



Madison County HR

Because all people matter.

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MEMORANDUM

To: Employees, Department Heads, Supervisors, and Elected or Appointed Officials

From: Madison County Human Resources

Re: Families First Coronavirus Response Act

Date: April 07, 2020

On March 18, 2020, the U.S. Department of Labor enacted the Families First Coronavirus Response Act (FFCRA) which requires covered employers, including Madison County, to provide their employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19.

These provisions will apply from April 1, 2020 through December 31, 2020.

The FFCRA provides that covered employers must provide ***all employees***:

1. *Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay* when the employee is:

- a. unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider),

and/or

- b. experiencing COVID-19 symptoms and seeking a medical diagnosis and;

2. *Two weeks (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay* because:

- a. the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider),

or

- b. care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19,

and/or

- c. the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor.

According to the FFCRA, a covered employer must also provide **to employees that it has employed for at least 30 days:**

1. *Up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay* where an employee is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

Madison County has elected to exclude some Health Care Providers and Emergency Responders, as defined by the [declarations approved by the Madison County Commission on April 06, 2020](#), from eligibility for Expanded Family Medical Leave provided under the Act.

We encourage all employees who are in need of EFML benefits to complete the EFML request form located on our website. The HR department will work closely with your department head to evaluate all EFML requests for emergency responders to determine eligibility.

Qualifying Reasons for Leave:

Under the FFCRA, an employee qualifies for paid sick time if the employee is unable to work (or unable to telework) due to a need for leave because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. 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
6. is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

Under the FFCRA, an employee qualifies for expanded family leave if 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.

Duration of Leave:

For reasons (1)-(4) and (6): A full-time employee is eligible for up to 80 hours of leave, and a part-time employee is eligible for the number of hours of leave that the employee works on average over a two-week period.

For reason (5): A full-time employee is eligible for up to 12 weeks of leave at 40 hours a week, and a part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

Calculation of Pay:

For leave reasons (1), (2), or (3): employees taking leave shall be paid at either their regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate (over a 2-week period).

For leave reasons (4) or (6): employees taking leave shall be paid at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).

For leave reason (5): employees taking leave shall be paid at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period—two weeks of paid sick leave followed by up to 10 weeks of paid expanded family and medical leave).

Paid sick time provided under this Act does not carry over from one year to the next. Employees are not entitled to reimbursement for unused leave upon termination, resignation, retirement, or other separation from employment.

Additionally, paid sick time under this Act will not count against employee accrued leave balances. An employee may elect to substitute any accrued vacation leave, personal leave, or medical or sick leave for the first two weeks of partial paid leave under this section.

**Forms to apply for Emergency Paid Sick Leave and Expanded Family Medical Leave benefits and COVID-19 updates are available
at <https://www.madisoncountyhr.org/covid-19-updates>.**

Should you have questions or concerns regarding this matter, please contact Madison County HR at HR@madisoncountyal.gov.