

# University System of Georgia

## COVID-19 Related Flexible Work Arrangements (FWAs) & Leave Options Summary

The chart below describes the leave available to an employee based on different conditions or situations. All leave must be approved by an employee's immediate supervisor and is subject to standard institutional policies and processes.

Employee is out due to...	Work Schedule Options/Leave Options
<ul style="list-style-type: none"> <li>Employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19</li> <li>Employee has been advised by a healthcare provider to self-quarantine due to COVID-19 symptoms</li> <li>Employee needs to obtain a medical diagnosis or receive care related to COVID-19 symptoms</li> </ul>	<ul style="list-style-type: none"> <li>Telework (if available)</li> <li>Families First - Emergency Paid Sick Leave</li> <li>Accrued Leave</li> <li>FMLA (standard unpaid option may be available for qualifying event)</li> </ul>
<ul style="list-style-type: none"> <li>Employee is caring for an individual subject to an isolation or self-quarantine order as described above</li> <li>Employee is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services</li> </ul>	<ul style="list-style-type: none"> <li>Telework (if available)</li> <li>Flexible Schedule (if available)</li> <li>Combination of Flexible Schedule &amp; Telework (if available)</li> <li>Families First - Emergency Paid Sick Leave</li> <li>Accrued Leave</li> </ul>
<p>Employee is caring for a child whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19</p>	<ul style="list-style-type: none"> <li>Telework (if available)</li> <li>Flexible Schedule (if available)</li> <li>Combination of Flexible Schedule &amp; Telework (if available)</li> <li>Families First – Emergency Paid Sick Leave</li> <li>Families First – Extended Family &amp; Medical Leave</li> <li>Accrued Leave</li> </ul>
<p>Voluntary Quarantine (no symptoms, willing/able to work)</p>	<ul style="list-style-type: none"> <li>Telework (if available)</li> <li>Flexible Schedule (if available)</li> <li>Combination of Flexible Schedule &amp; Telework (if available)</li> <li>Accrued Leave</li> </ul>

Employee is out due to...	Work Schedule Options/Leave Options
Reduced Operations (not enough work or no work available)	<ul style="list-style-type: none"> <li>• Telework (if available)</li> <li>• Flexible Schedule (if available)</li> <li>• Combination of Flexible Schedule &amp; Telework (if available)</li> <li>• Non-Closure Emergency Leave (not available for employees who can telework or work flex schedules, temporary employees, student employees or Rehired Retirees)</li> </ul>
Reduced Operations (Federal Work Study)	<ul style="list-style-type: none"> <li>• Telework (if available)</li> <li>• Flexible Schedule (if available)</li> <li>• Combination of Flexible Schedule &amp; Telework (if available)</li> <li>• May continue to receive Financial Aid in accordance with Department of Education guidance when work is not available.</li> </ul>
Employee's own personal illness or injury, unrelated to COVID-19 (employee needs leave due to unrelated illness or injury or was already on leave when new forms of leave were added)	<ul style="list-style-type: none"> <li>• FMLA (standard unpaid option may be available for qualifying event)</li> <li>• Compensatory Time (if non-exempt and comp time exists)</li> <li>• Accrued Leave</li> </ul>
Employee's own personal leave plans, unrelated to COVID-19 (employee is taking leave for an event unrelated to COVID-19; annual leave had already been planned and employee will continue with plans)	<ul style="list-style-type: none"> <li>• FMLA (standard unpaid option may be available for qualifying event)</li> <li>• Compensatory Time (if non-exempt and comp time exists)</li> <li>• Accrued Leave</li> </ul>

## Telework

Telework options should be allowed for employees who can conduct their job duties remotely without interruption or disruption to services. The employee's manager (as defined by the institution) is authorized to determine which employees under their supervision are in roles where telework is an option. A record should be maintained of which employees have been authorized for telework.

## Flexible Schedule

Flexible schedules should be utilized to reduce the number of employees physically on campus to the minimal level required at any given time to sustain service, safety and compliance. Flexible schedules should span normal service or may also be extended to non-standard hours to support social distancing. Please keep a record of changes to employee schedules.

