



# Families First Coronavirus Response Act



*Emergency Paid Sick Leave &  
Expanded Paid Family & Medical Leave*

*What LPC employees need  
to know and do*

# Families First Coronavirus Response Act

Effective April 1 – December 31, 2020

Emergency Paid Sick Leave ~ “Paid Sick Leave” ~ “EPSL”

Expanded Paid Family and Medical Leave ~ “EFMLA”

# Paid Leave Entitlements

## Paid Sick Leave (EPSL) provision

La Plata County must pay up to two weeks (80 hours, or a part-time employee's two-week equivalent) of Paid Sick Leave for certain qualifying reasons. This Paid Sick Leave may be used intermittently as appropriate.

Paid Sick Leave under the Emergency Paid Sick Leave Act is in addition to other leaves provided by La Plata County, such as annual leave or regular sick leave.

Any active employee, whether part time or full time, is entitled to take Paid Sick Leave related to COVID-19 if the employee is unable to work, including unable to **telework**, due to the following reasons.

# Paid Leave Entitlements

## Qualifying Reasons

- 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);
- 5) is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
- 6) is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services (not defined, yet).

# Paid Leave Entitlements

## Qualifying Reasons

1) is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;

This does not apply to any Stay at Home, Shelter in Place, business closure, or similar orders.

This reason only applies if an individual has been informed by the CDC, the CDPHE, or a local health department to remain in quarantine or isolation.

La Plata County may also order an employee into quarantine, who will then qualify for Paid Sick Leave.

# Paid Leave Entitlements

## Qualifying Reasons

5) is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons;

If this applies to you, please read about the paid Expanded Family and Medical Leave benefits for which you may be eligible. If eligible, this provision provides up to ten additional paid weeks of protected leave.

# Paid Leave Entitlements

## Qualifying Reasons

6) is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

This is undefined at this time. We are awaiting additional guidance from the U.S. Department of Health and Human Services and the U.S. Department of Labor.

# Paid Leave Entitlements

What you need to do if you marked any of 1 - 6

There are two forms you need to complete:

- COVID-19 Self ID Form FFCRA

- This form should be returned to your supervisor

- FFCRA Paid Sick Leave request form

- This form should be returned directly to Julie Pickett in HR, or Monica Shadid in Julie's absence.

Please reach out to your supervisor for these forms or HR. They are also posted on the Staff Site.



# La Plata County COVID-19 Pay & Leave

## Options for those not qualified under FFCRA 1-6

In addition to the six qualifying reasons under the FFCRA, La Plata County is providing EPSL or sick leave loans in the following situations that do not fall under the Paid Leave Entitlements.

You will be eligible for up to 80 hours of EPSL pay if you fall into either of these two categories. In these situations, you must not report to the workplace in person, but should telework if health and circumstances permit per arrangements between your supervisor and you.

- You are experiencing COVID-19-like symptoms and are not seeking a medical diagnosis from a health care provider.
- You have been in close contact (less than 6 feet) with a family member, coworker or other individual who is exhibiting COVID-19-like symptoms or is in quarantine.

If either of these reasons are marked, LPC will place the employee into quarantine and reason #1 under the FFCRA will apply and EPSL will be awarded. Part time employees' pay will be a two-week equivalent based on either scheduled or average hours.

# La Plata County COVID-19 Pay & Leave

## Options for those not qualified under FFCRA 1-6

In addition to the six qualifying reasons under the FFCRA, La Plata County is providing sick leave loans in the following situation that does not fall under the Paid Leave Entitlements.

After exhausting your sick leave accruals first, full and three-quarter time employees are eligible to borrow up to 80 hours of sick leave if you fall into the following category. In this situation, you should telework if circumstances permit, per arrangements between your supervisor and you.

- You, a family or household member, or a person for whom you are caring, is considered high risk because of age, health conditions, or other criteria as stated by the CDC, and has not been advised by a health care provider to self-quarantine, and you choose not to report to work in person and either do or do not have the ability to work remotely all or part of the time.

