



Families First Coronavirus Response Act Policy

I. Policy

It is the policy of Technology Leadership High School (School) to comply with the requirements of the Federal Families First Coronavirus Response Act (FFCRA or Act). The FFCRA provides employees with Emergency Paid Sick Leave and Emergency Paid Family and Medical Leave for those affected by the COVID-19 pandemic, from April 1, 2020 through December 31, 2020. As the Act is highly complex the purpose of this Policy is to provide compliance assurance and an overview of the rights under the Act. Any employee believing they need to take leave under this Act and Policy must work with the appropriate school staff to ensure the proper procedures are followed pursuant to the Act.

II. Paid Leave

The Act provides that covered employers must provide to all employees who have been employed for at least 30 days:

- A. Two weeks of 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:
 1. Quarantined pursuant to Federal, State, or local government order or advice of a health care provider; **and/or**
 2. Experiencing COVID-19 symptoms and seeking a medical diagnosis; **or**
- B. Two weeks up to 80 hours of paid sick leave at two-thirds the employee's regular rate of pay because the employee is:
 1. 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**
 2. Caring 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**
 3. 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**
- C. 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 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.
- D. An employee availing him or herself of this Policy may opt to use already accrued Paid Time Off to receive his or her full rate of pay during this leave.

III. **Qualifying Reasons for Leave:**

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

- A. Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- B. Has been advised by a health care provider to self-quarantine related to COVID-19;
- C. Is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
- D. Is caring for an individual subject to an order described in **(A)** or self-quarantine as described in **(B)**;
- E. 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
- F. 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 Act, 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.

IV. **Duration of Leave:**

- A. For reasons **(A)-(D)** and **(F)** in **subsection III** above: A full-time employee is eligible for up to 80 hours of **paid** leave, and a part-time employee is eligible for the number of hours of leave that the employee works on average over a two-week period.
- B. For reason **(E)** in **subsection III** above: A full-time employee is eligible for up to 12 paid weeks of **paid** leave at 40 hours a week, and a part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

V. **Calculation of Pay:**

- A. For leave reasons **(A)**, **(B)**, or **(C)** in **Section III**: employees taking leave shall be **paid** at either their regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate over a 2-week period.
- B. For leave reasons **(D)** or **(F)**: employees taking leave shall be **paid** at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate over a 2-week period.
- C. For leave reason **(E)**: employees taking leave shall be **paid** at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate over a 12-week period which includes two weeks of paid sick leave followed by up to 10 weeks of paid expanded family and medical leave.

VI. Requesting Leave:

- A. Any employee who thinks they may need to utilize paid leave under the Act should immediately inform and coordinate with the appropriate school personnel.
- B. When requesting paid sick leave or expanded family and medical leave, the Employee must provide the following information:
 - 1. Employee name;
 - 2. The date(s) for which you request leave;
 - 3. The reason for leave; and
 - 4. A statement that the Employee is unable to work because of the above reason.
 - 5. If the Employee is requesting leave because of a quarantine or isolation order or to care for an individual subject to such an order, the Employee should additionally provide the name of the government entity that issued the order.
 - 6. If the Employee requests leave to self-quarantine based on the advice of a health care provider or to care for an individual who is self-quarantining based on such advice, the Employee should additionally provide the name of the health care provider who gave advice.
 - 7. If the Employee requests leave to care for his or her child whose school or place of care is closed, or child care provider is unavailable, the Employee must also provide:
 - a. The name of the child;
 - b. The name of the school, place of care, or child care provider that has closed or become unavailable; and
 - c. A statement that no other suitable person is available to care for your child.

VII. Other Requirements:

- A. Notice.
 - 1. The School shall post in a conspicuous place on its premises a notice of FFCRA requirements;
 - 2. The School shall post on its website a notice of FFCRA requirements; and
 - 3. The School shall provide a notice of FFCRA requirements to all employees via email.
- B. Prohibitions and Penalties.
 - 1. The School may not discharge, discipline, or otherwise discriminate against any employee who takes paid sick leave under the Act and files a complaint or institutes a proceeding under or related to the Act.
 - 2. Employers in violation of the first two weeks paid sick time or unlawful termination provisions of the Act will be subject to the penalties and enforcement described in Sections 16 and 17 of the Fair Labor Standards Act. 29 U.S.C. 216; 217.
 - 3. Employers in violation of the provisions providing for up to an additional 10 weeks of paid leave to care for a child whose school or place of care is closed or child care provider is unavailable are subject to the enforcement provisions of the Family and Medical Leave Act.