

## University of Iowa COVID-19 Paid Leave Application Scenarios (updated 12/11/2020)

**Please note: This document has been modified to reflect the anticipated expiration of federal COVID leaves as of December 31, 2020. Any leave occurring after the expiration will be assigned to applicable non-federal leave types, regardless of when the leave began.**

The following information is intended to provide example scenarios for the order to apply paid leave accruals during the COVID-19 public health emergency as of **January 1, 2021**.

Questions regarding these scenarios or scenarios not listed may be directed to Faculty & Staff Disability Services, Rhea Dreyer, or Todd Rent.

### Definitions

- **Federal Emergency Family and Medical Leave Expansion Act (EFMLA)\***  
Employees who have been employed by the University for at least 30 calendar days are eligible for up to 12 weeks of FMLA (both paid and unpaid) when the employee is unable to work (or work remotely) due to the need to care for a child under the age of 18 when school or childcare provider has closed due to COVID-19.  
  
**\*Please note that this leave type expires on December 31, 2020 and will no longer be available to University employees after that date.**
- **Federal Emergency Paid Sick Leave Act (EPSL)\***  
Provides 80 hours (prorated for part time) of paid sick time to any employee who is unable to work (or work remotely) due to:
  - (a) Employee's own COVID-19 diagnosis, required quarantine, or healthcare provider directed quarantine or isolation.
  - (b) Caring for another individual who meets one of the criteria in (a); or
  - (c) Caring for a child under the age of 18 when school or childcare provider has closed due to COVID-19.  
**\*Please note that this leave type expires on December 31, 2020 and will no longer be available to University employees after that date.**
- **Board of Regents (BOR) Paid Sick Leave**  
In March of 2020, the Board of Regents authorized employees who otherwise earn paid sick leave to utilize up to 80 hours of additional paid sick leave (prorated for all excluding biweekly and temporary staff), to be available when leave is needed for a COVID-19 related event. Employees who have not exhausted these 80-hours may access their remaining balance under the following circumstances:

- (a) Employee's own COVID-19 diagnosis, required quarantine, or healthcare provider directed quarantine or isolation.
- (b) Caring for an immediate family member\* who meets one of the criteria in (a); or
- (c) Caring for a minor dependent under the age of 18 when school or childcare provider has closed due to COVID-19.

\*"Immediate family member" as defined in the Family Caregiving Leave policy. This definition may be accessed at: <https://hr.uiowa.edu/policies/family-caregiving-leave>

- **Family Caregiving Leave**

The Board of Regents has waived the cap for FCL and all available sick leave hours may be used as FCL for the care and necessary attention to an employee's immediate family member. Board of Regents leave may also be used to care for a minor dependent under the age of 18 when school or childcare provider has closed due to COVID-19.

- **Catastrophic Leave**

The Board of Regents has modified the existing Catastrophic Leave policy to allow for donations to be used for COVID-19 related absences for self, a family member, or to care for a minor dependent under the age of 18 when school or childcare provider has closed due to COVID-19.

- **Individual**

Guidance from the U.S. Department of Labor defines an individual as an immediate family member, roommate, or a similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person if he or she self-quarantined or was quarantined.

**COVID-related time record codes (federal COVID leave types discontinued as of 12/31/2020)**

**Codes used for employees who do not qualify for traditional FMLA, have exhausted FMLA in 2021, or when traditional FMLA does not apply.**

08 – Federal or BOR COVID Self Care (for employee's quarantine or diagnosis, and FMLA does not apply)

09 – Federal or BOR COVID Family Care (for family member's quarantine, diagnosis, or care for child with no school/childcare and FMLA does not apply)

**Please note that *federal* COVID Self Care and *federal* COVID Family Care leave types expire on December 31, 2020 and will no longer be available to University employees after that date. Accordingly, hours coded as 08 and 09 will be deducted from remaining BOR leave.**

**Codes used for employees who qualify for traditional FMLA.**

68 – Federal or BOR FMLA COVID Self Care (same as (08) but used when FMLA applies and when the employee is eligible using traditional eligibility criteria.)

69 – Federal or BOR FMLA COVID Family Care (same as (09) but used for child, spouse, parent quarantine or diagnosis when FMLA applies and when the employee is eligible using traditional eligibility criteria.)