## Non-Closure Emergency Leave

The USG (USG) Inclement Weather and Other Emergencies policy has been adapted to include Non-Closure Emergency Leave with pay (or without pay) where the institution remains open but with reduced operations. This leave may be authorized by the institution's Presidents and allows employees to be compensated for hours not worked, up to the equivalent of their regularly scheduled hours per week. The emergency leave procedures are based on guidance issued by the Department of Administrative Services (DOAS) to assist state agencies in administering any temporary office or location closures deemed necessary due to COVID-19.

All regular full-time and part-time employees who are unable to perform their job duties through telework or other remote and flexible work arrangements and who are not working "on-campus" enabling the institution to sustain core services are eligible for Non-Closure Emergency Leave. Temporary employees (including rehired retirees) and student employees are not eligible for Non-Closure Emergency Leave. Federal Work Study students may continue to receive Financial Aid in accordance with Department of Education guidance when work is not available.

## Families First Coronavirus Response Act (FFCRA) Emergency Paid Sick Leave

The FFCRA entitles any employee (as defined by the Fair Labor Standards Act) regardless of their length of service, to emergency paid sick leave if the employee, in connection with COVID-19, meets at least one of the specified criteria. Full-time employees may take up to 80 hours of paid leave. Affected part-time employees may take a pro-rated paid leave up to their regularly scheduled hours or full-time equivalent. This leave is effective April 1, 2020 through December 31, 2020. Covered employees are entitled to use this emergency paid sick leave before using any other accrued leave. Compensation associated with the leave provision are outlined below:

- Compensation for those employees who must be quarantined or isolated and/or are experiencing COVID-19 symptoms is capped at \$511 per day and an aggregate total of \$5,110.
  - subject to a federal, state, or local quarantine or isolation order;
  - advised by a health care provider to self-quarantine;
  - experiencing symptoms and seeking a medical diagnosis.
  
- Compensation for those who are caring for someone else will be at least two-thirds (2/3) of their regular pay rate but capped at \$200 per day and an aggregate total of \$2,000.
  - is caring for an individual subject to an order described in (1) or self-quarantined as described in (2);
  - is caring for his or her child whose school or place of care is closed (or childcare provider is unavailable) due to COVID-19 related reasons;
  - is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services.

## **FFCRA Extended Family & Medical Leave Act**

Certain FFCRA provisions also amend the Family and Medical Leave Act such that covered leave is now available to employees with at least thirty (30) days of service who are caring for a child under age 18 whose school or child care provider is closed or unavailable due to COVID-19.

Affected employees are entitled to take this leave as part of their standard 12-week FMLA allotment. It does not add an additional 12 weeks onto the already existing 12 weeks of FMLA.

The first two weeks of leave under this provision are unpaid – as is customary under the FMLA. The employee may take these two weeks of unpaid leave at the same time as the two weeks of emergency paid sick leave described above.

The remaining 10 weeks must be paid – unlike other FMLA leave. That pay rate is at least two-thirds (2/3) of their regular pay rate but capped at \$200 per day and an aggregate total of \$10,000.

The employer may require employees to give as much notice as is practicable when the need for leave is foreseeable.

## **Combined Effect of New Paid Leave Laws**

Under these two new provisions combined, employees are entitled to the following leave guarantees:

- All employees who are quarantined, isolated, or sick due to COVID-19 can take up to two weeks of paid leave – limited to \$511 per day and \$5,110 total.
- All employees who are caring for another individual who is quarantined or isolated due to COVID-19 can take up to two weeks of paid leave – limited to \$200 per day and \$2,000 total.
- All employees who are caring for a child whose school or childcare provider is closed or unavailable due to COVID-19 can take two weeks of paid leave – limited to \$200 per day and \$2,000 total. In addition, those employees doing the same who have been employed for at least 30 days can then take 10 more weeks of paid leave – limited to \$200 per day and another \$10,000 total. (For those with 30 days of service, the two paid weeks can be used at the same time as the two unpaid weeks under the other provision.)
- In the case of an employee who fits more than one of these categories, the leave totals are not cumulative. For example, if an employee is quarantined and is also taking care of someone else who is quarantined, the employee would receive two weeks of leave, not four.
- Affected employees are also still able to use any other paid leave they have accrued.