

FEDERAL EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires the Federal government to provide all of its employees with paid sick leave and, for employees who are covered under Title I of the Family and Medical Leave Act (FMLA), with expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

► PAID LEAVE ENTITLEMENTS

Generally, the Federal government must provide Federal employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total; and
- ⅔ for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total.

Federal employees including those not covered under Title I of the FMLA can receive either ⅔ of the higher of their regular rate of pay, or the applicable state or Federal minimum wage for the two-week period for qualifying reason #5 below. However, for leave under qualifying reason #5, Federal employees covered under Title I of the FMLA can receive 10 additional weeks of expanded family and medical leave for reason #5 below, up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

► ELIGIBLE EMPLOYEES

All Federal employees are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Federal employees who are covered under Title I of the FMLA and have been employed for at least 30 days prior to their leave request are eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.*

Most federal employees are not covered under Title I of the FMLA and so would not be eligible for partially paid expanded family and medical leave. Please consult with your agency to determine whether you are covered under Title I of the FMLA. The Office of Personnel and Management will issue guidance on this question.

► QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

A Federal employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

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| <ol style="list-style-type: none">1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;2. has been advised by a health care provider to self-quarantine related to COVID-19;3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2); | <ol style="list-style-type: none">5. is 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; or6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services. |
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► ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA for Federal employers covered under Title I of the FMLA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Federal employers covered under Title I of the FMLA in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information
or to file a complaint:
1-866-487-9243
TTY: 1-877-889-5627
dol.gov/agencies/whd



DIVISION C EMERGENCY FAMILY AND MEDICAL LEAVE EXPANSION ACT

First 10 Days

TACS/eRMS Leave Code/Reason Code	Rural DACA Code	Description	Comments
059-98		Part Day LWOP FMLA	Used for first 10 days if unpaid
060-98	DACA L	Full Day LWOP FMLA	Used for first 10 days if unpaid
*055-18	DACA A	Annual Leave FMLA/National Emergency	Used for first 10 days if Annual Leave is requested
055-98	DACA A	Annual Leave FMLA	Used for first 10 days if Annual Leave is requested
*056-18	DACA S	Sick Leave FMLA/National Emergency	Used for first 10 days if Sick Leave is requested
056-18	DACA S	Sick Leave - FMLA	Used for first 10 days if Emergency Sick Leave is requested
*081-18	DACA O - for 1314A use OL block	Emergency Sick Leave - FMLA/Other	Used for first 10 days if Sick Leave is requested
* indicates use interim process until reason code 18 and / or DACA 8 has been added			
Interim Procedures			
055-98	DACA A	Annual Leave FMLA	Used for first 10 days if Annual Leave is requested
056-98	DACA S	Sick Leave - FMLA	Used for first 10 days if Sick Leave is requested
081-19	DACA O - for 1314A use OL block	Emergency Sick Leave - Other	Used for first 10 days if Emergency Sick Leave is requested

After first 10 days up to Ten Weeks

Leave Code/Reason Code		Description	Comments
*081-98	DACA O - for 1314A use OL block	Public Health Leave - FMLA	Used when requested for Public Health Leave
* indicates use interim process until reason code 98 and / or DACA 8 has been added			
Interim Procedures			
081-19	DACA O - for 1314A use OL block	Emergency Sick Leave - Other	Used when requested for Public Health Leave

DIVISION E EMERGENCY PAID SICK LEAVE ACT

Leave Code/Reason Code		Description	Comments
077-19	DACA O - for 1314A use OL block	Emergency Sick Leave - self	Used when requested for COVID-19 related absences for self
*081-19	DACA 8 - for 1314A use OL block	Emergency Sick Leave - other	Used when requested for COVID-19 related absences to care for a dependant
* indicates use interim process until DACA 8 has been added (Rual Only)			
Interim Procedures			
081-19	DACA O - for 1314A use OL block	Emergency Sick Leave - Other	Used when requested for COVID-19 related absences to care for a dependant