

COVID-19 FREQUENTLY ASKED QUESTIONS for Employees

1. What happens if an employee has been scheduled to work on campus and has an underlying medical condition or risk factor that puts them at greater risk of COVID-19 complications?

Pursuant to USM Guidance:

Employees who are at high risk of complications from COVID-19 as defined by the CDC may follow a process like FSU's ADA procedures to seek reasonable accommodations or other type of job modification.

Reasonable accommodations or job modifications will be discussed and may be offered to the employee. Some accommodations or job modifications may include schedule changes, work location changes, additional precautions to minimize the risk of infection to an employee, preapproved use of sick or advanced sick leave, or others.

Under the ADA, an employee with a disability must be able to perform the essential functions of their job, therefore this standard will apply to all employees who seek accommodations or job modifications under USM's guidance, including those whose condition does not meet the definition of a "disability" under the ADA.

Job modifications are temporary in nature and will be regularly evaluated by FSU as health and safety standards and business needs change.

Employees who are scheduled to work on campus and seek accommodations must contact Ben Brauer in the Office of ADA/EEO at 301-687-3035 or btbrauer@frostburg.edu.

EMERGENCY PAID SICK LEAVE

2. Who is eligible for Emergency Paid Sick Leave (EPSL)?

Any employee, regardless of employment category, length of service or FTE, who is scheduled to work on-site or remotely can apply for EPSL.

This new leave is available for use from April 1, 2020 through December 31, 2020 and may not be carried over into calendar year 2021.

3. How much EPSL can employees request?

Employees may request up to, but no more than 2 weeks/10 days (80 hours) of EPSL if they are unable to work or telework for one of the qualifying reasons below in question #4. Part-time employees are eligible for leave for the number of hours that the employee is normally scheduled to work averaged over a two-week period.

4. When can employees request EPSL?

Employees may request EPSL if they are unable to work or telework due to a need for leave for any combination of the following reasons:

1. They are subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. They been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
3. They are experiencing symptoms of COVID-19 and are seeking a medical diagnosis;
4. They are caring for an individual who is subject to a Federal, State, or local quarantine or isolation order due 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;
5. They are caring for their child whose school or place of care is closed, or the childcare provider is unavailable, due to COVID-19 related reasons; or
6. They are experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services.

5. How much will employees be paid while taking EPSL?

For qualifying reasons #1 – #3, leave is paid at full pay up to \$511 per day. For qualifying reasons #4 – #6, the leave is paid at ⅔ pay up to \$200 per day. When employees are being paid at ⅔ pay, they have the choice to receive full pay by using their own accrued leave (annual, personal, sick, compensatory), advanced sick leave, and/or additional sick leave (hourly employees) to supplement their pay.

6. How do I request EPSL and what documentation do I need to submit to support my request for leave?

To request EPSL, employees should complete all sections of the Emergency Paid Sick Leave Act & FML Expansion Request Form (COVID-19) [form](#) applicable to the reason requesting leave. After signing the form and obtaining the manager's or department head/chair's signature the form is to be submitted to the Office of Human Resources (OHR). If additional information or documentation is needed, employees will be contacted by OHR.

7. May EPSL be taken intermittently.

For employees working on-site, EPSL may only be taken intermittently when caring for a child whose school or place of care is closed, or childcare provider is unavailable. For those employees teleworking, EPSL may be taken intermittently for any qualifying reason.

8. When are employees eligible for EPSL to self-quarantine?

Employees are eligible for EPSL when unable to work or telework as a result of a healthcare provider directing or advising them to stay home or quarantine because the healthcare provider believes they may have COVID-19 or are particularly vulnerable to COVID-19.

9. Will an employee be eligible for EPSL if they're unable to work or telework because they are experiencing COVID-19 symptoms but choose not to seek a medical diagnosis or the advice of a healthcare provider?

No, employees will not be eligible for EPSL if they decide to self-quarantine for an illness without medical advice, even if they have COVID-19 symptoms.

10. Can an employee take EPSL to care for any individual who is subject to a quarantine or isolation order or who has been advised to self-quarantine?

No. Employees may not take EPSL to care for someone with whom they have no relationship. Nor can they take paid sick leave under EPSL to care for someone who does not expect or depend on their care during his or her quarantine or self-quarantine due to COVID-19.

However, employees may take EPSL to care for an immediate family member or someone who regularly resides in their home. Employees may also take EPSL to care for someone where their relationship creates an expectation that they care for the person in a quarantine or self-quarantine situation, and that individual depends on the employee for care during the quarantine or self-quarantine.

11. Are employees required to provide a doctor's note before returning to work on-site?

Yes, if the absence is due to a physician advising self-quarantine or the employee was caring for an individual whose physician has advised them to self-quarantine, or if the employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis. This is to ensure the safety and well-being of other workers and others with whom they may come into contact.

EXPANDED PAID FAMILY & MEDICAL LEAVE

12. Who is eligible for Expanded Paid Family & Medical Leave (EFML)?

Employees with 30 calendar days of service, regardless of employment category or FTE, who are scheduled to work (on-site or remotely) can apply for EFML. This new leave is available for use April 1, 2020 through December 31, 2020 and may not be carried over into calendar year 2021.

13. How much EFML can employees request?

Employees may request up to, but no more than 12 weeks of EFML if they are unable to work or telework for one of the qualifying reasons below in question #14. Please note that when taking leave for qualifying reason #5 above, EPSL and EFML will run concurrently. This means that all the leave taken to care for your child whose school/place of care is closed will count towards the 12-week total amount of EFML.

