COVID-19: LEAVE TYPES CHART

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| **Leave Type**  | **Employee** **Eligibility**  | **Purpose of Leave/Eligibility**  | **Rate of Pay**  | **Eligible** **Timeframe**  | **Documentation Required**  |
| **Public Health** **Emergency Leave** **(PHEL)** Available beginning March 12, 2020. | All Classified, Non-Classified, & Wage[[1]](#footnote-1) Employees  | To permit or require employees to attend to their own medical needs, or those of an immediate family member related to COVID-19. * Unable to work when exposure to COVID-19 is suspected ***or*** diagnosed.
* In quarantine mandated by government or public health official.
* Required by agency to self-isolate due to direct exposure to confirmed case if employee cannot telework.
* To care for a family member that is symptomatic or diagnosed.
* May apply to employees with chronic medical conditions that make them high-risk to COVID-19 if the ability to work remotely or telework is not possible.

  | 100%  | Up to 80 hours for FT Classified Employees; prorated for PT, QStatus and wage employees. Additional 80 hours may be awarded at agency’s discretion. Limits applicable to current leave year.  | Consultation with HR Required.  |
| **FFCRA Emergency Sick** **Leave –Reasons 1-3** **Available beginning** **April 1, 2020 – December 31, 2020.**         | All Classified, Non-Classified, & Wage1 Employees  | To provide employees with paid leave if they are unable to work or telework due to any of the reasons 1-3 listed below: 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 or has been given a medical diagnosis.

Granted in addition to employer’s existing leave categories.  | 100% of annual salary or hourly rate up to $511 per day and $5,110 in the aggregate over a 2-week period.  | Up to 80 hours for FT Classified Employees; prorated for PT, QStatus and wage employees.  Note - this is a total number of hours available for Reasons 1-6 combined.  | (DHRM template) FFCRA Emergency Sick Leave Request Form. Consultation with HR Required.        |

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| **Leave Type**  | **Employee** **Eligibility**  | **Purpose of Leave**  | **Rate of Pay**  | **Eligible** **Timeframe**  | **Documentation Required**  |
| **FFCRA Emergency Sick** **Leave – FFCRA Reasons** **4. 5, and 6** Available beginning April 1, 2020 – December 31, 2020.  | All Classified, Non-Classified, & Wage1 Employees  | To provide employees with paid leave if they are unable to work or telework due to reasons 4, 5, or 6 listed below: 1. Is caring for an ***individual[[2]](#footnote-2)*** subject to an order described in (1) or self-quarantine as described in (2).
2. Is caring for a child under 18 years old whose school or daycare is closed (or childcare provider is unavailable) for reasons related to COVID-19.
3. 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.[[3]](#footnote-3)

Granted in addition to employer’s existing leave categories.  | Paid at 2/3 of annual salary or hourly rate up to $200 per day and $2,000 in the aggregate (over a 2-week period).   | Up to 80 hours for FT Classified Employees; prorated for PT, QStatus and wage employees.  Note - this is a total number of hours across all Reasons 1-6 combined.  | (DHRM template) FFCRA Emergency Sick Leave Request Form. Consultation with HR Required.    |
| **FFCRA Emergency** **Family and Medical** **Leave Expansion (FML)** **–Child Care** Available beginning April 1, 2020 – December 31, 2020.   | All Classified, Non-Classified, & Wage[[4]](#footnote-4) Employees Employees must have worked for 30 calendar days prior to event.     | Leave for an employee who must care for their child (under age 18) because the school or child-care provider is closed/unavailable due to a public-health emergency. (Available only to employees who cannot work or telework.) The first two weeks are unpaid unless the employee uses paid Emergency Sick Leave or any personal leave other than sick leave to receive 100% pay. Pay is awarded at 2/3 of salary for up to 10 additional weeks using expanded family and medical leave. Granted in addition to employer’s existing leave categories.  | Paid at 2/3 of annual salary or hourly rate up to $200 per day and $12,000 in the aggregate (over a 12-week period).  | Up to a maximum of 12 weeks (480 hours) for all FML types during a leave year.  | (DHRM template) FFCRA Family Medical Leave Request Form. Consultation with HR Required.  |
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| **Leave Type**  | **Employee** **Eligibility**  | **Purpose of Leave**  | **Rate of Pay**  | **Eligible** **Timeframe**  | **Documentation Required**  |
| **VSDP Short Term** **Disability** (STD)  | VSDP Participants - Classified with at least 1 year of state service  | VSDP eligible employees who develop COVID-19 symptoms or are diagnosed with COVID-19 must file a claim for STD. This will provide income replacement and preserves other leave types for the employee to care for others that may develop symptoms. Disability benefits are available only to employees who are experiencing illness/injury.  | 60%/80%/100% income replacement levels based on years of state service.  | Up to 125 workdays.  | VSDP Claim Paperwork – requires documentation by a Healthcare Provider. Consultation with HR Required.  |
| **VSDP - Sick Leave**  | Classified Employees in VSDP  | Available for the employee’s own health conditions and doctor visits. Normally used for conditions **not** related to COVID-19. May be used after PHEL and Emergency Sick Leave balances are exhausted unless disability benefits are being paid for the employee’s condition. Up to 33% of balance may be used if employee is caring for a family member having a serious medical condition.  | 100%  | Varies based on years of state service and available balance.  | Approval by Supervisor  |
| **VSDP –** **Family/Personal Leave**  | Classified Employees in VSDP  | Available for a family member’s illness, funeral and/or any other personal needs. May be used after PHEL and Emergency Sick Leave balances are exhausted or to supplement other leave types.   | 100%  | Varies based on years of state service and available balance.  | Approval by Supervisor  |
| **Traditional Sick Leave**  | Classified Employees in Traditional Sick Leave Plan  | Available for the employee’s own health conditions and doctor visits, personal medical procedures, and time away from work for recovery. Additionally, up to 48 hours per leave year may be used for the illness or death of an immediate family member. Normally used for conditions **not** related to COVID-19. May be used after PHEL and Emergency Sick Leave balances are exhausted for the employee’s own medical condition/treatment. Up to 33% of balance may be used if employee is caring for a family member having a serious medical condition.  | 100%  | Varies based on years of state service and available balance.  | Approval by Supervisor  |

