

Families First Coronavirus Response Act FAQ's

Please note: Due to operational necessity, effective April 1, 2020, we will **not** be able to offer the option of intermittent use of either Emergency Paid Sick Leave or Expanded FMLA. Unfortunately, intermittent use of this leave is not currently feasible from a business continuity standpoint.

What is the Families First Coronavirus Response Act?

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19. All Franklin County Board of Commissioners agencies are covered under this Act.

When is the FFCRA effective and how long can I apply for leave under the Act?

The FFCRA is effective as of April 1, 2020 and applies to COVID-19 related leave needed between April 1, 2020 – December 31, 2020.

What are the types of leave under the FFCRA called?

There are two types of leave under the FFCRA. We are calling leave under the Emergency Paid Sick Leave Act (EPSLA) *Emergency Paid Sick Leave*. We are calling leave under the Emergency Family and Medical Leave Expansion Act (EFMLEA) *Expanded Family and Medical Leave (Expanded FMLA)*.

How long do I have to have worked for an FC BOC agency to apply for leave under the FFCRA?

All FC BOC employees are eligible to apply for the Emergency Paid Sick Leave.
Employees who have worked for the FC BOC for at least 30 calendar days are eligible to apply for Expanded FMLA.

What is the Emergency Paid Sick Leave?

It provides up to *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 (or telework) 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);
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.

Does the Emergency Paid Sick Leave take the place of the Wellness Personal Leave from the Commissioners?

No. Employees who qualify for the Emergency Paid Sick Leave will receive this leave in addition to the Wellness Personal Leave.

What is the Expanded FMLA?

It provides up to 12 weeks of expanded family and medical leave for an employee who is unable to work (or telework) 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.

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Expanded FMLA consists of unpaid leave for the first ten (10) days (or eighty (80) hours) of qualified leave. You may be qualified to receive Emergency Paid Sick Leave through the FFCRA to cover the first ten (10) days or eighty (80) hours. In the event you are not eligible for Emergency Paid Sick Leave, you may use other accrued leave to cover this time. Expanded FMLA taken after the first two weeks is paid at the employee's regular rate of pay.

Is the Expanded FMLA in addition to regular FMLA?

No. Expanded FMLA and any regular FMLA run concurrently. You cannot use more than a total of 480 hours (12 weeks) of combined FMLA leave.

Does my leave taken under the FFCRA count as FMLA?

Yes.

Do I have to provide proof I need to take leave?

Yes. We are asking you to provide the documentation requested on the application. Also, HR may contact you for additional or clarifying information during the review of your application.

Can I take leave under the FFCRA if I am able to telework? What if I cannot telework?

The FFCRA specifically states this leave is for employees who are unable to work, including telework. If you are not able to telework, be sure to explain why you cannot on your application.

What if I do not need to apply for leave under FFCRA now but might need to in the future?

Leave under the FFCRA must be taken for a COVID-19 related need. As long as you have a valid COVID-19 related need you will be able to apply for leave under the FFCRA any time between April 1, 2020 – December 31, 2020.

The FFCRA Application no longer includes request for Intermittent Leave for Emergency Paid Sick Leave and Extended FMLA. Why?

Per the FFCRA, intermittent leave is not a mandated option. Currently, the FC BOC has determined our agencies would be unable to meet operational standards if intermittent leave is permitted.

How do I request Emergency Paid Sick Leave or Expanded FMLA Leave under the FFCRA?

Complete the FFCRA Application in full and return it to HR for review via fax at 614-525-6273 or email at BOC-HR-FMLA@franklincountyohio.gov.

Where can I find the FFCRA Application?

In addition to being emailed to each employee on 04/01/2020, you may also ask for an application from your agency management or contact HR at BOC-HR-FMLA@franklincountyohio.gov. Additionally, the application can be found at the following locations for your convenience:

KRONOS – Under the Announcements Section – Dated 04/01/2020

FC HR website - <https://hr-boc.franklincountyohio.gov/Publications/Family-and-Medical-Leave>

Tips for the FFCRA Application

The FFCRA Application must be completed in full for eligibility review.

If you are unable to telework, you **must** explain why.

Start date of leave cannot be prior to April 1, 2020.

Intermittent use is not currently available. Complete the application based off of the continuous time for which you are applying to be off work under the FFCRA.