

# Get Ready! School's Reopening!

## Parents and Guardians

# KNOW YOUR RIGHTS!

Parents and Guardians, you may be eligible for leave benefits under the Families First Coronavirus Response Act (FFCRA). If your child's school, childcare provider, or daycare center is impacted by the COVID-19 Pandemic you may be eligible for **Emergency Paid Sick Leave (EPSL)** and/or **Expanded Family and Medical Leave (EFML)**. Visit [www.dol.gov/agencies/whd/ffcra/benefits-eligibility-webtool](http://www.dol.gov/agencies/whd/ffcra/benefits-eligibility-webtool) to see if you qualify.

### WHAT YOU SHOULD KNOW

#### What is the FFCRA?

- The Family First Coronavirus Response Act (FFCRA) requires certain employers to provide employees with paid sick leave (EPSL) or expanded family and medical leave (EFML) for specified reasons related to COVID-19.
- FFCRA provides eligible employees with:
  - EPSL up to two weeks of paid leave at 40 hours per week; and
  - EFML a minimum 2/3 of your regular rate of pay you would earn for the hours typically worked for approximately 10 weeks.

#### Which employers are covered?

- Certain private sector employers with less than 500 employees and public employers with at least one employee.
- Employers with fewer than 50 employees:
  - may qualify for exemptions;
  - some provisions may not apply.

#### What is a childcare provider?

- A "childcare provider" is someone who cares for your child. This includes individuals paid to provide childcare, like nannies, au pairs, and babysitters. It also includes individuals who provide childcare at no cost and without a license on a regular basis, for example, grandparents, aunts, uncles, or neighbors.

### HELPFUL TIPS: What should parents/guardians do to prepare before school starts?

1. Review your employee handbook and keep a copy on hand at work and home if possible.
2. Talk with the HR department about the company's leave time policy.
  - Get a printout of your benefits and accrued leave time.
  - Ask about COVID-19 specific leave time or paid time off policies.
  - Discuss use of normal leave time (FMLA) versus emergency leave time related to COVID19.
  - Make be sure that you can keep your job benefits if you have to use leave time.
  - Ask about forms that may be needed if you request any type of leave.
3. Gather any documents that your HR department may need in order to request emergency leave.
4. Ryan White eligible clients, call CrescentCare Legal Services if you were denied leave or if you have any concerns about eligibility.
5. Check eligibility at [www.dol.gov/agencies/whd/ffcra/benefits-eligibility-webtool](http://www.dol.gov/agencies/whd/ffcra/benefits-eligibility-webtool).

#### Expanded Family & Medical Leave

EFML is available if due to COVID19:

1. you are unable to work or telework due to the need to care for a child under the age of 18 or an adult child who is incapable of self-care due to a disability; or
2. when the child's school or daycare is closed due to the coronavirus; or
3. your childcare provider is unavailable.

**Benefits Available:** up to 12 weeks of protected leave: 2 weeks of unpaid child-care leave and 10 weeks of paid child-care leave. Leave can be used intermittently.

#### Emergency Paid Sick Leave

EPSL is available if due to COVID19:

1. you work for a covered employer;
2. have been on payroll for 30 calendar days; and
3. are unable to work because you must care for a child who is under 18 or an adult child who is incapable of self-care due to a disability whose school or child-care provider is closed or unavailable.

#### **Benefits Available:**

- FTE up to 80 hours of paid sick leave
- PTE leave equal to the average number of work hours in a two-week period up to a maximum of 80 hours.

**DISCLAIMER:** The information provided in this document does not, and is not intended to, constitute legal advice. All information available in this document is for general informational purposes only. Information may not be up to date. Contact an attorney for legal advice.