# Expanded Paid Family and Medical Leave “EFMLA”

## What is “EFMLA”?

You may have heard of FMLA before in the context of job protection when caring for your own health or that of a family member, or for child bonding. The FFCRA has temporarily expanded the program to include the following situation through December 31, 2020.

The Expanded FMLA leave is available for eligible employees who take leave for a “qualifying need related to a public health emergency.” Essentially, when an employee cannot work, either on location or from home, because they must care for a child who is under 14 because their school or daycare is not available due to the public health emergency, they are eligible for paid Expanded FMLA protection.

An employee must have been employed at least 30 calendar days to be eligible for EFMLA.

# Expanded Paid Family and Medical Leave “EFMLA”

## What is “EFMLA”?

Please note that that under the FFCRA, a “son or daughter” is also an adult son or daughter (i.e., one who is 14 years of age or older), who (1) has a mental or physical disability, and (2) is incapable of self-care because of that disability.

Under the FFCRA, a “son or daughter” is your own child, which includes your biological, adopted, or foster child, your stepchild, a legal ward, or a child for whom you are standing in loco parentis—someone with day-to-day responsibilities to care for or financially support a child.

# Expanded Paid Family and Medical Leave “EFMLA”

## What is “EFMLA”?

The new law does not require employers to pay for the first 10 days of the EFMLA leave. However, employees may use either their own accrued leaves, or they may use the **Emergency Paid Sick Leave** that is available through the Paid Sick Leave provision (#5 in the list of reasons). If you would like to receive paid leave for your first 10 days of EFMLA, please mark reason #5 on the “FFCRA Paid Sick Leave request form.” If you would like to use your own leave, please do not mark #5, but indicate your preference to use your own leave elsewhere on the form and mark the box on page 3 of the form that you want EFMLA.

Please note that EFMLA may be used intermittently which allows you to continue working either onsite or remotely per arrangements between you and your supervisor.

Any hours that you are unable to work will be paid through the EFMLA per your eligibility for the program.

Note: The number of weeks for which you are qualified will depend on how much FMLA you may have already used in the past 12 months for a health related or child bonding reason. Monica Shadid will work with you to determine how much FMLA time is available for you.

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So, what do you need to do if you think your are entitled to EPSL or EFMLA?

If you identify with any of the reasons on the new “COVID-19 Employee Self-Identification Form,” please complete it and sent it to your supervisor.

If on that form you marked any of numbers 1- 8, you will also need to complete the “FFCRA Paid Sick Leave Request Form.” Note: If you mark reason’s 7 or 8, you will also need to mark reason #1 on the FFCRA Paid Sick Leave form and enter LPC as the quarantining entity.

Because the FFCRA Paid Sick Leave form may contain Protected Health Information, you should not return this form to your supervisor, but send it directly to Julie Pickett in Human Resources.

After completing the forms, please await instructions from HR about how you will enter time or leave in Munis ESS. It may take us several days to set you up, so please be patient and keep track of your time on paper in the meantime. Monica will reach out to those who have indicated that they believe they qualify for EFMLA.

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## Other items of note

You may have read in the Families First Coronavirus Response Act poster that the Expanded FMLA only requires employers to pay their employees 10 weeks of 2/3 pay.

You may have also read that the law only requires employers to provide 2/3 pay to employees who are caregiving for a person who is either ill from or quarantined because of COVID-19.

In both of these situations, La Plata County has made the decision to pay eligible employees their full rate of pay up to the number of hours required by the FFCRA.

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## Other items of note

Your Human Resources Department is working hard to provide employees timely information and the support you need to navigate the FFCRA and the impacts of COVID-19. Please watch for additional information in emails, the newsletter, or on the Staff Site.

As always, you may reach out to your supervisor for information or to HR for more detailed information specific to your situation.

Contact by email is preferred, but you may reach Julie at 382-6381 with your questions about leave and pay or completing the forms, or Monica at 382-6364 for questions about the Expanded FMLA.