the order. You may not take paid sick leave for this qualifying reason if your employer does not have work for you as a result of a shelter-in-place or a stay-at-home order. In the instance where your employer does not have work for you as a result of a shelter-in-place or a stay-at-home order, please see Questions 19-22.

32. When am I eligible for paid sick leave to self-quarantine?

You are eligible for paid sick leave if a health care provider directs or advises you to stay home or otherwise quarantine yourself because the health care provider believes that you may have COVID-19 or are particularly vulnerable to COVID-19, and quarantining yourself based upon that advice prevents you from working (or teleworking).

33. I am an employee. I become ill with COVID-19 symptoms, decide to quarantine myself for two weeks, and then return to work. I do not seek a medical diagnosis or the advice of a health care provider. Can I get paid for those two weeks under the FFCRA?

Generally no. If you become ill with COVID-19 symptoms, you may take paid sick leave under the FFCRA only to seek a medical diagnosis or if a health care provider otherwise advises you to self-quarantine. If you test positive for the virus associated with COVID-19 or are advised by a health care provider to self-quarantine, you may continue to take paid sick leave. You may not take paid sick leave under the FFCRA if you unilaterally decide to self-quarantine for an illness without medical advice, even if you have COVID-19 symptoms. Note that you may not take paid sick leave under the FFCRA if you become ill with an illness not related to COVID-19. Depending on your employer's expectations and your condition, however, you may be able to telework during your period of quarantine.

34. When am I eligible for paid sick leave to care for someone who is subject to a quarantine or isolation order?

You may take paid sick leave to care for an individual who, as a result of being subject to a quarantine or isolation order (see Question 40), is unable to care for him or herself and depends on you for care and if providing care prevents you from working and from teleworking.

Furthermore, you may only take paid sick leave to care for an individual who genuinely needs your care. Such an individual includes an immediate family member or someone who regularly resides in your home. You may also take paid sick leave to care for someone if your relationship creates an expectation that you would care for the person in a quarantine or self-quarantine situation, and that individual depends on you for care during the quarantine or self-quarantine.

You may not take paid sick leave to care for someone with whom you have no relationship. Nor can you take paid sick leave to care for someone who does not expect or depend on your care during his or her quarantine or self-quarantine.

35. Can I take paid sick leave to care for any individual who is subject to a quarantine or isolation order or who has been advised to self-quarantine?

No. You may take paid sick leave under the FFCRA to care for an immediate family member or someone who regularly resides in your home. You may also take paid sick leave under the FFCRA to care for someone where your relationship creates an expectation that you care for the person in a quarantine or self-quarantine situation, and that individual depends on you for care during the quarantine or self-quarantine.

However, you may not take paid sick leave under the FFCRA to care for someone with whom you have no relationship. Nor can you take paid sick leave under the FFCRA to care for someone who does not expect or depend on your care during his or her quarantine or self-quarantine due to COVID-19.

36. When am I eligible for paid sick leave to care for someone who is self-quarantining?

You may take paid sick leave to care for a self-quarantining individual if a health care provider has advised that individual to stay home or otherwise quarantine him or herself because he or she may have COVID-19 or is particularly vulnerable to COVID-19 and provision of care to that individual prevents you from working (or teleworking).

37. May I take paid sick leave or expanded family and medical leave to care for my child who is 18 years old or older?

It depends. Under the FFCRA, paid sick leave and expanded family and medical leave include leave to care for one (or more) of your children when his or her school or place of care is closed or child care provider is unavailable, due to COVID-19 related reasons. This leave may only be taken to care for your non-disabled child if he or she is under the age of 18. If your child is 18 years of age or older with a disability and cannot care for him or herself due to that disability, you may take paid sick leave and expanded family and medical leave to care for him or her if his or her school or place of care is closed or his or her child care provider is unavailable, due to COVID-19 related reasons, and you are unable to work or telework as a result.

In addition, paid sick leave is available to care for an individual who is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or has been advised by a

health care provider to self-quarantine due to concerns related to COVID-19. If you have a need to care for your child age 18 or older who needs care for these circumstances, you may take paid sick leave if you are unable to work or telework as a result of providing care. But in no event may your total paid sick leave exceed two weeks.

38. Can more than one guardian take paid sick leave or expanded family and medical leave simultaneously to care for my child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons?

You may take paid sick leave or expanded family and medical leave to care for your child only when you need to, and actually are, caring for your child if you are unable to work or telework as a result of providing care. Generally, you do not need to take such leave if a co-parent, co-guardian, or your usual child care provider is available to provide the care your child needs. See Question 16 for more details.

39. My child’s school or place of care has moved to online instruction or to another model in which children are expected or required to complete assignments at home. Is it “closed”?

Yes. If the physical location where your child received instruction or care is now closed, the school or place of care is “closed” for purposes of paid sick leave and expanded family and medical leave. This is true even if some or all instruction is being provided online or whether, through another format such as “distance learning,” your child is still expected or required to complete assignments.

