



Memo

Date: July 20, 2020

To: Pastors, principals and business managers

From: Marquita Richburg, Human Resources Manager, Office of Human

Re: ResourcesCOVID-19 and leaves of absence

This communication serves as a follow-up to our last communication regarding our paid leave policies and the requirements under the Families First Coronavirus Response Act (FFCRA). With a number of school districts announcing their plans to go all virtual for the 2020-2021 school year, we want to make sure that we make clear our standard paid leave policies and practices as well as our requirements under the FFCRA.

As a reminder, if you have employees who work in positions that can be successfully performed from home, we strongly encourage you to allow them to do so. We do realize that many of you may prefer that your staff perform all work on site. This is understandable; however to further do our part to prevent the spread of this virus **AND** to ensure the safety and well-being of your staff, your reconsideration of this position is strongly encouraged. As a reminder, there are record-keeping and reporting requirements under the Occupational Safety & Health Administration (OSHA) and Worker's Compensation for those employees who contract the virus while at work. If you have employees who must report to work **AND** they **ARE NOT** required to self-quarantine (due to exposure, symptomatic, high risk, tested positive, etc.), as the employer, you are obligated under federal and state regulations to provide a safe workplace for your staff. When performing work on site, employees should be encouraged to wear masks or other facial coverings unless they are in a closed office and away from others **OR** in a space where they are able to remain socially distant from others. Everyone is also expected to follow social distancing and sanitation guidelines.

In accordance with the requirements under FFCRA, employees who are not able to work or telework due to COVID-19 based on the six (6) reasons listed

below, are entitled to certain paid leave. This does not apply if a location is forced to close/shut down temporarily due to COVID (this may only apply to preschools who are not planning to reopen due to COVID). The described leaves of absence apply to full-time and part-time employees who have been employed for at least 30 days, regardless of the number of hours scheduled to work.

1. The employee is subject to a federal, state or local quarantine or isolation order related to COVID-19 ***(this applies to the individual and not the facility);***

******Entitled to: two (2) weeks of paid leave. The two weeks is based on the employee's standard work schedule.***

2. Employee has been advised by a health care provider to self-quarantine related to COVID-19;

******Entitled to: two (2) weeks of paid leave. The two weeks is based on the employee's standard work schedule.***

3. Employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis;

******Entitled to: two (2) weeks of paid leave. The two weeks is based on the employee's standard work schedule.***

4. Employee is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);

******Entitled to: two (2) weeks of paid leave, paid at 2/3rd of the employee's regular rate of pay.***

5. Employee is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; OR

******Additional information is provided below******

6. Employee is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

******Entitled to: two (2) weeks of paid leave, paid at 2/3rd of the employee's regular rate of pay.***

Explanation of Emergency Paid Leave for School and Childcare closings due to COVID-19 (Reason # 5 above):

*****Again, this does not apply to employees who are able to telework. A leave of absence does not apply when the employee is performing work from home*****

- Applies to full-time and part-time employees with at least 30 days of service;
- Employees are entitled to 12 weeks of leave
 - First two (2) weeks of leave may be taken unpaid **OR** employee may use accrued sick or vacation time
 - Remaining 10 weeks of leave, employee is entitled to 2/3rd of normal salary up to \$200 per day OR \$10,000 total

******Please note: We recognize that many of you may have already provided full paid leave for your employees for any one of the reasons listed above and need direction on how to move forward. Please contact us for further guidance.**

Here are just a few other reminders:

- All businesses with less than 500 employees must comply with the FFCRA; however, only those locations who **DID NOT** receive the PPP Loan will be able to claim the Employee Retention Credit that is associated with the payments described above.
- The leave above is not meant to replace our existing accrued leave policies. The law requires that we administer the above leave **IN ADDITION TO** our current accrued paid vacation and sick leave. Employees must be given the option to extend the leave period above by using accrued and unearned vacation and sick time available according to our normal time off policies and procedures.
- Employees who have concerns about returning to the workplace because of fear should be reminded of the safety protocols that have been established locally to ensure everyone's safety.

We realize that this communication may not answer all of your questions. We encourage you to contact our office for further guidance.

Thank you.