

**Expanded Family and Medical Leave and Emergency Paid Sick Leave (EPSL)  
Families First Coronavirus Response Act (FFCRA)**

The Families First Coronavirus Response Act was signed into law on March 18, 2020 and went into effect on April 1, 2020 until December 31, 2020. It applies to certain private sector employers and certain public employers, including Shelby County Schools. The chart below summarizes relevant portions of the Act and discusses our general procedures for implementing the Act.

	<b>Expanded Family and Medical Leave Act</b>	<b>Emergency Paid Sick Leave (EPSL)</b>
<b><i>Eligibility</i></b>	Employees who have been employed at least 30 calendar days.	Employees are eligible on or after their first day of employment with SCS.
<b><i>Coverage Amount</i></b>	Full-time employees receive up to 12 weeks of FMLA.  Part-time employees receive the number of hours equal to average number of hours they work over a 2-week period.	Full-time employees receive up to 80 hours – 2 weeks (10 days).  Part time employees receive the number of hours equal to average number of hours they work over a 2-week period.
<b><i>Applicability</i></b>	Applies to leave taken between April 1, 2020 and December 31, 2020.	Applies to leave taken between April 1, 2020 and December 31, 2020.
<b><i>Purpose(s)</i></b>	Employee is unable to work, or telework, due to a need to care for a son or daughter under the age of 18 because (1) the child’s school or place of care has been closed, or (2) the employee’s child care provider is unavailable, as a result of the COVID-19 pandemic	Employee is unable to work, or telework, and:  (1) Employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.  (2) Employee has been advised by a health care provider to self-quarantine related to COVID-19.  (3) Employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis.  (4) Employee is caring for an individual who is subject to an order described in (1) or self-quarantined as described in (2).  (5) Employee is caring for his or her child whose school or place of care is closed, or the child care provider is unavailable due to COVID-19 precautions.  (6) Employee is experiencing any other substantially similar condition specified by the U.S. Department of Health & Human Services, in consultation with the Secretary of the Treasury and the Secretary of Labor.

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	<b>Expanded Family and Medical Leave Act</b>	<b>Emergency Paid Sick Leave (EPSL)</b>
<b>Pay</b>	<ul style="list-style-type: none"> <li>Initial 10 days (2 weeks) is unpaid leave. However, an employee may use EPSL or may use any accrued leave, such as vacation or sick for these first 10 days.</li> <li>After the tenth day of leave, the employee receives the greater of 2/3 of his or her regular rate of pay, or 2/3 of the applicable minimum wage, whichever amount is greater, for the number of hours the employee would have been regularly scheduled to work.</li> </ul> <p>However, an employee’s pay cannot exceed \$200 per day and \$12,000 in total. Full time employees have the option to use PTO paid leave for the remaining 1/3.</p>	<ul style="list-style-type: none"> <li>Initial 10 days (2 weeks) is paid without the use of sick/vacation days. If employees take Emergency Paid Sick Leave (EPSL) for the purposes listed under (1), (2), and (3) above, they receive their regular rate of pay or the applicable minimum wage, whichever is greater. However, an employee’s pay cannot exceed \$511 per day and \$5,110 in total.</li> <li>For leave taken for the purposes listed under (4), (5), and (6) above, an employee receives 2/3 of their regular rate of pay, or 2/3 of the applicable minimum wage, whichever is greater. However, an employee’s pay cannot exceed \$200 per day and \$2,000 in total. Full time employees have the option to use PTO paid leave for the remaining 1/3.</li> </ul>
<b>Relationship with Other Leaves</b>	Employees are entitled up to a maximum of 12 weeks of FMLA leave. If an employee has already used their FMLA leave for the employee’s rolling calendar twelve months, the Act does not provide them an additional 12 weeks of leave during the 12-month period.	Employees are not required to use any other accrued leave prior to using Emergency Paid Sick Leave (EPSL). Use of EPSL does not count against an employee’s paid leave accrual balances, such as accrued sick leave, vacation leave, or Bonus unless the employee opts in to use such leave.
<b>General procedures for approval</b>	<p>Employees who wish to apply for leave under this provision of the Act should submit an application for the benefit in the <b>COVID section</b> on the <a href="https://scsk12.org">scsk12.org</a> site or send an email to Benefits at <a href="mailto:benefits@scsk12.org">benefits@scsk12.org</a></p> <p>Any unused EPSL does not carry over to calendar year 2021.</p> <p>Employees are not entitled to reimbursement for unused EPSL upon termination, resignation, retirement, or other separation from employment.</p>	<p>Employees who wish to apply for leave under this provision of the Act should submit an application for the benefit in the <b>COVID section</b> on the <a href="https://scsk12.org">scsk12.org</a> site or send an email to Benefits at <a href="mailto:benefits@scsk12.org">benefits@scsk12.org</a></p> <p>Any unused EPSL does not carry over to calendar year 2021.</p> <p>Employees are not entitled to reimbursement for unused EPSL upon termination, resignation, retirement, or other separation from employment.</p>