

Frank Stanage

From: Frank Stanage
Sent: Monday, July 13, 2020 3:36 PM
To: ALL-AHISD
Subject: Families First Coronavirus Response Act (FFCRA) Leave Provisions
Attachments: FFCRA Poster English.pdf; FFCRA Poster Spanish.pdf

AHISD Faculty and Staff,

In April 2020, I emailed you about the Families First Coronavirus Recovery Act (FFCRA), which created several entitlements to assist workers in dealing with COVID-related absences. It has been a while since you may have reviewed this information, so we thought it would be helpful to remind you about it now.

These entitlements, listed below, are in effect through December 31st, 2020, and the FFCRA law does not stipulate that they will carry over into calendar year 2021. Leave under the FFCRA applies only to employees who are unable to work, or unable to work from home, as required. As a point of clarification, you are **not** required to use your own personal or sick leave first in order to use any of these entitlements. If you use all leave provided for under the FFCRA, you will be able to use accrued personal or sick leave only for nondiscretionary purposes, as defined by District policy.

Effective 4/1/2020, and projected through 12/31/2020, AHISD employees who are unable to work are covered under the Families First Coronavirus Response Act (FFCRA). In order to take leave under the FFCRA, you must notify your campus principal, your supervisor, or Frank Stanage no later than the first business day that leave is taken. It is expected, however, that an employee will provide advance notice whenever an absence is foreseeable. While on FFCRA leave, employees should remain responsive to communication from the District when it's physically possible for an employee to do so.

Specifics about leave under the FFCRA are provided below. I also attached postings that are required to be distributed to our employees. If you have any questions, reply to me via email and provide your cell phone number in your reply.

Best Regards,

Frank Stanage
HR Coordinator

Qualifying Conditions and Leave Entitlements under the FFCRA

I. Qualifying Reasons for Leave:

Under the FFCRA, an employee qualifies for paid sick time if the employee is unable to work (**or unable to telework**) due to a need for leave because the employee:

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

4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. 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
6. 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.

Under the FFCRA, an employee qualifies for expanded family leave if the 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.

In both cases, an employee shall provide substantiating documentation of reasons for leave. For an employee's own sick or quarantine leave, this information may include a note from a physician, an order of quarantine from a legitimate authority, or diagnostic test results. For caregiver leave, that information may include the nature of the personal relationship between you and the person you are caring for, a statement of existing and special circumstances that require care for a child over the age of 14 (such as the child's disability), and a statement that there is no other suitable person (such as a co-parent or usual child care provider) who can care for the child during the period of requested leave.

II. Duration of Leave:

For reasons (1)-(4) and (6) above: A full-time employee is eligible for up to 80 hours of leave, and a part-time employee is eligible for the number of hours of leave the employee works on average over a two-week period.

For reason (5) above: A full-time employee is eligible for up to 12 weeks of leave (two weeks of paid sick leave followed by up to 10 weeks of paid expanded family & medical leave) at 40 hours a week, and a part-time employee is eligible for leave for the number of hours the employee is normally scheduled to work over that period.

III. The FFCRA generally provides that AHISD employees are eligible for:

- *Two weeks (up to 80 hours) of **paid sick leave** at the employee's regular rate of pay* where the employee is **unable to work** because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
- *Two weeks (up to 80 hours) of **paid sick leave** at two-thirds the employee's regular rate of pay* because the employee is **unable to work** because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or to 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, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor; and
- *Up to an additional 10 weeks of **paid expanded family and medical leave** at two-thirds the employee's regular rate of pay* where an employee, who has been employed for at least 30 calendar days, is **unable to work** due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.