



THE UNIVERSITY OF ALABAMA®

WHERE LEGENDS ARE MADE

# Introduction to New Leaves

## Presenter



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# Families First Coronavirus Response Act

The Families First Coronavirus Response Act (FFCRA) went into effect on **April 1, 2020**. [Detailed FAQs are available on the HR website.](#)

Two key provisions of the FFCRA are applicable to '*public agencies*' including The University of Alabama:

- **Emergency Paid Sick Leave Act (EPSL)**
- **Emergency Family and Medical Leave Expansion Act (EFML)**

New leave benefits expire **December 31, 2020**.



# Emergency Paid Sick Leave (EPSL)

This Act requires UA to provide employees with emergency paid sick leave hours if an employee is unable to work or telework due to reasons related to COVID-19:

- **Full-Time** = 80 hours (e.g., two weeks)
- **Part-Time** = average hours per two-week period
- **Variable Schedule** = average hours over the last 6 months

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All employees, full-time and part-time, exempt and non-exempt, are eligible regardless of length of service at UA. Emergency paid sick leave hours are available to use *immediately* upon date of hire.\*



# Employee Exclusions

**Any employee who works for an entity that is considered a healthcare provider or emergency responder is exempt from the new leave laws due to staffing needs, so the employee is *not* eligible for EFML or EPSL.**

**ALL employees in the following departments are excluded:**

University Medical Center

Student Health Center

Brewer-Porch Center

Psychology Clinic

RISE

UA Police Department

Speech and Hearing Center

Capstone Village Retirement

W&G Resource Center

Counseling Center

Collegiate Recovery

Working on Womanhood (WOW)

Marriage/Family Therapy Clinic

Autism Clinic

College of Engineering faculty and staff involved in manufacturing face masks



# What are qualifying reasons for EPSL?

- 1) Employee is subject to Federal, State, or local quarantine or isolation order
- 2) Employee has been advised by health care provider to self-quarantine
- 3) Employee is experiencing COVID-19 symptoms & seeking medical diagnosis
- 4) Employee is caring for an individual based on reasons (1) or (2) above (e.g., self-quarantine or isolation order)
- 5) Employee is caring for a son or daughter whose school or place of care has been closed, or the childcare provider of such son or daughter is unavailable due to COVID-19 reasons



## Important Definitions

“Son or daughter” is defined as biological, adopted, or foster child, stepchild, legal ward, or child of person standing in loco parentis who is either ***under 18 years of age*** or is older and “incapable of self-care due to mental or physical disability.”

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“Caring for an Individual” means the individual is unable to care for him or herself and depends on the employee for care. Such an individual may include an ***immediate family member*** or someone who ***regularly resides in your home.***



# Continuous or Intermittent Leave

EPSL for “Self Care” and “Family Care” for another individual must be used on a Continuous basis to prevent transmission of the virus.\*

Only EPSL for childcare reasons can be taken on an Intermittent basis and only in **full-day increments** (e.g., employee will be off work on Tuesdays and Thursdays to care for children).

## Request Form Question

If approved, I will need to use Emergency Paid Sick Leave for childcare needs on the following basis:

Continuous

Intermittent

\* Once an employee returns to work and a balance of hours remains, employee must experience another qualifying reason related to COVID-19 and submit new EPSL application to use the hours.



# How much will employees be paid?

Leave Reason	Pay Amount
1) Employee is subject to Federal, State, or local quarantine or isolation order	100%, max \$511 per day, \$5,110 total
2) Employee has been advised by health care provider to self-quarantine	100%, max \$511 per day, \$5,110 total
3) Employee is experiencing COVID-19 symptoms and seeking medical diagnosis	100%, max \$511 per day, \$5,110 total
4) Employee is caring for an individual based on reasons (1) or (2) above	Two-thirds regular rate of pay, max \$200 per day, \$2,000 total
5) Employee is caring for a child whose school or place of care has been closed, or the childcare provider is unavailable	Two-thirds regular rate of pay, max \$200 per day, \$2,000 total



## Supplement with Accrued Leave

At this time, employees who are approved for EPSL due to a “Family Care” reason may elect to use their accrued leave time (Annual Leave, Sick Leave, or Comp Time) to receive a **supplemental one-third of their regular rate of pay**. However, this allowance is subject to change.

