



Human Resources

UNIVERSITY OF CENTRAL FLORIDA

Families First Coronavirus Response Act Emergency Paid Sick Leave & Emergency FMLA

The federal Families First Coronavirus Response Act (the "Coronavirus Response Act") was recently passed by Congress and is effective April 1, 2020 through December 31, 2020.

In order to comply with the Coronavirus Response Act, UCF has established the following leave procedures. These procedures are temporary, and will expire on December 31, 2020, or as otherwise dictated by law.

Emergency Paid Sick Leave (EPSL)

The Coronavirus Response Act created a new form of paid sick leave called Emergency Paid Sick Leave (EPSL) for certain leave events related to COVID-19.

Eligible Employees

Full-time and part-time employees are immediately eligible to use EPSL, with the exception of federal work study students.

Reasons for Using Leave

EPSL may be used if the employee is unable to work (including remote work) for the following reasons:

1. To comply with 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 seeking a medical diagnosis;
4. To care for an individual who is subject to an order as described in (1) above or has been advised as described in (2) above;
5. To care for the employee's son or daughter if a school or place of care is closed, or the childcare provider is unavailable, due to COVID-19 precautions; or
6. The employee is experiencing any other substantially similar condition as specified by the designated Federal agencies.
 - a. Note: We expect guidance to be issued by the Secretary for Health and Human Services regarding what may qualify as a "substantially similar condition." So far, no such guidance has been issued.

Amount of Leave

Full-time employees are eligible for eighty (80) hours of EPSL. Part-time employees are eligible for EPSL based on the average number of hours they work within a two-week period. If you are a part-time employee and have a question about your average hours, please contact your college or division HR lead.

Pay Rate

EPSL will be paid at the employee's regular rate of pay, as determined under the Fair Labor Standards Act (FLSA).

Notice

Employees using EPSL should provide reasonable notice of the need for leave in coordination with their department leave practice. Employees using EPSL must provide the reason for leave, and after the day EPSL leave is first taken the department may request reasonable documentation to support the request for leave.

Termination of Leave

EPSL shall cease beginning with the employee's next scheduled work shift immediately following the termination of the need for EPSL as described above. EPSL will not carry over from one year to the next or be paid out upon separation for any reason.

Emergency FMLA

The Coronavirus Response Act also added a new reason for employees to take FMLA leave in relation to the current COVID-19 pandemic. FMLA remains subject to the same twelve (12) workweek limit, counting any amounts of FMLA leave already used in the current leave year.

Eligible Employees

Employees (with the exception of federal work study students, law enforcement officers, dispatchers, and certain health care providers*) who have been employed for at least thirty (30) calendar days may qualify for emergency FMLA leave.

**Contact the Leave Administration section for specific eligibility information:*

loandworkcomp@ucf.edu.

Reasons for Using Leave

Emergency FMLA leave can be used when an employee is unable to work (or work remotely) due to caring for the employee's son or daughter, under age 18, if the son or daughter's school or place of child care has been closed, or the child care provider is unavailable. This must be the result of a COVID-19 related emergency declared by Federal, State, or local authority.

Other Paid Leave Policies

The first ten (10) days of emergency FMLA leave will be unpaid unless the employee has another form of paid leave available and elects to use that paid leave. The employee may use EPSL for the first 10 days.

Pay Rate

After the first ten (10) days, eligible employees taking emergency FMLA leave will be entitled to pay at two-thirds (2/3) of their regular rate of pay, as determined under the FLSA, for the number of hours that the employee would normally be scheduled to work, capped at \$200/day and \$10,000 in the aggregate for the entire emergency FMLA leave period.

Supplementing Pay Rate

An employee may elect to supplement the two-thirds pay rate by using accrued and available paid leave time concurrently with emergency FMLA leave.

Notice

Employees who need to request emergency FMLA leave should provide reasonable notice of the need for leave to the Human Resources Leave Administration section by completing the Emergency Family & Medical Leave (E-FMLA) Leave Request Form, which is available on the Human Resources website under the A-Z index. Questions should be addressed to loandworkcomp@ucf.edu.

Termination of Leave

Paid emergency FMLA leave will continue until the employee has exhausted their twelve (12) workweek entitlement or the reason for using leave ends.

FMLA Administration

All administrative provisions of the UCF FMLA processes relating to such issues as notice, certification, and reinstatement continue to apply to emergency FMLA leave.