

## Families First Coronavirus Response Act

### Human Resource Employee Update

March 25, 2020

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On March 18, 2020, President Trump signed into law “The Families First Coronavirus Response Act” to assist employees affected by the COVID-19 outbreak with emergency paid sick leave and job-protected paid family leave. This policy will be in effect from April 2, 2020 until December 31, 2020.

- I. **Emergency Paid Sick Leave (EPSL)** – Employees will be provided with up to 2 weeks (80 hours) of paid sick leave if the employee is:
  - a. an employee subject to a coronavirus quarantine or isolation order (federal, state or local)
  - b. an employee who has been advised by a health care provider to self-quarantine due to concerns related to coronavirus exposure, symptoms or diagnosis.
  - c. An employee who is experiencing symptoms of coronavirus and seeking a medical diagnosis.
  - d. An employee caring for an individual described in a or b above.
  - e. An employee caring for a child whose school or place of care is closed, or the childcare provider of the child is unavailable, due to coronavirus precautions

For reasons d and e listed above, according to the response act, employees must be paid 2/3 of their normal wage up to \$200 per day. **The City is choosing to pay the full wage with no daily cap.**

**Employees who meet the criteria listed above should contact Human Resources to begin the approval process.** Once EPSL is exhausted, employees may use other types of accrued paid leave to cover any additional related absence.

- II. **The Emergency Family and Medical Leave Expansion Act (EFMLEA)** - Paid Family Leave (covered under FMLA)

This act amends the current Family and Medical Leave Act (FMLA) to allow for an additional qualification for leave. This “Related to a Public Health Emergency” provision allows for paid leave after the first ten days of unpaid leave. It allows up to 12 weeks of leave for eligible employees who can't work (or telework) because their minor child's (under 18) school or childcare service is closed due to a COVID-19 emergency declared by a federal, state, or local authority.

The Act does not expand an eligible employee’s FMLA leave entitlement to greater than 12 work weeks during any 12-month period. Accordingly, an employee that has otherwise exhausted FMLA leave during the 12-month period is not entitled to additional 12 weeks of leave under FMLA. That said, this employee would still be eligible for two weeks of Emergency Paid Sick Leave under the Act, as well as any other available leave under state and local laws or company policies. Eligibility for this qualification requires a minimum of 30 days of employment.

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The following are provisions that will apply to employees who qualify for paid Family Leave:

- a. The first 10 days of this leave may be unpaid; however, **employees may elect to substitute available paid time off, such as vacation, personal or sick leave, during this time. The City will also allow employees to use EPSL to cover the first 10 days.**
- b. After the initial 10 days, employees are required to receive two-thirds of the employees' regular rate of pay (as defined under the Fair Labor Standards Act) based on the number of hours the employees would otherwise have been scheduled to work. These paid-family leave benefits are capped at \$200 a day. **However, the City will pay the full wage with no cap for the duration of the leave.**
- c. Part time employees will be based on the average number of hours the employee was scheduled per day for the six months prior to taking leave under EFMLEA

#### **Additional Notes:**

**COVID-19 TESTING** - In the event an employee needs testing, COVID-19 testing is covered at 100%. No deductibles or copays will apply.

**Return to Work** – For the protection of coworkers to the extent possible, employees who have used EPSL for reasons related to illness must obtain return to work clearance through their medical provider (including MetaClinic.) In the event a health care provider is not available to clear employees to return to work, contact HR to discuss.

#### **Personal Travel - Employees should not travel.**

- Any elective international travel will require a 14-day quarantine upon return. Employee will be permitted to use vacation or comp leave, otherwise it will be unpaid leave.
- Any elective travel to a high-risk area should be reported to Human Resources for review of possible quarantine.

**Reporting** - If an employee is sick or is advised to be tested by medical personnel, the employee must report to their supervisor to determine appropriate steps.

**Temperature Monitoring** - Temperatures will be monitored on a daily basis. Anyone with a scan of 100 or more will stay in their office and call HR to schedule an appointment for a standard thermometer reading. If the reading is 100.4 or higher, employee will go to the drive-thru location for consultation with medical personnel. If a test is not deemed necessary, the employee can return to work after 24 hours of no fever (without medication).

We appreciate your continued patience as policies and laws are changing during this unprecedented time. We will continue to keep you updated on any relevant changes to operations or employment-related matters. If you have any questions, please contact Human Resources - 273-3426.

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