Welcome!

This brief presentation provides guidelines and resources relative to the Family First Coronavirus Response Act, at The University of Alabama in Huntsville.
There are two key provisions of the Family First Coronavirus Response Act.

Here is a summary of both.

First, Emergency Paid Sick Leave (EPSL) provides paid time-off for employees when they or a family member are sick related to COVID-19 or to care for a son or daughter whose school has closed related to COVID-19.

Second, Expanded Family and Medical Leave (EFML) expands the qualifying events currently available under FMLA by providing additional time off when an employee must provide childcare due to a son or daughter’s school closure due to COVID-19.

In the coming slides, we will discuss how these two provisions differ and how they may be combined.

Please note that these provisions are scheduled to expire on December 31st of 2020, because they are intended to be short-term measures to address the current pandemic.
First, let’s discuss Emergency Paid Sick Leave.
Emergency Paid Sick Leave may occur under several circumstances. When:

1. someone is subject to a federal, state, or local quarantine or isolation order;
2. advised to self-quarantine by a healthcare provider related to COVID-19;
3. experiencing COVID-19 symptoms and seeking a medical diagnosis;
4. caring for an immediate family member or person within household who is subject to #1 or #2;
5. providing childcare for son/daughter whose school has closed due to COVID-19.
Most regular employees are eligible for Emergency Paid Sick Leave. However, on-call employees, students, and temps may not be eligible and such requests will be reviewed on a case-by-case basis.

If an employee is able to telecommute, instead of using Emergency Paid Sick Leave, this option may also be considered as an alternative.

Emergency Paid Sick Leave provides up to 80 hours of paid time, or 2 weeks. This time is prorated by hours worked per week. For example, if an individual works 20 hours a week, or a 50% appointment, he or she would have 50% of the Emergency Paid Sick Leave hours available, for a total of 40 hours over the 2 week period.

Time under Emergency Paid Sick Leave must be taken continuous under most circumstances, including when quarantined, experiencing symptoms, or caring for another individual. However, in the case of childcare, Emergency Paid Sick Leave may be taken intermittently, provided that it is taken in whole day increments.
Individuals who are approved for Emergency Paid Sick Leave may receive compensation that does not come from their accrued paid time-off banks.

For time-off related to quarantine, or when experiencing COVID systems and awaiting medical diagnosis, compensation is 100% of pay, up to $511/day.

For time-off related to caring for another individual or childcare, compensation is two-thirds pay, up to $200/day. For this type of leave, individuals may also utilize any available time in their annual leave, sick, and/or personal leave banks to supplement their pay and increase it from two-thirds to up to 100% pay.
Now, let’s look at Expanded Family and Medical Leave, the second provision under the Family First Coronavirus Response Act.
The Family and Medical Leave Act, originally enacted in 1993, has been expanded this year to address the COVID-19 pandemic.

Previous qualifying events under FMLA include time-off for:
1. Birth, adoption, or placement of a child in foster care;
2. Employee’s own serious health condition;
3. To care for an immediate family member’s serious health condition;
4. Any qualifying exigency due to an immediate family member serving in the military on covered active duty;
5. To care for an immediate family member who is a covered service member with a serious injury or illness.

6. **NEW - Qualifying childcare related to a public health emergency**

A 6th qualifying event, added this year, allows time-off for childcare related to a public health emergency.

You will note that this is similar to time-off for childcare under Emergency Paid Sick Leave. We will discuss how these differ and how they may be combined.
Eligibility for Expanded FMLA for COVID-19 childcare related reasons is extended to regular employees who have worked at least 30 days. This is different than traditional FMLA, which requires 12 months of service.

Time-off for Expanded FMLA may be taken up to 12 weeks, or 480 hours. These hours are prorated by the hours an employee works per week.

As mentioned, FMLA eligibility requirements for COVID-19 related childcare are different than traditional FMLA in that it only requires a 30-day qualifying period. However, individuals who take off time for COVID-19 related childcare do not receive a separate 12 weeks of time-off. This means that if someone has taken FMLA for other qualifying reasons within the last 12 months, that time previously taken reduces the time that may be available now for COVID-19-related childcare time-off.

Similar to Emergency Paid Sick Leave, time-off for COVID-19 related childcare may be taken continuous or intermittently.
There is also compensation available under Expanded Family and Medical Leave. As you recall from earlier slides, childcare time-off is also one of the reasons that individuals may receive the 10-day Emergency Paid Sick Leave. Therefore, compensation under Expanded Family and Medical Leave was designed to begin after a 10-day waiting period. Beginning the 3rd week, individuals may receive two-thirds pay through Expanded Family and Medical Leave. Individuals may also utilize any available time in their annual leave, sick, and/or personal leave banks to supplement their pay and increase it from two-thirds up to 100% pay.

Now, let’s discuss how EPSL and EFML may be combined. Since individuals who need to be off work for COVID-19 related childcare may receive both Emergency Paid Sick Leave and Expanded FMLA, these two benefits may be combined when taking time off for childcare purposes. There are three options for how these leaves may be combined:

In **Scenario 1**, an individual may take 2 weeks of EPSL before their 12 weeks of EFML starts, for total of 14 weeks, or in **Scenario 2**, may take their 2 weeks of EPSL during their first two weeks of EFML to cover the 10-day unpaid EFML period, for a total of 12 weeks. Lastly, in **Scenario 3**, one may take 2 weeks of EPSL after their 12 weeks of EFML ends, for a total of 14 weeks.
Now, let’s discuss the application process and Family First Coronavirus Response Act resources available to UAH employees.
There are a number of resources to aid supervisors and employees with making decisions regarding COVID-19. These resources may be accessed via the HR website at uah.edu/hr. This includes information on safety protocols in the workplace and return to work phases and guidelines.

