

## Families First Coronavirus Response Act (FFCRA) FAQs

### General FFCRA Questions

#### 1. What does FFCRA stand for?

FFCRA is an acronym for the [Families First Coronavirus Response Act](#). This act placed provisions for Emergency Paid Sick Leave and Expanded Family Medical Leave from April 1, 2020, through December 31, 2020, due to COVID-19.

#### 2. What are the two different types of leave granted under FFCRA?

- Emergency Paid Sick Leave (EPSL) under the Emergency Paid Sick Leave Act
- Expanded Family and Medical Leave (E-FMLA) under the Emergency Family and Medical Leave Expansion Act

#### 3. Under FFCRA, how will available leave be determined for employees?

Full-time employees will be eligible to request two (2) weeks (prorated for part-time employees) of paid FFCRA Emergency Paid Sick Leave (EPSL).

All employees who have been employed at UVU for at least 30 calendar days (prior to the commencement of the leave) will be eligible to apply for [FFCRA Expanded Family Medical Leave \(E-FMLA\)](#). Full-time employees are eligible for up to 12 weeks of leave under E-FMLA (the first two weeks are unpaid, followed by up to 10 weeks of leave at 2/3 pay). Part-time employees are eligible for this leave on a pro-rata (proportional) basis (based on average hours worked).

Eligible employees may substitute accrued vacation or personal leave to cover time not paid under E-FMLA.

FFCRA leave options are in addition to any accrued UVU leave. Departments are responsible for the costs associated with these payments.

E-FMLA will run consecutively with regular FMLA and is subject to available FMLA balance entitlements (12-week maximum in a rolling 12-month period).

#### 4. When will the University implement the new FFCRA?

The FFCRA was signed into effect on April 1, 2020, and the University will implement the FFCRA in accordance with the law as of April 16, 2020.

#### 5. How will the University handle employees who have been out and/or unable to work prior to 4/16/2020?

Employees who have currently been out and/or unable to work due to a qualified reason under FFCRA will transition from entering COVID-19 time in TIMS to entering Emergency

Paid Sick Leave (up to 10 days) in TIMS. Any time needed beyond this would be subject to a leave request and the employee's personal accrued leave balances or docked pay.

**6. How will employees submit time under FFCRA for Emergency Paid Sick Leave and Expanded Family Medical Leave?**

Employees will submit the [UVU Leave of Absence Request Form](#) through the HR Benefits Service Center Leave Site within MyUVU.

Once reviewed, communication from HR will be sent to the employee and their supervisor regarding eligibility and how to record time during FFCRA for Emergency Paid Sick Leave (EPSL) or Expanded Family Medical Leave (E-FMLA):

- Full-time employees will submit FFCRA as leave time within TIMS
- Part-time employees will submit COVID-19 time within TIMS

**7. Will sick leave pools be available for COVID-19 related leave?**

With the addition of the paid leave options available under the FFCRA and the paid leave options available through the University, sick leave pools will not be approved for COVID-19-related leave requests.

**Emergency Paid Sick Leave (EPSL)**

**8. What are the six (6) qualifying reasons an employee can request Emergency Paid Sick Leave?**

Ten (10) days of Emergency Paid Sick Leave can be approved under the following six qualifying reasons:

1. Federal, state, or local quarantine order
2. Advised by a health care provider to self-quarantine related to COVID-19
3. Experiencing COVID-19 symptoms and seeking medical diagnosis
4. Caring for an individual regarding 1-3 above
5. Caring for a child whose school or childcare is unavailable related to COVID-19
6. Experiencing any other substantially similar condition specified by the U.S. Department of Health

**9. How many times can an employee request Emergency Paid Sick Leave (EPSL)?**

Employees are eligible for a maximum of two weeks (a part-time employee's two-week equivalent). Employees may be eligible for additional leave under Expanded Family Medical Leave (E-FMLA), with a leave request being required.

**10. Can Emergency Paid Sick Leave (EPSL) be taken intermittently?**

Due to the various qualified reasons behind EPSL (quarantines, illness, etc.), EPSL would be taken consecutively.

