



Families First Coronavirus Response Act (FFCRA)

The Families First Coronavirus Response Act (“FFCRA” or “Act”) requires the County to provide employees with emergency paid sick leave (“EPSL”) and/or expanded family and medical leave for specified reasons related to COVID-19 under the Emergency Family and Medical Leave Expansion Act (“EFMLA”). These provisions apply from April 1, 2020 through December 31, 2020. Full-time, part-time and temporary employees are eligible.

The FFCRA also allows the County to exclude certain health care providers and emergency responders from receiving benefits under the EPSL and EFMLA. In consultation with the unions, the County will extend EPSL and EFMLA provisions to MCGEO and unrepresented employees; these provisions will not be extended to first responders at FRS (**IAFF**) and MCPD (**FOP**).

Emergency Paid Sick Leave Act (EPSL)

Here is how EPSL works and what the County will offer:

- *Two weeks (up to 80 hours total) of **paid sick leave** for full-time employees; part-time employees are eligible for a prorated amount based on their normal work schedule:*
 - To employees who are unable to work because (a) the employee is quarantined (pursuant to Federal, State, or local government order or on the advice of a health care provider), (b) the employee or family member is experiencing COVID-19 symptoms and seeking a medical diagnosis, or (c) the employee has a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or on the advice of a health care provider). Under the negotiated agreement with the unions, County employees are entitled to receive Administrative Leave for any of these events. Specific time reporting will be provided in the bi-weekly Timekeeping Guidance Memo.
 - To employees who are unable to work because of a bona fide need to care for a child (under 18 years of age) whose school or childcare provider is closed or unavailable for reasons related to COVID-19. (There is no age limit for a disabled child incapable of self-care.) The March negotiated agreements with the unions did not address this circumstance. Accordingly, EPSL leave under the FFCRA is available to County employees who qualify for the leave. Specific time reporting will be provided in the bi-weekly Timekeeping Guidance Memo; and
 - To employees experiencing a COVID condition specified by the Secretary of Health and Human Services. As of July 8, 2020, no such “conditions” have been identified by the Secretary.

- Note, the 80 hours is a total of 80 hours regardless of category. For example, employees do not get 80 hours for quarantine and another 80 hours for childcare unavailability. However, hours may be split between categories. An example would be an employee using 40 hours due to a quarantine and 40 hours due to a childcare closure for a total of 80 hours.

Emergency Family and Medical Leave Expansion Act (EFMLA)

Here is how EFMLA works and what the County will offer:

- In addition to EPSL, up to 12 weeks of EFMLA leave are available to full-time employees (part-time employees are eligible for a prorated amount based on their normal work schedule) who are 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. This benefit is available to **MCGEO and unrepresented employees** who have been employed with the County for at least 30 days. The first two weeks of EFMLA are unpaid. The remaining 10 weeks are paid expanded family and medical leave. Additionally, employees who have not used all of their EPSL may use any remaining EPSL hours for the first two weeks of EFMLA so that those first two weeks are also paid. Employees without remaining EPSL may use their own paid leave concurrently with the first two weeks of EFMLA to receive pay for those weeks. Specific time reporting will be provided in the bi-weekly Timekeeping Guidance Memo.
 - EFMLA shall be administered under MCPR Section 19 and Article 45, *Family and Medical Leave*, of the collective bargaining agreement between MCGEO and the County.
 - EFMLA counts towards the employee's annual FMLA eligibility.
 - In the event an employee requesting EFMLA leave has exhausted all of his or her available leave, including EPSL leave, and would be in an unpaid status for all or part of the first two weeks of EFMLA leave, MCGEO employees may apply to the Sick Leave Bank and unrepresented employees may apply for the Sick Leave Donor Program. If the Sick Leave Bank or Sick Leave Donor Program is unable to provide leave for all or part of the unpaid EFMLA leave period, the employee may request Administrative Leave, which will be reviewed on a case-by-case basis and will be liberally granted.

Retroactive Application. Employees who want the EPSL or EFMLA leave applied in lieu of annual leave, sick leave or comp leave used for the period of April 1, 2020 through July 4, 2020 can request to have their leave restored. They must notify their timecard approver in writing no later than July 31, 2020. The department must submit timecard corrections no later than August 14, 2020.