Information about COVID-19 Leaves and FAQ’s for Supervisors

This document includes information that is intended to inform and guide supervisors on the two federal leave options and the Ball State Extraordinary Temporary Paid Leave.

Part I includes a summary of each leave type and how employees can use them either separately or in combination and can be found on page 1.

Part II covers how supervisor will handle payroll for workers on complete leave, or partial leave and can be found on page 3.

Part III includes Frequently Asked Questions to serve as a reference for supervisors who may have or receive similar questions and can be found on page 5.

As always, the Human Resources division is here to answer any additional questions or concerns that may arise and not covered in this document.

Part I: Leaves Explanation

There are two Federal leaves available, the Federal Emergency Paid Sick Leave (EPSL) and the Federal Emergency Family Medical Leave Expansion (EFMLEA). To supplement the two leaves and provide additional assurances that our employees’ wages are covered, Ball State is offering the Extraordinary Temporary Paid Leave to cover employees who are available to work but cannot due to reasons not covered under the two Federal leave programs.

Federal Emergency Paid Sick Leave

This federal leave provides that a total of 80 hours paid sick leave is available to employees that are not available to work due to six COVID-19 circumstances between April 1 - December 31, 2020:

1. The employee is subject to a Federal, State, or local Quarantine or Isolation Order related to COVID-19.
   a. This must be taken consecutively and may not be used on an intermittent basis.
   b. An employee approved for this reason must take it immediately.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
   a. This must be taken consecutively and may not be used on an intermittent basis.
   b. An employee approved for this reason must take it immediately.
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
   a. This must be taken consecutively and may not be used on an intermittent basis.
   b. An employee approved for this reason must take it immediately.
4. The employee is caring for an individual who is subject to an order as defined in #1 or #2 above.
   a. This may be taken consecutively or on an intermittent basis.
b. An employee approved for this reason may elect to use it now or at a later point in time.

5. The employee needs leave to care for my Son(s) and/or Daughter(s) under the age of 18 because either my school or place of care has closed or the childcare provider is unavailable due to a public health emergency and no other suitable person will be caring for my Son(s) or Daughter(s).
   a. This leave may be taken consecutively or on an intermittent basis.
   b. An employee approved for this reason may elect to use it now or at a later point in time.
   c. An employee may elect to use this time concurrently with the Emergency Family and Medical Leave Expansion Act (EFMLEA) in order to cover the initial two weeks of the leave which are otherwise unpaid (unless an employee chose to use their own accrued time off).

6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.
   a. This must be taken consecutively and may not be used on an intermittent basis.
   b. An employee approved for this reason must take it immediately.

**Emergency Family and Medical Leave Expansion Act**

This is a leave for up to 12 weeks to cover employees who have child care needs as a result of school and daycare providers being closed due to COVID-19 and no other suitable person is available to provide care. The rolling FMLA calendar is used, looking back from today, so other periods of FMLA usage during the last year will reduce the availability of this leave. The total FMLA usage for any combination of reasons is limited to a total of 12 weeks.

The first two weeks of this leave are unpaid. The employee may choose to use the Federal Emergency Paid Sick leave to cover this period, or utilize their personal leave (sick, vacation, PTO, IPB, compensatory time) or take this period as unpaid.

Starting with week 3 this leave is partially paid; however, this leave will cover the employee’s full salary, because the University has elected to supplement it by automatically pairing it with our Extraordinary Temporary Paid Leave program.

**BSU Extraordinary Temporary Paid Leave**

This leave covers circumstances not covered by the federal leaves if the employee would otherwise be working. The goal is to keep employees in full pay status through the end of their COVID-19 circumstance, or to the end of their work assignment, or June 30, 2020, whichever comes first. There are four factors to consider eligibility:

1.) The employee must be available to work, either remotely or on campus performing essential duties AND
2.) The employee CAN’T work, according to the supervisor because:

- They cannot work remotely due to the nature of their duties and cannot perform essential work on campus for all, or part of, their normal work schedule.
- They cannot work because their COVID-19 federally covered circumstance remains and they have exhausted the Emergency Paid Sick leave and/or Emergency Family and Medical Leave Expansion Act time.

3. The employee’s role is not temporary and intermittent in nature.

4. The employee is not grant funded.

**Ball State EXTPL & Supervisor’s Role**

When an employee submits an application for this leave, it will be routed to the supervisor. The supervisor’s approval is based on agreement of the two factors: the employee is available to work but cannot for the specific reasons stated under number 2 above. If the supervisor agrees, then they approve the leave request. Once the leave is approved by the supervisor, it is routed through the chain of command to the Vice President of that division.

If approved, the application will be sent to HR who will record the leave in Banner so that Payroll can confirm the accuracy of the entries in Kronos.

If a request for EXTPL is denied by the supervisor, Human Resources will receive a notification and work with the supervisor and/or the VP of Business Affairs for final review. If the leave is denied, HR will follow up with the employee and supervisor. If the leave is approved, HR will follow up with the employee and supervisor.

**Part II: Supervisor’s Role & Payroll**

The supervisor may need to enter the paid leaves in Kronos for the employee if they are not working or do not have remote access to enter the leave codes themselves. Below are the instructions for entering the three leaves mentioned above:

- **Emergency Paid Sick Leave** - Either the employee or the Supervisor/Kronos Manager can enter the pay code on the timecard in Kronos.
  - For hourly employees:
    - On the selected date, in the Pay Code column, click on the drop down arrow and select either **Emergency PSL – Family** or **Emergency PSL – Self** based upon the instructions found in the employee’s approval letter.
    - Tab over to the Amount column and enter your normally scheduled hours.
    - Save the timesheet.
  - For salaried employees:
In the Pay Code column, click on <enter pay code> and select Emergency PSL – Family or Emergency PSL – Self based upon the instructions found in the employee’s approval letter.

