The Families First Coronavirus Response Act and the Emergency Paid Sick Leave Act both went into effect on April 1, 2020. Both laws provide employees with paid sick leave and/or expanded medical leave for specified reasons related to COVID-19.

Families First Coronavirus Response Act (FFCRA)

Full-time and part-time employees who have been on FAU’s payroll for 30 calendar days are eligible for the FFCRA. This applies to Faculty, AMP, SP, OPS, Postdoctoral, and student employees. There are some exceptions for health care providers and emergency responders.

Eligible employees are entitled to take up to 12 weeks of FMLA leave when an employee is unable to work (or telework) to care for a minor child if the child’s school or place of child care has been closed or is unavailable due to a public health emergency.

Please note that the first 10 days are unpaid, but an employee can substitute accrued paid leave, including emergency paid sick leave. The remaining 10 weeks are paid at 2/3 of the full-time employee’s regular rate, or the number of hours the part-time employee would otherwise be scheduled to work (with a maximum payment of $200 per day and $10,000 total).

Emergency Paid Sick Leave Act (EPSLA)

The EPSLA is immediately available to eligible employees. This applies to Faculty, AMP, SP, OPS, Postdoctoral, and student employees. There are some exceptions for health care providers and emergency responders.

Employers are required to provide up to 80 hours of paid sick leave to an employee who is unable to work or telework because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
2. has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis.
4. is caring for an individual who is subject to an order as described in (1) or self-quarantine as described in (2).
5. is caring for a child whose school or place of care is closed (or childcare provider is unavailable) due to COVID-19 related reasons; or
6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

Employees who take leave for reasons (1), (2), or (3) are entitled to full, regular pay for the leave period; however, a cap of $511 per day and $5,110 in total applies (over a 2-week period).

Employees who take leave for reasons (4) or (6) are entitled to 2/3 of their regular pay, subject to a cap of $200 per day and $2,000 in total (over a 2-week period).
Employees who take leave for reason (5) are entitled to 2/3 of their regular pay, up to $200 per day and $12,000 in total (over a 12-week period).

- The University has decided to allow employees to use their sick or annual leave to make up any difference in pay while on COVID-19 related leave.

- Emergency Paid Sick Leave can be used intermittently while working remotely; however, eligible employees must work with their supervisor to devise an alternate work schedule.

- Once employees have exhausted the 80 hours of Emergency Paid Sick Leave and cannot work on site or telework remotely, employees should use their accrued leave (annual and sick). If employees have exhausted their accrued leave or do not earn accrued leave, they will be unpaid.

You may apply on Workday by Creating a Request and selecting COVID-19 Leave Form. There is a job-aide located in Workday. Please check our website for updates. You may also reach out to emprels@fau.edu with additional questions or call at 561-297-0319.

Link to DOL Employee Rights Poster

For frequently asked questions, please see the Department of Labor resources at https://www.dol.gov/agencies/whd/pandemic.