

<p><b>COVID-19 Scenario</b></p>	<p><b>COVID-EE Sick</b>  <i>The Families First Coronavirus Response Act (FFCRA) Emergency Paid Sick Leave Act (EPSLA)</i></p> <p>Up to 80 hours paid at the regular rate of pay; up to \$511 per day</p> <p>Available regardless of date of hire</p>	<p><b>COVID-Family Sick</b>  <i>The Families First Coronavirus Response Act (FFCRA) Emergency Paid Sick Leave Act (EPSLA)</i></p> <p>Up to 80 hours paid at 2/3rds employee's regular rate; up to \$200 per day</p> <p>Available regardless of date of hire</p>	<p><b>COVID-FMLA</b>  <i>The Families First Coronavirus Response Act (FFCRA) Emergency Family and Medical Leave Expansion Act (EFMLEA)</i></p> <p>Up to 12 weeks:</p> <p>The first 2 weeks are unpaid unless an employee elects to use up to 80 hours of COVID-Family Sick (2/3rds employee's regular rate; up to \$200 per day) or other available regular rate of pay leave (vacation, personal, NJ Earned Sick Leave, etc.)</p> <p>The remaining 10 weeks (up to 40 hours per week) are paid at 2/3rds employee's regular rate, up to \$200 per day</p> <p>Available if employed for 30 calendar days before seeking leave</p>
<p>Worker has COVID-19.</p>			
<p>Worker is experiencing symptoms of COVID-19 <b>AND</b> is seeking a medical diagnosis from a healthcare provider.</p> <p>Leave is available only for the time they are unable to work because they are taking steps to obtain a diagnosis.</p>			

<p>Worker refuses to work e.g. is "Self-distancing/isolation/quarantine," is afraid to gather in public, fear of exposure.</p> <p>The leave <b>must</b> be advised by a health care provider.</p>			
<p>Worker has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19 (e.g. exposure, immune-compromised).</p> <p>Business remains open and worker is unable to telework.</p>			
<p>Worker is unable to work (or telework) because of a need to care for their son or daughter whose school or place of care is closed, or whose childcare provider is unavailable, due to a COVID-19 related reason.</p> <p>Leave is available only if no other suitable person is available to care for the child during the period of leave.</p>			
<p>FFCRA leave is not available when employers do not have work for employees because:</p> <p>Business voluntarily closed;</p> <p>closed temporarily or indefinitely due to a downturn in business;</p> <p>Business was subject to federal, state, or local quarantine or isolation orders and ordered closed (e.g. non-essential business closure; shelter in place).</p>			

<p>Worker is caring for an individual who is subject to a federal, state or local quarantine or isolation order, or has been advised by a health care provider to self-quarantine.</p> <p>An "individual" is defined as "an employee's immediate family member, a person who regularly resides in the employee's home, or a similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person if he or she were quarantined or self-quarantined."</p>			
<p>Worker has less, or no, hours available due to business slow down.</p>			

FFCRA leave is effective 4/1/20-12/31/20 and cannot be applied retroactively, or to individuals that are no longer employed prior to 4/1/20.

An employer cannot force a worker to use COVID-Family Sick during the initial two unpaid weeks of COVID-FMLA. It is the worker's choice to substitute it or save it for later. Employers *can* require the use of employer provided PTO during the initial two unpaid weeks of COVID-FMLA.

Employees who are able to telework during the COVID-19 crisis are generally *ineligible* for the leaves provided by the FFCRA.

These are just some common scenarios for FFCRA eligible reasons. Workers may also be eligible for leave under state law even if they are not eligible for FFCRA leave. FFCRA leave is available in addition to any mandated state leave (NJ Earned Sick, NY Paid COVID, etc.), or any employer provided PTO.

Other paid benefits like Unemployment Insurance, Temporary Disability, Family Leave Insurance, and Workers' Compensation, and unpaid job-protected leave are not covered here but may apply.

