Understanding and Managing Medical Related Policies and Processes

COVID-19
Special Section

Presented by
Human Resource Services

WASHINGTON STATE
UNIVERSITY

OVERVIEW

Families First Coronavirus Response Act

Expanded Shared Leave

High Risk Employee Accommodations

HUMAN RESOURCE SERVICES

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

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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

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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

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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 12/81-480 hrs (FT)
  - 2/3 of the employee's regular hourly rate
  - Max: $200/day; $10,000 aggregate

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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).

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Expanded Shared Leave

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.

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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:
  - Telework
  - Alternative or remote work locations
  - Reassignment or
  - Social distancing measures

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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**

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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

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