

# EMPLOYEE RIGHTS

## PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

### ▶ PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- ⅔ for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at ⅔ for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

### ▶ ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days* prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

### ▶ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

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| <ol style="list-style-type: none"><li>1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;</li><li>2. has been advised by a health care provider to self-quarantine related to COVID-19;</li><li>3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;</li><li>4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);</li></ol> | <ol style="list-style-type: none"><li>5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or</li><li>6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.</li></ol> |
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### ▶ ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



**WAGE AND HOUR DIVISION**  
UNITED STATES DEPARTMENT OF LABOR

For additional information  
or to file a complaint:  
**1-866-487-9243**  
TTY: 1-877-889-5627  
[dol.gov/agencies/whd](https://dol.gov/agencies/whd)





A RESOLUTION OF THE  
FLOUR BLUFF INDEPENDENT SCHOOL DISTRICT  
BOARD OF TRUSTEES

WHEREAS, the Flour Bluff Independent School District (the "District") has always been and will remain committed to providing the best possible educational opportunities for its students while at the same time being good stewards of its resources;

WHEREAS, due to the COVID-19 global pandemic, Flour Bluff ISD staff members have faced unprecedented challenges in providing instruction to students and carrying out the operations of the District simultaneously in virtual and physical space;

WHEREAS, due to the COVID-19 global pandemic, Flour Bluff ISD staff members have assumed additional or increased duties beyond their normal job duties;

WHEREAS, these challenges and a number of other factors have contributed to declining morale, increased stress and burnout among school district personnel in Flour Bluff ISD and nationwide;

WHEREAS, due to the COVID-19 global pandemic, it is highly likely that employees may exhaust all available and accrued leave due personal illness, to care for a close family member with the illness, or due to the requirement to quarantine after close contact with an individual who has a lab-confirmed positive case of COVID-19;

WHEREAS, the provisions of the federal Families First Coronavirus Response Act (FFCRA) which authorizes additional Emergency Paid Sick Leave (EPSL) for certain qualifying events and circumstances currently expires December 31, 2020; and

WHEREAS, the Flour Bluff Independent School District Board of Trustees believes that the District's educational mission and thus its public purpose is served by supporting our staff members with a one-time payment for the additional or increased duties assumed during the fall to carry out school operations in the COVID-19 global pandemic.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Flour Bluff ISD additional compensation payment for the 2020 Fall semester will provide a one-time salary supplement to each permanent staff member hired before November 1, 2020 and employed at the time of payment, for additional or increased duties performed due to the COVID-19 Pandemic, as follows:
  - a. All permanent, full-time employees (hired before November 1, 2020) who work at least 7.5 hours per day will receive \$500; permanent employees (hired before November 1, 2020) who work less than 7.5 hours per day will receive \$250.
  - b. Individuals must be employed by the District on the date of distribution.

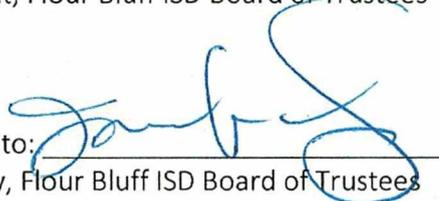
2. That should the Emergency Paid Sick Leave (EPSL) provisions of the Families First Coronavirus Response Act (FFCRA) not be extended by the United States Congress beyond December 31, 2020, the District will continue to offer employees current protections of the EPSL for current qualifying events and circumstances authorized by the FFCRA, except that:
- a. Employees who have already exhausted leave under the FFCRA will not be eligible for any additional leave time;
  - b. This authorization expires no later than the last day of instruction of the 2020-2021 school year, unless this authorization is revoked sooner, or extended by the Board of Trustees.

BE IT FINALLY RESOLVED that the Superintendent of Schools is authorized by the Board to take such actions necessary and appropriate to implement the intent of this Resolution.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE FLOUR BLUFF INDEPENDENT SCHOOL DISTRICT, this 13<sup>TH</sup> day of December, 2020 as follows:

Ayes: 7      Nays: 0      Abstentions: —

Signed:   
President, Flour Bluff ISD Board of Trustees

Attested to:   
Secretary, Flour Bluff ISD Board of Trustees