40. May I take paid sick leave to care for a child other than my child?

It depends. The paid sick leave that is provided under the FFCRA to care for one (or more) of your children when their place of care is closed (or child care provider is unavailable), due to COVID-19 related reasons, may only be taken to care for your own “son or daughter.” For an explanation of the definition of “son or daughter” for purposes of the FFCRA, please refer to Question 30.

However, paid sick leave is also available to care for an individual who is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19. If you have a need to care for a child who meets these criteria, you may take paid sick leave if you are unable to work or telework as a result of providing care. But in no event may your total paid sick leave exceed two weeks.

41. May I take expanded family and medical leave to care for a child other than my child?

No. Expanded family and medical leave is only available to care for your own “son or daughter.” For an explanation of the definition of “son or daughter” for purposes of the FFCRA, please refer to Question 30.

42. May I take paid sick leave or expanded family and medical leave under the FFCRA if I am on an employer-approved leave of absence?

It depends on whether your leave of absence is voluntary or mandatory. If your leave of absence is voluntary, you may end your leave of absence and begin taking paid sick leave or expanded family and medical leave under the FFCRA if a qualifying reason prevents you from being able to work (or telework). However, you may not take paid sick leave or expanded family and medical leave under the FFCRA if your leave of absence is mandatory. This is because it is the mandatory leave of absence—and not a qualifying reason for leave—that prevents you from being able to work (or telework).

8. Regular FMLA

1. **Do I qualify for leave for a COVID-19 related reason even if I have already used some or all of my leave under the Family and Medical Leave Act (FMLA)?**

If you are an eligible employee, you are entitled to paid sick leave under the Emergency Paid Sick Leave Act regardless of how much leave you have taken under the FMLA.

However, if your employer was covered by the FMLA prior to April 1, 2020, your eligibility for expanded family and medical leave depends on how much leave you have already taken during the 12-month period that your employer uses for FMLA leave. You may take a total of 12 workweeks for FMLA or expanded family and medical leave reasons during a 12-month period. If you have taken some, but not all, 12 workweeks of your leave under FMLA during the current [12-month period determined by your employer](#), you may take the remaining portion of leave available. If you have already taken 12 workweeks of [FMLA](#) leave during this 12-month period, you may not take additional expanded family and medical leave.

For example, assume you are eligible for preexisting FMLA leave and took two weeks of such leave in January 2020 to undergo and recover from a surgical procedure. You therefore have 10 weeks of FMLA leave remaining. Because expanded family and medical leave is a type of FMLA leave, you would be entitled to take up to 10 weeks of expanded family and medical leave, rather than 12 weeks. And any expanded family and medical leave you take would count against your entitlement to preexisting FMLA leave.

2. **May I take leave under the Family and Medical Leave Act over the next 12 months if I used some or all of my expanded family and medical leave under the Emergency Family and Medical Leave Expansion Act?**

It depends. You may take a total of 12 workweeks of leave during a 12-month period under the FMLA, including the Emergency Family and Medical Leave Expansion Act. If you take some, but not all 12, workweeks of your expanded family and medical leave by December 31, 2020, you may take the remaining portion of FMLA leave for a serious medical condition, as long as the total time taken does not exceed 12 workweeks in the 12-month period. Please note that expanded family and medical leave is available only until December 31, 2020; after that, you may only take FMLA leave.

For example, assume you take four weeks of Expanded Family and Medical Leave in April 2020 to care for your child whose school is closed due to a COVID-19 related reason. These four weeks count against your entitlement to 12 weeks of FMLA leave in a 12-month period. If you are eligible for preexisting FMLA leave and need to take such leave in August 2020 because you need surgery, you would be entitled to take up to eight weeks of FMLA leave.

However, you are entitled to paid sick leave under the Emergency Paid Sick Leave Act regardless of how much leave you have taken under the FMLA. Paid sick leave is not a form of FMLA leave and therefore does not count toward the 12 workweeks in the 12-month

period cap. But please note that if you take paid sick leave concurrently with the first two weeks of expanded family and medical leave, which may otherwise be unpaid, then those two weeks do count towards the 12 workweeks in the 12-month period.

9. Supervisor

1. I supervise an employee who has been exposed to the coronavirus what should I do?*

If your employee has been exposed to the coronavirus, please do not have them report to work, follow the CDC guidelines, and email to Human Resources Director. The College will follow the CDC guidelines.

2. As a supervisor, how do I manage/supervise my employees in this situation?*

Information to assist in this process include:

- What does my team need to perform their job duties remotely? (Computers, wireless mouse/keyboard, webcams, etc.)
- What resources will my team need to access? (Email, departmental folders/files, specific software/online services, etc.)
- How will communication between our departments continue during the campus closure? (Zoom or Microsoft Teams for meetings, email or Workplace chat for departmental instructions, etc.)

10. Student Worker

1. **Will student workers be paid if the College is closed for an unscheduled period of time?***

Yes. There is an allowance to pay student workers for the time they would be normally be scheduled to work.

11. [Documentation/Forms](#)

1. **How do I request emergency paid sick leave and/ or expanded family and medical leave?***

You will need to contact Human Resources and your supervisor. You may request leave by submitting the information below. You may request both types of leave and you will need to complete both sections below.

