Families First Coronavirus Response Act
FAQs

GENERAL

What New Leave Benefits Were Created by the Families First Coronavirus Response Act (FFCRA)?

The Act created two new types of leave: (1) up to 80 hours of Emergency Paid Sick Leave for specific qualifying reasons (discussed below), and (2) Public Health Emergency Leave, which amends the Family and Medical Leave Act (FMLA) to allow employees to take up to 12 weeks of leave for an additional qualifying reason related to the closure of a minor child's school or place of care because of COVID-19.

When will the Emergency Paid Sick Leave and the expanded FMLA benefits be available for me to use?

You are able to use Emergency Paid Sick Leave and the expanded FMLA benefits starting April 1, 2020 through December 31, 2020.

For how long must I have been employed with the Postal Service to be eligible for these new types of leave?

All employees, regardless of tenure, are immediately eligible for Emergency Paid Sick Leave if they have a qualifying reason (discussed below) to take such leave. Employees who have been employed by the Postal Service for more than 30 days are eligible to take FMLA leave for the qualifying reason related to the closure of a minor child's school or place of care because of COVID-19.

I am a noncareer employee; do I have access to these new benefits?

Yes, eligibility criteria for these new types of leave make no distinction based on career or noncareer status.

Are part-time employees eligible to receive these benefits?

Yes, part-time employees are eligible to receive these benefits. However, part time employees are only eligible for leave equal to the number of hours they are scheduled to work, or, if they have a variable schedule, the average number of hours worked over the preceding six months. How that applies to each type of leave is discussed further below.

EMERGENCY SICK LEAVE

How do I qualify for Emergency Paid Sick Leave?

You qualify for Emergency Paid Sick Leave if you are unable to work or telework because of one of the following reasons:

1. You are subject to a Federal, State, or local quarantine or isolated order related to COVID-19.

2. You have been advised by a health care provider to self-quarantine related to COVID-19.

3. You are experiencing COVID-19 symptoms and are seeking a medical diagnosis.

4. You are caring for an individual subject to an order described in (1) or self-quarantine as described in (2).

5. You are caring for your child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons.

6. You are experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

How do I complete my 3971 Leave Request with this new leave type?

For qualifying reasons 1 – 3, for "Type of Absence" select the "Other" box and write in code 077-19; for remarks you will write "Emergency Sick Leave – Self."

For qualifying reasons 4 – 6, for "Type of Absence" select the "Other" box and write in code 081-19; for remarks you will write "Emergency Sick Leave – Other"

Is Emergency Paid Sick Leave full paid leave?

It depends on your individual compensation and the reason for which you're using the leave. The Emergency Paid Sick Leave Act contains statutory caps on the rate of compensation an employee may receive for Emergency Paid Sick Leave.

For qualifying reasons 1 – 3, Emergency Paid Sick Leave is capped at no more than $511/day, or $5,110 in the aggregate. If your rate of pay does not exceed the statutory cap, you will receive full pay for these hours.

For qualifying reasons 4 – 6, Emergency Paid Sick Leave will be paid at not less than 2/3 of your rate of pay, but is capped at no more than $200/day, or $2,000 in the aggregate.

How much Emergency Paid Sick Leave am I eligible to receive?

Full-time employees are eligible to use up to 80 hours of Emergency Paid Sick Leave for qualifying COVID-19 reasons. If you are not a full-time employee, you are eligible to receive a number of hours equal to the number of hours you work, on average, over a 2-week period. If you have a variable schedule, you can use up to the number of hours equal to the average number of hours you have worked over the preceding six months.

Are an employee's overtime hours included in the 80 hours of Emergency Paid Sick Leave?

Yes, an employee's scheduled overtime hours can be included in their Emergency Paid Sick Leave. However, an employee's Emergency Paid Sick Leave hours cannot exceed 80 hours in total. For example, an employee can be paid for 50 hours the first week and then paid 30 hours for the second week to total 80 hours.

Does Emergency Paid Sick Leave overlap with my current accrued leave balances?

