



## Defense Logistics Agency Families First Coronavirus Response Act Guidance *Updated April 8, 2020*

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

**Covered Employees:** All DLA employees are covered by the emergency paid sick leave provision in the FFCRA. **However, only employees on intermittent or temporary appointments of less than one year and part-time employees without a regular tour of duty are covered by the expanded family and medical leave provisions. DLA has very few employees covered by the expanded family and medical leave provisions.**

### Emergency Paid Sick Leave Act

Under the FFCRA, a federal employee qualifies for emergency paid sick time if the employee is unable to work (or 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 a quarantine or isolation order or self-quarantine; or
5. is caring for a child under (18 years of age) whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19.

### Eligibility

Emergency paid sick leave is an additional type of sick leave and does not impact an employee's regular sick leave balance. All DLA employees are eligible by request for:

- ***Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay (capped at \$511 per day and \$5,110 in aggregate)*** where the employee is unable to work because the employee is quarantined (pursuant to federal, state, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; ***or***
- ***Two weeks (up to 80 hours) of paid sick leave at two-thirds (2/3) the employee's regular rate of pay (capped at \$200 per day and \$2,000 in aggregate)*** because the employee is unable to work due to 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 care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19.

## Documentation

Employees must request emergency paid sick leave in accordance with established leave approval procedures and submit documentation supporting the reasons for paid sick leave including:

- the employee's name;
- qualifying reason for requesting leave;
- statement that the employee is unable to work, including telework, for that reason;
- the date(s) for which leave is requested; and
- documentation of the reason for the leave is also necessary, such as the source of any quarantine or isolation order, or the name of the health care provider who advised self-quarantine.
- For childcare purposes, the following additional information is required:
  - Name of the child being cared for;
  - Name of the school, place of care, or childcare provider that is closed or unavailable;
  - Statement no other suitable person will be caring for the child during the period for which the employee takes leave.

Similar to regular sick leave requests, leave requests under this provision should generally be approved, provided the employee follows leave request procedures in accordance with this document. The same documentation retention procedures apply as regular sick leave. To the extent this new category of sick leave entitlement results in increased absenteeism, supervisors and managers should adjust workload management to apply available personnel to continue mission essential activities.

## Employee Status and Paid Sick Leave

Employees reporting to the *official worksite*:

- Must take paid sick leave for qualifying reasons related to COVID-19 in **full-day increments**;
- **Cannot take paid sick leave intermittently** if the leave is taken because the employee is:
  - Subject to a federal, state, or local quarantine or isolation order related to COVID-19;
  - Advised by a health care provider to self-quarantine due to concerns related to COVID-19;
  - Experiencing symptoms of COVID-19 and seeking a medical diagnosis; or
  - Caring for an individual who either is subject to a quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
- **May take paid sick leave intermittently** if the employee is taking paid sick leave to care for a child whose school or place of care is closed, or whose childcare provider is unavailable, because of COVID-19 related reasons. For example, if a child is at home because his/her school or place of care is closed, or child care provider is unavailable, because of COVID-19 related reasons, the employee may take paid sick leave on Mondays, Wednesdays, and Fridays to care for his/her child, but work at the normal worksite on Tuesdays and Thursdays.

Employees *teleworking*:

- May take paid sick leave for qualifying reasons related to COVID-19 in **LESS THAN** full-day increments
- May take paid sick leave intermittently for **ALL** qualifying reasons related to COVID-19.

Emergency paid sick leave may not be applied retroactively prior to the April 1, 2020 effective date. If an employee no longer has a qualifying reason for taking paid sick leave before exhausting his/her paid sick leave, he/she may take any remaining paid sick leave at a later time, until December 31, 2020, if another qualifying reason occurs.

## **Emergency and Family Medical Leave Expansion Act**

Under the FFCRA, an employee qualifies for expanded family leave if the 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.

### **Eligibility**

**Most DLA employees are NOT eligible for this provision. Only DLA employees on *intermittent or temporary appointments for less than one year and part-time employees without a regular tour of duty* who have been employed for *at least 30 days* are eligible by request for:**

- ***Up to 10 workdays of unpaid leave*** (this may be substituted with emergency paid sick leave or annual leave); and
- ***Up to an additional 10 weeks of paid expanded family and medical leave at two-thirds (2/3) the employee's regular rate (capped at \$200 per day and \$10,000 in aggregate) 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.

### **Documentation**

Employees must request expanded family and medical leave in accordance with established FMLA approval procedures and submit documentation supporting leave taken to care for a child whose school or place of care is closed due to COVID-19 related reasons. The same documentation retention procedures apply as regular FMLA leave. This requirement also applies when the first two weeks of unpaid leave run concurrently with paid sick leave taken for the same reason.

To request expanded family and medical leave, employees must submit documentation supporting the paid leave including:

- the employee's name;
- qualifying reason for requesting leave;
- statement that the employee is unable to work, including telework, for that reason;
- the date(s) for which leave is requested;
- name of the child being cared for;
- name of the school, place of care, or childcare provider that is closed or unavailable; and
- statement no other suitable person will be caring for the child during the period for which the employee takes leave.

## Employee Status

Employees reporting to the **official worksite** and **teleworking**:

- May take expanded family and medical leave for qualifying reasons related to COVID-19 in **LESS THAN full-day increments**;
- **May take expanded family and medical leave intermittently** to care for a child whose school or place of care is closed, or whose childcare provider is unavailable, because of COVID-19 related reasons. For example, if a child is at home because his/her school or place of care is closed, or child care provider is unavailable, because of COVID-19 related reasons, the employee may take expanded family and medical leave on Mondays, Wednesdays, and Fridays to care for his/her child, but work at the normal worksite on Tuesdays and Thursdays.

Expanded family and medical leave may not be applied retroactively prior to the April 1, 2020 effective date. If an employee no longer has a qualifying reason for taking expanded family and medical leave before exhausting his/her expanded family and medical leave, he/she may take any remaining expanded family and medical leave at a later time, until December 31, 2020, if another qualifying reason occurs.

## Combining Emergency Paid Sick Leave and Expanded Family and Medical Leave

Some employees may be eligible for both paid sick leave and expanded family and medical leave to care for their child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons for a total of twelve weeks of paid leave.

The Emergency Paid Sick Leave Act provides for an initial two weeks of paid leave. This period covers the first ten workdays of expanded family and medical leave, which are otherwise unpaid under the Emergency and Family Medical Leave Expansion Act unless the employee elects to use existing annual leave. After the first ten workdays have elapsed, the employee receives two-thirds (2/3) of his/her regular rate of pay for subsequent ten weeks under the Emergency and Family Medical Leave Expansion Act.

All unused emergency paid sick leave and expanded family and medical leave **expires as of December 31, 2020 and is forfeited**.

## Coding FFRCA Leave in EAGLE Time and Attendance System

Employees should ensure all emergency paid sick leave and expanded family medical leave are coded in EAGLE using Reason Code 21 (Families First – COVID 19).