



COUNTY COMMISSIONERS

Karen Howard, Chair
Diana Hales, Vice Chair
Jim Crawford
Mike Dasher
Andy Wilkie

COUNTY MANAGER: Dan LaMontagne

Families First Coronavirus Response Act (FFCRA)

Emergency Family and Medical Leave Expansion Act

Emergency Paid Sick Leave Act

Chatham County Effective Date: April 1, 2020

Following the passage of the Families First Act on March 18, 2020 with an effective date of no later than April 2, 2020, Chatham County is committed to compliance and support of our many functions and compliance with federal and state labor laws and regulations.

Emergency Family and Medical Leave Expansion Act

Eligibility

All employees who have worked for at least 30 days is eligible for emergency family and medical leave with the exception of the following occupational groups/departments:

1. Sworn law enforcement
2. Detention officers
3. Public health employees
4. Water Utility employees
5. Solid Waste & Recycling drivers
6. Emergency management employees
7. Employees of the 911 communications division

Reason for Leave

The new Emergency Family and Medical Leave Expansion Act adds a new category of qualifying reasons for the employee to take job-protected leave to the Family and Medical Leave Act. An employee is qualified for the emergency family and medical leave expansion provision if:

1. An employee is unable to work (or telework) due to a need for leave to care for the son or daughter under 18 years of age of such employee if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable due to an emergency with respect to COVID-19 as declared by a federal, state or local authority.

Note that the Emergency FML Act defines "child care provider" as one who provides child care services on a regular basis and receives compensation for those services.

Duration/Compensation

After a 10 day waiting period, employees are entitled to:

- **Full-time employees:** Paid leave calculated at two-thirds of the employee's regular pay rate.
- **Part-time employees:** Paid leave calculated at two-thirds of the employee's pay rate for the number of hours the employee works, on average, over a two-week period.

During the ten (10) day waiting period, employees may use accrued paid leave however usage is not required.

Paid leave under this policy is limited to \$200 per day (\$12,000 in total).

Those employees for whom emergency family and medical leave is granted at two-thirds the employee's regular rate, those employees may elect to use accrued leave to "make themselves whole" and fill in the other one-third of their time with accrued leave.

Leave Rules

No leave provided by the County before April 1, 2020 may be credited against your leave entitlement. In addition, emergency paid sick leave cannot be carried over after December 31, 2020.

Requesting Leave

If you need to take emergency family and medical leave, provide notice as soon as possible. Certification paperwork under the family and medical leave act is required. Normal call-in procedures apply to all absences from work.

Retaliation

The County will not retaliate against employees who request or take leave in accordance with this policy.

Expiration

Emergency FML leave is available only for as long as a federal, state or local COVID-19 state of emergency is in effect and in any event only through December 31, 2020.

Emergency Paid Sick Leave Act

Eligibility

All employees are eligible for emergency paid sick leave for qualifying reason #1 as listed below.

All employees are eligible for emergency paid sick leave for qualifying reasons #2-#5 with the exception of the following occupational groups/departments:

1. Sworn law enforcement
2. Detention officers
3. Public health employees
4. Water Utility employees
5. Solid Waste & Recycling drivers
6. Emergency management employees
7. Employees of the 911 communications division

Reason for Leave

You may take emergency paid sick leave if you are unable to work (or telework) because:

1. You are subject to a federal, state, or local quarantine or isolation order related to COVID-19;
2. You have been advised by a health care provider to self-quarantine because of COVID-19;
3. You are experiencing symptoms of COVID-19 and are seeking a medical diagnosis;
4. You are caring for an individual or are advised to quarantine or isolate;



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5. You are caring for a child whose school or place of care is closed, or whose childcare provider is unavailable, due to COVID-19 precautions

Note that the Emergency Paid Sick Leave Act defines does not require that a child care provider be one who provides child care services on a regular basis and receives compensation for those services.

Duration/Compensation

Employees are entitled to:

- **Full-time employees:** 80 hours of pay at their regular pay rate. However, when caring for a family member (for reasons 4 and 5 above), sick leave is paid at two-thirds the employee's regular rate.
- **Part-time employees:** Pay for the number of hours the employee works, on average, over a two-week period.

Paid leave under this policy is limited to \$511 per day (\$5,110 in total) where leave is taken for reasons 1, 2, and 3 described above (generally, an employee's own illness or quarantine); and \$200 per day (\$2,000 in total) where leave is taken for reasons 4 (care for others or school closures) and \$200 per day (\$12,000 in total).

Those employees for whom emergency paid sick leave is granted at two-thirds the employee's regular rate, those employees may elect to use accrued leave to "make themselves whole" and fill in the other one-third of their time with accrued leave.

Leave Rules

Certification by a medical provider is required if reasons for leave are reasons 1-4 as listed above. Certification by a child care provider is required for reason 5.

You may elect to use emergency paid sick leave before using any accrued paid leave.

No leave provided by the County before April 1, 2020 may be credited against your leave entitlement. In addition, emergency paid sick leave cannot be carried over after December 31, 2020.

Requesting Leave

If you need to take emergency paid sick leave, provide notice as soon as possible. Normal call-in procedures apply to all absences from work.

Retaliation

The County will not retaliate against employees who request or take leave in accordance with this policy.

Expiration

Emergency paid sick leave is available only for as long as a federal, state or local COVID-19 state of emergency is in effect and in any event only through December 31, 2020.