EXPANDED FAMILY MEDICAL LEAVE ACT GUIDELINES

I. AUTHORITY:


II. PURPOSE:

Expanded Family Medical Leave is to provide paid FMLA leave after 10 days to employees who have been employed for at least 30 days and are unable to work or telework because they are needed to care for a child under the age of 18 due to school closures or childcare unavailability resulting from the COVID-19 pandemic.

III. DEFINITIONS:

1. Part time employee: An employee who works less than 40 hours per week.
2. Full time employee: An employee who works 40 hours or more per week.
3. Expanded Family Medical Leave (EFML): Leave to employees who have been employed for at least 30 days and are unable to work or telework because they are needed to care for a child under the age of 18 due to school closures or childcare unavailability resulting from the COVID-19 pandemic. The first 10 days of this FMLA may be unpaid. After the first 10 days, the leave is paid at a rate of two-thirds of the employee’s regular rate of pay, capped at $200 per day or $12,000 total per employee.
4. Additional/Other Paid Leave: Accrued leave including annual leave, sick leave, personal leave, and comp time. Employees can use their accrued leave for the first 10 day.
5. Expanded Family Medical Leave Request: A form provided by the Office of Human Resources for the purpose of requesting Expanded Family Medical Leave.
6. Expanded Family Medical Leave Absence: An approved absence for an employee who is the primary caregiver to a child who is under the age of 18 years old due to school or daycare closure.
7. Primary Caregiver: An eligible employee who is primarily responsible for the care and nurturing of the employee’s family member who is ill. Part-time employees are also entitled to two weeks pro rata paid leave.
IV. EXPANDED FMLA REQUIREMENTS:

1. To be eligible for this FMLA, employees need only to have been employed for 30 days, rather than the usual 12 months.

2. The first 10 days of this FMLA may be unpaid, though the employee may elect to substitute paid leave or Emergency Paid Sick Leave (EPSL). Unlike traditional FMLA, an employer may not require an employee to substitute paid time off for any of this public health emergency FMLA.

3. After the first 10 days of leave, the remaining 10 weeks of leave must be paid at a rate of at least 2/3 of the employee’s usual rate of pay for the number of hours he or she would usually be scheduled to work, capped at $200 per day or $12,000 total per employee.

4. Morgan will reinstate employees who utilize the public health emergency FMLA in the same manner as traditional FMLA.