

Families First Paid Sick Leave and Emergency FMLA

In 2020, the Families First Coronavirus Response Act (FFCRA) provided employees with paid sick leave and the Emergency Family Medical Leave Act (EFMLA) through December 31, 2020. Further legislation extended the deadline for employers to continue to offer this leave with the most recent changes coming from the American Plan Rescue Act (APRA). Through the ARPA, employers have the option to continue to offer the Families First Sick Leave and Emergency FMLA (EFMLA) through September 30, 2021. Garrett-Evangelical Theological Seminary will continue to offer the sick leave and EFMLA. **Please note there are differing levels of pay you would receive based on your reason for taking Families First Sick Leave or EFMLA that are described below.**

Discuss your options with Human Resources

Prior to requesting Families First Sick Leave or EFMLA in ADP, you will need to contact Erin Moore, Assistant VP for Human Resources, at erin.moore@garrett.edu to determine which leave is right for you based on your situation. For EFMLA there is additional paperwork you need to complete as if you were taking regular FMLA.

Erin can guide you towards whether you are better served using the Families First Sick Leave or EFMLA or your regular sick time or regular FMLA.

As a reminder, regular FMLA is federally mandated unpaid leave for employees who have worked 12 months, at least 1,250 hours. It is meant to protect their job while out for one of the reasons described below. However, at Garrett, we provide a portion of this leave with 100% pay for the reasons highlighted in yellow below.

- for the birth and care of a newborn child of the employee;
 - for the placement with the employee of a child for adoption or foster care;
 - to care for a spouse, child, or parent with a serious health condition;
 - to take medical leave when the employee is unable to work because of a serious health condition;
- or
- for the qualifying exigencies arising out of the fact that the employee's spouse, child, or parent is on active duty or is called to active duty status as a member of the National Guard or Reserves in support of a contingency operation.

At Garrett, for staff who request FMLA for the reasons highlighted in yellow, they would first use their accrued sick time to receive 100% pay and after their sick time is exhausted then the Seminary provides them with six (6) weeks of 100% paid sick leave. Since faculty do not accrue sick time when they are out for one of the reasons highlighted in yellow, they receive 12 weeks of 100% paid sick leave.

Families First Sick Leave

Families First Sick Leave is 80 hours of sick leave for full-time employees and part-time employees are eligible for the number of hours of leave that the employee works on average over a two-week period.

- 1) Employees receive 100% of pay when they are unable to work because the employee:
 - a) is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
 - b) has been advised by a health care provider to self-quarantine related to COVID-19;
 - c) is experiencing COVID-19 symptoms;
 - d) is seeking or waiting for the results of a diagnostic test or awaiting a medical diagnosis; or
 - e) is obtaining a COVID-19 vaccine, or are recovering from any illness, injury or condition related to such vaccine (side effects). **Please note: at Garrett you do not need to request time off to be vaccinated - we are giving you that time. If you need additional time because of any illness,**

injury or condition related to such vaccine (side effects), then you should use this Families First Sick Leave.

- 2) Employees receive 2/3 of pay when they are unable to work because they have:
 - a) 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).
 - b) A bona fide need to care for a child (under 18 years of age) whose school or childcare provider is closed or unavailable for reasons related to COVID-19.
 - c) Any other substantially similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

If a staff member who has accrued sick or vacation time requests Families First Sick Leave for reasons stated in point 2 items “a”- “c,” then they can use their accrued time to make up the additional 1/3 of their pay.

Emergency FMLA

Emergency FMLA is available to both full-time and part-time employees who have worked at the Seminary for more than 30 days. It begins **only after** exhausting the Families First Sick Leave. For both full-time and part-time employees, EFMLA provides 2/3 pay up to \$200/day for up to 12 weeks (no more than \$12,000 total). A part-time employee is entitled to receive 2/3 of their pay only for the average number of hours worked per day. This average is based on their average number of hours worked during the 6 months prior to the start of their leave. If the part-time employee has not been employed for at least 6 months, the average number of hours is based on what they would normally be scheduled to work.

EFMLA can be taken if extended leave is necessary for any of the reasons included in points 1 and 2 in above in the Families First Sick Leave section. Primarily, it is taken by an employee to care for their child as the result of the child’s school closing or required remote instruction, or the closing or unavailability of the childcare provider due to COVID-19.

If a staff member who has accrued sick or vacation time requests EFMLA, then they can use their accrued time to make up the additional 1/3 of their pay.