Order of preference will be selected on the request form. Once selected, the order of preference may not be changed.



# Request Form & Documentation

Employee should submit [EPSL Qualtrics survey request form online](#).

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- 1) “Self-Care” Leave (Reasons #1 – 3) and “Family Care” Leave (Reason #4) must complete [DocuSign Employee Statement for Isolation/Quarantine reasons](#) listing names of government entity or healthcare provider recommending quarantine/isolation, and/or information about family member, OR
- 2) “Family Care” (Reason #5) for childcare must complete the [DocuSign Employee Statement for Childcare](#) certifying names, ages, and school or place of care for each child. *Same form applies to EFML request, so it only has to be submitted once.*



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## Employee Statement for Emergency Paid Sick Leave (EPSL) Request

*The Families First Coronavirus Response Act*



Division of  
Finance and Operations  
Human Resources

I, \_\_\_\_\_ (Print Employee Full Name), am requesting emergency paid sick leave because I am unable to work or telework due to one of the following reasons:

**I. Check only one of the reasons related to COVID-19 below:**

- (1) Employee is subject to Federal, State, or local quarantine or isolation order.
- (2) Employee has been advised by health care provider to self-quarantine.
- (3) Employee is experiencing COVID-19 symptoms & seeking medical diagnosis.
- (4) Employee is caring for an individual who is subject to a quarantine or isolation order as described in (1) or has been advised to self-quarantine as described in (2) above.

**II. Requested Start Date for Emergency Paid Sick Leave:** \_\_\_\_\_

**III. Provide a brief description in support of your request for leave based on the reason selected above:**



**V. For reasons (1), (2), or (3) above related to a quarantine order or self-quarantine advice, please provide the following information:**

- A. Name of the Governmental Entity (e.g., Federal, State or local authority) ordering you to quarantine or the name of the Health Care Provider advising you to self-quarantine:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**VI. For reason (4) above related to caring for another individual under an order or advised to self-quarantine, please provide the following information:**

- A. Name of the Individual: \_\_\_\_\_
- B. Relation to the Employee: \_\_\_\_\_
- C. Name the Governmental Entity or Health Care Provider advising the individual to quarantine:

\_\_\_\_\_

\_\_\_\_\_

**Paid Leave Duration:** Emergency Paid Sick Leave is limited to 80 hours for full-time employees (e.g., 40 hours per week) or less for part-time employees based on normally scheduled work hours per day.

**Paid Leave Amount:** Pending approval, employees will receive Emergency Paid Sick Leave subject to the following limitations. For reasons (1) – (3) "Self-Care", The University will provide paid leave calculated as **100% of your regular rate of pay** multiplied by the number of hours you would otherwise be normally scheduled to work not to exceed \$511 per day and \$5,110 in aggregate.

# Approval Timeline for EPSL

## Processing Timeline

5 Business Days	15 Calendar Days	5 Business Days
UA will send <b>eligibility notice</b> to employee	Employee will submit <b>documentation</b> to UA	UA will send <b>final decision</b> to employee

All notifications are sent **via email** to employee and copied to supervisor and HR Business Partners on COVID-19 response team.

If approved, an employee will have appropriate number of hours (maximum of 80) added to their new **EmSick** bank in Banner. For non-exempt, biweekly employees the **EmSick** leave balance will show on an employee's timesheet in eTime.



## Does EPSL balance carryover?

EPSL ends with the **first scheduled shift immediately** following the termination of the need for leave for any of the qualifying reasons related to COVID-19.

