

COVID-19 LEAVE / ACCOMMODATION REQUEST

1. Is the leave requested for a reason for which FFCRA Leave is potentially available?

FFCRA Leave is available for any of 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 related to COVID-19;
- The employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
- The employee is caring for an individual subject to a Federal, State or local quarantine or isolation order related to COVID-19;
- The employee is caring for an individual who has been advised by a health care provider to self-quarantine related to COVID-19;
- 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; or
- The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services. (There are currently no such identified conditions.)

If YES, proceed to #2. If NO, proceed to #3.

2. FFCRA Leave

- Is the employee unable to work or telework?
- Has the employee previously exhausted Emergency Paid Sick Leave?
NOTE: Employees are eligible for two weeks, up to 80 hours, of Emergency Paid Sick Leave, through December 31, 2020.
If NO, provide EPSLA Leave Form.
If YES, notify employee that Emergency Paid Sick Leave is exhausted and proceed to #3, unless the need for leave is to care for a child whose school or place of care is closed (or child care provider is unavailable).
- If the leave request is for caring for a child whose school or place of care is closed (or child care provider is unavailable), consider Expanded FMLA leave:
 - Eligible employee must have been employed for 30 days.
 - Provides up to an additional 10 weeks of leave, paid at 2/3 the employee's regular rate of pay, up to \$200/day.
 - Counts as FMLA leave, and if employee previously took FMLA leave within the applicable 12 month period, the amount of available leave is reduced by the amount of FMLA leave already taken.
 - Provide EFMLA Leave Form.

If FFCRA Leave is not available or has been exhausted, proceed to #3.

3. Is there any other applicable leave?

- Employee leave policies – sick leave, personal leave, leave of absence; workers’ compensation, STD, LTD, etc.
- FMLA leave – for the employee’s own serious health condition, or to care for an immediate family member with a serious health condition. (Check to make sure the employee is entitled to FMLA.)

4. Does the employee require reasonable accommodations under the ADA?

- Does the employee have a disability, i.e., a physical or mental condition that substantially limits a major life activity? NOTE: Being positive for COVID-19 or experiencing symptoms of COVID-19 is not, by itself, a disability. However, being at risk for complications from COVID-19 or having symptoms of COVID-19 might exacerbate an underlying condition that requires an accommodation.
- Would reasonable accommodations allow the employee to perform the essential functions of his/her position?
- Examples of COVID-19 related accommodation requests:
 - Work from home;
 - Additional PPE;
 - Additional cleaning / cleaning supplies;
 - Physical location / social distancing;
 - Change in specific duties
- Follow ADA interactive process procedure.
- Can also consider reasonable accommodations for those at “high risk” to have complications from COVID-19 for reasons other than underlying disability, i.e., age.