

UNIVERSITY OF HOUSTON

COVID-19 Emergency Leave

INFORMATION AND GUIDANCE

UNIVERSITY of **HOUSTON**

HUMAN RESOURCES

CAN THE EMPLOYEE WORK FROM HOME?

Yes. the employee can work from home.

Employee works from home (hourly employees will continue to punch in and out)

No, the employee cannot work from home.

Effective March 18, 2020 through April 30, 2020:

University of Houston emergency leave is available for the following reasons (update for April 2020 only this leave has been expanded to ALL employees):

- the employee's job does not allow for working at home
- the employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19;
- the employee has been advised by a health care provider to self-quarantine because of COVID-19;
- the employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis;
- the employee is caring for an individual subject or advised to quarantine or self-isolate;
- the employee is caring for a son or daughter whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 precautions; or
- the employee is experiencing substantially similar conditions as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury

No, the employee cannot work from home (cont.)

Effective April 1, 2020 through December 31, 2020

Option 1- employee may be entitled to federal Emergency Paid Sick Leave Act (EPSLA) providing 10 days (80 hours)

Employee would be paid a maximum of \$511/ per day (\$63.875/ hr) capped at \$5,110 in total when used for the following reasons:

- the employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19;
- the employee has been advised by a health care provider to self-quarantine because of COVID-19; or
- the employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis

Employee would be paid 2/ 3 the employees rate up to a maximum of \$200/ per day (\$25/ hr)capped at \$2,000 in total when used for the following reasons:

- the employee is caring for an individual subject or advised to quarantine or self-isolate;
- the employee is caring for a son or daughter whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 precautions;
- the employee is experiencing substantially similar conditions as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury

No, the employee cannot work from home (cont.)

Effective April 1, 2020 through December 31, 2020

Option 2- employee may be entitled to federal Emergency Family and Medical Leave Expansion Act (EFMLEA) for the following reasons:

- the employee is caring for a son or daughter whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 precautions
- expands FMLA leave to provide 12 weeks (60 days) for the above reason only
- the first 2 weeks (10 days) are unpaid, EPSLA or sick time may be used to cover this period but may not be required to use
- the remaining 10 weeks (50 days) will all be paid at 2/3 the employees rate up to a maximum of
- \$200/ per day (\$25/ hr) capped at \$10,000 in total. An employee making approximately \$37.31/ hour would make the maximum allowable ($\$37.31 * 67\% = \25)
- employees must be employed for at least 30 calendar days to qualify for the EFMLEA

*For April 2020 only, the state emergency leave will be used to keep an employee whole if the federal leave drops an employee below their regular hourly rate.

EMERGENCY LEAVE EARNINGS CODES

Earnings Code	Timesheet Code	Description	DAILY/HOURLY	HRS CAP	EARNS CAP
ES1	E01	Emergency Sick <u>Lv</u> R1-R3 MO	EE's rate to a max of \$511/per day (\$63.875/hr)	80	5110
ES2	E02	Emergency Sick <u>Lv</u> R4-R6 MO	2/3 the EE's rate to a max of \$200/per day (\$25/hr)	80	2000
ES3	E03	Emergency Sick <u>Lv</u> R1-R3 BW	EE's rate to a max of \$511/per day (\$63.875/hr)	80	5110
ES4	E04	Emergency Sick <u>Lv</u> R4-R6 BW	2/3 the EE's rate to a max of \$200/per day (\$25/hr)	80	2000
EFM	E05	Emergency FML Expansion Act MO	2/3 the EE's rate to a max of \$200/per day (\$25/hr)	400	10000
EFB	E06	Emergency FML Expansion Act BW	2/3 the EE's rate to a max of \$200/per day (\$25/hr)	400	10000

EMPLOYEE LEAVE GUIDANCE

The following is guidance (which is subject to change) related to the types of leave that may be available for employees based on the recently enacted Families First Coronavirus Response Act:

Emergency Family and Medical Leave Expansion Act

- Eligible employees: Employees who have been employed for at least 30 calendar days. This includes any employee of the University, i.e., student workers, temporary employees, part time employees, etc.
- Entitlement: When an employee is unable to work (or telework) due to a need for leave to care for the son or daughter under 18 years of age of such employee if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19.
- Duration of Leave: Up to 12 weeks. Employee may take this leave intermittently. Please note that the employee is only eligible for a combined 12 weeks of FMLA leave in a 12 month period which includes any leave taken under this Act. Depending on how much FMLA leave has already been taken by the employee, they may have already exhausted their FMLA leave for the period or may only be entitled to a portion of leave under this Act.
- Pay During Leave: First 10 days are unpaid but employee may substitute and use accrued vacation leave, personal leave, or medical or sick leave during this period. Employee can also use the paid sick leave under the Emergency Paid Sick Leave Act to cover these first 10 days. Remaining period of the 12 weeks is paid at 2/3 regular rate of pay but is subject to limits.
- Effective date: April 1, 2020 to December 31, 2020.
- Employer notice to employees: Employers must post notice of Act requirements.
- Employee notice to employer: Employee must provide as much notice of leave as is practicable when the need for leave is foreseeable.
- No retaliation: Employers may not take action against an employee for taking leave under, or engaging in protected activity related to, the Act.
- Job restoration: Employers must restore employees to the same or equivalent position after their return from leave.

Emergency Paid Sick Leave Act

- Eligible employees: Employees are eligible from the first day of employment. This includes any employee of the University, i.e., student workers, temporary employees, part time employees, etc. Employers may not require employees to use other paid leave before using this leave.
- Entitlement: Paid leave when an employee is unable to work (or telework) due to a need for leave because:
 - employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19;
 - employee has been advised by a health care provider to self-quarantine due to COVID-19;
 - employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis;
 - employee is caring for an individual who is subject to an order under (a) above or being advised under (b) above;
 - employee is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable due to COVID-19;
 - employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.
- Duration of Leave: For full-time employees, 80 hours. For part-time employees, a number of hours equal to the number of hours the employee works on average over a 2-week period. Employee may take this leave intermittently if teleworking or caring for a son or daughter as noted in (e) above.
- Pay During Leave: Depends on circumstances for the leave and is subject to limits.
- Effective date: April 1, 2020 to December 31, 2020.
- Employer notice to employees: Employers must post notice of Act requirements.
- Employee notice to employer: Employee may be required to follow reasonable notice procedures after the employee's first workday receiving the leave.
- No retaliation: Employers may not take action against an employee for taking leave under, or engaging in protected activity related to, the Act.

EMPLOYEES APPLY FOR LEAVE

The following is guidance on how employees should apply for federal emergency leave that may be available for employees based on the recently enacted Families First Coronavirus Response Act:

Emergency Paid Sick Leave Act

- Employee will complete the Federal Emergency Leaves Application found at <https://uh.edu/human-resources/forms/>
- Employee will submit a New FML case via the web form at <https://uh.edu/human-resources/hr-service-center/fml/> and attach the completed Federal Emergency Leaves Application
- Benefits team communicates decision to employee and manager
 - Leave code to be used will be indicated
- For Benefits-Eligible Employees
 - Employees can submit an **appropriate leave request through absence** with corresponding leave code description. Supervisor will need to approve.
 - Supervisors can submit an **appropriate leave request through absence** for their employee with corresponding leave code description. Automatically approved when supervisor submits.
 - Supervisor can also add the **appropriate leave request through TRAM directly on the timesheet** with corresponding leave code description
- For Non-Benefit-Eligible Employees
 - Supervisor will enter the **appropriate leave request through TRAM directly on the timesheet** with corresponding leave code description

Emergency Family and Medical Leave Expansion Act

- Employee will complete the Federal Emergency Leaves Application found at <https://uh.edu/human-resources/forms/>
- Employee will submit a New FML case via the web form at <https://uh.edu/human-resources/hr-service-center/fml/> and attach the completed Federal Emergency Leaves Application
- Benefits team communicates decision to employee and manager
- For intermittent EFML the leave code to be used will be indicated
 - For Benefits-Eligible Employees
 - Employees can submit an **appropriate leave request through absence** with corresponding leave code description. Supervisor will need to approve.
 - Supervisors can submit an **appropriate leave request through absence** for their employee with corresponding leave code description. Automatically approved when supervisor submits.
 - Supervisor can also add the **appropriate leave request through TRAM directly on the timesheet** with corresponding leave code description
 - For Non-Benefit-Eligible Employees
 - Supervisor will enter the **appropriate leave request through TRAM directly on the timesheet** with corresponding leave code description
- For full EFML the Benefits team enters the time on behalf of the employee.

THANK YOU!

For questions please contact us

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