Specific to the Family First Coronavirus Response Act, you will find a summary sheet of the act from the U.S. Department of Labor. You will also find our UAH forms to apply for time-off, based upon if the time-off request is related to COVID related childcare or a quarantine situation.
Each of the forms related to the application process, either for childcare or quarantine purposes, provides the necessary detail for Human Resources to review the particular situation and advise the employee of their eligibility for time-off and compensation.

If an employee believes they need to apply for time-off, s/he should notify their supervisor and human resources immediately. There are also times when an employee may need to take immediate time-off work if related to a medical emergency or quarantine advised by a healthcare provider. In which case, the supervisor should be notified immediately of the employee’s need to miss work and supporting medical documentation should be provided to HR as soon as possible ...and no later than 15 days after the day the employee was restricted from work.
Please note, there are also special processes related to timesheets for EPSL and EFML. As mentioned, both Emergency Paid Sick Leave and Expanded FMLA provide options for pay that do not require employees to utilize their annual leave, sick, or personal leave banks. Therefore, two timesheet codes have been created for individuals who are approved for these leaves. These codes are available in Banner and already on timesheets. Individuals who are approved for Emergency Paid Sick Leave should select the timecode by the same name, for up to 80 hours, per the details of their leave approval. If the EPSL is for childcare purposes, max compensation is two-thirds pay, but employees may use time from their sick, annual leave, and/or personal leave banks to bring their compensation up to 100%.

Individuals approved for Expanded Family and Medical Leave should select the timecode Emergency Expanded FMLA on their timesheet, in order to receive compensation under this provision. Expanded FMLA also compensates at two-thirds pay, so annual leave, sick time, and/or personal leave may also be used to supplement pay to bring it up to 100%. Individuals who are approved for Expanded FMLA will also need to complete an intermittent FMLA timesheet if he/she plans to take time off intermittently. This timesheet form and instructions will be sent to the employee, by HR, when they have been approved to use Expanded FMLA.

### EPSL and EFML TIMESHEETS

Two timesheet codes have been developed for approved Emergency Paid Sick Leave and Expanded Family and Medical Leave. (For additional information, contact Payroll Services at payroll@uah.edu.)

<table>
<thead>
<tr>
<th>Circumstance</th>
<th>Available Time Code</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approved Emergency Paid Sick Leave -Quarantine, Diagnosis, COVID-19 Symptoms (Reasons #1-3)</td>
<td>Emergency Sick Leave</td>
<td>• Up to 80 hours (10 days) &lt;br&gt;• Prorated based on hours worked &lt;br&gt;• 100% of Pay ($511/day max)</td>
</tr>
<tr>
<td>Approved Emergency Paid Sick Leave -Care for family member with COVID-19 or childcare (Reasons #4-5)</td>
<td>Emergency Sick Leave</td>
<td>• Up to 80 hours (10 days) &lt;br&gt;• Prorated based on hours worked &lt;br&gt;• Two-thirds pay ($200/day max)</td>
</tr>
<tr>
<td>Approved Expanded Family and Medical Leave</td>
<td>Emergency Expanded FMLA</td>
<td>• Up to 12 weeks/480 hours &lt;br&gt;• Prorated based on hours worked &lt;br&gt;• Two-thirds pay ($200/day max)</td>
</tr>
<tr>
<td>Accrued Time to Supplement Two-Thirds Pay</td>
<td></td>
<td>• Annual Leave &lt;br&gt;• Sick Time &lt;br&gt;• Personal Time &lt;br&gt;• Optional for employee &lt;br&gt;• Utilized to bring pay to 100%</td>
</tr>
</tbody>
</table>
We hope that this presentation has been helpful in providing an overview of the new Family First Coronavirus Response Act.

However, we understand that there are a lot of details relative to this new legislation and Human Resources is here to partner with employees and supervisors to thoughtfully review each situation on a case-by-case basis.

**FOR EMPLOYEES** — We are here to review leave requests, clarify EPSL and EFML provisions and rights, and talk through benefits eligibility and options.

**FOR SUPERVISORS** — Please contact us if you would like to discuss any questions regarding EPSL and EFML regulations, staffing coverage and employment considerations, or to seek employee relations advice.
To serve the UAH community in implementing the new provisions of the Family First Coronavirus Response Act, a special team of HR partners have been assembled.

- Leave of Absence Coordinators are the primary contacts in reviewing EPSL and EFML requests.
- For questions related to benefits, you may contact that team directly at benefits@uah.edu or 824-6640.
- For questions related to employment and employee relations, you may contact Ramona Burroughs via email or at 824-2286.
Lastly, the following resources are available for additional information and may be accessed via the HR website: UAH Return to Work Guidelines, UAH Safety and Health info, and a link to the U.S. Department of Labor Family First Coronavirus Response Act resources.

UAH Return to Work Guidelines

UAH Safety & Health Expectations

U.S. Department of Labor Family First Coronavirus Response Act Info Sheet
Thank You.