A. Emergency paid sick leave, please provide the information below to Human Resources and your supervisor to request leave. You can submit this information through an email message. No form is required to be completed.

1. Your name;
2. The date(s) for which you request leave;
3. The reason you unable to work based on one of the eligible reasons for emergency paid sick leave;
 - a. If you request leave because you are subject to a quarantine or isolation order or to care for an individual subject to such an order, you should additionally provide the name of the government entity that issued the order.
 - b. If you request leave to self-quarantine based on the advice of a health care provider or to care for an individual who is self-quarantining based on such advice, you should additionally provide the name of the health care provider who gave advice.

B. Paid expanded family and medical leave to care for your child whose school or place of care is closed, or child care provider is unavailable, please provide the information below to Human Resources and your supervisor to request leave. You can submit this information through an email message. No form is required to be completed.

1. The name of your child;
2. The date(s) for which you request leave;
3. The name of the school, place of care, or child care provider that has closed or become unavailable.

C. Emergency paid sick leave and expanded family and medical leave, please provide the information for both leaves as stated above to Human Resources and your supervisor to request leave. You can submit this information through an email message. No form is required to be completed.

2. **How do I report the FFCRA related leave on my timesheet and leave form?***

Payroll and Human Resources have will be working closely with eligible employees on tracking leave. In order to streamline the reporting process, we have created one form for exempt and nonexempt employees. All employees who receive these benefits will complete a time sheet. No leave form will be required for COVID-19 related leave.

12. Resources

1. What mental health resources are available?*

- A. The Employee Assistance Program (EAP) has several resources to assist employees and families during the pandemic. New Directions Behavioral Health provides free and confidential counseling 24/7. The helpline (1.833.848.1764) is staffed by trained and caring professionals to guide you to the care you need. Assistance is open to all and not just employees.
- B. Compass Health Access/Disaster Hotline: 1.888.237.4567 (Mon-Fri 7 a.m. – 7 p.m.)
- C. Behavioral Health Crisis Hotline: 1.800.833.3915 (24 hour)

2. What type of community services are available to me and/or my family?*

You call 211 or go to 211.org to chat with a person about COVID-19 assistance. The ECC counseling department has compiled a list of resources, which is located on HR Share point site. There are several counseling and community resources available.

13. Unemployment Insurance Benefits

- 1. If I am off of work due to the coronavirus and am receiving pay such as paid sick leave, vacation pay or family medical leave pay, am I eligible to receive unemployment benefits?**

No. Generally speaking, an individual still receiving pay while off of work is not “unemployed” and is ineligible for unemployment benefits.

- 2. If COVID-19 causes an employer to shut down operations temporarily, will workers qualify for unemployment benefits?**

In most situations, yes. Missouri unemployment benefits are available to individuals who are unemployed through no fault of their own. If an employer must shut down operations temporarily and no work is available, individuals may be eligible for unemployment benefits if they meet the eligibility criteria.

- 3. Will employees be eligible for unemployment insurance benefits if an employer lays off employees due to the loss of production caused by the coronavirus?**

In most situations, yes. Missouri unemployment benefits are available to any individual who is unemployed through no fault of his or her own. If an employer must lay off employees due to the loss of production caused by the coronavirus, individuals may be eligible for unemployment benefits if they meet the eligibility criteria.

- 4. Will an employee be eligible for unemployment benefits if they are in mandatory quarantine because of suspicion of having the coronavirus?**

In most situations, yes. Weekly work search eligibility requirements are not required when there is a recall date within eight weeks of the temporary lay-off.

- 5. If an asymptomatic individual imposes a self-quarantine because of the coronavirus, will they be eligible for unemployment benefits?**

The individual may be eligible for benefits. Unemployment benefits are available to individuals who are totally or partially unemployed due to no fault of their own. In this example, the individual—not the employer—is choosing not to work.

However, the facts of each circumstance are essential. If the employer allowed this individual to telework and the individual chose not to accept that work, they would not qualify for benefits because they would not be unemployed. If the employer required the individual to stay home but did not offer telework, the individual might be eligible for benefits.

- 6. If an individual leaves work to care for children due to school/daycare closures as a result of COVID-19, are they eligible to receive unemployment benefits?**

In most cases, no. Unemployment benefits are available to individuals who are totally or partially unemployed due to no fault of their own. In this example, the individual is not available for work due to caring for children and would be ineligible. However, the facts of each circumstance are essential in determining eligibility for unemployment benefits.

7. If an individual is ill because of the coronavirus, will they be eligible for unemployment benefits?

Maybe. The facts of each circumstance are essential in determining eligibility for unemployment benefits and each situation must be handled on a case by case basis.

14. [Appendix](#)

EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The Families First Coronavirus Response Act (FFCRA or Act) requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

▶ PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- ⅔ for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at ⅓ for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

▶ ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

▶ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework, because the employee:

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none">1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;2. has been advised by a health care provider to self-quarantine related to COVID-19;3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2); | <ol style="list-style-type: none">5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services. |
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▶ ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information
or to file a complaint:
1-866-487-9243
TTY: 1-877-889-5627
dol.gov/agencies/whd



WH1422 REV 0320