Part-time employees are eligible for leave for the number of hours on average that the employee is normally scheduled to work during a two-week period.

14. When can an employee request EFML?

Employees may request EFML if they are unable to work or telework due to a need for leave to care for a minor child whose school, place of care, or childcare provider is closed or unavailable for COVID-19 related reasons.

15. How much pay will employees receive while taking EFML?

The first two weeks of EFML are unpaid. Employees may choose to use any EPSL for which they are eligible, their own accrued paid annual, personal, sick, or compensatory leave, advanced sick leave, and/or additional sick leave (hourly employees) during the initial 2-week period.

For the remaining weeks of EFML, employees must exhaust all accrued paid annual, personal, sick, or compensatory leave first. Any accrued paid leave is paid at 100%. After exhausting accrued leave, employees will be paid at two-thirds pay (up to \$200 daily and \$10,000 total). During this period, they can choose to request advanced sick leave or additional sick leave, if eligible, in order to maintain full pay.

16. What is the definition for “place of care”?

A “place of care”, according to the U.S. Dept. of Labor, is considered a physical location in which care is provided to the employee’s child such as daycare facilities, preschools, before and after school care programs, homes, summer enrichment programs, and respite care programs.

17. What is the definition of “childcare provider”?

A “childcare provider” as determined by the U.S. Dept. of Labor is someone who cares for a child such as individuals paid to provide childcare on a regular basis like nannies, au pairs, and babysitters. It also includes individuals who provide childcare at no cost and without a license on a regular basis such as grandparents, aunts, uncles, or neighbors.

18. If a 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 considered “closed”?

Yes. In the event a physical location where a child received instruction or care is closed, the school or place of care is considered “closed” for purposes of ESPL and EFML.

19. May I take EFML intermittently?

Yes, EFML can be taken intermittently when both the employee and the supervisor/manager agree upon a schedule.

20. How does an employee request EFML and what documentation must be submitted to support a request for leave?

To request EFML, complete all sections of the Emergency Paid Sick Leave Act & FML Expansion Request (COVID-19) [form](#). Once complete (including manager/supervisor/dept. chair signatures), submit the form to OHR. If additional information or documentation is needed, you will be contacted by someone in OHR.

21. Is EFML in addition to any FML that an employee has already taken?

No. The EFML is not an additional 12 weeks of FML. The law adds an additional reason for which an employee can qualify for FML. If an employee has already taken FML during the 12-month period immediately prior to the start of your EFML leave for another qualifying reason the employee will only be able to request the balance of the 12 weeks. For example, if 4 weeks of FML was used earlier in the year to recover from surgery, there would only be 8 weeks of EFML available to care for a minor child while their school is closed. (Note: The university uses a rolling calendar year to track FML qualified absences.)

LEAVE OPTIONS AVAILABLE

22. What type of leave should be used if an employee is quarantined because of a family member?

Before an employee uses leave, the employee should speak with their supervisor to determine whether their position is eligible for telework. If telework is approved, the employee would not use leave, instead, would plan to telework. If the employee cannot telework, the employee may be eligible to use Emergency Paid Sick Leave and should contact OHR for guidance.

23. If an employee is absent due to illness related to COVID-19 and exhausts all accrued leave, what other leave options are available?

Depending on eligibility, employees may have access to additional paid leave. Employees should contact OHR for more information about available options.

24. What type of leave should be used if an employee is required to self-isolate?

If an employee is required to self-isolate because they have signs showing COVID-19 symptoms and are reasonably believed to be infected with COVID-19, they may be eligible to use Emergency Paid Sick Leave for up to 80 hours if they are unable to work or telework. Consult with OHR to discuss this type of situation and other available leave options.

25. Does an employee have the option to telework if considered Essential or are they required to physically work on site?

Essential employees should consult with their immediate supervisor to determine whether they need to report physically to campus.

26. If an employee tests positive for COVID-19, is a doctor's note required before returning to work?

Yes. Employees should contact their supervisor and Brady Health immediately to report the diagnosis. This is an essential requirement to protect co-workers and others, to ensure consistency in response, and to certain the University fulfilling its State and Federal reporting requirements. Employees should also contact OHR to determine how the leave may be tracked and if FMLA paperwork is required.

27. Are employees still permitted to take annual days and personal days?

Yes. Employees are encouraged to take time off during the current COVID-19 conditions. Employees should follow the standard procedures to request time off.

WORKER'S COMPENSATION

28. If an employee contracts COVID-19 while at work, is this covered by workers' compensation?

This would be dependent on the nature of the employee's job. If employees contract an illness that is common in the community, such as the flu, their job does not put them at any higher risk than the general public. In this type of case, it would not be covered

by workers' compensation. Health care jobs, for example, may create a much higher likelihood of becoming infected with an illness and may be covered by workers' compensation. The University encourages anyone who believes that an injury or illness is work-related to report it to their supervisor and OHR immediately.

29. If an employee is injured while teleworking, will workers' compensation cover the injury?

The OHR encourages anyone who believes that they have been injured while teleworking to report it to their supervisor and OHR. Claims will be submitted to IWIF for review.

OTHER QUESTIONS

30. Where can employees find information about completing Timesheets?

Employees can access information [here](#) under the COVID-19 Timesheet Guidance topic.

31. Where can employees find detailed information on Families First Coronavirus Response Act (FFCRA)?

Information is available [here](#).

32. Where can employees access the COVID-19 Check-in?

Access is available [here](#).

6/29/20