



August 14, 2020

TO: Texas A&M AgriLife Employees

SUBJECT: FFCRA Implications of School Reopening

Eligibility for Emergency Paid Sick Leave (EPSL) or Emergency Family and Medical Leave Expansion Act (EFMLA) leave under the Families First Coronavirus Response Act (FFCRA) is based on whether the child's school is open or closed for in-person classes. Here are some scenarios:

- If the child's school is open for in-person classes and the employee chooses remote learning versus on-site learning at the child's school, the employee IS NOT eligible for EPSL or EFMLA leave under FFCRA.

However, if the child is remote learning upon the advice of a health care provider to self-quarantine because of concerns related to COVID-19, the employee may be entitled to take EPSL and/or EFMLA. In this case, documentation from a health care provider must be provided.

- If the child's school requires a mix of in-person and remote learning (i.e. a child attends class in-person in the morning and online from home in the afternoon or in-person two days a week and remotely three days a week), an employee could take intermittent EPSL and/or EFMLA leave, but only with the agreement of the supervisor.
- If the child's school is requiring full-time online instruction or remote learning, the employee may qualify for EPSL and/or EFMLA leave under the FFCRA. Supervisors should work with the employee to adopt a flexible work schedule whether remotely (while supervising their child) or work on-site that satisfies the employee's childcare needs. If the employee is unable to satisfy their work requirement, the employee may be entitled to EPSL and/or EFMLA leave under the FFCRA.

EFMLA (combined with any FMLA previously used) may only be used for a total of 12 weeks between April – December 2020.

For questions, please contact: Doris Tykal, HR Specialist II at 979-845-2361
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