

CITY OF FRAMINGHAM



Families First Coronavirus Response Act and Leave

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Policy Statement:

On Wednesday, March 18, 2020 the President signed into law the “Families First Coronavirus Response Act (FFCRA or Act)”. This 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.

Policy Description:

A. Eligible Employees:

An employee is entitled to take FFCRA leave, which is related to COVID-19, if the employee is unable to work, including unable to telework, and provides notice and sufficient documentation to the City that they meet one of the six qualifying reasons, as further defined and explained in 29 CFR 826, set forth below.

A part-time employee is eligible for leave based on the number of hours he/she is normally scheduled to work, calculated pursuant to 29 CFR 826.

B. Emergency Paid Leave Act Information:

Employees may receive up to two weeks (80 hours), or a part-time employee’s two-week equivalent, of paid sick leave based on their average regular rate of pay, as calculated under 29 CFR 826.25, paid at:

- 100%, up to \$511 daily and \$5,110 total, 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, because of a belief that the employee has COVID-19, may have COVID-19 due to known exposure or symptoms, or is particularly vulnerable to COVID-19.
 3. Employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis.
- Two-thirds, up to \$200 daily and \$2,000 total, for the following qualifying reasons:
 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 his or her child who is under the age of eighteen (18), or who is eighteen (18) years of age or older and is incapable of self-care because of a mental or physical disability, or whose school or place of care is closed (or child-care provider is unavailable) due to COVID-19 related reasons. Only if no other suitable person is available to care for the child during the period of such leave, and only unless, but for a need to care for the child, the employee would be able to perform work for the City, either at the employee's normal workplace or by telework.
 6. Employee is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

C. Emergency Family Medical Leave Act Information:

Employees who have been employed by the City for at least thirty (30) calendar days prior to the day that the employee's leave would begin, may be eligible for up to an additional ten (10) weeks of partially paid expanded family and medical leave. This will be paid at:

- Two-thirds the employee's average regular rate of pay, calculated pursuant to 29 CFR 826.25, up to \$200 daily and \$10,000 total, for the following reason:
 1. Employee is caring for his or her child who is under the age of eighteen (18), or who is eighteen (18) years of age or older and is incapable of self-care because of a mental or physical disability or whose school or place of care is closed (or child-care provider is unavailable) due to COVID-19 related reasons. Only if no other suitable person is available to care for the child during the period of such leave, and only unless, but for a need to care for the child, the employee would be able to perform work for the City, either at the employee's normal workplace or by telework.

An employee's use of Family Medical Leave Act leave during the twelve-month period under the City's Family Medical Leave Policy for other FMLA-qualifying reasons in advance of the requested expanded family and medical leave shall be deducted from the eligible period of expanded family and medical leave. For example, if an employee used his or her full FMLA leave entitlement for the birth of a child during the applicable twelve-month period, they would not be entitled to take expanded family and medical leave.

D. Process to Request Time:

If you would like to request leave under the Emergency Paid Leave Act and/or the Emergency Medical Leave Act, please contact Human Resources at (508) 532-5490 or email dhamilton@framinghamma.gov.

E. Additional Information Regarding Pensionable Monies:

PERAC has indicated that FFRCAs payments of emergency paid sick leave should be treated the same as an employee's other paid sick leave, and regular compensation should be charged for these days.

If you have any questions regarding this matter, you are welcome to contact Human Resources.