



Frequently Asked Questions and Guidance Related to COVID-19 State and Federal Paid Leave

NOTE: The following information is subject to change based on receipt of additional information from state leadership.

Currently, we believe it is in the best interests of employees to first use the NC State of Emergency Leave and then follow that with the Federal benefits. This should keep more employees in paid status for longer due to the state of emergency. Employees would need to complete the COVID-19 Leave Form on the Richmond County Schools website to access these benefits. The form may be completed using a phone. For questions that are not addressed by this FAQ, please send an email to juliancarter@richmond.k12.nc.us Please see below for more information.

FAQ for NC State Board of Education Policy for Emergency Paid Sick Leave

Who is eligible?

All NC public school employees who are unable to work or telework (i.e. work remotely from home) due to childcare or elder care needs resulting from COVID-19 closures.

Also, anyone who cannot work due to symptoms consistent with COVID-19 or who is caring for a dependent with such symptoms, or a health care provider has advised the employee to self-quarantine due to concerns related to COVID-19 can receive State of Emergency Leave.

How much paid sick leave has been approved for public school employees? *Hours listed are for full time employees; part-time employee leave is pro-rated based on their work hours.

168 hours*. It is in effect from April 1, 2020 – April 30, 2020.

Are mandatory or essential workers covered by this Emergency Paid Sick Leave if they cannot work?

Yes. Typically, most mandatory or essential employees cannot work from home.

Can employees considered to be “high risk” (being over 65 years of age, having underlying health conditions, having a weakened immune system, or as otherwise identified by state or federal health authorities) use this paid NC sick leave from April 1-30, 2020?

Yes, unless the employee can telework (work remotely from home). If any employee, whether high risk or not, is unable to work due to childcare or elder care responsibilities, that employee is eligible for the State Emergency Paid Sick Leave.

How does this work with the Families First Coronavirus Recovery Act legislation that provides up to two weeks of sick leave and expanded FMLA protection?

You may be eligible for both the federal and state paid sick leave. Currently, we would expect to use the federal paid sick leave after the NC State of Emergency Leave as it can be used through December 2020.

What if I have been working from home since March 16 – am I eligible for this paid sick leave?

Not if you can still work from home. You are working and get paid. If you cannot work because you are suffering from COVID-19, you would be eligible.

Could my supervisor reassign me to do a different job with different responsibilities during the pandemic?

Yes, it is possible. You would get compensated accordingly.

What if I cannot work from home because I do not have internet access?

You are eligible for this paid sick leave from April 1 through April 30, 2020.

What if I cannot work from home because my supervisor has not told me what I should be doing?

You are eligible for this paid sick leave from April 1 through April 30, 2020.

What if my hours have been reduced due to the pandemic?

You are eligible for paid sick leave from April 1 – April 30, 2020 to make up the lost hours so you would receive full pay as if there were no pandemic.

Are on-call, as-needed substitute employees eligible?

No.

Are substitute employees who work every day eligible?

Yes.

What if I have been on leave for another reason (e.g. non-pandemic health reasons, leave for new parents, etc.?)

You are not eligible for this leave unless you are suffering from COVID-19, caring for

someone with COVID-19, quarantined or isolated, at high risk for COVID-19, or needing to provide child-care or elder-care due to pandemic related unavailability.

What if I was not working from March 16 through March 31, 2020 for COVID-19 related reasons?

You may be eligible for up to ninety-six hours of State of Emergency Leave retroactively. You must submit information to juliancarter@richmond.k12.nc.us so that we can assess your eligibility.

How can I request leave under either of these two policies?

Complete the Covid-19 Leave Request Form on the Richmond County Schools website electronically. It can be completed using a smartphone. Documentation from a health care provider or other related information, can be emailed to juliancarter@richmond.k12.nc.us. Employees may take a picture of related documents (using their phone) and send to the same email address.

What should I expect in my paychecks?

For 10-month employees on the traditional calendar, your February paycheck paid you from February 14 to March 16, 2020. Your March paycheck paid you from March 17 to April 14, 2020. Each check pays you two weeks in advance. Any absences or leave days in a pay period are reported and factored in the next month's paycheck. For 11-month and 12 month employees, your March paycheck paid you from March 1 to 31, 2020. Any absences or leave days in a pay period are reported and factored in the next month's paycheck. Therefore, March 9 - April 3, 2020 absences will be reported to payroll for your April paycheck. The Payroll and HR departments will be working hard to process everyone's leave as quickly and as accurately as possible to ensure that everyone gets his or her entitled leave as quickly as possible.

