

COVID-19 Federal and State Leave Laws for School Districts

*Federal Emergency Family and Medical Leave Expansion Act,
Federal Emergency Paid Sick Leave Act, and New York Paid Sick Time*

*Send FMLA paperwork to employee for #1-5
** Send for #4 ONLY if caring for a family member

Christopher Honeywell, Esq.
(518) 512-4580
CJH@honeywelllawfirm.com

Employee notifies, or Employer is aware, of an employee's inability to work or telework due to:

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1. The Employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19*



NY Paid Sick Time
Effective March 18, 2020
Federal Paid Leave drawn down concurrently with State Leave



14 days of paid sick leave at regular rate of pay (Federal paid leave 80 hours is drawn down concurrently with the available State leave)

14 days of paid sick leave at regular rate of pay (Federal paid leave 80 hours is drawn down concurrently with the available State leave)

2. The employee has been advised by a health care provider to self-quarantine due to COVID-19*



Federal Emergency Paid Sick Leave Act
Effective April 1, 2020
Block leave unless teleworking employee and employer agree to intermittent



80 hours @ regular rate of pay, subject to a maximum of \$511/day, or \$5,110 aggregate

Average hours over 2-week period at full pay, subject to a maximum of \$511 per day, or \$5,110 aggregate

3. The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis.*



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80 hours @ regular rate of pay, subject to a maximum of \$511/day, or \$5,110 aggregate

Average hours over 2-week period at full pay, subject to a maximum of \$511 per day, or \$5,110 aggregate

4. The employee is caring for an individual who is subject to a federal, state, or local quarantine or isolation order related to COVID-19**



Federal Emergency Paid Sick Leave Act
Effective April 1, 2020
Block leave unless teleworking employee and employer agree to intermittent



80 hours @ 2/3 regular rate of pay, subject to a maximum of \$200/day, or \$2,000 aggregate

Average hours over 2-week period at 2/3 regular rate of pay, subject to a maximum of \$200/day, or \$2,000 aggregate

5. The employee is caring for the employee's child if the child's school or place of care is closed or the child's care provider is unavailable due to COVID-19. Special circumstances must exist for a child over 18.*



Federal Emergency Paid Sick Leave Act
Effective April 1, 2020
Employee may take intermittently



80 hours @ 2/3 regular rate of pay, subject to a maximum of \$200/day, or \$2,000 aggregate

Average hours over 2-week period at 2/3 regular rate of pay, subject to a maximum of \$200/day, or \$2,000 aggregate

The Emergency Family and Medical Leave Expansion Act
Effective April 1, 2020
Employee may take intermittently



- First 2 weeks unpaid under FMLA, however, can be paid at employee's option using Federal Paid Leave or employee vacation and/or personal leave accruals; or if employee elects unpaid, employer can require accruals to be utilized if employer policy requires this for FMLA leave
- Up to 10 additional weeks @ 2/3 regular rate of pay, subject to a maximum of \$200/day, or \$10,000 aggregate. Employee and employer may agree that accrued vacation and/or personal time may be used concurrently to supplement paid leave to full pay

- First 2 weeks unpaid under FMLA, however, can be paid at employee's option using Federal Paid Leave or employee vacation and/or personal leave accruals; or if employee elects unpaid, employer can require accruals to be utilized if employer policy requires this for FMLA leave
- Up to 10 additional weeks @ 2/3 regular rate of pay, subject to a maximum of \$200/day, or \$10,000 aggregate. Employee and employer may agree that accrued vacation and/or personal time may be used concurrently to supplement paid leave to full pay

6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services (HHS).



Federal Emergency Paid Sick Leave Act
Effective April 1, 2020



80 hours @ 2/3 regular rate of pay, subject to a maximum of \$200/day, or \$2,000 aggregate

Average hours over 2-week period at 2/3 regular rate of pay, subject to a maximum of \$200/day, or \$2,000 aggregate

Full-Time Employee
(in addition to already provided employer benefits)

Part-Time Employee
(in addition to already provided employer benefits)