

University of Iowa COVID-19 Paid Leave Application Scenarios (updated 5/11/2020)

The following information is intended to provide example scenarios for the order to apply paid leave accruals during the COVID-19 public health emergency. Paid leave types include the new leave types from the Federal Families First Coronavirus Response Act, and the Board of Regents benefit expansion. Questions regarding these scenarios or scenarios not listed may be directed to Faculty & Staff Disability Services, Nathan Stucky, 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.
- **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.
- **Board of Regents (BOR) Paid Sick Leave**
The Board of Regents have authorized employees an additional 80 hours of paid sick leave (prorated for all excluding biweekly and temporary staff), to be available when leave is needed for a COVID-19 related event.
- **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, including leave to care for a child 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 child under the age of 18 when school or childcare provider has closed due to COVID-19.
- **Individual (new)**
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.

New time record codes

Codes used for employees who do not qualify for traditional FMLA, have exhausted FMLA in 2020, or who do not qualify for EFMLA.

08 - COVID Self Care (for employee's quarantine or diagnosis, and do not qualify for FMLA using traditional eligibility criteria, or who have exhausted)

09 - COVID Family Care (for family member's quarantine, diagnosis, or care for child with no school/childcare)

Codes used for employees who qualify for traditional FMLA or who qualify for EFMLA.

67 - eFMLA COVID FCL Extended (Used after the first 2 weeks of leave to care for a child with no school/childcare)

68 - FMLA COVID Self Care (same as (08) but used for employee's who are FMLA eligible using traditional eligibility criteria)

69 - FMLA COVID Family Care (same as (09) but used for child, spouse, parent quarantine or diagnosis and who are FMLA eligible using traditional eligibility criteria.)

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

Emergency Paid Sick Leave and Board of Regents Paid Sick Leave are 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. Emergency Paid Sick Leave (code 09) or FMLA Emergency Paid Sick Leave (code 69)
2. BOR Paid Sick Leave (code 09) or FMLA BOR Paid Sick Leave (code 69)
3. Family Caregiving Leave (code 03) or FMLA Family Caregiving Leave (code 53)
4. Vacation (code 01) or FMLA Vacation (code 51) **
5. Catastrophic Leave Donations Received
6. Unpaid Leave

Emergency Paid Sick Leave and Board of Regents Paid Sick Leave are 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 individual (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. Emergency Paid Sick Leave (code 09)
2. BOR Paid Sick Leave (code 09)
3. Family Caregiving Leave (code 03)
4. Vacation Leave (code 01)
5. Unpaid Leave

**Emergency Paid Sick Leave and Board of Regents Paid Sick Leave are 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 child 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. Emergency Paid Sick Leave for 2 weeks (code 09)
2. EFMLA - for up to 10 weeks (code 67) or if not eligible for EFMLA, move to #3
3. BOR Paid Sick Leave (code 09)
4. Family Caregiving Leave (code 03)
5. Vacation Leave (code 01)
6. Catastrophic Leave Donations Received
7. Unpaid Leave

**EFMLA eligibility criteria (employed for 30 calendar days). EFMLA hours will count towards an employee's traditional FMLA hours. Emergency Paid Sick Leave and Board of Regents Paid Sick Leave are prorated based on percentage of appointment.*

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

Emergency Paid Sick Leave and Board of Regents Paid Sick Leave are 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 L, M, N, or O and the employee is unable to work remotely while providing care.

Order of accruals

- 1. Emergency Paid Sick Leave (code 09) or FMLA Emergency Paid Sick Leave (code 69)
- 2. BOR Paid Sick Leave (code 09) or FMLA BOR Paid Sick Leave (code 69)

3. Family Caregiving Leave (code 03) or FMLA Family Caregiving Leave (code 53)
4. Vacation (code 01) or FMLA Vacation (code 51), if faculty member does not accrue vacation move to #5
5. Catastrophic Leave Donations Received
6. Unpaid Leave

Emergency Paid Sick Leave and Board of Regents Paid Sick Leave are 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 individual (other than child, spouse, parent and as defined by UI Family Caregiving Leave) due to a scenario consistent with those outlined in L, M, N, or O and is unable to work remotely while providing care.**

Order of accruals

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

**Emergency Paid Sick Leave and Board of Regents Paid Sick Leave are 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 child 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. Emergency Paid Sick Leave (code 09)
2. EFMLA - for up to 10 weeks (code 67) or if not eligible for EFMLA, move to #3
3. BOR Paid Sick Leave (code 09)
4. Family Caregiving Leave (code 03)
5. Vacation Leave (code 01), if faculty member does not accrue vacation move to #6
6. Catastrophic Leave Donations Received
7. Unpaid Leave