No. Emergency Paid Sick Leave is Postal Service funded sick leave that does not affect an employee's regular sick or annual leave balances.

Can I use Emergency Paid Sick Leave intermittently?

No, unless you are only required to report to a worksite on an intermittent basis. Once you begin taking paid sick leave for one or more of the qualifying reasons, you must continue to take paid sick leave each day until you either (1) use the full amount of paid sick leave or (2) no longer have a qualifying reason for taking paid sick leave. This limit is imposed because if you are sick or possibly sick with COVID-19, or caring for an individual who is sick or possibly sick with COVID-19, the intent of the FFCRA is to provide such paid sick leave as necessary to keep you from spreading the virus to others.

FMLA LEAVE EXPANSION

How do I qualify for the expanded FMLA paid leave benefits?

To qualify for this new qualifying reason under the FMLA, you must be unable to work or telework because you are taking care of a child under 18 years of age whose school or place of care is closed due to the pandemic or whose normal care provider is unavailable as a result of COVID-19.

Does this new qualifying reason entitle me to a new 12-week period under the FMLA?

No, each employee is still only entitled to 12 weeks of FMLA leave, regardless of reason. If you have already exhausted your FMLA leave for this year, you are not entitled to take FMLA leave for this new qualifying reason. If you have exhausted part of your FMLA leave entitlement, you can take any remaining FMLA leave for this new qualifying reason.

Does FMLA leave for this new qualifying reason include paid leave?

Yes. The first 10 days of FMLA leave for this new qualifying reason will be unpaid. You have the option to use your own accrued leave or use Emergency Paid Sick Leave to cover these 10 days. The remaining 10 weeks of FMLA leave for this qualifying reason is to be paid out at not less than 2/3 of your rate of pay, but is capped at $200 a day, or $10,000 in the aggregate.

If I am not a full-time employee, how many hours of this type of leave am I entitled to?

A part-time employee should receive the number of leave hours that he or she would otherwise normally be scheduled to work, or if your schedule varies, the number of hours equal to the average you were scheduled to work over the preceding six-month period.

Is all leave under the FMLA now paid leave?

No, only FMLA leave associated with caring for a child whose school or child care provider is closed due to COVID-19 is considered a qualifying reason for this new type of paid FMLA leave.

Can I use FMLA leave for this new qualifying reason intermittently?

Whether you are permitted to take FMLA leave for this new qualifying reason intermittently is up to your manager. If you and your manager can agree on a schedule in which you are able to perform the functions of your position while taking this type of leave intermittently, you may do so. If you and your manager cannot agree on such a schedule, you are still permitted to take FMLA leave for this new qualifying reason; you just will not be permitted to take it intermittently.

What documentation do I need to provide to receive the FMLA benefit if I am caring for a child whose school or child care provider is closed?

Documentation is required and should include one of the following: 1. Notice of closure from state/county/city schools. Notice of closure from a daycare center. 2. Written statement from the employee stating the need due to closure of school or daycare or unavailability of usual caregiver due to COVID-19.

I noticed that the closure of a minor child's school or place of care is closed is a qualifying reason for both types of new leave. Can I use Emergency Paid Sick Leave in conjunction with FMLA leave for this new qualifying reason to ensure that all twelve weeks of leave are paid?

Yes, you may use paid Emergency Paid Sick Leave for the first two weeks of unpaid FMLA leave for this new qualifying reason, then transition to Public Health Emergency Leave, which is also paid. However, please note that both types of leave for the qualifying reason that your minor child's school or place or care is closed are capped at $200/day.

MISCELLANEOUS

Who should I call if I have questions regarding these benefits?

For additional questions please contact the HR Shared Service Center at 1-877-477-3273 and select Option 5.

Where can I go to view more information regarding these benefits?

Additional details about the FFCRA's provisions and other COVID-19 information can be found on the special COVID-19 pages of our internal website, Blue, and our employee website, LiteBlue. You can also view the Federal Employee Rights Poster provided by the Department of Labor.