SUMMARY OF AVAILABLE LEAVES OF ABSENCE IN THE CURRENT PANDEMIC

Employee Services is providing the below information regarding leaves to assist employees with their questions. Please know that the information is subject to change based on legislative acts that may be enacted in the future.

In addition to the leave provisions in a staff member's collective bargaining agreement (or District leave benefit in the case of an unrepresented staff member), the following leave provisions are available as provided by law under the circumstances of the current COVID-19 pandemic:

Family Medical Leave Act (FMLA)
Unpaid leave for up to 12 weeks if the employee has a "serious health condition" or is caring care for a family member with the same.

Emergency Family Medical Leave Expansion Act (EFMLEA)
Partially paid leave for an employee caring for his/her child where the childcare facility or school has been closed or the childcare provider is unavailable and no other suitable person is available to care for the child. An employee is entitled to a maximum leave of up to 12 weeks, with the first 10 days of leave being unpaid and the remainder of the time being paid at a rate 2/3 of the employee's regular rate of pay for the number of hours normally worked, with caps of $200 per day and $10,000 in the aggregate. Eligible employees may elect to substitute accrued vacation, sick, or other PTO for the unpaid portion of the Emergency Family Medical Leave.

Emergency Paid Sick Leave Act (EPSLA)
Paid leave for up to 80 hours if the employee is unable to work (or telework) for any of the following reasons related to COVID-19:

1. The employee is subject to a legal quarantine or isolation order
2. The employee has been advised by a health-care provider to self-quarantine
3. The employee is symptomatic and seeking a diagnosis
4. The employee is caring for a person described in Reason 1 or 2
5. The employee is caring for a son or daughter whose school or day care is closed or child-care provider is unavailable due to COVID-19 precautions, or
6. The employee is experiencing any other substantially similar condition specified by the Secretary of HHS

Full-time employees entitled to this form of leave are entitled to 80 hours of leave at the greater of their regular rate of pay or minimum wage under the Fair Labor Standards Act (FLSA) capped at $511 per day and $5,110 in the aggregate for reasons 1-3 above, and $200 per day and $2,000 in the aggregate for reasons 4-6 above. Part-time employees generally get the number of hours worked, on average, over a 2-week period.

Americans with Disabilities Act (ADA)
Under the ADA employers are required to provide reasonable accommodations to employees who have a disability, which could potentially include a temporary leave. The District reviews each reasonable accommodation request on a case-by-case basis.

If you have any questions, please feel free to contact me at Julia.butler@romeok12.org.

Sincerely,

Julia Butler

Julia Butler
Director of Employee Services