

## George Mason Families First Coronavirus Response Act Guidelines

Families First Coronavirus Response Act (FFCRA) took effect on April 1, 2020 and expires on December 31, 2020. FFCRA provides up to two weeks of Emergency Paid Sick Leave and Expanded Family Medical Leave (FML) to faculty, classified and non-benefitted part-time employees who have worked at least 30 calendar days prior to their leave request. FFCRA is available to employees who cannot work or telework.

### ABOUT EMERGENCY PAID SICK LEAVE

Employers are required to provide up to 80 hours (prorated based on FTE) of Emergency Paid Sick Leave to an eligible employee who cannot work or telework and:

1. is subject to a federal, state or local quarantine or isolation order for COVID-19;
2. has been advised by a health care provider to self-isolate because of COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual who is quarantined or advised to self-isolate due to COVID-19;
5. is caring for their own child/children whose school or place of care is closed or the child care provider is not available due to COVID-19 precautions; or
6. is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services. The agency has not yet defined the conditions.

### ***How much Emergency Paid Sick Leave am I eligible for and how will my pay be calculated?***

Federal FFCRA provides up to 80 hours total of Emergency Paid Sick Leave (prorated based on FTE). Employees with 1.00 FTE are eligible for 80 hours of Emergency Paid Sick Leave. Employees under 1.00 FTE are eligible for prorated Emergency Paid Sick Leave based on the number of hours worked on average over a two-week period. Leave time paid to non-benefitted part-time employees must be counted against the 1500 hour threshold.

Pay rates are based on the reason specified above are as follows:

Reasons	Emergency Paid Sick Leave (EPSL)
1, 2 and 3	<ul style="list-style-type: none"><li>• Leave is paid at 100% of the regular pay rate (based on FTE), up to \$511 per day and \$5,110 total</li><li>• Employee may choose to use accrued personal leave to supplement EPSL up to full salary</li></ul>
4 and 6	<ul style="list-style-type: none"><li>• Leave is paid at 2/3 of the regular pay rate (based on FTE), up to \$200 per day and \$2,000 total</li><li>• Employee may choose to use accrued personal leave to supplement EPSL up to full salary</li></ul>
5	<ul style="list-style-type: none"><li>• Leave is paid at 2/3 of the regular pay rate up (based on FTE), up to \$200 per day and \$2,000 total.</li><li>• If eligible for FFCRA Family and Medical Leave (EFML), employee may choose to use EPSL during the first two weeks of unpaid EFML.</li><li>• Employee may choose to use accrued personal leave to supplement EPSL up to full salary</li></ul>

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### ***If I use Emergency Paid Sick Leave for my own health condition, how do I get paid after the 10 days?***

If you are unable to work due to COVID-19 illness or another serious health condition, you must apply for short-term disability, if eligible for VSDP, or FMLA if eligible for the Traditional Sick Leave Plan.

### ***If I used PHEL, can I use the federal Emergency Paid Sick Leave?***

Yes. The federal Emergency Paid Sick Leave is in addition to PHEL, which is a Commonwealth of Virginia policy. If you used some or all of the PHEL leave you were eligible for and experience one of the FFCRA qualifying events listed above, you may apply for Emergency Paid Sick Leave.

### ***Do I have to use my accrued leave before I apply for Emergency Paid Sick Leave?***

You do not have to use your accrued personal leave before applying for Emergency Paid Sick Leave.

### ***What if I don't use all of the Emergency Paid Sick Leave?***

Unused leave does not carry over and cannot be paid out at termination.

### ***How do I Apply for Emergency Paid Sick Leave?***

You must complete the [Emergency Paid Sick Leave Form](#) . Once you submit this dynamic form, your manager will receive a notification to review your request. After your manager reviews the request, it is submitted to HR & Payroll for approval. You must upload documentation supporting your Emergency Paid Sick Leave reason when you submit the dynamic form or email documentation to [benefits@gmu.edu](mailto:benefits@gmu.edu) . After reviewing the documentation, HR & Payroll will notify you if leave is authorized as Emergency Paid Sick Leave (EPSL). HR & Payroll will request additional documentation, if needed.