**Please note that eFMLA COVID FCL Extended leave type expires on December 31, 2020 and will no longer be available to University employees after that date.**

**Please note that *federal* FMLA COVID Self Care and *federal* FMLA COVID Family Care leave types expire on December 31, 2020 and will no longer be available to University employees after that date. Accordingly, hours coded as 68 and 69 will be deducted from remaining BOR leave.**

**Paid leave scenarios and order of accruals:****P&S, SEIU, and Merit Staff**

- A. Employee has been diagnosed with COVID-19.**
- B. Employee has symptoms of COVID-19 and is seeking a medical diagnosis.**
- C. Employee has been advised by a health care provider to self-quarantine related to COVID-19.**
- D. Employee has an underlying serious health condition with a health care provider certification to self-quarantine due to concerns related to COVID-19, and remote work is not available.**

**Order of accruals**

1. BOR Paid Sick Leave (code 08) or FMLA BOR Paid Sick Leave (code 68)\*
2. Sick Leave (code 2) or FMLA Sick Leave (code 52)
3. Vacation (code 01) or FMLA Vacation (code 51)\*\*
4. Catastrophic Leave Donations Received
5. Unpaid Leave

*\* Board of Regents Paid Sick Leave is prorated based on percentage of appointment. Codes 68, 52, and 51 are for employees who qualify for FMLA using the traditional eligibility criteria.*

*\*\*Compensatory Time may be substituted where available.*

- E. Employee must care for a family member (child, spouse, parent) due to a scenario consistent with those outlined in A, B, C, or D and remote work is not available or the employee is unable to work remotely while providing care.**

**Order of accruals**

1. BOR Paid Sick Leave (code 09) or FMLA BOR Paid Sick Leave (code 69)\*
2. Family Caregiving Leave (code 03) or FMLA Family Caregiving Leave (code 53)
3. Vacation (code 01) or FMLA Vacation (code 51) \*\*
4. Catastrophic Leave Donations Received
5. Unpaid Leave

*\* Board of Regents Paid Sick Leave is prorated based on percentage of appointment. **Codes 69, 53, and 51** are for employees who qualify for traditional FMLA and leave is for child, spouse, parent.*

*\*\* Compensatory Time may be used if available.*

- F. Employee must care for an immediate family member (other than child, spouse, parent and as defined by UI Family Caregiving Leave) due to a scenario consistent with those outlined in A, B, C, or D and remote work is not available or the employee is unable to work remotely while providing care.**

**Order of accruals**

1. BOR Paid Sick Leave (code 09)
2. Family Caregiving Leave (code 03)
3. Vacation Leave (code 01)
4. Unpaid Leave

*\* Board of Regents Paid Sick Leave is prorated based on percentage of appointment. Traditional FMLA will not apply in this scenario.*

- G. Employee is unable to work due to the need to care for a minor dependent because school is closed due to COVID-19, or because their childcare provider is closed or unavailable due to COVID-19 and remote work is not available or the employee is unable to work remotely while providing care.**

**Order of accruals**

1. BOR Paid Sick Leave (code 09)
2. Family Caregiving Leave (code 03)
3. Vacation Leave (code 01)
4. Catastrophic Leave Donations Received
5. Unpaid Leave

- H. Employee does not have meaningful on-site or remote work, and has not yet been reassigned**

**I. Employee does not have meaningful on-site or remote work, and declines reassignment due to health provider certification stating that a member of employee's household is particularly vulnerable to COVID-19**

1. Vacation Leave or Unpaid Status\* may be selected by employee

*\* If placed on unpaid status because no work is available, the employee may be eligible for unemployment compensation benefits without exhausting all paid leave accruals. Additional information is available at [Iowa Workforce Development](#).*

**J. Employee does not have meaningful on-site or remote work, and has declined reassignment**

1. Vacation leave
2. Unpaid leave\*

*\* Unpaid status due to refusal to accept reassignment must be reported to University Benefits.*

**Faculty members who accrue sick leave or vacation leave benefits**

**K. Faculty member has been diagnosed with COVID-19.**

**L. Faculty member has symptoms of COVID-19 and is seeking a medical diagnosis.**

**M. Faculty member has been advised by a health care provider to self-quarantine related to COVID-19.**

**N. Faculty member has an underlying serious health condition with a health care provider certification to self-quarantine due to concerns related to COVID-19.**

**Order of accruals**

1. BOR Paid Sick Leave (code 08) or FMLA BOR Paid Sick Leave (code 68)\*
2. Sick Leave (code 2) or FMLA Sick Leave (code 52)
3. Vacation (code 01) or FMLA Vacation (code 51), if faculty member does not accrue vacation, move to #5
4. Catastrophic Leave Donations Received
5. Unpaid Leave

*\* Board of Regents Paid Sick Leave is prorated based on percentage of appointment. **Codes 68, 52, and 51** are for employees who qualify for FMLA using the traditional eligibility criteria.*

