

Bannock County Policy

Federal Emergency Paid Sick Leave and Expanded Family and Medical Leave
under the Families First Coronavirus Response Act

Updated September 30, 2021

SECTION 1

On April 1, 2020 the Family First Coronavirus Response Act (FFCRA) became effective and in compliance with FFCRA Bannock County provided the benefits described in Section 2 of this policy.

On December 31, 2020 FFCRA expired.

On January 31, 2021 the benefits provided to Bannock County employees that are described in Section 2 of this policy expired.

On March 11, 2021 the American Rescue Plan Act (ARPA) was signed into law. It gives tax credits to employers who provide optional FFCRA benefits. Bannock County is not providing the optional benefits.

On June 1, 2021 the benefits provided to Bannock County employees that are described in Section 3 of this policy became effective. This includes a paid COVID-19 related administrative leave that is similar to FFCRA benefits, but it isn't a FFCRA benefit.

On April 1, 2022 the COVID-19 related administrative leave provided in Section 3 of this policy will expire.

SECTION 2

The FFCRA requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19 from April 1, 2020 through December 31, 2020.

- **PAID LEAVE ENTITLEMENTS**

Generally employers covered under FFCRA must provide employees:

Bannock County Paid Sick Leave and Expanded Family Medical Leave under the Families First
Coronavirus Response Act Policy

Up to two weeks (80 hours or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total (Use Payroll Reason Code CVSK);
- 2/3 for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total (Use Payroll Reason Code CVFA); and
- Up to 12 weeks of paid sick leave and expanded family medical leave paid at 2/3 for qualifying reason #5 below for up to \$200 daily and \$12,000 total (Use Payroll Reason Code CV23).

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

- **ELIGIBLE EMPLOYEES**

In general employees are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

- **QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19**

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework, because the employee:

1. Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 (Payroll Reason Code CVSK);
2. Has been advised by a health care provider to self-quarantine related to COVID-19 (Payroll Reason Code CVSK);
3. Is experiencing COVID-19 symptoms and is seeking a medical diagnosis (Payroll Reason Code CVSK);
4. Is caring for an individual subject to an order described in (1) or self-quarantine as described in (2) (Payroll Reason Code CVFA);

5. Is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons (Payroll Reason Code CV23); or
6. Is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services (Payroll Reason Code CVFA).

- **ENFORCEMENT**

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.

- **REASONABLE NOTICE FOR NEED FOR LEAVE**

If you need to use your Federal Emergency Paid Sick Leave and/or Expanded Family and Medical Leave, you need to provide Human Resources with as much notice as possible and that is practicable under the specific circumstances of your situation for requesting the leave. **Please complete the Federal Emergency Paid Sick Leave and Expanded Family and Medical Leave Request Form.**

- **IMPACT ON COUNTY ACCRUED LEAVE:**

Utilization of your Federal Emergency Paid Sick Leave and/or Expanded Family and Medical Leave is at the discretion of the employee and can be used before, in conjunction with, or after accrued sick/vacation/compensatory leave is used.

- **USE OF OTHER PAID TIME OFF:**

If you would like to supplement the wages paid under the Federal Emergency Paid Sick Leave and /or Expanded and Family Medical Leave to bring your paid time off up to as close to 100% of your wages as possible, please contact payroll to utilize any accrued available paid time off that you may have. You may utilize leave to bring the \$511 or \$200 per day maximum to no more than 100% of your average daily.

SECTION 3

From June 1, 2021 through April 1, 2022, Bannock County employees may use up to two weeks of paid administrative leave for COVID-19 related time-off if they

- didn't exhaust the two weeks of COVID-19 paid administrative leave as described in Section 2 of this policy. If an employee reported some, but not all of the two weeks of the COVID-19 related administrative leave, that employee is eligible to use the remaining balance;

AND meet one or more of the following conditions.

- Have been advised by a health care provider to self-quarantine for COVID-19;
- are experiencing or are recovering from COVID-19 symptoms;
- are caring for an individual who is experiencing or is recovering from COVID-19 symptoms;
- are caring for the employee's child whose school or place of care is closed for COVID-19 related reasons.

Supervisors may approve paid COVID-19 related administrative leave on timesheets. Use the timesheet code CVAD.

Bannock County Personnel Policy and associated procedures regarding benefits under Family Medical Leave Act and Americans with Disabilities Act and their amendments may be applicable.