

TYPES OF LEAVE AVAILABLE DUE TO COVID-19

Family First Coronavirus Response Act (FFRCA) Policies

Emergency Paid Sick Leave Act (EPSLA)

Provides paid sick leave for up to 80 hours for full-time employees. Leave is available for part-time employees based upon their schedule.

Who is Eligible:

DHS employee, including extra help, who are:

- (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 due to concerns related to COVID-19.
- (3) Experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- (4) Caring for an individual that meets the requirement under (#1)
- (5) Caring for a child (under 18 years of age) whose primary or secondary school or place of care has been closed, or my childcare provider is unavailable due to COVID-19 precautions
- (6) Experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

Qualifying reasons 1-3 are due 100% of the required rate of pay for the leave hours taken. Capped at \$511 per day or \$5,110 total.

Qualifying reasons 4-6 are due 2/3 of the required rate of pay for leave hours taken. Capped at \$200 per day or \$2,000 total.

Emergency Family and Medical Leave Expansion Act (EFMLEA)

Provides up to 12 work weeks of job-protected leave.

Who is Eligible:

DHS employees, including extra help, that are **NOT** classified as health care providers or emergency responders* who are:

- Caring for his or her child whose school or childcare provider is closed or unavailable for reasons related to COVID-19. Staff must attest that there is no other suitable person available to care for the child during the requested period of time.

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- In accordance with the Arkansas Public Health Emergency Leave policy, employees identified as **emergency responders** or **healthcare providers** include but are not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility. The Department of Homeland Security advises that emergency responders and healthcare providers also include employees who work at staffing operations centers, maintain and repair critical infrastructure, operate call centers, work construction, and perform operational functions. As defined by the USA Patriot Act of 2001, critical infrastructure includes any “systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.” Therefore, the definitions of emergency responder and healthcare provider are interpreted broadly, and the Secretary of the Department has discretion to deem employees as an emergency responder or healthcare provider.