The U.S. Department of Labor's documentation requirements are listed in the chart below.

Reason	Required Documentation: Submit to <a href="mailto:benefits@gmu.edu">benefits@gmu.edu</a>
1	The employee must supply the name of the government entity that issued the order. Submit a copy of the isolation/quarantine order received from the health department.
2	The employee must supply the name of the health care professional providing care. Submit a doctor's note advising self-isolation.
3	The employee must supply the name of the health care provider's name that issued the isolation /quarantine order. Submit a copy of the quarantine order.
4	The employee must provide the name of the health care provider that issued the isolation /quarantine order for the individual. Submit a copy of the quarantine order or a doctor's note advising self-isolation
5	You may submit letters or texts notifying you that the day care center is closed.
6	Specifications have not been issued by the U.S. Department of Health and Human Services as of 04/27/2020.

### ***Are Emergency Paid Sick Leave and FFCRA FML retroactive?***

No

### ***Can I use Emergency Paid Sick Leave to care for my nephew?***

Leave is available to employees who are the parents/legal guardians of children.

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## ABOUT FFCRA EXPANDED FAMILY MEDICAL LEAVE

Under FFCRA, up to 12 weeks of Expanded Family Medical Leave is available for eligible employees who are caring for a child whose school or child care facility has been closed or the childcare provider is unavailable due to COVID-19. *FFCRA FML is available to employees who cannot work or telework.*

### ***How does FFCRA Expanded Family Medical Leave differ from FMLA?***

Faculty, classified and non-benefitted part-time employees who have been on the Mason's payroll for 30 calendar days are eligible for FFCRA FML if they are unable to work or telework/work remotely and they are caring for a child whose school or child care facility has been closed or the childcare provider is unavailable due to COVID-19. *FFCRA FML is available to employees who cannot work or telework.*

Under Family and Medical Leave of Absence (FMLA), employees must have one year of continuous service and have worked 1,250 hours in the past 12 months to qualify. FMLA is used for illness for self or family, birth/adoption of a child, etc.

### ***Is FFCRA Expanded FML paid or unpaid like FMLA?***

The first 10 days (two weeks) of FFCRA Expanded FML is unpaid. If eligible, employees may use Emergency Paid Sick Leave or accrued personal leave (including sick leave) leave during the first 10 days. The remaining 10 weeks are paid at 2/3 of the regular pay rate for the number of hours the employee would be scheduled to work. The maximum Expanded FML payment is \$200 per day (\$10,000 total). Employee may choose to use accrued personal leave to supplement Expanded FML up to full salary.

### ***If have been on FMLA for the past 6 weeks, can I apply for FFCRA Expanded FML?***

Expanded FML does not provide additional FMLA time, it only expands the reason for use and provides pay for the specified reasons of caring for a child whose school or place of care is closed, or the childcare provider is unavailable due to COVID-19 precautions.

If eligible, a total of 12 weeks combined of FFCRA Expanded FML and FMLA in a 12-month calendar period is available. If FMLA has been used since January 10, 2020, the weeks used are subtracted from the total of 12 weeks allotted for FFCRA Expanded FML during a 12-month period.

### ***If I take 2 weeks of Emergency Paid Sick Leave, does that time count towards the 12 weeks of FMLA?***

If you take Emergency Paid Sick Leave concurrently with the first two weeks of FFCRA Expanded FML, those two weeks count toward the 12 workweeks in the FMLA's 12-month period.

### ***Can I use FFCRA FML with PHEL?***

PHEL can be used to seek child care. FFCRA FML can be used to care for your own children if telework is not available.

### ***How do I Apply for FFCRA FML?***

You must complete the [FFCRA Family Medical Leave \(FML\) Form](#). Once you submit this dynamic form, your manager will receive a notification to review your request. After your manager reviews the request, it is submitted to HR & Payroll for approval. You must submit documentation supporting your reason for FFCRA Expanded FML to [benefits@gmu.edu](mailto:benefits@gmu.edu). You may also upload documentation when submitting your dynamic form. After reviewing the documentation, HR & Payroll will notify you if the leave is authorized as FFCRA Expanded FML. HR & Payroll will request additional documentation, if needed.