

CSU Implementation of Families First Coronavirus Response Act (FFCRA) due to COVID-19 Pandemic

The FFCRA, **effective April 1, 2020 through December 31, 2020**, enacted by the federal government provides eligible employees up to 80 hours of paid sick leave when an employee is unable to work (or telework) due to qualifying COVID-19 related health reasons (below). These hours may also be used to care for a child whose school or childcare provider is closed or unavailable for COVID-19 related reasons.

The FFCRA also provides up to twelve (12) weeks of expanded family and medical leave (FML), of which ten (10) weeks are paid, when an employee is unable to work (or telework) due to caring for a child whose school or childcare provider is closed or unavailable for COVID-19 related reasons. FFCRA hours are pro-rated for employees working less than full-time. (CSU Technical Letter HR/Leaves 2020-03)

The FFCRA is distinct and separate from CPAL, TLP, and NTWL, although qualifying reasons for leave may be similar in some cases. **CPAL will normally be exhausted prior to requesting FFCRA.**

WHO IS ELIGIBLE FOR FFCRA

CSU (state) Employees eligible to request FFCRA paid leave:

- All employees are eligible for up to 80 hours paid sick time for specified COVID-19 related qualifying reasons
- All employees who have been employed for at least 30 calendar days are eligible for up to ten (10) weeks of paid family leave under expanded FMLA to care for a child for specified COVID-19 related qualifying reasons
- **EXCEPTION:** Emergency responders and health care workers are excluded from paid leave for qualifying reasons 4) and 5) below.

WHEN MAY AN EMPLOYEE REQUEST FFCRA (QUALIFYING REASONS)

Employees may only request FFCRA paid sick leave if unable to work on campus or remotely for the following qualifying reasons:

- 1) Employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- 2) Employee has been advised by a health care provider to self-quarantine related to COVID-19;
- 3) Employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
- 4) Employee is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
- 5) Employee is caring for a child whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19;
- 6) and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services. If HHS does identify any such condition, the Department of Labor will issue guidance explaining what qualifies such that an employee may take paid sick leave on the basis of a “substantially similar condition.” (No similar conditions have been specified by the publication date of the technical letter. Campuses will be informed if this occurs.)

Employee qualifies for expanded FML of up to 12 weeks only if caring for a child whose school or place of care is closed for reasons related to COVID-19. If an employee has used any of their 12-week entitlement under FMLA, the entitlement under FFCRA will be reduced by the amount of FML already used.

HOW DOES AN EMPLOYEE REQUEST AND USE FFCRA

Please contact Human Resources to for additional information on requesting FFCRA.

FFCRA Request Form (link coming soon)

The use of FFCRA will be reported through AMSS (link to AMSS reporting instructions coming soon)