



Leave of Absence: COVID-19

Families First Coronavirus
Response Act (FFCRA)

STEPS YOU NEED TO TAKE

Prior to going on an EFMLA leave of absence, submit the following to your Department Liaison or Human Resources Department:

- A **COVID-19 Expanded FMLA Public Health Emergency Leave (EFMLA)** form indicating leave type reasons, use of leave balances, and contact information.
- Supporting documentation from **school/childcare provider**, examples of acceptable documentation include the following: a notice that has been posted on a government, school, or day care website, or an email from the school, place of care, or childcare provider.

**For more information contact the
Human Resources Department**

Phone: 530-889-4060

Email: PCHRD@placer.ca.gov

www.placer.ca.gov



FAMILY & MEDICAL LEAVE ACT

Expanded Family and Medical Leave Act (EFMLA)

You may be entitled to up to 12 weeks of job-protected Expanded FMLA leave if you satisfy the following requirements:

- You are unable to work (or telework) due to a need to care your son or daughter under 18 years of age who's school or place of care has been closed, or who's child care provider is unavailable due to a COVID-19 emergency declared by either a Federal, State, or local authority;
- If you have not used all available FMLA leave entitlement. The EFMLA leave is a form of FMLA leave, and is not in addition to any other FMLA leave;
- If there is no other suitable person (e.g., co-parent, co-guardian, or normal childcare provider) available to care for your son or daughter during the period for which you take EFMLA leave; and
- The County did not exempt your position as either a "health care provider" or "emergency responder."

The provisions of EFMLA expire on December 31, 2020.

EFMLA Eligibility

You may be eligible for expanded FMLA leave if you meet the following criteria:

- You have been employed at Placer County for at least **30 days**
- Your child's school or place of care has been closed due to COVID-19

Once the Human Resources Department receives notification of your request for the leave of absence and supporting documentation in **Workday**, your eligibility will be determined and you will be notified by email if your EFMLA request is approved.

FMLA Time Calculated

The available 12 week period is determined by using a rolling 12 month period measured backward or forward depending on your bargaining unit from the first date leave is used. Under the rolling 12 month period, each time an employee takes leave, the remaining weeks of leave time available is the balance of the 12 weeks that has not been used during the rolling period.

Use of Leave Balances While on Leave

The **initial ten (10) days** of EFMLA leave may consist of unpaid leave. During this period, you may elect to use Emergency Paid Sick Leave (EPSL) if you have not exhausted such leave. You may also use your accrued leaves (except sick leave) to supplement the unpaid EFMLA leave in order to achieve 100% of the pay you would normally receive in a given week for working your regularly scheduled hours. Use of such accrued and unpaid leave will run concurrently with use of EFMLA Leave.

After the tenth day, and for the remaining entitlement of EFMLA leave, you will receive compensation at **two-thirds (2/3) of your regular rate of pay**, subject to a cap of \$200 per day and \$10,000 total. During this period, you are required to supplement the EFMLA leave with accrued leave balances (with the exception of sick leave) to achieve 100% of the pay you would normally receive in a given week for working regularly scheduled hours.

Intermittent time off can be taken in increments of two (2) hours or more. Employees must work a minimum of 20 hours per week when taking intermittent time off. The employee and the department should work together to develop a schedule for intermittent leave that allows the employee to take the leave when reasonable but still meets the needs of the department. If taking **EFMLA intermittently**, you will utilize COVID-19 intermittent time off codes on your timesheet to supplement the 2/3 pay portion.

Sick leave, vacation and service hour accruals will not be applied to the 2/3 pay portion of the EFMLA leave.

EFMLA Exclusions

The FFCRA legislation recognizes the need to maintain critical services and defines those who may be excluded as:

Anyone who serves as a law enforcement officer, correctional institution personnel, physician, nurse, public health personnel, emergency management personnel, 911 operator, child welfare worker and service provider, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency, as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility.

Placer County deemed the need to exclude health care providers and emergency responders from the extended leave associated with EFMLA to ensure public health, public safety, and continuity of these critical operations. Therefore, not all employees are eligible for EFMLA if their job classification within their department meets the exclusion criteria for EFMLA, as determined by their Department Head.

Benefit Premiums

You will continue to be responsible for your normal **employee share** of premium costs while on a leave of absence. Your premiums will be paid through the payroll process and all your benefits remain intact when you are in a **paid status** using your leave accruals. If you are off payroll in an **unpaid status**, you will still be responsible for your normal **employee share** of premium costs and will be billed through Revenue Services.

If you are in an unpaid status, **Management**, or **District Attorney/Child Support Attorney Leave**, which is earned on a pro-rated basis, will be re-calculated and may require pay back of a portion of the hours.

