

FFCRA LEAVE TIME REGULATIONS

EMERGENCY FAMILY AND MEDICAL LEAVE EXPANSION ACT

Effective Date: April 1, 2020, through December 31, 2020

Eligible Employee: Any full-time or part-time employee that has been on the payroll for 30 calendar days. Student employees, GA's and Extra Help employees are eligible who are actively working. The University reserves the right to exempt emergency responders and health care providers from any and all provisions of this Policy if the University determines that such exemption is necessary for the effective operation of the University.

Emergency FMLA Entitlement:

Eligible employees are entitled to take up to twelve (12) weeks of Emergency FMLA leave for "a qualifying need related to a public health emergency." Please note that this provision expands FMLA coverage for such qualifying circumstances. Employees who have used some or all of their FMLA leave time to date will only have the remaining balance of their FMLA leave available.

Eligibility is limited to circumstances where an employee is unable to work (or telework) to care for a minor child if the child's school or place of child care has been closed or is unavailable due to a public health emergency.

- Eligible employees shall be granted unpaid leave or may take available accrued sick or annual leave during the first ten (10) days of leave.
- The remaining ten (10) weeks are paid at not less than 2/3 of the employee's regular rate of pay for the number of hours the employee would otherwise be scheduled to work. The maximum payment is \$200 a day and a \$10,000 total. Please note that this 2/3 pay provision is not charged against any leave accruals otherwise maintained by an employee.
- For employees with variable hours each week, paid leave would be equal to the average number of hours worked per day over the previous six months.
- An eligible employee is entitled to twelve (12) weeks of Emergency FMLA leave (minus FMLA leave taken to date).
- Emergency FMLA leave is job-protected, and the University would restore an employee to the same or equivalent position upon their return to work.

EMERGENCY PAID SICK LEAVE ACT

Effective Date: April 1, 2020, through December 31, 2020

Eligible Employee: Any full-time or part-time employee is immediately eligible for paid sick leave. Student employees, GA's and Extra Help employees are eligible who are actively working. Unlike the emergency FMLA requirements, there is no 30-calendar day employment requirement. The University reserves the right to exempt emergency responders and health care providers from any and all provisions of this Policy if the University determines that such exemption is necessary for the effective operation of the University.

Emergency Paid Sick Leave Entitlement:

Eligible employees who are unable to work or telework are eligible for up to eighty (80) hours^(a) of non-accruable paid sick leave at their regular rate of pay because:

- The employee is subject to federal, state or local quarantine or isolation order related to COVID-19
- The employee has been advised by a health care provider to self-quarantine because of COVID-19
- The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis

Eligible employees who are unable to work or telework are eligible for up to eighty (80) hours of non-accruable paid sick leave at two-thirds (2/3) of the employee's regular rate or minimum wage, whichever is greater when caring for an immediate family member because:

- The employee is caring for an individual subject or advised to quarantine or isolation
- The employee is caring for a son or daughter whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 precautions
- The employee is experiencing substantially similar conditions as specified by the Secretary of Department of Health and Human Services.

(a) **Note: Up to seventy-five (75) hours if 37.5 hours per week employee.**

Part-time employees: Part-time employees are eligible to take the number of hours they would normally work during a two-week period. These provisions do not apply for Student, GA and Extra Help employees unless actively working.

**The law limits paid leave to \$511 per day (\$5,110 in total) where leave is taken for an employee's own illness or quarantine; and \$200 per day (\$2,000 in total) where leave is taken for reasons to care for others or school closures.

As you know, Governor Pritzker's Executive Order to stay at home remains in place through April 30, 2020. Employees likewise continue to work; remain on call; remain at home due to school closings, etc.

Beginning with the enactment of the FFCRA on April 1st, employees will be expected to report their time as follows:

1. Employees reporting to work, working remotely or on call – Worked Hours
2. Employees who on March 16 going into March 17 were on medical leave – Applicable Sick Time Hours until such time of return to work status
3. Employees who between March 17 and 31 were on SIUE Emergency Leave for the specified COVID-related reasons – Emergency Leave
4. Employees approved for Emergency Leave under FFCRA between April 1 and December 30, 2020 – Other Absence With Pay (provide explanation on timesheet "Emergency FMLA.")