

VISD Leave Options - Fall 2020

Leave Type	Descriptions / Scenarios	Employees Eligible	Required Documentation	Duration of Leave
FMLA Board Policy 5404	For use when caring for a sick child, spouse, self, or other person under your care in your home. For birth of or placement of a child. Not to be used for absence for childcare or to care for a family member that is not ill. This leave is eligible for pay using available accrued leave, for the duration of medical disability.	Employees who have worked for one full year and have completed 1250 hours in that year. (750 for VESP)	Must provide medical documentation.	Up to 12 weeks
PFML Paidleave.wa.gov	Paid leave provided by the State for family medical reasons and personal medical reasons. This leave is at the discretion of and paid through the State and is a prorated amount of your regular pay.	WA workers who have been employed for 820 hours in WA during a qualifying period.	Must apply through paidleave.wa.gov	Determined by State (typically, up to 16 weeks)
General See CBAs	General Leave of Absence (up to one year), this absence is unpaid.	Eligible staff per CBAs, Agreements, and Board Policy	Leave of Absence form approved by the Board	Up to one year
COVID-19 Sick Leave/Emergency Paid Sick Leave Act (EPSL) See reverse	Provides paid leave to employees based on their own COVID-19 health related issues -- individuals who are caring for someone with COVID-19 issues, or who need to care for their minor child due to a COVID-19-related school or child care closure. This leave is paid as follows: For employee quarantine or symptoms: paid leave rate = to employee's salary for hours taken. Max = \$511/day up to \$5110.00 aggregate. For care of another or closed school / childcare: paid leave rate of 2/3 employee's regular salary. Max = \$200/day up to aggregate of \$2000.00.	Any period of employment – no minimum 4/1/20 through 12/31/20	Must provide reasonable notice and/or documentation	Limited to a total of 80 hours or two work weeks.
COVID-19 FMLA/Expanded Family Medical Leave (EFML) See reverse	Provides paid and unpaid leave to employees who need to care for a minor child due to a COVID-19-related school or childcare closure. Leave is paid at a 2/3 rate up to \$200 per day.	Employed 30 or more days 4/1/20 through 12/31/20	Must provide reasonable notice and/or documentation	First 10 days unpaid, subsequent as follows: Paid leave rate = 2/3 of employee's regular salary for the number of hours the employee would otherwise be normally scheduled to work. Max: \$200/day; \$10,000 aggregate.
Sick/Wellness Leave Board Policy 5401	For use to care for child, spouse, other household member or self with an illness (refer to CBA for full definition). Paid leave if you have sick time available.	Eligible staff per CBAs, Agreements, and Board Policy	None, unless over 5 days	Varies. More than 5 days would require a Doctor's note.
Personal Leave Board Policy 5400	Used at the discretion of the employee to take care of personal matters.	Eligible staff per CBAs, Agreements, and Board Policy	Supervisor approval, if required by CBA.	Varies depending on position/CBA.

FAMILIES FIRST COVID-19 RESPONSE ACT (FFCRA) EXPANDED FAMILY MEDICAL LEAVE AND EMERGENCY PAID SICK LEAVE

1. Expanded Family Medical Leave (EFML)

- a. Temporary amendment to FMLA, available through 12/31/2020. Provides up to 12 weeks of job-protected leave for a “qualifying need related to a public health emergency”. Any FMLA taken since January 20, 2020 reduces the number of weeks available.
- b. “Qualifying need” is defined as the need to care for their child under age eighteen (18*) because school or child care is closed, or a paid** child care provider is unavailable due to an emergency with respect to COVID-19, as declared by a local, state, or federal authority.
- c. Eligibility criteria (if telework/remote work is not available):
 - Eligible after 30 days of employment. See eligible employee categories on the FFCRA Overview and FAQ.
 - First 10 days of leave are unpaid, but employees have the option of using existing accrued personal leave.
 - Remaining 10 weeks would be paid:
 - At 66.6% of regular rate of pay for hours scheduled to work if the emergency were not occurring.
 - Capped at \$10,000 total.
 - Individual making over \$78,000 per year would cap out at \$200 per day under this provision.

* Under the FFCRA, a “son or daughter” is your own child, which includes your biological, adopted, or foster child, your stepchild, a legal ward, or a child for whom you are standing in loco parentis—someone with day-to-day responsibilities to care for or financially support a child. A “son or daughter” is also an adult son or daughter (i.e., one who is 18 years of age or older), who (1) has a mental or physical disability, and (2) is incapable of self-care because of that disability. Note: the IRS requires written justification for any leave due to childcare unavailability when the child is over age 14.

** Childcare provider does not have to be compensated if the provider is a family member or close friend, such as a neighbor.

2. Emergency Paid Sick Leave Act (EPSL)

Immediate eligibility if telework/remote work is not available. See eligible employee categories on the FFCRA Overview and FAQ.

80 hours available to employees (pro-rated for part-time employees) for the following reasons:

a. Self-Care (required to isolate or experience symptoms or be diagnosed and ordered to quarantine/isolate)

- Subject to a federal, state, or local quarantine or isolation order related to COVID-19
- Have been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19
- Experiencing symptoms of COVID-19 and seeking a medical diagnosis
- Diagnosed with COVID-19 and directed to self-quarantine by health care provider.
- **Pay:** 100% of pay, up to a maximum of \$5,110. Individuals making over \$132,860 per year would cap out at \$511 per day under this provision.

b. Caring for Others

- Caring for an individual who is subject to a federal, state or local quarantine or isolation order related to COVID-19
- Caring for an individual who has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19
- Caring for a son or daughter because the child’s school or place of care is closed, or the paid childcare provider is unavailable due to COVID-19 precautions
- Any other conditions specified by Secretaries of HHS, Treasury or Labor (TBD)
- **Pay:** 66.6% of pay, up to a maximum of \$2,000. Individual making over \$78,000 per year would cap out at \$200 per day under this provision.