Any remaining balance may be used at a later date if an employee experiences another qualifying reason related to COVID-19 and requests EPSL again with supporting documentation.

Any unused EPSL hours will not carry over into 2021 because the FFCRA leave laws expire on **December 31, 2020**.



# EPSL Reporting

UA Human Resources is currently working with Ellucian Banner and Workforce Solutions to update the Monthly Leave Report and Biweekly Timesheet in eTime with new leave codes. Additional information will be available soon.

At this time, specific instructions will be provided to individual supervisors as an employee is approved for EPSL.

Direct questions to Sharon Hale, Senior HR Business Partner, at (205) 348-4641 or [shale@fa.ua.edu](mailto:shale@fa.ua.edu).





# EPSL: Self-Care Scenarios

	Request Date	Reason	EPSL Usage	EPSL Balance	Next steps?
A	May 1	#1 – Employee A is diagnosed with COVID-19 and under an isolation order from AL Dept. Public Health, then experiences continued complications	10 days (80 hours)	0 hours	FML for own serious health condition beginning May 15
B	May 4	#2 – Employee B had recent heart surgery and is considered “vulnerable” to COVID-19, so healthcare provider recommends self-quarantine	8 days (80 hours 4/10 shift)	0 hours	FML for own serious health condition beginning May 13
C	May 10	#3 – Employee C is experiencing COVID-19 symptoms and seeking diagnosis. Result is negative	6 days (48 hours)	4 days (32 hours)	Employee C may later request EPSL if experience another qualifying reason in 2020



# EPSL: Family Care Scenarios

	Request Date	Reason	EPSL Usage	EPSL Balance	Next steps?
D	May 6	#4- Employee D is caring for spouse during cancer chemotherapy and healthcare provider recommends spouse self-quarantine	10 days (80 hours)	0 hours	FML for family member's serious health condition beginning May 20
E	May 18	#5 – Employee E is caring for two children (age 3 and 10) because daycare and elementary school are closed thru July 1, 2020	10 days (80 hours)	0 hours	<b>Expanded FML</b> for childcare reasons beginning May 18 until places of care reopen



# Expanded Family Medical Leave (EFML)

The Act amends the Family Medical Leave Act by adding a 6th reason for leave '***Qualifying childcare need related to public health emergency***' to permit employees to take up to 12 workweeks of leave in a rolling backward 12-month period.

An employee has 12 workweeks **total** for EFML + standard FML. This new Act *does not* entitle an employee to additional time off:

- If an employee has already used a portion of their FML entitlement in the last 12 months, they will have less EFML to use (e.g., used 7 weeks for surgery, only 5 weeks remaining)
- If an employee has exhausted standard FML, then ***not eligible***.

## Who is eligible for EFML?

All employees, full-time and part-time, exempt and non-exempt who have worked for UA for ***at least 30 calendar days*** are eligible.\*

- The same definition of “son or daughter” under EPSL applies.
- The same exclusions under EPSL apply for *healthcare providers and emergency responders* in specific departments.



# What is the qualifying reason for EFML?

The employee is caring for a son or daughter whose school or place of care has been closed, or the childcare provider of such son or daughter is unavailable due to COVID-19 reasons

Employee may receive up to **14 weeks of leave** for a **qualifying childcare need** (12 weeks for EFML + 2 weeks for EPSL), assuming the employee is full-time and has the entire 12 weeks of FML entitlement remaining.

For example, an employee may elect to use:

- 2 weeks of EPSL *before* 12 weeks of EFML starts,
- 2 weeks of EPSL *during* EFML to cover 10-day unpaid period, or
- 2 weeks of EPSL *after* 12 weeks of EFML ends.



# How much will employees be paid?

EFML Period	Paid Amount
First 10 work days	<b>UNPAID*</b>
Remaining 10 workweeks	<b>Two-thirds regular rate of pay, max \$200 per day, \$10,000 total</b>

\* An employee may elect to use accrued leave or request Emergency Paid Sick Leave (EPSL) to cover this 10-day unpaid period.