**O. Faculty member must care for a family member (child, spouse, parent) due to a scenario consistent with those outlined in K, L, M, or N and the employee is unable to work remotely while providing care.**

**Order of accruals**

1. BOR Paid Sick Leave (code 09) or FMLA BOR Paid Sick Leave (code 69)\*
2. Family Caregiving Leave (code 03) or FMLA Family Caregiving Leave (code 53)
3. Vacation (code 01) or FMLA Vacation (code 51), if faculty member does not accrue vacation move to #5
4. Catastrophic Leave Donations Received
5. Unpaid Leave

*\* Board of Regents Paid Sick Leave is prorated based on percentage of appointment. **Codes 69, 53, and 51** are for employees who qualify for traditional FMLA and leave is for child, spouse, parent.*

- P. Faculty member must care for an immediate family member (other than child, spouse, parent and as defined by UI Family Caregiving Leave) due to a scenario consistent with those outlined in K, L, M, or N, and is unable to work remotely while providing care.**

**Order of accruals**

1. BOR Paid Sick Leave (code 09)\*
2. Family Caregiving Leave (code 03)
3. Vacation Leave (code 01), if faculty member does not accrue vacation move to #4
4. Unpaid Leave

*\* Board of Regents Paid Sick Leave is prorated based on percentage of appointment. Traditional FMLA will not apply in this scenario.*

- Q. Faculty member is unable to work due to the need to care for a minor dependent because school is closed due to COVID-19, or because their childcare provider is closed or unavailable due to COVID-19 and the faculty member is unable to work remotely while providing care.**

**Order of accruals**

1. BOR Paid Sick Leave (code 09)
2. Family Caregiving Leave (code 03)
3. Vacation Leave (code 01), if faculty member does not accrue vacation move to #5
4. Catastrophic Leave Donations Received
5. Unpaid Leave

**Faculty members who do not accrue sick leave or vacation leave benefits**

- R. Faculty member has been diagnosed with COVID-19.**
- S. Faculty member has symptoms of COVID-19 and is seeking a medical diagnosis.**
- T. Faculty member has been advised by a health care provider to self-quarantine related to COVID-19.**

- U. Faculty member has an underlying serious health condition with a health care provider certification to self-quarantine due to concerns related to COVID-19.**

Paid leave is not available.

- V. Faculty member must care for an immediate family member due to a scenario consistent with those outlined in R, S, T, or U and is unable to work while providing care.**

Paid leave is not available.

- W. Faculty member is unable to work due to the need to care for a minor dependent because school is closed due to COVID-19, or because their childcare provider is closed or unavailable due to COVID-19 and the faculty member is unable to work while providing care.**

Paid leave is not available.

**Biweekly hourly employees, including students, Merit, and P&S**

- X. Bi-weekly employees who are not able to work due to a COVID-19 related need for themselves or an immediate family member.**

**Order of Accruals**

1. BOR Paid Sick Leave – Self-care (code 08) or BOR Paid Sick Leave – Family care (code 09) \*

*\*As of January 1, 2021, Biweekly employees will have access to up to two weeks (maximum 80 hours) of BOR leave based on their regular work schedule.*

- Y. Bi-weekly employees who are not able to work due to the need to care for a minor dependent because of a school or childcare closure.**

**Order of Accruals**

1. BOR Paid Sick Leave (code 09)\*

*\*As of January 1, 2021, Biweekly employees will have access to up to two weeks (maximum 80 hours) of BOR leave based on their regular work schedule.*

**Temporary Employee Appointments (Paid Monthly)****Z. Temporary monthly employee has been diagnosed with COVID-19.****AA. Temporary monthly employee has symptoms of COVID-19 and is seeking a medical diagnosis.****BB. Temporary monthly employee has been advised by a health care provider to self-quarantine related to COVID-19.****CC. Temporary monthly employee has an underlying serious health condition with a health care provider certification to self-quarantine due to concerns related to COVID-19, and remote work is not available.****Order of Accruals**

1. BOR Paid Sick Leave (code 09)\* (if eligible for sick leave accrual)
2. Sick Leave (code 02) (if eligible for sick leave accrual)
3. Vacation Leave (code 1) (if eligible for vacation leave accrual)
4. Catastrophic Leave Donations Received (if eligible for sick or vacation leave)
5. Unpaid Leave

*\*Leave for part-time temporary monthly employees is prorated based on average weekly hours for six months preceding the leave or weekly hours reasonably anticipated on date of hire.*

