OVERVIEW

Families First Coronavirus Response Act

Expanded Shared Leave

High Risk Employee Accommodations

Family First Coronavirus Response Act (FFCRA)

FFCRA provides two leave options

• The Emergency Paid Sick Leave Act (EPSL)
• The Emergency Family and Medical Leave Expansion Act (EFML)

Provide paid leave for certain COVID-19 related leave needs.
In effect April 1, 2020 through December 31, 2020
FFCRA – EPSL Eligibility

- Employee is
  1. subject to a Federal, State, or local (ie county, not employer) COVID-19 quarantine or isolation order
  2. advised by a health care provider to self-quarantine
  3. experiencing COVID-19 symptoms and is seeking a medical diagnosis

- Employee is caring for an individual
  4a. subject to an order described in (1)
  4b. advised by health care provider to self-quarantine

- Employee is caring for their minor child whose
  5. school or child care is closed* due to COVID-19

FFCRA – EPSL Entitlement

Maximum Leave
- Full-time employee: Up to 80 hrs
- Part-time employee: Up to the average # of hours worked over a two week period

Paid At
- Regular hourly salary
  - Own condition
    - Max: $511/day; $5,110 aggregate
  - 2/3 of the employee’s regular hourly rate
- Care of another or School or Child Care Closure
  - Max: $200/day; $2,000 aggregate

FFCRA – EFML Eligibility

Employee is caring for their minor child whose school or child care is closed* due to COVID-19

Maximum Leave
- Full-time employee: Up to 480 hrs
- Part-time employee: 480*FTE (50% FTE - 240 hours)

Paid At
- First 2 weeks/80 hours (FT)
  - Unpaid
- Weeks 3 through 12/480 hrs (FT)
  - 2/3 of the employee’s regular hourly rate
  - Max: $200/day; $10,000 aggregate
Expanded Shared Leave

Proclamation 20-05

Until the expiration of proclamation 20-05, issued February 29, 2020, by the governor and declaring a state of emergency in the state of Washington, or any amendment thereto, whichever is later, an employer may permit an employee to receive shared leave as a result of the 2019 novel coronavirus (COVID-19).

Circumstances for Shared Leave

• The employee tests positive for COVID-19 or has symptoms of COVID-19 and is seeking a medical diagnosis;
• The employee, or a relative or household member, is isolated or quarantined as recommended, requested or ordered by a public health official or health care provider as a result of suspected or confirmed infection with or exposure to COVID-19;
• The employee is considered under the criteria set by the Centers for Disease Control and Prevention (CDC) to be at increased risk of severe illness and death due to COVID-19;
• The employee cannot work due to the closure of their child’s school and/or the unavailability of a child care provider due to COVID-19; or
• The employee is not sick but has been advised by a health care provider not to be in the workplace due to risk of COVID-19 but does not fall into the CDC high risk categories.

High Risk Employee – Worker’s Rights Accommodations

Proclamation 20-46

In effect from April 13, 2020 through the duration of the state of emergency, or until otherwise rescinded or amended.

• High-Risk individuals as defined by the Centers for Disease Control and Prevention, who apply for HRE Accommodations, if feasible are to be offered:
  • Televwork
  • Alternative or remote work locations
  • Reassignment or
  • Social distancing measures
High Risk Employee – Worker’s Rights Accommodations

- If an alternative work assignment is not feasible, or the employee declines, the employee may:
  - use any accrued leave, shared leave, or
  - seek unemployment benefits

- The employer will maintain the employee’s health insurance benefits
- The employer will not permanently replace an employee on an approved HRE Accommodation under Proclamation 20-46.2

Resources

- Disability Services Website
- Family First Coronavirus Response Act
- High-Risk Employee-Worker’s Rights Accommodation
- Shared Leave

Questions? Please direct them to hrs.disabilityservices@wsu.edu