## Supplement with Accrued Leave

At this time, employees who are approved for EFML for childcare may elect to use their accrued leave time (Annual Leave, Sick Leave, or Comp Time) to receive a **supplemental one-third of their regular rate of pay**. This allowance is subject to change.

Order of preference will be selected on the FML request form. Once selected, the order of preference may not be changed.



# Continuous or Intermittent Leave

EFML may be taken on a Continuous or Intermittent basis. If Intermittent leave is requested it must be used in **full-day increments** only (e.g., employee will be off work on Mondays, Wednesdays and Fridays to care for children).

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Intermittent Leave Records are required for all types of FML and must be submitted to the Benefits Office after each pay period. Forms available in DocuSign with [instructions on HR website](#):

- [Intermittent Leave Time Sheet for Exempt Employees](#)
- [Intermittent Leave Time Sheet for Non-Exempt Employees](#)





# Request Form & Documentation

Employee should complete [Family and Medical Leave Request form online](#) and select the 6<sup>th</sup> reason '***Qualifying Childcare Need related to a Public Health Emergency***'.

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- 1) [DocuSign Employee Statement for Qualifying Childcare Need](#) certifying names, ages, and school or place of care for each child, AND
- 2) Proof of **school closure or unavailability of childcare provider** (e.g., notice of closure posted on a government, school, or place of care website, newspaper article with announcement of closure, or email from school official documenting closure)



START

## Employee Statement for Expanded Family Medical Leave (EFML) or Emergency Paid Sick Leave (EPSL) for Childcare Reasons



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Human Resources

### *The Families First Coronavirus Response Act*

I, \_\_\_\_\_ (Print Employee Full Name), am requesting leave because I am unable to work or telework due to the following reason:

- Employee is caring for a son or daughter (under 18 years old) whose school or place of care has been closed, or the childcare provider of such son or daughter is unavailable.

I. Requested Leave Type:  Expanded Family Medical Leave  Emergency Paid Sick Leave

II. Requested Start Date for Leave:

III. Provide a brief description in support of your request for leave for childcare reasons:



START

**V. For requesting leave related to caring for your child(ren) due to a school closing or child care provider unavailability, please provide the following information:**

I hereby certify and affirm that my child(ren) under the 18 years of age attend the below listed school/place of care, said school/place of care is closed, or the childcare provider is unavailable, due to a public health emergency, specifically, COVID-19, and I am the only person providing care for the child(ren) because no other individual is present and available to care for them.

Child Name	Child Age	School / Place of Care
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

If one of the child(ren) listed above is **14 years of age or older**, provide a brief description of the special circumstances that exist requiring you to provide care:

**Paid Leave Duration:** Emergency Paid Sick Leave is limited to 80 hours for full-time employees (e.g., 40 hours per week) or less for part-time employees based on normally scheduled work hours per day. Family Medical Leave, including the expansion for childcare, is limited to 12 weeks per rolling 12-month period.



# Approval Timeline for EFML

## Processing Timeline

5 Business Days	15 Calendar Days	5 Business Days
UA will send <b>eligibility notice</b> to employee	Employee will submit <b>documentation</b> to UA	UA will send <b>final decision</b> to employee

Employee will receive a 'Notice of Eligibility' **via email** with copy sent to supervisor and HR Business Partners on the COVID-19 response team. Notice of Eligibility explains specific Rights & Responsibilities related to EFML.

Employee will receive a 'Final Designation Notice' **via email** with Approved or Not Approved status and other specific details.



# EFML Reporting

UA Human Resources is currently working with Ellucian Banner and Workforce Solutions to update the Monthly Leave Report and Biweekly Timesheet in eTime with new leave codes. Additional information will be available soon.

At this time, specific instructions will be provided to individual supervisors as an employee is approved for EFML.

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