

What L.A. County Employees Need to Know About the Federal Government's New Families First Coronavirus Response Act

Congress recently passed the *Families First Coronavirus Response Act*, which will provide new emergency paid sick leave and childcare leave for employees affected by COVID-19. It will be in effect from April 1-December 31, 2020.

The County is allowing many of its eligible employees to telework during this public health crisis. If employees are not able to work or telework due to COVID related issues, as detailed below, then this new federal benefit may be a valuable option for you to consider. **Each employee should weigh whether the income stability of teleworking while "Safer At Home" outweighs the benefit of these new federal programs.**

Here are some highlights of the new federal programs:

Emergency Paid Sick Leave (EPSL)

Eligible employees are entitled to EPSL at their regular rate of pay if unable to work or telework because:

- They are subject to a federal, state, or local quarantine or isolation order related to COVID-19;
- They have been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or
- They are experiencing symptoms of COVID-19 and are seeking a medical diagnosis.

Full-time employees are entitled up to 80 hours of EPSL. Part-time employees are entitled to the average number of hours they are normally scheduled to work over a two-week period.

All eligible employees may take EPSL and may use it prior to using other available leave time.

EPSL taken for these reasons will be capped at \$511 per day and \$5,110 in total.

Eligible employees are entitled to EPSL at two-thirds of their regular rate of pay if they are unable to work or telework because they are:

- Caring for an individual who is subject to a federal, state, or local quarantine or isolation order related to COVID-19, or who has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- Caring for their child whose school or place of care has been closed, or whose child care provider is unavailable, due to COVID-19 precautions; or
- Experiencing any other substantially similar condition as specified by federal officials.

EPSL taken for these reasons will be capped at \$200 per day and \$2,000 in total.

FMLA Public Health Emergency Leave

This new FMLA provision allows all eligible employees who have been employed for at least 30 days to take up to 12 weeks of emergency leave if they are unable to work or telework because they need to care for their child under 18 years of age:

- if their child's school or place of care has been closed due to COVID-19; or
- if their child care provider is unavailable due to COVID-19.

This emergency leave provision is a paid leave benefit after the initial two weeks (10 days) of leave. During the next ten weeks of this emergency leave, employees are entitled to two-thirds of their regular rate of pay.

The cap for the paid portion of emergency leave is \$200 per day and \$10,000 in total.

Consider Telework

During the COVID-19 crisis, the County is promoting telework as a safe and flexible option for much of its workforce. Also, the rules traditionally surrounding telework have been relaxed (e.g. childcare prohibitions, etc.). However, if based on the facts above the new Emergency Paid Sick Leave or FMLA Public Health Emergency Leave are triggered by your COVID related circumstances these benefits may be an option for you.