



Families First Coronavirus Response Act (FFCRA)

The Families First Coronavirus Response Act (FFCRA) requires certain employers, including Orange County Government, to provide their employees with Emergency Family and Medical Leave, as well as Emergency Paid Sick Leave, for specified reasons related to COVID-19.

These provisions will apply from April 1, 2020 and will continue through December 31, 2020. Employees may utilize two new benefits passed by this emergency Federal legislation.

1. Emergency Family and Medical Leave Expansion Act (EFMLEA)	
Leave Benefit	<ul style="list-style-type: none"> EFMLEA provides 12 weeks of job-protected leave when the employee is unable to work or telework due to childcare needs.
Minimum Length of Employment for Eligibility	<ul style="list-style-type: none"> Employees who have been employed with the County for at least 30 days are eligible for this leave.
Provisions for Leave for Childcare	<ul style="list-style-type: none"> EFMLEA allows employees to use leave for the purposes of childcare as a result of COVID-19. The child or children must be younger than 18 years of age. An adult child may also qualify if the child has a disability or is incapable of self-care.
2 Weeks Waiting Period	<ul style="list-style-type: none"> There is a 2 week waiting period before the benefit begins. During this 2 week period, an employee may choose to take emergency paid sick leave (if eligible), leave without pay or elect to use Personal, Vacation, Term, Sick, Old Sick Leave and/or Floating Holiday, if applicable.
Partially Paid Leave	<ul style="list-style-type: none"> Once an employee has fulfilled the 2 week waiting period, payment is two-thirds (2/3) of his or her regular rate of pay up to a maximum of \$200 per day or an aggregate maximum of \$12,000. Employees may use their Personal, Vacation, Term, Sick Old Sick Leave and/or Floating Holiday, if applicable, to make up the difference in pay.
Family and Medical Leave (FML) Eligibility	<ul style="list-style-type: none"> An employee is only entitled to 12 weeks of FML in total during a 12-month period. If an employee has already exhausted the 12 weeks of FML during this 12-month period, he or she will not be entitled to any additional leave under EFMLEA during this same period.
Intermittent Leave	<ul style="list-style-type: none"> If employees have not exhausted their FML time, they may be eligible to take their leave intermittently, to include the two week waiting period. However, the leave must be taken in full-day increments.
Request Process	<ul style="list-style-type: none"> Employees should complete the EFMLEA Leave request form if they wish to apply for this benefit, which goes into effect on April 1, 2020, and submit it to their HR representative.

2. Emergency Paid Sick Leave (EPSL)

Leave Benefit	<ul style="list-style-type: none"> • One time benefit of up to 80 hours (consecutive) over a two-week period of EPSL is available to all employees if the employee is unable to work or telework due to COVID-19 related reasons. • For part-time employees who work a consistent schedule, pay will be based on the average number of hours worked over a two-week period not exceeding 80 hours. • For part-time employees who have a varied schedule, pay will be based on the average number of hours per week not exceeding 80 hours over the past six months. • Employees are not required to use other sources of leave before using the EPSL.
Call-in Procedure	<ul style="list-style-type: none"> • Employees are required to follow normal departmental call-in procedures, as well as inform their supervisor when requesting to use regular accrued leave or EPSL. • Employees should state the reason for emergency leave and also specify the associated category of leave.
Emergency Paid Sick Leave - Self-Care	<ul style="list-style-type: none"> • The EPSL is paid at an employee's regular rate of pay, up to \$511 per day or up to a maximum total compensation of \$5,110, and includes leave where the: <ul style="list-style-type: none"> ■ employee received a Federal, State or local quarantine or isolation order. ■ employee's health care provider recommends self-quarantine. ■ employee is experiencing symptoms and self-quarantines while awaiting a diagnosis.
Emergency Paid Sick Leave – Care of Others	<ul style="list-style-type: none"> • The EPSL is paid at two-thirds of the employee's regular rate of pay up to \$200 per day or up to a maximum total compensation of \$2,000 for leave due to: <ul style="list-style-type: none"> ■ care of another who is under Federal, State or local ordered quarantine or isolation. ■ any other substantially similar condition as specified by the Secretary of the Federal Department of Health and Human Services. ■ care for child or children younger than 18 years of age or an adult child who is incapable of self-care when school, daycare or care provider is unavailable due to COVID-19.
Request Process	<ul style="list-style-type: none"> • Employees should complete the EPSL request form if they wish to apply for this benefit and submit it to their Manager or Designee.

In addition to, or instead of, the above emergency Federal leaves, employees who are unable to work or telework may take County accrued leave as follows:

Situation	Leave Type That May Apply
Employee is ill.	<ul style="list-style-type: none"> • Personal/Vacation Leave, Term Leave, Sick, Old Sick Leave or Floating Holiday, if applicable • May also qualify for FMLA and/or Leave Bank
Employee is caring for an ill, eligible family member.	<ul style="list-style-type: none"> • Personal/Vacation Leave, Term Leave, Sick, Old Sick Leave or Floating Holiday, if applicable • May also qualify for FMLA and/or Leave Bank
Employee's childcare/school was closed by order of a public official for an eligible child.	<ul style="list-style-type: none"> • Personal/Vacation Leave, Term Leave, Sick, Old Sick Leave or Floating Holiday, if applicable
Employee received a Federal, State or local quarantine or isolation order.	<ul style="list-style-type: none"> • May also qualify for FMLA and/or Leave Bank • Personal/Vacation Leave, Term Leave, Sick, Old Sick Leave or Floating Holiday, if applicable
Employee has been advised by his or her health care provider to quarantine.	<ul style="list-style-type: none"> • May also qualify for FMLA and/or Leave Bank • Personal/Vacation Leave, Term Leave, Sick, Old Sick Leave or Floating Holiday, if applicable
Employee is essential personnel and elects to not work because of COVID-19.	<ul style="list-style-type: none"> • Employee can request approval to be absent and to use Personal/Vacation Leave or Floating Holiday.

Thank you for your continued work and understanding during this difficult time. This guidance is based on the latest information at the time it was available and may change as we receive new developments. For the most up-to-date information, please monitor the [Coronavirus employee webpage](#).