HCLC members,

Per our conversations and earlier guidance, NFC has issued coding for the new Emergency Paid Sick Leave under the Families First Coronavirus Response Act. The coding has been shared with your business systems points of contact.

In order to assist you in implementing the new paid leave option we created the following message that you can share with your employees:

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Employee Message:

The Families First Coronavirus Response Act (FFCRA) provides DHS employees with additional sick leave for certain COVID-related purposes. Full-time employees are entitled to 80 hours of FFCRA leave; part-time employees are entitled to a prorated amount. FFCRA leave is available in addition to regular sick leave, which is another option available to employees affected by COVID. Because FFCRA leave is compensated differently from other types of paid leave, employees may find it more advantageous to use sick or annual leave to cover COVID-related absences.

An employee is entitled to take FFCRA leave if they are unable to work or telework because they:
(1) are subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
(2) have been advised by a health care provider to self-quarantine related to COVID-19;
(3) are experiencing COVID-19 symptoms and are seeking a medical diagnosis;
(4) are caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
(5) are caring for their child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
(6) are experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

FFCRA leave is available to cover absences from April 1, 2020 to December 31, 2020.

FFCRA leave is compensated at the following levels:
• 100% of the employee’s regular rate of pay for qualifying reasons #1-3 above, up to $511 daily and $5,110 total; and
• **2/3 of the employee’s regular rate of pay** for qualifying reasons #4-6 above, **up to $200 daily** and $2,000 total.

Note that an employee’s regular rate of pay for purposes of the FFCRA is not necessarily the same as an employee’s current salary. For purposes of the FFCRA, DHS must calculate an employee’s regular rate of pay by looking at average earnings over a prior six-month period. In practice, this means that employees who have received a raise in the past six months will be paid less for FFCRA leave (as compared to sick leave or annual leave). FFCRA leave is also subject to the limits detailed above.

DHS is working with the National Finance Center to implement FFCRA leave as soon as possible. Because FFCRA leave is compensated differently from other types of leave, implementation presents administrative challenges that may result in over-payment in some cases. In these situations, DHS will recover overpayments through a payroll debt action at a later date. OCHCO will publish additional payroll processing guidance to your payroll processing offices as soon as it becomes available.

Questions about the FFCRA should be directed to your Human Capital Office. Questions about the NFC payroll process should be directed to your Payroll Processing Office.