



Human Resources

Room 340
411 West First Street
Duluth, Minnesota 55802

218-730-5210
hrinformation
@duluthmn.gov

Family First Coronavirus Response Act (FFCRA) Policy FAQ

1. **Can I take EFMLA time intermittently?**
 - a. **Yes, time can be taken intermittently.** Request form should be filled out and sent to leavereporting@duluthmn.gov and time needs to be entered accurately in the scheduler.
2. **How does Emergency Sick Leave interact with Emergency FMLA leave?**
 - a. **The first two weeks of EFMLA are provided as unpaid, however an employee can request to use the Emergency Sick Leave to be paid for up to 80 hours during this time.** If an employee chooses to use Emergency Sick Leave, any time taken is paid at 2/3 the employee's regular rate of pay. If requested, any remaining eligible time of EFMLA would also be paid at 2/3 the employees regular rate, up to 10 weeks. Employees may not be eligible for a full 12 weeks of EFMLA if they have already taken any other FMLA in 2020.
3. **How many times can I use the new sick leave that provides 2 weeks of pay for COVID-19 quarantine, COVID-19 direct care or childcare for my child that has a closed school?**
 - a. **You can use sick leave only once.** For example, you have a child that is at a closed school and you are home to provide your child's care, you are allowed to use two weeks at 2/3 pay amount under this sick pay law. After two weeks, FMLA would apply. However, if you later get COVID- 19 and are required to quarantine for two weeks, then you do not get to use this COVID-19 sick pay again for your quarantine (which would have been 100% pay) because you already used it to bridge the gap to your EFMLA.
4. **Can I send an employee home if they have a spouse that works for an employer that has confirmed COVID-19 cases?**
 - a. **No, unless they are symptomatic we should not be sending them home.** If an employee is not comfortable coming in to work because of this reason then they have the option to use vacation, personal time, or unpaid time off. If an employee is symptomatic, supervisors/managers have the authority to send home.
5. **If I am the primary caregiver for an elderly parent who is at high risk and am told I need to report to work, do I have any options to voluntarily reduce my schedule to be less exposed?**
 - a. **Yes, they could request to use vacation time, personal days, or unpaid time off and it would need to be approved and considered with other potential requests.**
6. **Can I voluntarily take leave without pay for one or two days a week if needed?**
 - a. **Yes, a leave of absence request form should be filled out to document this unpaid intermittent leave and it cannot go beyond 30 calendar days.**
7. **What do I do if I have a family member with active or suspected COVID at home or a family member that works in a high risk location?**
 - a. **It is up to the employee to protect themselves whether at home or at work.** If either an employee or a family member within that employee's household has confirmed COVID, that would then qualify for sick leave.



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8. **I live with a vulnerable family member and I am concerned I may contract COVID-19 at work and then bring it home. Can I take a leave of absence from work even though my family member is not currently sick?**
 - a. You may request an unpaid leave of absence for up to 30 days or you can utilize accrued vacation or personal time for a reason such as this. Please keep in mind that any requests will need to be considered with other incoming requests and it may not be possible to accommodate everyone.

9. **What is the difference between COVID-19 paid Admin leave and Emergency Sick leave?**
 - a. COVID-19 Admin leave is the code used during the time the City has closed facilities to document when you are at home and the City has no work for you. Emergency Sick Leave is used for reasons stated in the FFCRA policy (to quarantine yourself due to confirmed COVID-19, for related symptoms, or because you have been exposed to someone with confirmed COVID-19, etc.)

10. **What are my options if I'm unable to work because I have to stay home with my child/children during a daycare or school closure?**
 - a. Per the FFCRA policy, you are able to use EFMLA (Emergency Family Medical Leave Act) leave for up to 12 weeks, paid at 2/3 of your regular pay. Available leave may be less than 12 weeks if you have already taken other FMLA leave in 2020.

11. **Can I go out of town to take care of a parent dealing with an outbreak and work remotely from that out of town location?**
 - a. City Administration's directive is to be available within an hour if called back to work. If you are requesting to do your work from another location, you should discuss this request with your supervisor/manager.

12. **Why is documentation required?**
 - a. Documentation is required per the policy. Employees will be required to provide documentation to verify the qualifying reason for the leave, such as a copy of any quarantine or isolation order, or written note by a health care provider advising self-quarantine, or a notice of closure of school or childcare provider (i.e. email, notification on website, or news article).

13. **I'm concerned about possible exposure coming to work due to general COVID-19 risk factors and/or a possible exposure to a co-worker that may have a family member working in a location with a confirmed case of COVID-19. Am I required to come to work?**
 - a. Yes, you are required to come to work within one hour when requested. You may be able to request to stay home although it may be difficult to accommodate all requests so it will depend on staffing at the time. If approved, you will be required to use vacation, personal time or unpaid time off. We're not requiring or recommending quarantine for employees whose family members work in locations with outbreaks at this time, unless someone has symptoms. If you or a family member become symptomatic, we would recommend quarantine during that time period.
 - b. Employees are allowed and encouraged to wear fabric face coverings to reduce the potential spread and transmission of viral particles through the air.
 - c. Remember to practice social distancing. At least 6 feet of separation is the distance that should be kept between people interacting within their workplaces and community.
 - d. Disinfect any common touch surfaces frequently.
 - e. Recommend frequent hand washing, and no touching of the face.



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14. I'm caring for someone who is high risk and don't want to expose them, can I stay home?
 - a. Yes but you must use vacation, personal leave, or unpaid time off.

15. I have an underlying health condition that puts me at higher risk, does my employer have to let me work from home?
 - a. Individuals in this situation have the right to request "reasonable accommodations" from employers that are subject to the Americans with Disabilities Act and/or the Minnesota Human Rights Act (MHRA). If you have a health condition or disability that affects your risk for contracting COVID-19, you can request a reasonable accommodation. We will then engage in an interactive process which includes a conversation to get a better understanding of the needs and limitations you may have so an accommodation can be made. A reasonable accommodation may include working from home. Requests such as this should go to leavereporting@duluthmn.gov