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**OTHER LEAVE TYPES THAT MAY BE USED/SUPPLEMENT PARTIAL PAY**

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| **Leave Type**  | **Employee** **Eligibility**  | **Purpose of Leave**  | **Rate of Pay**  | **Eligible** **Timeframe**  | **Documentation Required**  |
|  **Annual Leave**  | Classified Employees  | Available for personal use. May be used after PHEL and Emergency Sick Leave balances are exhausted or to supplement other leave types.  | 100%  | Varies based on years of state service and available balance.  | Approval by Supervisor  |
| **Compensatory or Overtime Leave**  | Classified Employees who qualify  | Available for personal use. May be used after PHEL and Emergency Sick Leave balances are exhausted or to supplement other leave types. Compensatory leave expires 12 months after it is awarded. Overtime leave does not expire but may be subject to agency-imposed maximum limits.  | 100%  | Varies based on employee.  | Approval by Supervisor  |
| **Recognition Leave**  | Classified Employees who qualify  | Available for personal use. May be used after PHEL and Emergency Sick Leave balances are exhausted or to supplement other leave types. Recognition leave expires 12 months after being awarded.  | 100%  | Varies based on employee.  | Approval by Supervisor  |

**EXISTING FAMILY & MEDICAL LEAVE ACT CATEGORIES[[5]](#footnote-5)**

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| **Leave Type**  | **Employee** **Eligibility**  | **Purpose of Leave**  | **Rate of Pay**  | **Eligible** **Timeframe**  | **Documentation Required**  |
| **Family and Medical** **Leave (FMLA) – Personal**  | Classified & Wage Employees who meet eligibility criteria  | Provides eligible employees with up to 12 weeks of job protection per leave year for an employee’s own serious health condition or birth/adoption. This is unpaid leave time.    | Employees may charge personal leave balances to receive pay.  | Up to a maximum of 12 weeks total for FMLApersonal, FMLAfamily and FFCRA Expanded FML  | Federal FMLA Certification Form Consultation with HR Required.  |
| **Family and Medical Leave (FMLA) - Family**  | Classified & Wage Employees who meet eligibility criteria  | Provides eligible employees with up to 12 weeks of job protection per leave year for caretaking of and eligible family member who has a serious health condition.    | Employees may charge personal leave balances to receive pay.  | Up to a maximum of 12 weeks total for FMLApersonal, FMLAfamily and FFCRA Expanded FML.  | Federal FMLA Certification Form Consultation with HR Required.  |

1. Paid Leave Hours awarded to wage employees count towards the 1500-hour limit under Manpower Control Program (MCP) and the Affordable Care Act (ACA) [↑](#footnote-ref-1)
2. Federal law does not define “individual” as a family member or based on any other relationship. [↑](#footnote-ref-2)
3. This reason has not yet been clarified by the Dept. of Labor. [↑](#footnote-ref-3)
4. Paid Leave Hours awarded to wage employees count towards the 1500-hour limit under the MCP and the ACA [↑](#footnote-ref-4)
5. Excludes FMLA – for Military Exigency (12 weeks) and for Caretaking of Family Member Ill or Injured During Deployment (26 weeks) [↑](#footnote-ref-5)