**EFMLA eligibility criteria (employed for 30 calendar days). EFMLA hours will count towards an employee's traditional FMLA hours. Emergency Paid Sick Leave and Board of Regents Paid Sick Leave are prorated based on percentage of appointment.*

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.**

Order of accruals

1. Emergency Paid Sick Leave (code 08)
2. BOR Paid Sick Leave (code 08)
3. Unpaid Leave

**Emergency Paid Sick Leave and Board of Regents Paid Sick Leave are prorated based on percentage of appointment.*

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

Order of accruals

1. Emergency Paid Sick Leave (code 09)
2. BOR Paid Sick Leave (code 09)
3. Unpaid Leave

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

- W. Faculty member is unable to work due to the need to care for a child 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.**

Order of accruals

1. Emergency Paid Sick Leave (code 09)
2. EFMLA - for up to 10 weeks (code 67) or if not eligible for EFMLA, move to #3
3. BOR Paid Sick Leave (code 09)
4. Unpaid Leave

**EFMLA eligibility criteria (employed for 30 calendar days). Emergency Paid Sick Leave and Board of Regents Paid Sick Leave are prorated based on percentage of appointment.*

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 a family member.**

Order of Accruals

1. Emergency Paid Sick Leave for up to 80 hours*

Departments should use the new application with the dataset for the Biweekly 80 hours now available to Senior HR Leaders in Self Service (“Human Resources Systems”, “Data and Reports”, “COVID-19 Datasets (Seniors)”).

*This category of leave is intended to exceed the minimum leave requirements specified in the EPSL. As such, any circumstance that would otherwise qualify for leave under the EPSL would qualify for leave under this category.

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

Order of Accruals

1. Emergency Paid Sick Leave for up to 80 hours*
2. Upon exhaustion of the 80 hours, eligible biweekly employees will continue to receive pay as specified by the terms of the EFMLA.

Departments should use the new application with the dataset for the Biweekly 80 hours now available to Senior HR Leaders in Self Service (“Human Resources Systems”, “Data and Reports”, “COVID-19 Datasets (Seniors)”).

* This category of leave is intended to exceed the minimum threshold requirements specified in the EPSL. As such, any circumstance that would otherwise qualify for leave under the EPSL would qualify for leave under this section.

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. Emergency Paid Leave Sick Leave (code 09)*
2. BOR Paid Sick Leave (code 09)
3. Sick Leave (code 02) (if eligible for accrual)
4. Vacation Leave (code 1) (if eligible for accrual)
5. Catastrophic Leave Donations Received (if eligible for sick or vacation leave)
6. 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 a family member (child, spouse, parent) due to a scenario consistent with those outlined in AA, BB, CC, or DD and remote work is not available or the employee is unable to work remotely while providing care.

Order of Accruals

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

FF. Temporary monthly employee is unable to work due to the need to care for a child 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. Emergency Paid Sick Leave for 2 weeks (code 09)
2. EFMLA - for up to 10 weeks (code 67) or if not eligible for EFMLA, move to #3
3. BOR Paid Sick Leave (code 09)
4. Family Caregiving Leave (code 03) (if eligible for sick leave accruals)
5. Vacation Leave (code 01) (if eligible for accrual)
6. Catastrophic Leave (if eligible for sick and vacation leave)
7. Unpaid Leave

**EFMLA eligibility criteria (employed for 30 calendar days). EFMLA hours will count towards an employee's traditional FMLA hours. Emergency Paid Sick Leave and Board of Regents Paid Sick Leave are prorated based on percentage of appointment.*

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. Emergency Paid Sick Leave
2. BOR Paid Sick Leave
3. Sick leave and paid leave provided under the [Graduate Assistant employment agreement](#) or the [Postdoctoral benefits package](#).
4. 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.*

**Emergency Paid Sick Leave and Board of Regents Paid Sick Leave are prorated based on percentage of appointment.*

OO. GA or postdoc is unable to work due to the need to care for a child 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. Emergency Paid Sick Leave for 2 weeks (code 09)
2. EFMLA - for up to 10 weeks (code 67) or if not eligible for EFMLA, move to #3
3. BOR Paid Sick Leave (code 09)

4. Sick Leave and paid leave provided under the [Graduate Assistant employment agreement](#) or the [Postdoctoral benefits package](#).
5. Unpaid Leave

**EFMLA eligibility criteria (employed for 30 calendar days). Emergency Paid Sick Leave and Board of Regents Paid Sick Leave are 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.*