

Families First Coronavirus Response Act Policies (FFCRA)

Emergency Paid Sick Leave (EPSL)

The Emergency Paid Sick Leave provision provides eligible full time employees with 80 hours of paid sick time and part time employees with the number of hours they worked on average over a two-week period due to a COVID-19 covered reason. Leave hours provided to employees under this provision will expire on December 31, 2020 and will not carryover from one year to the next. The Emergency Paid Leave Act provides eligible employees the opportunity to take paid, sick leave immediately (no waiting period) for certain specified reasons noted herein. Leave taken under this policy is counted against the total allotment of paid sick leave and the cap on payments as indicated by the covered reason for leave (see chart below).

Eligibility

Covered Employees: All employees (Part time and Full time). Grant funded personnel must first request to use this leave policy with the Principal Investigator so that permission can be obtained from the Sponsor by the Post Award Analyst.

Amount of Leave:

- Full time employees: 80 hours of paid leave
- Part-time employees: Average number of hours worked over a two-week period.

The Emergency Paid Sick Leave Act sets forth six covered reasons qualifying for paid sick leave, and a corresponding rates of pay for the employee and the cap on payments to the employee depending on the reason for leave:

<u>Covered Reason For Leave</u>	<u>Rate of Pay</u>	<u>Cap on Payments</u>
(1) The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19	The employee's regular rate of pay (as determined under section 7(e) of the Fair Labor Standards Act of 1938 (<u>29 U.S.C. 207(e)</u>).	\$511 per day and \$5,110 in the aggregate

<p>(2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19</p>	<p>The employee's regular rate of pay (as determined under section 7(e) of the Fair Labor Standards Act of 1938 (<u>29 U.S.C. 207(e)</u>).</p>	<p>\$511 per day and \$5,110 in the aggregate</p>
<p>(3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.</p>	<p>The employee's regular rate of pay (as determined under section 7(e) of the Fair Labor Standards Act of 1938 (<u>29 U.S.C. 207(e)</u>).</p>	<p>\$511 per day and \$5,110 in the aggregate</p>
<p>(4) The employee is caring for an individual who is subject to an order as described in (1) or has been advised as described in paragraph (2).</p>	<p>Two-thirds of the employee's regular rate of pay.</p>	<p>\$200 per day and \$2,000 in the aggregate</p>
<p>(5) The employee is caring for a child if the school or place of care for the child has been closed, or is unavailable, due to COVID-19 precautions.</p>	<p>Two-thirds of the employee's regular rate of pay.</p>	<p>\$200 per day and \$2,000 in the aggregate</p>
<p>(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.</p>	<p>Two-thirds of the employee's regular rate of pay.</p>	<p>\$200 per day and \$2,000 in the aggregate</p>

Emergency Family Medical Leave Expansion Act (EFMLA)

The Emergency Family Medical Leave Expansion Act provides significant expansion to the Foundation's existing FMLA/CFRA policy that provides employees with the opportunity to take unpaid, job protected leave for specified reasons. Under the EFMLA policy eligible employees may take 12 weeks of paid, job protected leave (with a waiting period) due to a COVID-19 covered reason. This leave provision will expire on December 31, 2020. Leave taken under this policy will be counted against the employee's total standard FMLA/CFRA leave entitlement.

For more information regarding leave under this policy, employees should contact Foundation human resources.

Eligibility

Eligible employees: An employee who has been employed for at least 30 calendar days. Grant funded personnel must first request to use this leave policy with the Principal Investigator so that permission can be obtained from the Sponsor by the Post Award Analyst.

Qualified reasons for paid EFMLA leave: When employee is unable to work (or telework) due to a need for leave to care for a child under 18 years of age if the school or place of care has been closed, or the child care provider is unavailable, due to a public health emergency (with respect to a COVID-19 declared by a Federal, State, or local authority), the employee may take up to 12 weeks of leave.

Amount of paid leave:

- First 10 days may be unpaid (but employee may use other paid leaves during this time)
- Paid at no less than two-thirds of the employee's regular rate of pay and the number of hours the employee would normally be scheduled to work for up to 12 weeks.
- Paid leave shall not exceed \$200 per day and \$10,000 in the aggregate.

Reinstatement rights: Employees will be reinstatement to the same position or an equivalent position.

Procedures

When seeking leave under this policy, employees must provide to Foundation Human Resources the following:

1. Advanced notice as soon as practicable in the case of unforeseeable leave.
2. Medical certification supporting the need for a COVID-19 related qualified reason.
3. Periodic reports as deemed appropriate during the leave regarding the employee's status and intent to return to work.
4. Medical certification of fitness for duty before returning to work if the leave was due to the employee's serious health condition. Foundation will require this certification to address whether employees can perform the essential functions of their position.



Employer Responsibilities

To the extent required by law, Foundation will inform employees whether they are eligible for leave under EFMLA and/or EPSL. Should employees be eligible for EFMLA and/or EPSL leave, Foundation will provide them with a notice that specifies any additional information required, as well as their rights and responsibilities. If employees are not eligible for EFMLA and/or EPSL leave, Foundation will provide a reason for the ineligibility.