

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

Frequently Asked Questions

Q: Who is eligible for EPSL?

A: Employees who have worked at LSU at least 30 days and who are unable to work or remote work due to one of the qualifying reasons provided in the LSU Leave Guidelines as defined by FFCRA are eligible for EPSL.

Q: For employees that are not included to return to campus in Phase 2 and are unable to work remotely, will they be required to submit comp, sick or annual leave until they are in their department's phase return?

A: Employees can only return to work with the approval of their chain of command. Employees that are not included to return to campus in Phase 2, and are unable to work remotely, may submit compensatory or annual leave if they wish to remain in a paid status until they are instructed to return to campus. *Sick leave is not available for this option.* Once compensatory and annual leave are exhausted, the employee will go into LWOP (unpaid) status. The employee may elect to go on LWOP without consequence if they do not want to use accrued leave balances to remain in a paid status until they are instructed to return to work by their supervisor. Departments are highly encouraged to work with employees and provide remote work and special projects when possible.

Q: Is EPSL available to employees with a compromised immune system?

A: EPSL is not available due to a compromised immune system. If an employee has a compromised immune system and cannot work remotely please contact Latausha Duncan at lataushab@lsu.edu to discuss available options.

Q: Will I be charged personal accrued leave while on EPSL?

A: No. If an employee's pay is greater than the maximum amount allowed under the FFCRA, they may elect to supplement with available accrued personal leave to receive their full regular pay.

Q: Should the employee file FMLA if they are sick longer than the approved 80 hours of EPSL?

A: Yes, if the employee is ill and unable to work or work remotely they may be eligible for FMLA under normal guidelines and regular sick leave rules apply. The employee may contact Latausha Duncan at lataushab@lsu.edu to discuss available options.

Q: If an employee does not get their paperwork in on time or approval is not granted before the leave is needed, what happens? Will they be required to take personal leave?

A: This EPSL leave must be pre-approved with proper documentation. If the employee was not able to receive approval in advance of an absence, they will be required to use personal accrued leave or LWOP until EPSL is approved. Corrections can be made retroactively.

Q: Is EPSL for Civil Service Classified employees only?

A: No, FFCRA covers ALL employees.

Q: May I take 80 hours of paid sick leave for my self-quarantine and then another amount of paid sick leave for another reason provided under the Emergency Paid Sick Leave Act?

A: No. You may take up to two weeks—or ten days—(80 hours for a full-time employee, or for a part-time employee, the number of hours equal to the average number of hours that the employee works over a typical two-week period equal to percent effort) of paid sick leave for any combination of qualifying reasons. However, the total number of hours for which you receive paid sick leave is capped at 80 hours under the Emergency Paid Sick Leave Act.

If you no longer have a qualifying reason for taking paid sick leave before you exhaust your paid sick leave, you may take any remaining paid sick leave at a later time, until December 31, 2020, if another qualifying reason occurs.

Q: When am I eligible for paid sick leave to care for someone who is subject to a quarantine or isolation order?

A: You may take paid sick leave to care for an individual who, as a result of being subject to a quarantine or isolation order, is unable to care for him or herself and depends on you for care and if providing care prevents you from working and from teleworking. Proper documentation is required.

Q: Who is an immediate family member for expanded sick leave and EPSL/EFMLA?

A: Louisiana State Civil Service Commission defines an immediate family member as an employee's spouse, child or stepchild, foster-child, parent or stepparent.

Q: When am I eligible for paid sick leave to self-quarantine?

A: You are eligible for paid sick leave if a health care provider directs or advises you to stay home or otherwise quarantine yourself because the health care provider believes that you may have COVID-19 or are particularly vulnerable to COVID-19, and quarantining yourself based upon that advice prevents you from working (or teleworking). Required documentation from a health care provider must be provided with the request.

Q: I took paid sick leave and am now taking expanded family and medical leave to care for my children whose school is closed for a COVID-19 related reason. After completing distance learning, the children's school closed for summer vacation. May I take paid sick leave or expanded family and medical leave to care for my children because their school is closed for summer vacation?

A: No. Paid sick leave and emergency family and medical leave are not available if the school or child care provider is closed for summer vacation, or any other reason that is not related to COVID-19.

Q: Are the expanded sick leave rules that were approved by the Louisiana Civil Service Commission on May 6th just for classified employees?

A: The SCS Commission met on May 6th and passed new sick leave rules for classified employees. The Louisiana Legislature passed and the governor signed into law Act 241 to amend sick leave policies for unclassified employees effective June 11, 2020. The FFCRA allows for all employee types to use their personal accrued sick leave to care for an immediate family who has been affected by COVID-19 for the defined qualifying events. Please visit the LSU HRM website for more details on the amended sick leave policies.

Q: Will HRM be required to approve/verify that an employee has been released to return to work after taking EPSL?

A: If an employee has a qualifying EPSL event (except for the care of a child due to child care or school closure), the employee must follow guidelines provided by EOC for returning to campus to work. Individuals who cannot return after the 80 hours will be referred to Latausha Duncan as they may be eligible for FMLA.

Q: I have been identified through the LSU EOC contact tracing program as having been exposed to someone who is COVID-19 positive and I have been instructed to quarantine for 14 days. Should I request EPSL for the 14 day period?

A: LSU will approve up to 80 hours special leave for contact tracing quarantine for leave eligible employees identified through EOC who are NOT able to work remotely. A request form is NOT required for special leave and you will receive email instructions from HRM for entering leave. If you are not leave eligible or are identified through the contact tracing program a second time, you may be eligible for 80 hours of EPSL and a request form must be submitted to HRM. If you have used both types of leave, you must use your personal accrued annual or sick leave to remain in a paid status.

Additional FAQs can be found on the Department of Labor website:

<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions#8>

