

# Emergency Paid Sick and Family Leave

## Families First Coronavirus Response Act to Require Emergency Paid Sick Leave and Family Leave to Covered Employees beginning April 1 - December 31, 2020

On Wednesday, March 18, 2020, Congress passed and President Trump signed H.R. 6201 (the "Act"), also known as the Families First Coronavirus Response Act, which takes effect April 1, 2020, and remains in effect until December 31, 2020. The Act applies to many private and public employees who are affected by COVID-19 and expands sick leave and family leave benefits of many eligible employees nationwide.

### EMERGENCY PAID SICK LEAVE (Two (2) weeks pay)

Division E of the Act applies to private sector employers with fewer than 500 employees, government employers, and all other non-private entity employers with more than one employee. This part of the Act requires those employers to provide a covered employee with **two (2) weeks of emergency paid sick leave** if the employee is unable to work (or telework) for any of the following COVID-19 related **reasons**:

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

### Paid Leave Entitlements:

The EPSLA requires that a full-time employee be paid eighty (80) hours of sick leave and a part-time employee is to be paid the number of hours that employee works, on average, over a two-week period.

- Employees who are entitled to paid sick leave under **reasons 1-3** must be paid their regular rate of hourly pay with a maximum of \$511/day and \$5,110 total.
- Employees who entitled to paid sick leave under **reasons 4-6** may be paid two-thirds (2/3) of their regular rate of hourly pay with a maximum of \$200/day and \$2,000 total.

All employees, regardless of length of time they have worked for the school, are entitled to this sick leave.

Contact the Human Resources Department, Jeri Burns, Benefits Coordinator, burns@lesd.k12.az.us, 623-535-6021, for appropriate forms to apply for this leave.

## **EMERGENCY FAMILY LEAVE**

Division C of the Act applies to the same employers as Division E, and requires those employers to provide emergency family leave (FMLA) to full and part time employees who have been **employed for at least \*thirty (30) calendar days and who are unable to work (or telework) for up to twelve (12) weeks because they must care for their child if the school or place of care has been closed** or a child care provider is unavailable due to public health emergency.

Under this part of the Act, the **first ten (10) days** in which an employee takes emergency leave is **unpaid**. An employee may elect to substitute any accrued paid vacation leave, personal leave, or medical or sick leave for unpaid leave. **After ten (10) days of leave**, an employer is required to provide emergency **paid** family leave at an amount not less than **two-thirds (2/3) of an employee's regular rate of pay** up to \$200 per day or \$10,000 total.

Contact the Human Resources Department, Jeri Burns, Benefits Coordinator, burns@lesd.k12.az.us, 623-535-6021, for appropriate forms to apply for this leave.

\* For example, if you want to take leave on April 1, 2020, you would need to have been on your employer's payroll as of March 2, 2020.