

Understanding the Families First Coronavirus Response Act (FFCRA)

August 19, 2020

What will we review?

- Families First Coronavirus Response Act (FFCRA)
- Eligibility & Leave Status Choices
- Process for Requesting Leave
- Scenarios
- Q&A

What is FFCRA?

Families First Coronavirus Response Act

In response to the coronavirus (COVID-19) outbreak, the “Families First Coronavirus Response Act” (FFCRA) was signed into law. Only available to employees who are scheduled to work on campus or telework. Employees approved to be off campus on another type of leave are not eligible to take leave under **FFCRA**.

April 1, 2020 – December 31, 2020

This law expands the use of Family Medical Leave under:

- **Emergency Paid Sick Leave Act (EPSL)**
- **Emergency Family Medical Expansion Act (EFML)**



FFCRA Campus Announcements

April 1, 2020

April 22, 2020

May 7, 2020

May 12, 2020

August 19, 2020

Eligibility

EPSL – No Minimum
length of Employment

EFML – Must have been
employed for 30 days

Employees in all categories are eligible for leave under
FFCRA

Prior to FFCRA - Sick Leave

Full-time, regular position – up to 80 hours

Contingent II – up to 80 hours

Contingent I, Student Employees – Not Eligible

If eligible

- ✓ 80 hours of accrued sick leave
- ✓ 100% pay

Emergency Paid Sick Leave (EPSL)

Self:

- Federal, state or local quarantine or isolation order;
- Self-quarantine or isolation advice by healthcare provider; or
- Experiencing COVID-19 symptoms and seeking medical diagnosis.

- ✓ 80 hours maximum
- ✓ 100% pay (up to \$511/day)

Emergency Paid Sick Leave (EPSL)

Other:

- Care for an individual subject to quarantine by federal, state or local government order or advice of healthcare provider;
- Dependent child whose school or childcare provider is unavailable due to reasons related to COVID-19; 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.

- ✓ 80 hours maximum;
- ✓ Two-thirds pay; and
- ✓ Option to supplement accrued leave to receive 100% pay

Leave Options and Process for Requesting Leave

Self (Not COVID-19 Related)

- Family and Medical Leave (FMLA)
 - Accrued Leave
 - Advanced Sick Leave
1. Discuss leave needs with supervisor.
 2. Submit leave request and supporting medical documentation to HR for approval.
 3. Follow guidelines and instructions provided in the approval documentation.

Care of Immediate Family (Not COVID-19 Related)

- Family and Medical Leave (FMLA)
 - Accrued Leave
1. Discuss leave needs with supervisor.
 2. Submit leave request and supporting medical documentation to HR for approval.
 3. Follow guidelines and instructions provided in the approval documentation.

Care for Child Whose School or Childcare Provider is unavailable

- Families First Coronavirus Response Act (FFCRA)
 - **Emergency Paid Sick Leave (EPSL)**
 - **Emergency Family Medical Leave (EFML)**
1. Discuss leave needs with supervisor.
 2. Complete online [FFCRA-
Emergency Leave Request
Form](#) and submit required supporting documentation to HR.
 3. Follow guidelines and instructions provided in the approval documentation.

Leave Status Types

Continuous

A consecutive period of time from begin date to end date with no interruption.

Intermittent

A series of absences, separated by days during which the employee is working, but all of which are taken for the same reason.

Emergency Family Medical Leave (EFML)

Childcare:

Child whose school or childcare provider is unavailable due to reasons related to COVID-19.

- ✓ Continuous or Intermittent
- ✓ Up to 12 weeks
- ✓ First 80 hours (weeks 1 & 2) are unpaid unless:
 - EPSL hours are available (*EPSL and EFML run concurrently*)
 - Employee uses accrued leave (if no EPSL hours are available).

- ✓ EPSL hours are paid at two-thirds pay with the option to supplement accrued leave for 100% pay.
- ✓ Weeks 3 through 12 are EMFL which requires accrued leave usage (100% pay). Once leave is exhausted, pay will be at two-thirds.

Work Schedules

<https://hr.umbc.edu/work-life-balance/work/>

Flexible - alternate time of arrival and departure with consideration to the operational needs of the department (may include weekend and/or evening work if appropriate).

Compressed - fixed work schedules that enable full-time employees to complete the basic 80-hour biweekly work requirement in less than 10 workdays.

Reduced Work Schedule - reduction in work hours to accommodate needs for a specified period of time. For example, an employee may request to work 70% vs 100% for a period of time. Staff should speak with a member of the Benefits Team before finalizing/approving the arrangement.

Scenario 1:

My child(ren) must attend school virtually. I am not sure how this will impact my work schedule. What are my next steps?

Scenario 1: Things To Consider

- Does your job require you to work on campus?

- Is a modification to the work schedule an option?
 - Reduce work hours during the weekday and supplement hours during the weekend (flexible work schedule).
 - Increase hours during the workday to accommodate a day off with no charge to accrued leave (compressed work schedule).
 - Reduce the FTE for a period of time.
 - May have an impact on pay and benefits (retirement, tuition remission, leave, etc.).

- If leave is required, is it required for a continuous or intermittent basis?

Scenario 2:

I work on campus and...

- a. I tested positive for COVID-19.
- b. I have COVID-19 symptoms.

When can I return to on-campus work?

Scenario 2: Things To Consider

a. I tested positive

1. When did you test positive?
2. Were you required to be seen by a healthcare provider?
3. Have you completed the online symptoms monitoring form?
4. Have you been in isolation? If so, how long?
5. Are you currently experiencing symptoms?
6. Are you required to work on campus or can you work remotely?
7. Have you been communicating with your supervisor?

b. I have symptoms

1. What are your symptoms?
2. When was the first day you began feeling symptoms?
3. Have you completed the online symptoms monitoring form?
4. Have you communicated with your supervisor?
5. Are you currently in self-quarantine?

Scenario 3:

I work on campus and I have a vacation scheduled for out-of-state travel. Is there anything I need to consider?

Scenario 3: Things To Consider

- I. Currently there is no quarantine requirement by the federal, state or local government.

- II. University guidelines recommend that if the employee decides to self-quarantine, the employee must use accrued leave for the quarantine period.

Resources

[Return to On Campus Work – Supervisor/Department Head Guide](#)

[Return to On Campus Work – Employee Guide](#)

FFCRA – FAQs: <https://hr.umbc.edu/faqs-ffcra-during-covid-19/>

[Emergency Leave Request Form](#)

[FFCRA Summary Chart](#)

[Employee Rights FFCRA Poster](#)

[Timekeeping Guide](#)

[Family and Medical Leave \(FMLA\) Request Form](#)

[Advanced Sick Leave Request Form](#)

[Bereavement Leave – Guidelines and Procedures](#)

Q & A