Families First Coronavirus Response Act (FFCRA) Fact Sheet

Leave Benefits

FFCRA provides for 10 working days (total, not per occurrence) of emergency sick leave if an employee is unable to work (or work remotely) for the following reasons:

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 related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order 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 child care provider is unavailable) for reasons related to COVID-19; or
6. is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

FFCRA also provides for up to an additional 10 weeks of expanded Family Medical Leave (FMLA) for employees that are eligible and are unable to work (or work remotely) for reason #5 above.

Emergency sick leave for reasons #1 - #3 above provides for ten days of paid leave at 100% of base pay. Emergency sick leave for reasons #4 - #6 above provides for ten days of paid leave at 2/3 percent of base pay.

Expanded FMLA for reason #5 above is unpaid for the first two weeks, followed by up to 10 weeks of paid leave at 2/3 percent of base pay. Employees can use emergency sick leave or their own accrued benefits to pay them in the first two-week period.

The paid leave benefits provided by FFCRA are in additional to any available accrued or non-accumulative time already provided by the university.

The provisions of this Federal Act are currently set to expire on December 31, 2020.

Eligibility Requirement

All currently active employees receiving a W2 from the university are eligible for FFCRA emergency sick leave benefits.

All currently active employees receiving a W2 from the university with at least 30 days of service are eligible for FFCRA expanded FMLA leave benefits. Employees are entitled to 12 workweeks of FMLA leave in a 12-month period. Any FMLA entitlement already used will count toward the total entitlement and will take away from the available FFCRA expanded FMLA leave.

Leave Usage

The ten working days of paid sick leave benefits must be taken on a continuous basis. However, if there is no longer a qualifying reason for taking paid sick leave before the paid sick leave exhausts, the remaining paid sick leave can be taken at a later time, before December 31, 2020, if another qualifying reason occurs.

The additional ten weeks of expanded FMLA may be taken on a continuous or intermittent basis in specified increments of time.

Application Process and Documentation

- Eligible employees wishing to apply for FFCRA leave benefits should apply for leave by submitting the FFCRA request form.
- The application should be submitted as soon as practical.
- Upon receipt of the FFCRA request form, the Insurance and Employee Benefits Office will determine if the employee is eligible for the leave. Both the employee and their supervisor will be notified of the determination. Departmental attendance procedures are expected to be followed until the FFCRA leave notification has been processed.
- When applying for FFCRA leave benefits, the employee will have to attest to certain information based on their reason for leave. In some cases, medical documentation will be required. The Insurance and Employee Benefits Office will work with the employee on what documentation is needed.

Payroll and Time Reporting Information

Hourly employees that are using paid emergency sick leave benefits should report regular hours on their timesheet and indicate ‘COVID-19 sick leave’ in the comments section. Hourly employees that are using paid expanded FMLA should report family sick leave hours on their timesheet and indicate ‘COVID-19 FMLA’ in the comments section. These hours should also be reported as FMLA hours in the designated section of the timesheet.

Salaried employees that are using either paid emergency sick leave benefits or expanded FMLA should not report either on their benefit usage form. All pay for salaried employees will be based on their leave request. Any changes to the request need to be coordinated with the Insurance and Employee Benefits Office.

Return to Work

All employees are expected to return to work on the date indicated in their leave confirmation. Any changes in this date must be communicated to the Insurance and Employee Benefits Office.

Employees that take leave for reason #3 above, will need to provide documentation of a negative COVID-19 test or clearance from their medical provider before returning to work.

Questions on FFCRA should be directed to the Insurance and Employee Benefits Office by emailing FMLA@niu.edu.