**DD. Temporary monthly employee must care for an immediate family member (child, spouse, parent) due to a scenario consistent with those outlined in Z, AA, BB, or CC and remote work is not available or the employee is unable to work remotely while providing care.****Order of Accruals**

1. BOR Paid Sick Leave (code 09)\* (if eligible for sick leave accrual)
2. Family Caregiving Leave (code 03) (if eligible for sick leave accrual)
3. Vacation Leave (code 01) (if eligible for accrual)
4. Catastrophic Leave Donations Received (if eligible for sick and vacation leave)
5. Unpaid Leave

*\*Leave for part-time temporary monthly employees is prorated based on average weekly hours for six months preceding the leave or weekly hours reasonably anticipated on date of hire.*

**EE. Temporary monthly employee must care for an immediate family member (other than child, spouse, parent and as defined by UI Family Caregiving Leave) due to a scenario consistent with those outlined in A, B, C, or D and remote work is not available or the employee is unable to work remotely while providing care.****Order of Accruals**

1. BOR Paid Sick Leave (code 09)\* (if eligible for sick leave accrual)



2. Family Caregiving Leave (code 03) (if eligible for sick leave accruals)
3. Vacation Leave (code 01) (if eligible for accrual)
4. Unpaid Leave

*\*Leave for part-time temporary monthly employees is prorated based on average weekly hours for six months preceding the leave or weekly hours reasonably anticipated on date of hire.*

**FF. Temporary monthly employee is unable to work due to the need to care for a minor dependent because school is closed due to COVID-19, or because their childcare provider is closed or unavailable due to COVID-19 and remote work is not available or the employee is unable to work remotely while providing care.**

**Order of accruals**

1. BOR Paid Sick Leave (code 09)\* (if eligible for sick leave accrual) Family Caregiving Leave (code 03) (if eligible for sick leave accruals)
2. Vacation Leave (code 01) (if eligible for accrual)
3. Catastrophic Leave (if eligible for sick and vacation leave)
4. Unpaid Leave

*\*Leave for part-time temporary monthly employees is prorated based on average weekly hours for six months preceding the leave or weekly hours reasonably anticipated on date of hire.*

**GG. Temporary monthly employee does not have meaningful on-site or remote work available, and has not yet been reassigned**

**HH. Temporary monthly employee does not have meaningful on-site or remote work, and declines reassignment due to health provider certification stating that a member of employee's household is particularly vulnerable to COVID-19**

1. Vacation Leave (if eligible for accrual) or Unpaid Status\* may be selected by employee

*\* If placed on unpaid status because no work is available, the employee may be eligible for unemployment compensation benefits without exhausting all paid leave accruals. Additional information is available at [Iowa Workforce Development](#).*

**II. Temporary monthly employee does not have meaningful on-site or remote work, and has declined assignment**

1. Vacation leave (if eligible for accrual) until accepts assignment
2. Unpaid leave, if not eligible for vacation leave or exhausts prior to acceptance of assignment

*\* Unpaid status due to refusal to accept reassignment must be reported to University Benefits.*

#### **Graduate Assistants and Postdocs**

**JJ. GA or postdoc has been diagnosed with COVID-19.**

**KK. GA or postdoc has symptoms of COVID-19 and is seeking a medical diagnosis.**

**LL. GA or postdoc has been advised by a health care provider to self-quarantine related to COVID-19.**

**MM. GA or postdoc has an underlying serious health condition with a health care provider certification to self-quarantine due to concerns related to COVID-19.**

**NN. GA or postdoc must care for an individual due to a scenario consistent with those outlined in FF, GG, HH, II, or JJ and is unable to work or work remotely while providing care.**

#### **Order of accruals**

1. BOR Paid Sick Leave
2. Sick leave and paid leave provided under the [Graduate Assistant employment agreement](#) or the [Postdoctoral benefits package](#).
3. Unpaid Leave

*\*Employing departments should use the new reporting tool in Self Service to record time associated with these absences. This will be available in the coming weeks.*

**OO. GA or postdoc is unable to work due to the need to care for a minor dependent because school is closed due to COVID-19, or because their childcare provider is closed or unavailable due to COVID-19 and the faculty member is unable to work remotely while providing care.**

#### **Order of accruals**

1. BOR Paid Sick Leave (code 09) \* Sick Leave and paid leave provided under the [Graduate Assistant employment agreement](#) or the [Postdoctoral benefits package](#).
2. Unpaid Leave

*\*Board of Regents Paid Sick Leave is prorated based on percentage of appointment.*

*\*Employing departments should use the new reporting tool in Self Service to record time associated with these absences. This will be available in the coming weeks.*