### Expanded Family Medical Leave Under E-FMLA

**11. What are the qualifications to take Expanded Family Medical Leave under E-FMLA?**

- An employee must have worked for the University for at least 30 days
- Taking leave to care for a child whose school or place of childcare is unavailable for reasons related to COVID-19

**12. How much leave is available to an employee who requests Expanded Family Medical Leave (E-FMLA)?**

- An employee is eligible for up to 12 weeks of leave
- The first two (2) weeks are unpaid
- Ten (10) weeks of 2/3 pay

**13. Can an employee use personal leave to cover the first ten (10) days of unpaid E-FMLA?**

Yes, an employee can request to subsidize the first ten (10) days of E-FMLA with vacation, personal, or Emergency Paid Sick Leave (if available). An employee may not use personal accrued sick leave to supplement time under E-FMLA.

**14. After the first two (2) weeks of unpaid E-FMLA, employees are eligible for 10 weeks of leave at 2/3 pay. Can an employee request to use personal leave to supplement the 1/3 pay not covered under E-FMLA?**

Yes, an employee can request the use of 1/3 vacation or personal time to cover lost pay that E-FMLA does not cover. An employee may not use personal accrued sick leave to supplement time under E-FMLA.

**15. Can an employee take intermittent E-FMLA to care for a child whose school or daycare is closed?**

While leave may be used on an intermittent basis as needed (up to max entitlements), E-FMLA must be taken in continuous week block intervals (40 hours for full-time employees/ for part-time employees the weekly equivalent).

### Additional Leave and Benefits

**16. Will benefited employees continue to accrue annual and sick leave for hours submitted under the FFCRA?**

Accrued leave may be prorated.

**17. Will a benefited employee's health insurance coverage continue while an employee is on approved FFCRA leave?**

Yes, health insurance will continue, and employee premiums will continue to be deducted while on approved FFCRA leave.

**18. What happens if an employee does not qualify for FFCRA leave or has exhausted leave and is not able to work due to campus closures?**

If an employee has no accrued leave available, supervisors are encouraged to work with the employee, as possible, to identify alternative remote work assignments. If no alternative work is possible, COVID-19 time may be approved (based on [University guidance](#)).

**19. What is COVID-19 time, and when is it used?**

COVID-19 time is paid leave available to certain employees designated as Category 3 in respect to the [COVID-19 Special Protocol Guidance](#). Before COVID-19 time may be used, the employee must first use any FFCRA paid leave.

**20. How do we pay a non-benefited employee whose hours are reduced or eliminated but the employee isn't eligible for any FFCRA leave category (i.e., no kids, no sickness, no COVID-related issues, no stay-at-home order)?**

Leaders are reminded to contact Human Resources regarding alternative work assignments for displaced full-time staff, part-time staff, and student employees. As UVU continues to operate under modified conditions, employees designated as Category 3 will continue to receive pay through May 31, 2020, in accordance with the COVID-19 [Guidance for Nonexempt Full-Time and Part-Time Staff and Student Employees](#). Departments are responsible for the costs associated with these payments.

**21. Will the University pay an employee who chooses to travel internationally or to another state during the travel ban?**

Employees should adhere to all travel guidance provided by the CDC, the State of Utah, and their local health department and local government authorities. Currently, both federal and state governments have directed individuals to avoid discretionary travel. Employees who choose to personally travel to areas where there are high rates of infection need to plan to be self-isolated upon their return for up to 14 days. If the employee is unable to telework, they will need to use any paid leave under FFCRA or personal accrued leave to the extent eligible during a period of self-isolation. However, no COVID-19 time will be approved for use in instances where employees disregard travel restrictions or travel guidance.

**22. Can an employee work remotely outside the state of Utah?**

In accordance with the [Out-of-State Performance of Primary Work Duties Guideline and Protocol](#), due to employment, compensation, and payroll tax laws, all work (including telecommuting) must be done within the state of Utah.

**23. Can departments reimburse employees for internet or phone expenses while teleworking during this crisis?**

Employees are responsible for providing space, printing, networking, and/or internet capabilities at the telecommute location (per the temporary remote work agreement) and shall not be reimbursed by UVU for these or related expenses. Employees may be eligible for cell phone plan reimbursement in accordance with UVU Policy 329.

**24. Is UVU instituting a hiring freeze or budget cuts?**

Due to the uncertain fiscal environment, UVU has implemented [Temporary Human Resource Guidelines](#) and [Temporary Financial Resource Management Guidelines](#) to address the short-term financial challenge and maximize the long-term fiscal flexibility of the University and individual departments.

**Returning to Work****25. How is the University going to handle employees returning to work?**

Employees who have been out due to illness will need to be screened by Risk Management per Utah Health Department protocols. If deemed appropriate, the employee will be released to return to work. If the employee is deemed unable to return to work, leave submission under FFCRA would apply (if applicable) or personal accrued leave.