



UXBRIDGE PUBLIC SCHOOLS

EQUITY · RESPECT · RESPONSIBILITY · COLLABORATION

EFMLEA Summary Information

Amount of Leave for “EFMLEA”

12 weeks

Reason for “EFMLEA” Leave

Employee is unable to work or Telework due to care for the son or daughter under 18 years of age if the school or place of care has been closed, or the child care provider is unavailable

Amount of Pay for “EFMLEA”

First 2 weeks unpaid (but can use available “EPSLA”)

10 weeks: Two-thirds regular rate of pay up to a cap of \$200/day and \$10,000/aggregate

Eligible Employee:

No eligibility requirement - Employed for at least 30 calendar days

Intermittent Leave under “EFMLA”

None, absent employer/employee agreement

Sequencing:

Employer can require, or employee can elect, to use available paid leave concurrently with EFMLA **Health Insurance:** Coverage under group health plan maintained

In general, “EFMLEA” and “FMLA” may intersect when an FMLA-eligible employee takes “FMLA” leave for one of the qualifying reasons or takes “EFMLEA” leave to care for a Son or Daughter. Here are some examples:

Example 1: If an employee has taken 6 weeks of “FMLA” leave for a serious health condition during the 12-month period, the employee is only entitled to 6 weeks of “EFMLEA” leave

Example 2: If an employee has taken 12 weeks of “FMLA” leave for a serious health condition during the 12-month period, the employee is not entitled to any “EFMLEA”. **Note:** In this case, the employee can use “EPSLA”, *if available*, for up to 80 hours/2 weeks to care for a son or daughter.

Example 3: If an employee takes 8 weeks of “EFMLEA” leave to care for a son or daughter, the employee is only entitled to 4 weeks of “FMLA” leave during the 12 month period.

**** IMPORTANT ****

“EFMLEA” is only available from 4/1/2020 through 12/31/2020, and an employee can only take a maximum of 12 weeks of “EFMLEA” in this time period (provided it is available), even if the time period spans 2 “FMLA” 12-month periods.

In general, “EFMLEA” may intersect with employer provided paid leave

- Employee may elect to use employer-provided paid leave to care for a son or daughter; or
- Employer may require an employee to use employer-provided paid leave to care for a son or daughter
- In either case, the employer-provided paid leave runs concurrently with the “EFMLEA”
- In either case, the employer must pay the employee the full amount of pay (versus 2/3 regular rate of pay)
- In either case, it is unlikely employer would be eligible for tax credit reimbursement for the full amount of pay
- **Telework** – work the employer permits or allows an employee to perform at home or a location other than the employee’s normal workplace. An employee is able to *Telework*, if
 1. The employer has work for the employee
 2. The employer permits the employee to work from the employee’s location; and
 3. There are no extenuating circumstances (e.g. serious COVID-19 symptoms) that prevent the employee from performing the work