

Families First Coronavirus Response Act

This quick reference guide is based on information found
in [CalHR Manual 2127](#)

Emergency Paid Sick Leave Act (EPSLA)

Specifically, employees are eligible if:

1. Subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. Advised by a health care provider to self-quarantine related to COVID-19;
3. Experiencing COVID-19 symptoms and are seeking a medical diagnosis;
4. Caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. Caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons;
6. Experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

General Information:

- Effective April 1, 2020.
- Employees are entitled to two-weeks of emergency paid sick leave for sick leave related to any of the 6 reasons above.
- Paid sick time for this purpose will be documented as Administrative Time Off (ATO) on the employee's timesheet.
- Any ATO provided to employees due to COVID-19 prior to April 1, 2020, does not count toward the employee's EPSLA.
- Employers may not discharge, discipline, or otherwise discriminate against any employee based upon the employee's use of emergency paid sick leave.
- Employees must clearly document on their timesheet in the comments section or location as defined by the department the leave which they are using.

The "Fine Print:"

- The employee's time base determines the number of paid sick leave hours the employee is entitled to receive.

Emergency Family & Medical Leave Expansion Act (E-FMLA)

Specifically, employees are eligible if:

- They need to provide care for their child whose school or daycare is closed because of COVID-19.

General Information:

- Effective April 1, 2020.
- Provides employees who have worked for the employer for 30-days with up to 12-workweeks of paid E-FMLA leave for specified reasons related to COVID-19.
- The first two weeks of E-FMLA are unpaid, but may be supplemented by EPSLA.
- For weeks 3 to 12 of E-FMLA, employees will be paid two-thirds of their salary, up to \$200/day up to a total of \$10,000 for the 12 weeks.
- Employees can elect to use leave credits to supplement their E-FMLA.
- The maximum daily entitlement and overall total are the same regardless of the employee's time base.
- Employers may not discharge, discipline, or otherwise discriminate against any employee based upon the employee's use of E-FMLA leave.
- Employees must clearly document on their timesheet in the comments section or location as defined by the department the leave which they are using.

The "Fine Print:"

- If an employee has used any of their 12-week entitlement under FMLA, the entitlement under E-FMLA will be reduced by the amount already used. If leave under this program is foreseeable, an employee shall provide their employer with such notice of leave as is practicable.
- In order to take E-FMLA, employees must provide documents to support the need to care for a child whose school or place of care is closed due to COVID-19 related reasons.

The Families First Coronavirus Response Act expires on December 31, 2020.



**CALIFORNIA ASSOCIATION OF
PROFESSIONAL SCIENTISTS**

CAPS members who have additional questions or need assistance ensuring they are provided leaves they are eligible for should contact CAPS today!

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