



Families First Coronavirus Response Act FAQs

NEW! School Openings (see page 3)

EXAMPLES: View [Families First Act Examples](#) (such as COVID-19 symptoms, a sick spouse, childcare issues, reduction in work hours, etc.) and the type of leave you can take for each.

Overview

What is the federal Families First Coronavirus Response Act?

This Act is the Congressional response to coronavirus (COVID-19), designed to provide free COVID-19 testing, paid sick leave, and an expansion of the current Family & Medical Leave Act (FMLA). Provisions for Emergency Paid Sick Leave and Emergency Family & Medical Leave Act Expansion pay begin on April 1, 2020 and expire on December 31, 2020. The Appointing Authorities are providing these benefits to employees as outlined below.

IMPORTANT: The leave provisions in the Act are effective on April 1, 2020 and cannot be used retroactively.

Emergency Paid Sick Leave

Eligibility - Full-time employees will receive up to 80 hours of Emergency Paid Sick Leave, and part-time employees a prorated amount, if they are unable to work (or telework) to be used for the following reasons:

1. The employee is subject to a Federal, State or local quarantine or isolation order related to COVID-19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis.
4. The employee is caring for an individual who is subject to an order as described in (1) or has been advised as described in (2).
5. The employee is caring for a son or daughter, who is under the age of 18 years, if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions.
6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health & Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Pay Rate - The employee will be paid at their regular pay rate.

Intermittent Leave Permitted – Although not required by the Act, in certain circumstances (such as teleworking and caring for children), employees may use Emergency Paid Sick Leave intermittently rather than being required to use all 80 hours consecutively. This requires management approval.

Documentation

- **OPUS Leave Request:** Enter a leave request in OPUS using the code *CoViD Leave* for the *Absence Type*.
- **OPUS Timecard:** Enter the code *CoViD19-Self* or *CoViD19-Other Care* for the *Hours Type*. See [Timecard Hours Codes](#) for more information.
- **Doctor's Note:** A doctor's note will not be required for granting requested absences when an employee is using emergency paid sick leave.
- **Return to Work Note:** Appointing Authorities have the discretion to require a return to work note or not.
- **Payslip:** If you use this leave to care for others, there will be two codes on your payslip. The Families First Act limits sick leave for the care of another to 2/3 of the regular rate, with a daily cap of \$200 per day so the 2/3's is indicated by the payslip code *CoViD19 Other Care*. The Pinellas County Appointing Authorities unanimously decided to pay 100% of an employee's regular pay rate so the 1/3 of the regular rate is indicated by the payslip code *CoViD19 Other Care Pinellas*.

Unused Emergency Paid Sick Leave

When does the additional paid sick leave expire?

The hours placed into the employee's Emergency Paid Sick Leave bank may be used for the remainder of the current calendar year. While not required by the Act, the Appointing Authorities are anticipating, barring any changes or extensions to these Acts, that after the end of the 2020 calendar year, unused Emergency Paid Sick Leave hours will be rolled over to become regular "annual leave" hours for employees who were employed on April 1, 2020 and are still employed when the leave rolls over. Otherwise the unused Emergency Paid Sick Leave hours will expire on December 31, 2020.

If I separate from employment, will I be paid out for unused Emergency Paid Sick Leave?

No. If an employee terminates employment before the end of the current calendar year, they will not be paid for unused Emergency Paid Sick Leave hours.

Emergency Family & Medical Leave (FMLA)

Eligibility - Employees who have been employed for at least 30 calendar days by the County will be eligible to take up to 12 weeks of job protected FMLA leave because an eligible employee is unable to work in order to care for a child (under 18 years of age) whose school (primary or secondary, not beyond grade 12) or paid child care provider is closed or unavailable for reasons related to COVID-19.

Pay Rate - The employee will be paid at the rates specified in the Act as outlined below:

- The first 10 days of leave may be unpaid. During this initial 10 days of the leave, an employee may elect to use accrued annual leave, floating holidays, personal days, or Emergency Paid Sick Leave.
- Paid leave for subsequent days is 2/3 the employee's regular rate of pay for the number of hours the employee would otherwise be scheduled to work. In no event shall such paid leave exceed \$200 per day and \$10,000 total. The employee may supplement with annual leave hours, floating holidays, personal days, or Emergency Paid Sick Leave if

desired. For assistance in calculating the annual leave time needed to supplement, utilize the [Supplemental Time Calculator](#). *NOTE: The Appointing Authorities have agreed to set the minimum pay rate at \$12.50/hr. after the 2/3 calculation.*

Intermittent Leave Permitted – Although not required by the Act, employees are permitted to use intermittent leave for the Emergency Family & Medical Leave.