What if I was out for COVID-19 reasons in March 2020 and had non-paid leave days?

By filling out the Covid-19 Leave Request Form located on the Richmond County Schools website, we will make sure you get the paid leave if you are eligible. HR will respond as quickly as we possibly can.

FAQ on expanded FMLA and Emergency Paid Sick Leave Act of March 18, 2020

What is this new FMLA extension?

This FMLA extension allows employees who have worked for 30 calendar days or more with Richmond County Schools to be able to access FMLA job protection if they need to be out for childcare purposes due to school or childcare closures from COVID-19 pandemic.

Is there any paid leave with this COVID-19 FMLA extension?

Yes. FMLA generally only grants unpaid job protection. This FMLA extension allows for paid FMLA leave after a ten-day waiting period in which the employee can choose whether to use leave or not. Then payment must be at least 2/3 of full pay for the next ten weeks with limits of \$200/day and \$2000 total.

Is there anything special under FMLA if I get sick from COVID-19 or need to care for someone with COVID-19?

Regular FMLA rules would apply in this situation. You would need 1 year of work with Richmond County Schools and have worked 1250 hours in the past year to be out for your own serious health condition or to care for a qualifying family member. FMLA restricts qualifying family members to spouse, parent, child, and next of kin.

What if I used all my 12 weeks of FMLA earlier this school year - am I still eligible for FMLA for COVID-19?

No. FMLA is for a total of 12 weeks in a 12-month period. This pandemic extension just adds to what FMLA covers. While you would not be eligible for FMLA job protection if you were out beyond 12 weeks, please know that Richmond County Schools is not considering excessive absences during COVID-19 as it would under normal circumstances. Please also know that if an employee has paid leave (sick, annual, e.g.) and cannot work, Richmond County Schools generally allows entitled leave to be used with no repercussions.

Can you sum up this information about this new FMLA extension?

Sure. If you have worked for Richmond County Schools for 30 days or more, you are eligible to 12 weeks of federal job protection under FMLA if you are out because you need to provide coverage for children/dependents due to school closures or the unavailability of paid childcare. The first two weeks can be unpaid or paid at the employee's discretion based on available leave. The next ten weeks would be paid by the employer and the employee would receive no less than 2/3 of one's regular salary. The daily maximum amount is \$200 per day.

Is the new FMLA extension the same as the Emergency Paid Sick Leave Act?

No, the FMLA extension adds another qualifying event to invoke federal job protection. The Emergency Paid Sick Leave Act is a separate piece of legislation. Both were introduced on March 18, 2020 and need to be in effect by April 2, 2020.

What does the Emergency Paid Sick Leave Act do?

This act provides up to 80 hours or 2 weeks of paid sick leave to full time employees due to the pandemic. There is no length of service requirement. If a person is not full time, the amount of sick leave is pro-rated.

What if my work hours are not consistent week-to-week? How much paid sick leave time will I get?

An average number of work hours would be calculated based on the previous six months. It will be pro-rated.

How much can a full-time employee get paid under the Emergency Paid Sick Leave Act if sick with COVID-19?

If you are out of work because you have been quarantined or isolated due to COVID-19, been advised to self-quarantine, or are exhibiting symptoms of COVID-19 and awaiting medical diagnosis or treatment, you can receive 2 weeks of full pay. There is maximum daily amount of \$511 per day.

How much can a full-time employee get paid under the Emergency Paid Sick Leave Act if needing to be out to care for someone who has been medically ordered or advised to be isolated or quarantined?

If you are out of work because you are caring for someone quarantined or isolated per medical order/advice, you can receive 2 weeks of pay at 2/3 your regular rate of pay, maximum of \$200 per day.

How much can a full-time employee get paid under the Emergency Paid Sick Leave Act if needing to be out of work to care for children who have no school or childcare?

If you are out of work because you are caring for children/dependents due to school closures or unavailability of paid childcare due to COVID-19, you can receive 2 weeks of pay at 2/3 your regular rate of pay, maximum of \$200 per day.

Can I use the Emergency Paid Sick Leave Act to get paid for the first two unpaid weeks of the extended FMLA provision if caring for children due to COVID-19 school closures or childcare unavailability?

Yes.

What if I cannot get a medical note from a doctor or a childcare provider?

Send in your information because a note may not be necessary to process your leave. We will work with all employees to ensure that all entitled benefits are received.