

HCPS Leave Benefit Programs Reference

August 2020

Family First Coronavirus Response Act (FFCRA): provides eligible employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19

- Supporting a Medical Condition:
 - If an employee has been directed by a medical provider to get a COVID test and quarantine until results come back
 - May be eligible for up to two weeks of paid leave under the FFCRA. Leave request must be submitted through either the Benefits SharePoint page or HCPS website
 - Lifetime usage maximum of two weeks - if previously used two weeks since March this time would be counted against future eligibility.
- Supporting a Childcare need:
 - If 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.
 - The employee can apply for leave under the Families First Coronavirus Act (FFCRA), which if the employee has a qualifying reason for leave, provides up to twelve (12) weeks of paid expanded family and medical leave at **two-thirds the employee's regular rate of pay**. HCPS will use employee accumulated and unused leave, until exhausted, to supplement the remaining portion for employees to receive a full salary.
 - Lifetime usage maximum of twelve weeks - if previously used leave since March this time would be counted against future eligibility.
 - The individual must have been employed for at least 30 calendar days.

You can access FFCRA by clicking on this link: [Benefits SharePoint FMLA Page](#)

Family and Medical Leave Act (FMLA): provides eligible employees up to twelve-weeks of job-protected leave in a 12-month period

- If an employee has an underlying health condition and would like to request leave under FMLA, they can submit a leave request form which can be accessed through both the Benefits SharePoint page and HCPS website.
- If an employee has a family member (spouse, parent, child) with a health condition which requires assistance with daily living:

- Submit a leave request form which can be accessed through either the Benefits SharePoint page or HCPS website for family medical illness under the FMLA.
- 12 weeks of unpaid job protection, supplemented by any accumulated and unused leave the employee has
- Can extend to a leave of absence if the employee is eligible – but does not guarantee position or school upon return from a leave of absence.

You can access FMLA by clicking on this link: [Benefits SharePoint FMLA Page](#)

Americans with Disabilities Act (ADA): prohibits discrimination based on disability; provides for reasonable accommodations to be able to perform the essential functions of the employee's job

- If an employee has an underlying health condition and would like to request accommodations, those requests can be emailed to benefits@hcps.org.
 - The employee will be requested to submit a letter from their treating physician, on letterhead, with the following information:
 - your medical condition,
 - the specific accommodation requested,
 - whether the condition and accommodation are related to covid-19, and why; and lastly,
 - your treating physician's name and signature, as well as their contact information.
- [Americans with Disabilities Act Communication COVID19 Related Accommodation](#)
- [Americans with Disabilities Act Communication Packet](#)

Situations not Supported by Leave Benefits

- If an employee wants to self-quarantine – not directed by a medical provider and did not get a COVID test-- FFCRA/FMLA/ ADA is not available and this is not a qualifying reason under these laws.
- If an employee has a family member (spouse, parent, child) with an underlying health condition that does not require assistance with daily living, leave may not be available.
- If an employee is not comfortable with the idea of returning to an HCPS worksite, including a Learning Support Center (LSC), leave benefits are not available when the employee lacks any qualifying condition for leave under FMLA, or FFCRA, nor is their accommodation request reasonable for their essential job functions

HR Support is Available

- All requests will be reviewed by your Leave Specialist for a determination based on the medical information provided.

- There may be situations in which an employee would be eligible for both work accommodations and/or FMLA or FFCRA leave benefits. These would be addressed individually with the Leave Specialist.
- If a more specific circumstance is not reflected within the scenarios above, the employee should directly email benefits@hcps.org, so that they can be contacted by their Leave Specialist for further discussion.
- Available 24/7, the Employee Assistance Program (EAP) is available to work confidentially with employees and their family members to address personal and family problems that can have a direct impact on personal well-being and work attendance and performance. Contact EAP at 1-866-795-5701, or EAPHelpLink.com, company code HCPS.