

LEAVE TYPES AVAILABLE DURING THE COVID-19 PANDEMIC

COVID-19 Scenarios (does not apply if telework is available)	COVID-19 Leave Type (if telework is <u>not</u> available)	Annual Leave Required?	PHEL (100% pay for up to 160 hrs)	FFCRA EFML Eligibility	FFCRA Expanded Family Medical Leave (EFML) 66.6% of pay for 10 weeks, \$200/day cap	FFCRA Emergency Paid Sick Leave (EPSL)		Short-Term Disability	PROCESS FOR EMPLOYEE AND MANAGER	TIMEKEEPING INSTRUCTIONS
						Self-Care 100% pay for 80 hrs \$511/day cap	Care for Others 66.6% pay for 80 hrs \$200/day cap			
SCENARIOS FOR OTHERS										
Employee is caring for an individual who has been diagnosed with COVID-19	PHEL and FFCRA Emergency Paid Sick Leave (EPSL)	No	Yes	No	No	No	Yes	No	Employee: <ul style="list-style-type: none"> chooses which leave to use first completes dynamic form to apply for EPSL and submits documentation+ Manager: reviews and submits the dynamic form	Employee: enters PHEL hours on timesheet Benefits: enters EPSL once leave is approved +
Employee is caring for an individual who is subject to a federal, state or local isolation order	PHEL and FFCRA Emergency Paid Sick Leave (EPSL)	No	Yes	No	No	No	Yes	No	Employee: <ul style="list-style-type: none"> chooses which leave to use first completes dynamic form to apply for EPSL and submits documentation+ Manager: reviews and submits the dynamic form	Employee: enters PHEL hours on timesheet Benefits: enters EPSL once leave is approved +
Employee is caring for an individual who has been advised by a healthcare provider to isolate due to concerns	PHEL and FFCRA Emergency Paid Sick Leave (EPSL)	No	Yes	No	No	No	Yes	No	Employee: <ul style="list-style-type: none"> chooses which leave to use first completes dynamic form to apply for EPSL and submits documentation+ Manager: reviews and submits the dynamic form	Employee: enters PHEL hours on timesheet Benefits: enters EPSL once leave is approved +
Employee is caring for own children whose school or place of care is closed, or childcare provider is unavailable due to COVID-19.	FFCRA Emergency Paid Sick Leave (EPSL) and Expanded Family Medical Leave (EFML) run concurrently	No	No	Yes	Yes Can supplement 66.6% with other accrued leave to reach 100% of pay	No	Yes Can supplement 66.6% with other accrued leave to reach 100% of pay	No	EPSL and EFML run concurrently if work or telework is not available Employee: <ul style="list-style-type: none"> chooses which leave to use first completes the dynamic forms to apply for EPSL and EFML, and submits documentation + Manager: reviews and submits the dynamic form	Benefits: enters EPSL and EFML once leave is approved +
SCENARIOS FOR SELF										
Employee is diagnosed with COVID-19	Use PHEL while STD and/or FMLA claim is pending approval FMLA is unpaid unless you use accrued leave	No	Yes	No	No	No, unless directed to quarantine by health care provider after diagnosis	No	Yes	Employee: <ul style="list-style-type: none"> contacts Reed Group to apply for STD if in VRS contacts benefits@gmu.edu to apply for FMLA if in Traditional Sick Plan 	Employee: enters PHEL hours on timesheet Benefits: enters EPSL once leave if approved (may only be used if directed to quarantine) +
Employee is experiencing COVID-19 symptoms and seeking a medical diagnosis. <i>Must be seeking COVID-19 diagnosis to be eligible for EPSL</i>	PHEL and FFCRA Emergency Paid Sick Leave (EPSL)	No	Yes	No	No	Yes	No	No	Employee: <ul style="list-style-type: none"> chooses which leave to use first completes dynamic form to apply for EPSL and submits documentation + Manager: reviews and submits the dynamic form	Employee: enters PHEL hours on timesheet Benefits: enters EPSL once leave is approved +
Employee is subject to a federal, state or local quarantine or isolation order related to COVID-19	PHEL and FFCRA Emergency Paid Sick Leave (EPSL)	No	Yes	No	No	Yes	No	No	Employee: <ul style="list-style-type: none"> chooses which leave to use first completes dynamic form to apply for EPSL and submits documentation + Manager: reviews and submits the dynamic form	Employee: enters PHEL hours on timesheet Benefits: enters EPSL once leave is approved +
Employee has been advised by a healthcare provider to isolate or self-quarantine due to COVID-19 related concerns										

+Employee must submit the supporting documentation for EPSL and EFML with the dynamic form or email to benefits@gmu.edu. If the supporting documentation is not received or the documentation is not sufficient, EPSL and/or EFML will not be approved. See the [FFCRA Overview and FAQ](#) for the U.S. Department of Labor's documentation requirements.

