

## COVID-19 TEMPORARY GUIDANCE – APRIL 27, 2020

### Families First Coronavirus Response Act (FFRCA): Emergency Paid Sick Leave (EPSL) and Public Health Emergency Leave (PHEL)

The [federal law](#) - Families First Coronavirus Response Act – is effective April 1, 2020 through December 31, 2020. This new law requires FSU to provide all employees with a new form of paid sick leave and paid family leave when they **cannot** work or telework for specified reasons related to COVID-19. An employee who needs to use EPSL and/or PHEL **will be required to** complete the Leave Request Form. Information below is subject to change as additional guidance is received from USM.

#### PAID LEAVE ENTITLEMENT – EPSL

*\*Full Time and Part Time employees eligible - No minimum length of employment required.*

- ❖ 100% pay for up to two weeks (80 hours) for the following reasons (not to exceed \$511 daily or \$5,110 total):
  - Employee is issued a Federal, State or local quarantine or isolation order related to COVID-19
  - Employee has been advised by a health care provider to self-quarantine related to COVID-19
  - Employee is experiencing COVID-19 symptoms and seeking a medical diagnosis
- ❖ 2/3 pay for up to two weeks (80 hours) for the following qualifying reasons, up to \$200 daily or \$2,000 total:
  - Employee is caring for an individual that is subject to a Federal, State or local quarantine or isolation order related to COVID-19
  - Employee has been advised by a health care provider to self-quarantine related to COVID-19
  - Employee is caring for a son or daughter whose school or daycare is closed due to COVID-19 or whose paid childcare provider is unavailable due to COVID-19 precautions.
    - DOL has interpreted “son or daughter under 18 years of age” to include stepchildren, as well as children over 18 with a disability.

#### PAID LEAVE ENTITLEMENT – PHEL

*\*Full Time and Part Time employees eligible. New employees who have been on payroll for 30 calendar days are also eligible for these benefits.*

- ❖ PHEL provides employees who are caring for a child whose school or place of care is closed or childcare provider is unavailable due to COVID-19 related reasons.
  - Amount of Leave: Employees are entitled up to 12 weeks of expanded family medical leave
  - Pay during Leave:
    - Unpaid - first two weeks - 80 hours (pro-rated hours for part-time employees) - may choose to use EPSL or any available accrued leave.

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**FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)**

**Emergency Paid Sick Leave (EPSL)**

\*Employee must complete the COVID-19 Leave Request Form

COVID-19 SCENARIO	REGULAR NONEXEMPT STAFF	REGULAR EXEMPT STAFF	CONTINGENT I	CONTINGENT II
<p><b>Employee is unable to report to work and/or telework because the employee:</b></p> <ul style="list-style-type: none"> <li>Is subject to a Federal, State, or local quarantine or isolation order,</li> <li>Has been advised by a health care provider to self-quarantine</li> <li>Is experiencing COVID-19 symptoms and is seeking a medical diagnosis.</li> </ul>	<p>Full-time employee is eligible to use Emergency Paid Sick Leave (EPSL) for up to 80 hours, pro-rated for part-time employee.</p> <p><b>Use timesheet reporting code:</b>  <u>080 S</u> EPSL-Self</p>	<p>Full-time employee is eligible to use Emergency Paid Sick Leave (EPSL) for up to 80 hours, pro-rated for part-time employee.</p> <p><b>Use timesheet reporting code:</b>  <u>080 S</u> EPSL-Self</p>	<p>Employee is eligible to use Emergency Paid Sick Leave (EPSL) based on the employee’s regular two-week equivalent hours worked.</p> <p><b>Use timesheet reporting code:</b>  <u>080 S</u> EPSL-Self</p>	<p>Employee is eligible to use Emergency Paid Sick Leave (EPSL) based on the employee’s regular two-week equivalent hours worked.</p> <p><b>Use timesheet reporting code:</b>  <u>080 S</u> EPSL-Self</p>
<p><b>Employee is caring for an individual who:</b></p> <ul style="list-style-type: none"> <li>Is subject to a Federal, State, or local quarantine or isolation order related,</li> <li>Has been advised by a health care provider to self-quarantine</li> <li>Is a son or daughter whose school or daycare is closed due to COVID-19 or who’s paid child care provider is unavailable due to COVID-19 precautions.</li> </ul>	<p>Full-time employee is eligible to use Emergency Paid Sick Leave (EPSL) for up to 80 hours at 2/3 pay, pro-rated for part-time employee.</p> <p><b>Use timesheet reporting code:</b>  <u>080 F</u> EPSL-Family</p>	<p>Full-time employee is eligible to use Emergency Paid Sick Leave (EPSL) for up to 80 hours at 2/3 pay, pro-rated for part-time employee.</p> <p><b>Use timesheet reporting code:</b>  <u>080 F</u> EPSL-Family</p>	<p>Employee is eligible to use Emergency Paid Sick Leave (EPSL) based on the employee’s two-week equivalent hours worked at 2/3 pay, pro-rated.</p> <p><b>Use timesheet reporting code:</b>  <u>080 F</u> EPSL-Family</p>	<p>Employee is eligible to use Emergency Paid Sick Leave (EPSL) based on the employee’s two-week equivalent hours worked at 2/3 pay, pro-rated.</p> <p><b>Use timesheet reporting code:</b>  <u>080 F</u> EPSL-Family</p>

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<b>FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)</b> <b><i>Public Health Emergency Leave (PHEL)</i></b> <i>*Employee must complete the COVID-19 Leave Request Form</i>				
COVID-19 SCENARIO	REGULAR NONEXEMPT STAFF	REGULAR EXEMPT STAFF	CONTINGENT I	CONTINGENT II
<b>Employee who is unable to work due to:</b> <ul style="list-style-type: none"> <li>caring for a son or daughter if the school or daycare is closed due to COVID-19</li> <li>paid childcare provider is unavailable due to COVID-19 precautions.</li> </ul>	Full-time employee is eligible to use Emergency Paid Sick Leave (EPLS) for up to 80 hours at 2/3 pay, pro-rated for part-time employee.  Use timesheet reporting code: <u>080 E</u> PHEL-FMLA Expansion	Full-time employee is eligible to use Emergency Paid Sick Leave (EPLS) for up to 80 hours at 2/3 pay, pro-rated for part-time employee.  Use timesheet reporting code: <u>080 E</u> PHEL-FMLA Expansion	Employee is eligible to use Emergency Paid Sick Leave (EPLS) based on the employee's two-week equivalent hours worked at 2/3 pay, pro-rated.  Use timesheet reporting code: <u>080 E</u> PHEL-FMLA Expansion	Employee is eligible to use Emergency Paid Sick Leave (EPLS) based on the employee's two-week equivalent hours worked at 2/3 pay, pro-rated.  Use timesheet reporting code: <u>080 E</u> PHEL-FMLA Expansion

\*If an employee cannot work because they need to provide care for a family member who is diagnosed with COVID-19, they will not qualify for EPLS, but they may use accrued sick leave. If all available accrued leave has been exhausted, employee may request advanced sick leave – contact Lee Ann Nightingale at [lnightingale@frostburg.edu](mailto:lnightingale@frostburg.edu).

\*40 hours per week constitutes full time; pro-rated for part time.

\*Consistent with USM VII-7.50, Policy on Family and Medical Leave for Nonexempt and Exempt Staff Employees and USM II-2.31, Policy on Family and Medical Leave for Faculty, employees will be required to use, concurrently with PHEL, any appropriate accrued leave. Once all appropriate accrued paid leave is exhausted, the employee will be paid at the rate specified under the FFCRA for the remainder of the extended family medical leave period.