



# COVID-19 Emergency Leave Options

## Families First Coronavirus Response Act (FFCRA)

Requires certain employers to provide employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from the effective date of April 1, 2020 through December 31, 2020.

### Employees are eligible to request leave for the following reasons:

- *Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay* where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
- *Two weeks (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay* because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/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; and
- *Up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay* where an employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

**Eligible Employees:** *All employees* of covered employers are eligible for two weeks of paid sick time for specified reasons related to COVID-19. *Employees employed for at least 30 days* are eligible for up to an additional 10 weeks of paid family leave to care for a child under certain circumstances related to COVID-19.

**Qualifying Reasons for Leave:** Under the FFCRA, an employee qualifies for paid sick time if the employee is unable to work (**or unable to telework**) due to a need for leave because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);



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5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
6. is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

Under the FFCRA, an employee qualifies for expanded family leave if the employee is caring for a child whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19.

### **Duration of Leave:**

**For reasons (1)-(4) and (6):** A full-time employee is eligible for 80 hours of leave, and a part-time employee is eligible for the number of hours of leave that the employee works on average over a two-week period.

**For reason (5):** A full-time employee is eligible for up to 12 weeks of leave (two weeks of paid sick leave followed by up to 10 weeks of paid expanded family & medical leave) at 40 hours a week, and a part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

### **Calculation of Pay:**

**For leave reasons (1), (2), or (3):** employees taking leave are entitled to pay at either their regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate (over a 2-week period).

**For leave reasons (4) or (6):** employees taking leave are entitled to pay at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).

**For leave reason (5):** employees taking leave are entitled to pay at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period).

## **Public Health Emergency Leave (PHEL):**

The Research Foundations, Public Health Emergency Leave Policy has become available due to the current state of emergency that was activated by Gov. Ralph Northam. FFCRA is required to be exhausted prior to having access to this leave option.

### **Qualifying Reasons for Leave:**

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2).



**Eligible Employees:** Fulltime staff members are eligible to participate in PHEL.

**Duration of Leave/Calculation of Pay:**

An employee who accesses PHEL will receive **up to 80 hours of paid leave on a prorated basis**, based on the average number of hours they work. Please note the following:

- PHEL is a **one-time** bank of leave time for employees impacted by COVID-19. **This leave bank will not replenish.**
- Once an employee uses all PHEL leave, additional hours of absence must be covered using other leave.
- PHEL will expire when the current emergency ends or if an employee leaves the Research Foundation.
- PHEL will not be paid out if an employee leaves the Research Foundation.

## **How to Request Use of Emergency Leave**

1. Complete the COVID-19 Emergency Leave Request Form.
2. Employees will need to provide documentation to HR to confirm a COVID-19 diagnosis or potential exposure, or for the reasons outlined above. Documentation may include: completion of the attached form, a note from a healthcare provider or public health agency, or documents showing recent travel to heavily impacted areas as outlined by the CDC. Send documents to a HR.
3. HR will review and provide next steps.

Employees are reminded that if you experience fever, dry cough, and shortness of breath, or you come into contact with someone else who has these symptoms, it is important that you contact your physician, self-quarantine, and notify your supervisor as soon as possible.