PLEASE NOTE: All COVID guidance above is subject to change, based on state and federal regulations and/or guidelines. This grid will be updated as new state and federal guidelines are released. Revised: April 24, 2020

SUMMARY OF LEAVE TYPES AVAILABLE DURING THE COVID-19 PANDEMIC

TELEWORK / REMOTE WORK

If available, telework should be the first option considered. If work or telework are not available, evaluate the appropriate leave options on the page above. PHEL, FFCRA EPSL and FML cannot be used if telework is available.

SHORT-TERM DISABILITY

For employees enrolled in VRS, short-term disability benefits are available through the VSDP program and claims must be filed through The Reed Group. Income replacement % is based on years of service and there is a 7-day waiting period. Virginia Public Health Emergency Leave can be used towards the waiting period.

FAMILIES FIRST CORONA RESPONSE ACT (FFCRA) EXPANDED FAMILY MEDICAL LEAVE AND EMERGENCY PAID SICK LEAVE

1. Expanded Family Medical Leave (EFML)

- a. Temporary amendment to FMLA, available through 12/31/2020. Provides up to 12 weeks of job-protected leave for a “qualifying need related to a public health emergency”. Any FMLA taken since January 20, 2020 reduces the number of weeks available.
- b. “Qualifying need” is defined as the need to care for their child under age eighteen (18*) because school or child care is closed, or a paid** child care provider is unavailable due to an emergency with respect to COVID-19, as declared by a local, state, or federal authority.
- c. Eligibility criteria (if telework/remote work is not available):
 - Eligible after 30 days of employment. See eligible employee categories on the [FFCRA Overview and FAQ](#).
 - First 10 days of leave are unpaid, but employees have the option of using existing accrued personal leave.
 - Remaining 10 weeks would be paid:
 - At 66.6% of regular rate of pay for hours scheduled to work if the emergency were not occurring.
 - Capped at \$10,000 total.
 - Individual making over \$78,000 per year would cap out at \$200 per day under this provision.

* Under the FFCRA, a “son or daughter” is your own child, which includes your biological, adopted, or foster child, your stepchild, a legal ward, or a child for whom you are standing in loco parentis—someone with day-to-day responsibilities to care for or financially support a child. A “son or daughter” is also an adult son or daughter (i.e., one who is 18 years of age or older), who (1) has a mental or physical disability, and (2) is incapable of self-care because of that disability. Note: the IRS requires written justification for any leave due to childcare unavailability when the child is over age 14.

**Childcare provider does not have to be compensated if the provider is a family member or close friend, such as a neighbor.

2. Emergency Paid Sick Leave Act (EPSL)

Immediate eligibility if telework/remote work is not available. See eligible employee categories on the [FFCRA Overview and FAQ](#).

80 hours available to employees (pro-rated for part-time employees) for the following reasons:

a. Self-Care (required to isolate or experience symptoms or be diagnosed and ordered to quarantine/isolate)

- Subject to a federal, state, or local quarantine or isolation order related to COVID-19
- Have been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19
- Experiencing symptoms of COVID-19 and seeking a medical diagnosis
- Diagnosed with COVID-19 and directed to self-quarantine by health care provider.
- **Pay:** 100% of pay, up to a maximum of \$5,110. Individuals making over \$132,860 per year would cap out at \$511 per day under this provision.

b. Caring for Others

- Caring for an individual who is subject to a federal, state or local quarantine or isolation order related to COVID-19
- Caring for an individual who has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19
- Caring for a son or daughter because the child’s school or place of care is closed, or the paid childcare provider is unavailable due to COVID-19 precautions
- Any other conditions specified by Secretaries of HHS, Treasury or Labor (TBD)
- **Pay:** 66.6% of pay, up to a maximum of \$2,000. Individual making over \$78,000 per year would cap out at \$200 per day under this provision.

PUBLIC HEALTH EMERGENCY LEAVE (PHEL)

The Commonwealth of Virginia provides up to 160 hours (prorated based on FTE) of paid leave to eligible employees to attend to their own medical needs (and/or those of their immediate family members) related to COVID-19.

1. Immediate eligibility if telework/remote work is not available. See eligible employee categories on the [PHEL Chart](#).
2. Medical documentation normally required to access leave may be waived initially during this event due to the strain on the medical community.
3. Employees required by public health officials to be monitored during the incubation period may use PHEL to be paid for that period if they are unable to telework/work remotely.
4. Employees potentially exposed but asymptomatic who choose to self-monitor may telework for the incubation period.
5. If an employee’s job is not conducive to telework or other off-site arrangements, the employee will be provided PHEL.
6. Supervisors are encouraged to be creative in identifying ways to enable asymptomatic employees to self-monitor away from the workplace while continuing to work (telework/remote work). If other arrangements cannot be made, the agencies should award PHEL.
7. Hours of paid leave awarded to wage or adjunct faculty must be counted toward the 1500-hour threshold.