

Supervisors & Managers: Please refer the information below as general guidance in managing leave related to Emergency Paid Sick Leave and Emergency FMLA

For additional information regarding these programs, please refer to the FAQs listed on the intranet at https://cityofphoenix.sharepoint.com/sites/hr/Documents/Health%20Updates/FINAL_HRC_FAQs_Coronavirus_0401_2020.pdf

Contact your department Human Resources Liaison if you have additional questions or concerns regarding these provisions.

**FAMILIES FIRST CORONAVIRUS RESPONSE ACT (H.R. 6201)
Summary of Emergency Leave Provisions Applicable to the City of Phoenix**

Effective Date and Duration: These leave provisions take effect April 1, 2020 and expire on December 31, 2020.

Reason	Emergency Paid Sick Leave	Emergency FMLA
An employee is unable to work or telework due to one of the following reasons:		
1) The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19	FT – 80 hours paid leave for 10 days (two weeks)	Not Applicable
2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19	PT – 60 hours paid leave for 10 days (two weeks)	If additional leave is required separate from what is available through Emergency FMLA, any available accrued leave may be used. If an employee exhausts all available leave, they may borrow against future accruals.
3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis	<i>Beginning April 1:</i> <ul style="list-style-type: none">Full-time employees can use leave code PD: FFCRA Emergency Pd Sick Leave	
4) The employee is caring for an individual who either is subject to a quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19	<ul style="list-style-type: none">Part-time employees MUST contact their department payroll clerk/liaison to request leave and receive paid leave.	

<p>5) The employee is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19</p>	<p>*FT – 80 hours paid leave for 10 days (two weeks)</p> <p>*PT – 60 hours paid leave for 10 days (two weeks) (Exclusions apply.)</p> <p>Beginning April 1:</p> <ul style="list-style-type: none"> Eligible full-time employees MUST contact the FMLASource vendor at 1-877-462-3652 to request this leave. Eligible part-time employees MUST contact their department payroll clerk/liaison to request leave and receive paid leave. 	<p>*Up to an additional 10 weeks of paid expanded family and medical leave (not to exceed the 12 weeks under FMLA entitlement) when an employee is unable to work (or telework) due to a bona fide need for leave to care for a minor child whose school or child care provider is closed or unavailable for reasons related to COVID-19 (Exclusions apply.) The first two weeks of EFMLA will be covered by EPSL if eligible or by available leave banks, unless an employee chooses to be unpaid for that time.</p> <p>Paid at the employee's regular rate of pay up to a \$10,000 cap or until the employee exhausts their existing FMLA entitlement.</p> <ul style="list-style-type: none"> FT – 40 hours per week PT – 30 hours per week <p>Employees will be allowed to use leave accruals after cap is reached and borrow leave if necessary up to 12-week FMLA entitlement.</p>
<p>6) The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.</p>	<p>*FT – 80 hours paid leave for 10 days (two weeks)</p> <p>*PT – 60 hours paid leave for 10 days (two weeks) (Exclusions apply.)</p> <p><i>PENDING ADDITIONAL GUIDANCE FROM FEDERAL GOVERNMENT</i></p>	<p>Not Applicable</p>
<p>*Exclusions</p> <p>The Federal Act permits the City to exclude health care providers and emergency responders from these provisions. Based on guidance from the Department of Labor and to ensure adequate staffing levels for critical services, the City has decided to implement the following exclusions:</p> <p>Emergency Paid Sick Leave</p> <ul style="list-style-type: none"> Emergency responders are only eligible to take Emergency Paid Sick Leave (EPSL) for reasons 1-4 above. 		

- Emergency responders are not eligible to take EPSL for reasons 5 and 6 above. Any request made by emergency responders to take Emergency Paid Sick Leave for reason 5 will be determined on a case-by-case basis.

Emergency FMLA

- Emergency responders are not eligible for Emergency FMLA. Any request made by emergency responders to take Emergency FMLA will be determined on a case-by-case basis.

Emergency Responders are defined as the following: all sworn Police, all sworn Fire, all 911 operations, certain employees in the Public Works, Water Services, Street Transportation, and Aviation Departments. Employees in Public Works, Water Services, Street Transportation, and Aviation will need to contact their HR Liaison/payroll liaison to determine eligibility. You can find a list of emergency responders [here](#).

General Questions & Answers

Question: ***Do I need to enter leave for my employees taking Emergency Paid Sick Leave or Emergency FMLA?***

Answer: **Full-time Employees**

- Yes, when your employee takes leave for reasons 1-4 above. Enter the leave code PD: FFCRA Emergency Pd Sick Leave in eCHRIS.
- When your employee needs to take leave for school or child care closure (reason 5 above), refer the employee to FMLASource at **1-877-462-3652**. Since this leave may also qualify for new emergency FMLA provisions, it is important to have full-time employees work through the City's FMLA vendor. As FMLASource processes the leave, it will show up in eCHRIS for your approval.

Part-time Employees

- For part-time employees, supervisors need to let their department payroll staff know when an employee takes leave for any of reasons listed above.
 - Payroll staff will enter applicable pay and leave codes in the system for the employee.
 - To ensure that a part-time employee is appropriately paid, it is important to promptly notify your payroll staff when an employee takes EPSL and/or Emergency FMLA leave.
 - Part-time employees **do not need** to call FMLASource when taking leave for reason 5 above. Department payroll staff will work with the City's FMLA Administration team to have the leave designated as Emergency FMLA.

Question: *What if my employee is defined as an [emergency responder](#) and wants to take leave due to their child's school closure (reason 5 above)?*

Answer: Any request made by emergency responders to take leave for this reason will be reviewed on a case-by-case basis. The employee should contact their Human Resources liaison and provide the reason for their request. The Human Resources liaison will ensure the request is reviewed by the Department Head, assigned Deputy City Manager, and Union Representative.

Question: *Regarding reason number 6 listed on the chart above, do we know what qualifies for leave under this provision at this time?*

Answer: No, the City is currently awaiting Federal guidance related to reason 6. Updates will be provided by the Human Resources Department as soon as Federal guidance is provided.

Question: *Can I mark leave taken as Emergency Paid Sick leave as unscheduled?*

Answer: No, leave taken as Emergency Paid Sick Leave cannot be marked as unscheduled. Full-time employees are eligible to take up to 80 hours of job protected leave for the Emergency Paid Sick Leave reasons listed above. Part-time employees are eligible to take up to 60 hours of job protected leave for the Emergency Paid Sick Leave reasons listed above.