How to apply – Complete the [Emergency FMLA Expansion Application Form](#).

Documentation – IMPORTANT: Do not use COVID codes until your Emergency Family and Medical Leave is approved by The Standard:

- **OPUS Leave Request:** Enter a leave request in OPUS using the code *CoViD Leave* for the *Absence Type*.
- **OPUS Timecard:** Enter the code *CoViD19 FMLA* or *CoViD19 FMLA LWOP* for the *Hours Type*. See [Timecard Hours Codes](#) for more information.
- **Doctor’s Note:** Provide any required documentation to The Standard which is our FMLA administrator
- **Return to Work Note:** None needed

What if I have already taken regular FMLA leave this year?

Employees are not entitled to an extra 12 weeks in addition to any regular FMLA already taken in this calendar year.

School Openings (NEW)

Can I use Emergency Paid Sick Leave or Emergency Family & Medical Leave now that schools are opening?

You may use emergency leave time only if your child’s elementary or secondary school, day care or childcare provider is closed or unavailable due to COVID-19, as shown below:

| Scenario | Eligible for Emergency Paid Sick Leave or Emergency Family & Medical Leave? |
|---|---|
| School is closed or virtual only | Yes |
| School is open, but I don’t feel comfortable sending my child | No |
| School is either in-person or virtual, and I choose virtual | No |

School Closures

How is the time period for school closures determined?

The Families First Coronavirus Response Act applies if elementary or secondary schools, day cares or childcare providers are closed or unavailable due to COVID-19 precautions. This can be because of an order from the Governor or from local authorities. The Act applies to all elementary or secondary schools, public or private. This also applies if instruction has been moved online or virtual due to COVID-19.

Reduced Work Hours

If my employer reduces my scheduled work hours, can I use paid sick leave or expanded family and medical leave for the hours that I am no longer scheduled to work?

No. If your employer reduces your work hours because it does not have work for you to perform, you may not use paid sick leave or expanded family and medical leave for the hours that you are no longer scheduled to work. This is because you are not prevented from working those hours due to a COVID-19 qualifying reason.

You may, however, take paid sick leave or expanded family and medical leave if a COVID-19 qualifying reason prevents you from working your full schedule. If you do, the amount of Emergency Paid Sick Leave to which you are entitled is computed based on your work schedule before it was reduced.

If work hours are reduced, and then I get quarantined, get sick, or my kids are out of school and I have to take care of them, can I use either provision of the Act?

Yes, you can, and the hours that we consider (for the Emergency Paid Sick Leave) are the hours before your schedule was reduced.

Employee Spouses

What happens if a husband and wife both work for Pinellas County Government, are they both eligible to be paid for leave time when schools are closed, and they have children under 18 who are enrolled in primary or secondary school?

Yes, both spouses will be entitled to Emergency Paid Sick Leave and Emergency Family & Medical Leave pay if schools are closed.

Grandparents

Do grandparents qualify under this program?

Yes, The Emergency Paid Sick Leave applies to employees who are taking care of an individual who is subject to a quarantine under governmental order, isolation under medical advice, or has symptoms of COVID-19.

Can grandparents receive this benefit if they care for grandchildren?

Yes, if a grandparent has day-to-day responsibilities to care for or financially support a grandchild (they are acting in loco parentis) under the age of 18 and a primary or secondary school or day care is closed due to COVID-19, they would qualify for both Emergency Paid Sick Leave and Emergency Family & Medical Leave pay.

Taxation

Is the pay under the Act pensionable and taxable?

Yes. Emergency Paid Sick Leave and Emergency Family & Medical Leave pay are subject to pension and taxes, just like your wages.

Questions

Who should I call if I have more questions?

Please contact Benefits at (727) 464-4570 or employee.benefits@pinellascounty.org.