



Families First Coronavirus Response Act Leave (FFCRA) Update Effective December 31, 2020

FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)

- The federal FFCRA Leave **expired effective December 31, 2020**. **FFCRA Emergency Sick Leave or Expanded Family Medical Leave is no longer available for state employees to use after midnight on January 1, 2021 and into calendar year 2021.**

PUBLIC HEALTH EMERGENCY LEAVE (PHEL)

- Please refer to the most recent [Public Health Emergency Leave Guidance Document](#) (dated December 2, 2020) which outlines the availability of PHEL Leave for state employees effective at the beginning of the new leave year (**January 10, 2021**).
- For employees who have used all available PHEL leave **for 2020** and experience COVID related emergencies **prior to January 10, 2021**, they may use:
 - available personal leave balances (in accordance with policy),
 - paid or unpaid FMLA, if eligible, or
 - leave without pay if approved by the agency
- Effective Jan. 10, 2021, employees are eligible for a new allotment of up to 80 hours of PHEL to be used according to policy. Agencies must decide if they will extend PHEL to wage employees.
 - Employees who have available PHEL may use a **reasonable amount** of the leave to arrange for their dependent children's virtual education needs if schools have changed their learning modes.
- Please revise any internal agency leave policies/procedures as appropriate, notify agency employees in advance of any leave policy changes, and work with your payroll teams and supervisors to implement any procedural changes for approving leave.

Leave benefits may change as the COVID-19 pandemic progresses. Please be mindful that the new Congress and the incoming Biden Administration may extend federal benefits or make modifications in the coming months. The incoming General Assembly may also address pandemic leave.

Every Agency's business needs are unique. Continuity of operations and services must be balanced with the safety of our employees and the citizens that we serve. Continue to permit telework and virtual services until the danger of COVID-19 is significantly minimized.