



Carroll County Schools
Information for Families First Coronavirus Response Act
April 1, 2020

The purpose of this document is to provide information related to the Families First Coronavirus Response Act that was signed into law by the President on March 18, 2020. The Act contains provisions that address additional leave entitlements to employees applicable to school districts in Georgia. The questions and answers below are intended to provide as much basic information as we have on the implementation of these leave entitlements. They go into effect on April 1, 2020 and expire December 31, 2020.

What parts of the Families First Coronavirus Response Act affect leave available for employees?

The Families First Coronavirus Response Act includes:

- I. Emergency Paid Sick Leave Act [EPSLA], which requires a certain amount of paid sick leave to be provided to employees.
- II. Emergency Family and Medical Leave Expansion Act [EFMLEA], which temporarily adds new eligibility categories for leave under the FMLA, along with specific provisions that only apply to those new categories.

I. EMERGENCY PAID SICK LEAVE ACT [EPSLA]

Which employees are entitled to paid sick leave under the EPSLA?

All employees are entitled to paid sick time provided by the EPSLA regardless of how long the individual has been employed.

What are the reasons an employee is entitled to paid sick time under the EPSLA?

A school district must provide paid sick time to the extent an employee is unable to work or telework due to one of 6 reasons:

1. The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis
4. The employee is caring for an individual who is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or who has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.

5. The employee is caring for a son or daughter of the employee if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions.

6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Is an employee entitled to paid sick time under the EPSLA when they are not assigned any work?

No. Paid sick time under EPSLA is only available when an employee is unable to work or telework for one of 6 specific reasons. If the employee is not assigned any work, then the reason that employee is unable to work is not due to one of those 6 reasons.

Who is a “health care provider” or a “son or daughter” under the EPSLA?

The terms “health care provider” and “son or daughter” have the same meanings under the EPSLA as they do under the FMLA.

How much paid sick time is an employee entitled to receive under the EPSLA?

Full-time employees are entitled to 80 hours of paid sick time.

Part-time employees are entitled to a number of hours of paid sick time equal to the number of hours that such employee works, on average, over a 2-week period.

What is the amount of pay an employee is entitled to receive for paid sick time under the EPSLA?

For leave based on the employee’s own necessary absence (reasons 1-3 listed above), the total amount of paid sick time the employee receives shall be paid at their regular rate, up to a maximum of \$511 per day and \$5,110 in total.

For leave based on reasons 4, 5 or 6 listed above, the amount of paid sick time an employee receives is two-thirds of the employee’s regular rate of pay, up to a maximum of \$200 per day and an aggregate of \$2,000.

How does an employee access EPSLA?

An employee wishing to take leave under EPSLA should notify their immediate supervisor and enter the absence in the Frontline [Absence Management System](#) with **COVID Sick** as the absence reason.

What are the effective dates of the EPSLA?

The EPSLA becomes effective on April 1, 2020. The EPSLA and its requirements expire on December 31, 2020.

II. EMERGENCY FAMILY AND MEDICAL LEAVE EXPANSION ACT [EFMLEA]

Which employees are entitled to leave under the EFMLEA?

While the FMLA requires an employee to have worked for an employer for at least 12 total months, and for at least 1250 hours in the previous 12 months, leave for the reasons provided under the EFMLEA have a lesser threshold. Any employee who has been employed for at least 30 calendar days is entitled to the leave provided under the EFMLEA.

What are the reasons an employee is entitled to leave under the EFMLEA?

The EFMLEA provides an additional reason for which an employee is entitled to take FMLA leave, for a “qualifying need related to a public health emergency.”

A “qualifying need related to a public health emergency” means the employee is unable to work (or telework) due to a need for leave to care for the son or daughter under 18 years of age of such employee if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to a public health emergency.

For purposes of this definition, a “public health emergency” means an emergency with respect to COVID-19 declared by a Federal, State, or local authority.

Is an employee required to request leave under the EFMLEA?

Yes. Leave for a qualifying need related to a public health emergency must be requested by an employee. Under FMLA’s regulations, that may be accomplished by an employee providing sufficient information to the employer for the employer to reasonably determine whether the FMLA may apply to the leave request.

How much leave is an employee entitled to receive under the EFMLEA?

The leave taken under the EFMLEA is part of the 12-weeks of leave an employee is otherwise entitled to receive each year under the FMLA.

Is the leave under the EFMLEA paid or unpaid leave?

The first 10 days of leave an employee takes for a qualifying need related to a public health emergency may be unpaid leave.

After the first 10 days of leave under the EFMLEA, an employer must provide paid leave for each day of leave taken for a qualifying need related to a public health emergency.

May an employee use EPSLA leave or accrued leave for the first 10 days of unpaid leave under EFMLEA?

An employee may elect to use EPSLA, if available, in lieu of unpaid leave. Board policy GARH remains in effect for accrued leave.

What is the amount of paid leave an employee is entitled to receive under EFMLEA?

The amount of paid leave an employee is entitled to receive under the EFMLEA is two-thirds of the employee’s regular rate of pay, up to a maximum of \$200 per day and an aggregate of \$10,000.

How is the amount of paid leave determined for hourly employees under the EFMLEA?

The amount of paid leave for hourly employees is two-thirds of their regular rate of pay for the number of hours the employee would otherwise be normally scheduled for work, up to a maximum of \$200 per day and an aggregate of \$10,000. For those employees whose schedule varies from week to week to such an extent that an employer is unable to determine the number of hours the employee would have worked if they had not taken leave, the same method is utilized as under the EPSLA for such variable hour employees.

How does an employee access EFMLEA?

An employee wishing to take leave under EPSLA should notify their immediate supervisor and enter the absence in the Frontline [Absence Management System](#) with **COVID Family** as the absence reason.

The employee will be required to complete a request for FMLA through the Carroll County Schools website and submit periodic updates to supervisor/HR while on leave under EFMLEA.

What are the effective dates of the EFMLEA?

The EFMLEA becomes effective on April 1, 2020. The entitlement to leave for a qualifying need related to a public health emergency under the EFMLEA ends on December 31, 2020.