

These guidelines and procedures outline Yavapai College's response to the provisions of the Families First Coronavirus Response Act and go into effective April 1, 2020. Guidelines and procedures may be altered as federal, state, and local guidance changes in response to the emergency. The provisions of this act expire no later than December 31, 2020.

Paid Emergency Sick Leave Guideline (Emergency Paid Sick Leave Act)

ALL employees are eligible for up to 80 hours (pro-rated for part-time workers) of paid sick leave if the employee is unable to work or telework because:

1. They are subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. They have been advised by a health care provider to self-quarantine related to COVID-19;
3. They are experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. They are caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. They are 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
6. They are experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

In most cases, the hours paid under the provisions outlined in this guideline are subject to daily and aggregate caps outlined within the Families First Coronavirus Response Act and are based on an employee's base rate of pay unless daily caps limit this (see chart below).

Earned personal, vacation, and sick leave **need not** be used before paid sick time may be taken.

The provisions of this guideline apply to the position parameters in place at the original date of hire, and are not intended to extend employment provisions of an employee beyond the position parameters had the public health emergency not occurred.

For example, if an employee's normal assignment would have ended on May 15, 2020, as agreed to in the personnel action form or notice of appointment signed at the time of the appointment, the paid leave provision ends on May 15, 2020.

Paid Expanded Family and Medical Leave Guideline (Emergency Family and Medical Leave Expansion Act)

After 30 days of employment, employees are eligible for paid expanded Family and Medical Leave which provides for 12 weeks of leave when an employee is unable to work in order to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19. Only the employee or spouse may collect benefits for the same hours under this act.

The first 10 days of expanded family and medical leave are unpaid. The employee has the option of applying Paid Emergency Sick Leave or other YC provided leave options for hours during the first 10 days.

After 10 days, the employee will be paid for hours under the Paid Expanded Family Leave program at 2/3's the employee's base rate of pay with the noted caps and aggregates (see chart below).

The provisions of this guideline apply to the position parameters in place at the original date of hire, and are not intended to extend employment provisions beyond the position parameters had the public health emergency not occurred.

For example, if an employee's normal assignment would have ended on May 15, 2020, as agreed to in the personnel action form or notice of appointment signed at the time of the appointment, the paid leave provision ends on May 15, 2020.

Notes:

Employees may not tele-work or be on campus during hours using Paid Emergency Sick Leave or Expanded Family Medical Leave. This includes checking email, conducting business, or accepting customer phone calls.

Employees sheltering because they have high risk conditions who are unable to work are not eligible to take emergency sick leave as per this guideline unless ordered by a doctor to quarantine but may take YC provided sick, vacation, personal leaves.

This is a one-time allotment and cannot be cashed out if employee quits, retires, or is terminated or at program termination.

With the exception of the first 10 days of Expanded Family Medical Leave, earned personal, vacation, and sick leave may not be used to supplement payment of hours or aggregate totals claimed under the FFCRA.

PROCESS

For regular work hours, and current sick, vacation, personal, and already approved FMLA hours, employee will use the online time keeping system to submit hours as usual. Supervisor will approve hours using the normal process.

Beginning April 1, 2020 employees will enter any hours requested for emergency sick leave using link at the top of the timesheet screen.

Beginning April 11, employees may begin using expanded FMLA leave. (10-day non-paid period will have passed)

All timesheet approvals must be done by Thursday at noon of the second week of the pay period.

HR will review emergency leave submissions, determine pay amounts, review leave balances, and submit results to payroll for entry.

PROGRAM	POLICY	REASONS	# OF HOURS	RATE OF PAY	SPECIAL NOTES
CURRENT YC PROGRAMS					
YC Sick Leave	2.11	See Policy	See Policy	Base pay	May NOT be used to cover hours where work is unavailable
YC Vacation Leave	2.09	Employee Choice	See Policy	Base pay	May be used to cover hours where work is unavailable
YC Personal Days	2.14	Employee Choice	See Policy	Base pay	May be used to cover hours where work is unavailable
FMLA Leave	2.12	Employee has a serious medical condition or is caring for a family member with a serious medical condition.	12 weeks if employee meets the qualifications.	You are required to use your leave accruals (paid at base pay) if you have any while on FMLA. Unpaid once leave accruals are exhausted.	May NOT be used to cover hours where work is unavailable
FFCRA EMERGENCY PROGRAMS: Beginning April 1, 2020 and Ending by December 31, 2020 or earlier if no longer needed					
Emergency Sick Leave	HR Guideline	6 Reasons as Noted Below	Up to 80 hours for full time part-time employees are prorated.	For reasons 1,2,3 full base pay up to \$511 a day and \$5,110 aggregate. (\$63.87/hour) For reasons 4 & 6: 2/3 pay up to \$200/day and \$2,000 aggregate. (\$25/hour)	May NOT be used to cover hours where work is unavailable May not be taken intermittently except for reason #5
Expanded FMLA Leave	HR Guideline	Only for reason #5 below Must be employed for 30 days before eligible	12 weeks with the first 10 days unpaid. May use YC leave or FFCRA emergency leave to cover the first 10 days.	2/3 pay up to \$200/day and \$12,000 aggregate if emergency sick leave is used to cover first 10 days. (\$25/hour) \$10,000 aggregate (\$25/hour) if other YC leave is used or employee uses leave without pay for first 10 days.	May NOT be used to cover hours where work is unavailable May be taken intermittently.

Acceptable reasons for employee to use of Emergency Sick Leave:

1. They are subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. They have been advised by a health care provider to self-quarantine related to COVID-19;
3. They are experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. They are caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. They are 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
6. They are experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

DOL Employee Fact Sheet

<https://www.dol.gov/agencies/whd/pandemic/ffcra-employee-paid-leave>

DOL Employer Fact Sheet

<https://www.dol.gov/agencies/whd/pandemic/ffcra-employer-paid-leave>

DOL Questions and Answers:

<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>