

Families First Coronavirus Response Act Emergency Family Leave Expansion Act & Emergency Paid Sick Leave Frequency Asked Questions

Introduction

On March 18, 2020 Congress passed and the President signed into law the Families First Coronavirus Response Act (FFCRA) to assist employees impacted by the COVID-19 coronavirus. The FFCRA includes the “Emergency Family Leave Expansion Act” (EFMLEA) which grants protected leave to employee-parents unable to work on-site or remotely because they must care for children under the age of 18 whose school has closed or whose childcare provider is unavailable due to COVID-19. The FFCRA also added “Emergency Paid Sick Leave” (EPSL) which grants employees paid sick leave to care for themselves or a family member who is suspected to have contracted or has contracted COVID-19. Both EFMLEA and EPSL are effective April 1, 2020 and conclude at the end of the calendar year (December 31, 2020).

Emergency Family Leave Expansion Act (EFMLEA)

Am I eligible for EFMLEA?

- All full-time and part-time employee-parents who have been employed at least 30 days are eligible for EFMLEA

What benefits may I receive under EFMLEA?

- Qualified employees will receive up to 12 weeks of protected leave if the employee is unable to work on-site or remotely because they have to care for a child or children under the age of 18 because the child’s school or childcare provider is shutdown or unavailable due to the COVID-19 pandemic
- Qualified employees may receive two weeks (up to 80 hours) of paid sick leave at two-thirds the employee’s regular rate of pay if the employee is unable to work because they must 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
- There is a ten (10) business day waiting period before an employee can access EFMLEA. Employees may use paid vacation, personal leave, compensatory time or sick leave (including the EPSL sick leave created by the bill and Oregon Paid Sick Leave) to receive pay during the waiting period
- Employees meeting the eligibility requirements will receive 2/3 of their salary for each day after the ten (10) business day waiting period at the employee’s regular rate of pay (capped at \$200 per day or \$10,000 total)
- Employees should note that EPSL cannot be taken intermittently

I think I am eligible for expanded EFMLEA. How do I apply?

- To apply for expanded EFMLEA, submit an HR ticket for [“Families First Coronavirus Response Act \(FFCRA\)”](#)

How will I know if I have been approved for EFMLEA?

- HR will contact you (via the HR service desk) about your designation for EFMLEA

Emergency Paid Sick Leave Act (EPSL)

Am I eligible for Emergency Paid Sick Leave?

There are two ways for employees to qualify for Emergency Paid Sick Leave: the employee themselves is suspected to have contracted or has contracted COVID-19 (examples 1-3 below) or the employee is caring for a family member that is suspected to have or who has contracted COVID-19 (examples 4-6)

To be eligible based on their own experience, the employee must:

1. Be subject to a Federal, State, or local quarantine or isolation order related to COVID-19; OR
2. Have been advised by a health provider to self-quarantine due to concerns related to COVID-19; OR
3. Be experiencing symptoms of COVID-19 and is seeking a medical diagnosis

Employees may also be eligible for Emergency Paid Sick Leave if they are caring for a family member under these circumstances:

4. The employee is caring for an individual who is subject to a quarantine or isolation order related to COVID-19: OR
5. The employee is caring for a son or daughter because the school or place of care for the son or daughter has been closed, or the childcare provider of their son or daughter is unavailable due to COVID-19
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.

What benefits can I receive under Emergency Paid Sick Leave?

- Full-time employees may be entitled to 80 hours of paid sick time at their regular rate of pay
- Part-time employees may be entitled to the number of hours that the individual works over a two-week period. Employees should note that EPSL cannot be taken intermittently

How much does Emergency Sick Leave Pay?

1. Employees taking leave for reasons 1-3 above (due to a personal illness related to COVID-19) will be paid at their regular rate of pay (capped at \$511 per day or \$5,110 total)
2. Employees taking leave for reasons 4-6 (caring for a family member affected by COVID-19) will be paid 2/3 of their regular rate of pay (capped at \$200 per day or \$2,000 total)

I think I qualify for Emergency Sick Leave. How do I apply?

- To apply for EPSL, submit an HR ticket for [“Families First Coronavirus Response Act \(FFCRA\)”](#)

How will I know if I have been approved for Emergency Paid Sick Leave?

- HR will contact you (via the HR service desk) about your designation for EPSL