HR Roundtable Presents:
What Employers Need To Know About Covid Paid Sick/Family Leave & When Quarantine Is Required
SPEAKER:
Allison Dembeck, Executive Director in the Congressional & Public Affairs Division,
U.S. Chamber of Commerce
FEDERAL LEGISLATION

• Families First Coronavirus Response Act H.R. 6201 (FFCRA)
  ➢ Effective April 2, 2020
  ➢ Applies only to employers with less than 500 employees
  ➢ Limited to coronavirus pandemic and expires December 31, 2020
  ➢ Mandates, covered employers provide paid leave for employees affected by COVID-19 if those employees are unable to work or telework
  ➢ Two components: 2 weeks (80 hours) paid sick leave and 10 weeks paid FMLA leave
1. The employee is subject to a federal, state, or local quarantine or an isolation order related to COVID-19.

2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.

3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.

4. The employee is caring for an individual who is subject to a federal, state, or local quarantine or isolation order related to COVID-19.

5. The employee is caring for an individual who has been advised by a health care provider to self-quarantine due to the concerns related to COVID-19.

6. The employee is caring for his/her child in the event of school or daycare closure due to COVID-19, or if the childcare provider of the son or daughter is unavailable due to COVID-19 precautions.
**FFCRA RATE OF PAY**

**Paid Sick Leave:**
- The sick leave is paid at the employee’s regular rate of pay if it is due to the employee being sick or quarantined due to COVID-19, up to $511 a day and $5,110 total (10 days)
- This is reduced to 2/3 their regular rate of pay if they are caring for a family member or child whose school is closed or caregiver is unavailable with a maximum of $200 per day or $2,000 in aggregate (10 days).

**Family & Medical Paid Leave:**
- Eligible employees that must care for a child may take up to 12 weeks of leave.
- The first two weeks (10 days) of that can be unpaid (presumably the employee would be covered under paid sick-leave for those two weeks)
- After that, the employee is eligible for 10 weeks of paid FMLA
- While taking paid FMLA leave, the employee will receive 2/3 of his/her regular rate of pay up to a maximum of $200 per day or $10,000 in aggregate (50 days).
FFCRA TAX CREDITS

• Tax credits will be allowed to offset anticipated costs for both paid emergency sick leave & the FMLA leave due to COVID-19
  ➢ Employers are allowed a credit against the employer portion of Social Security taxes equal to 100% of the qualified paid emergency sick or FMLA leave
EMPLOYEE RIGHTS
PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The Families First Coronavirus Response Act (FFCRA or Act) requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

▶ PAID LEAVE ENTITLEMENTS
Generally, employers covered under the Act must provide:
Up to two weeks (80 hours, or a part-time employee’s two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:
- 100% for qualifying reasons #1-3 below, up to $511 daily and $5,110 total;
- 2/3 for qualifying reasons #4 and #6 below, up to $200 daily and $2,000 total, and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at 2/3 for qualifying reason #5 below for up to $200 daily and $12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

▶ ELIGIBLE EMPLOYEES
In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

▶ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19
An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework, 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 his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or |
| 6. | is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services. |

▶ ENFORCEMENT
The U.S. Department of Labor’s Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.

For additional information or to file a complaint:
1-866-487-9243
TTY: 1-877-889-5627
dol.gov/agencies/whd
SPEAKERS:

Jennifer Lee-Steckman, MSN, CSN, Community Health Director of Nursing

Steve Sherrard, Director of Environmental Health

Garrett County Health Department
Isolation and Quarantine Explained

Isolation: Keeps COVID-19 positive cases away from others, even in their home.
Quarantine: Keeps someone who might have been exposed to COVID-19 away from others.

I have COVID-19 but do not have any symptoms. How long is my isolation?
Answer: If you continue to have no symptoms, you can be with others after 10 days have passed since the date you had your positive test (10 days after you were tested).

I have COVID-19 with symptoms. How long is my isolation?
Answer: At least 10 days since symptoms first appeared and at least 24 hours with no fever without fever-reducing medication and other symptoms of COVID-19 are improving.

I have been in close contact to someone with confirmed COVID-19. I do not live with this person. How long is my quarantine?
Answer: 14 days, starting the day after your last exposure to the case.

I have been in close contact to someone with confirmed COVID-19. I live with this person. We have one bathroom in the house. When can I begin my quarantine?
Answer: You can begin your quarantine the day after the isolation period of the case ends. Your quarantine extends 14 days after your high-risk exposure ends.

I have been in close contact to someone with confirmed COVID-19. I live with this person. We have several bathrooms and bedrooms in the house, so the case can successfully isolate for 10 days within the home, and not expose others. When can I begin my quarantine?
Answer: If you are able to successfully isolate the case for the entire duration of the 10-day period while they are infectious, then day one of your 14-day quarantine period can begin the day after separate isolation has been arranged.

Wear masks within a household when a case is living there. Make efforts to stop the spread. This is particularly important if elderly individuals or people with chronic disease live in the home. Wash hands, clean and sanitize high touch surfaces, and keep as much distance as possible.

Call your medical provider for any symptoms that are severe or concerning to you. For more information call the COVID-19 Hotline at the Garrett County Health Department at 301-334-7698.
RESOURCES:


www.garretthealth.org


www.visitdeepcreek.com/coronavirus-updates-toolkit