- Tab over to the Date column and enter your normally scheduled hours.
- Save the timesheet.

- **Emergency Family and Medical Leave** - The employee’s Supervisor/Kronos Manager can enter the pay code on the timecard in Kronos.
  - For hourly employees:
    - On the selected date, in the Pay Code column, click on the drop down arrow and select Emergency FML – Family.
    - Tab over to the Amount column and enter your normally scheduled worked hours.
    - Save the timesheet.
  - For salaried employees:
    - In the Pay Code column, click on <enter pay code> and select Emergency FML – Family.
    - Tab over to the Date column and enter your normally scheduled hours.
    - Save the timesheet.

- **Extraordinary Temporary Paid Leave Plan** - Either the employee or the Supervisor/Kronos Manager can enter the pay code on the timecard in Kronos.
  - For hourly employees:
    - On the selected date, in the Pay Code column, click on the drop down arrow and select Extraordinary Paid Leave.
    - Tab over to the Amount column and enter the normally scheduled hours.
    - Save the timesheet.
  - For salaried employees:
    - In the Pay Code column, click on <enter pay code> and select Extraordinary Paid Leave.
    - Tab over to the Date column and enter your normally scheduled hours.
    - Save the timesheet.

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**Part III: Frequently Asked Questions**

To support supervisors as employees request leave from work due to COVID-19, we are providing answers to questions frequently asked of Human Resources.

**Q:** An employee has said they need one of the leaves, but hasn’t completed an application yet.
A: Employees are asked to inform their supervisors if their COVID-19 related reason for leave is immediate and are then able to begin their leave. The employee then needs to submit their request for leave either before their leave starts if practical, or after leave begins.

Q: My employee submitted an application for leave. Do they still need to come to work?

A: An employee can begin leave if the COVID-19 related reason is immediate. If an employee has advised you of their need for leave due to a COVID-19 related reason and/or is submitting an application for leave, then they don’t need to report to work. They are asked to notify their supervisor if their need for leave is immediate.

Once the application for a federal leave is submitted, an employee is granted “Conditional Approval” until their request is reviewed and all federally required information is received by HR. You and your employees will receive an email notification if any additional documents/information are needed, and when the leave status is “Approved.”

Q: I have an employee who isn’t coming to work because the governor has issued a “stay at home” order. Doesn’t that mean our people don’t need to report to work?

A: The Governor identified colleges and Universities as essential business, therefore authorized to continue operations, so in most cases this option is not applicable for Ball State University employees.

Q: Who can issue self-quarantine or determine isolation is appropriate?

A: Stay at home orders like quarantine or isolation are typically given by the health department or medical personnel. These orders are given to a specific person, with specific instructions. Employees who believe they are in an at-risk category should seek their health care provider’s advice regarding self-quarantining.

Q: How do I know which leave is appropriate and how they work together?

A: See the leave descriptions at the top of this document for more details.

Q. What combination of leaves are used for childcare reasons?

A. Generally, if an employee is not available to work because there is not a suitable childcare provider due to school and daycare closures for children under 18 (or over 18 if incapable of self-care), then the following combination of leaves will be used to cover the employee:
Federal Emergency Paid Sick Leave (EPSL) provides up to 80 hours of 2/3 paid leave which may be used during the first two weeks of the Federal Expanded Family Medical Leave Extension Act (EFMLEA) or an employee may use his/her own vacation/sick/PTO/IPB leave.

Then the EFMLEA provides up to 10 more weeks of 2/3 paid leave that may be available (up to the 12 week maximum FMLA during a rolling year looking back).

Ball State will supplement those two federal leaves with the University’s Extraordinary Temporary Paid Leave (EXTPL) to bring the employee’s pay to 100%.

COVID-19 Illness, Quarantine, or Isolation: If an employee has reasons to be absent from work related to COVID-19 (see reasons 1., 2., or 3, listed above) then the Federal Emergency Paid Sick Leave (EPSL) provides up to 80 hours of 100% paid leave.

Caring for Others COVID-19 related reasons: If an employee has reasons to be absent from work related to reasons 4., 5., or 6. listed above then Emergency Paid Sick Leave provides up to 80 hours of 2/3 paid leave. Ball State will supplement the Federal Emergency Paid Sick Leave (EPSL) with the University’s Extraordinary Temporary Paid Leave (EXTPL) to bring the employee’s pay to 100%.

Q. What if the children are under 18, but over 14, and the leave is being requested during daylight hours?

A. Additional information may be required of the employee to support the need for leave.

Q: What happens when an employee exhausts all their Emergency Paid Sick Leave or Emergency Family Medical Leave?

A:

- If the employee is still facing the covered COVID-19 related circumstance, then they may be eligible for the Ball State Extraordinary Temporary Paid Leave and need to apply.
- If the employee is available to work, but is unable to work because they cannot work remotely or on campus performing essential duties for some or all of their work schedule they may be eligible for the Extraordinary Temporary Paid Leave and need to apply.
- If a full-time or part-time employee is eligible for the EXTPL leave they will continue to receive his or her regular base pay through the remainder of their covered COVID-19 circumstance, or the employee’s regular employment period, or June 30, 2020, whichever comes first.
Q: What is my supervisory role when an employee applies for BSU Extraordinary Temporary Paid Leave?

A: Supervisors need to determine whether the employee is available to work either remotely or on campus performing essential duties AND if the employee is unable to work. The acceptable reasons an employee is unable to work are as follows: there is not enough work available to cover a portion or all of their normal work schedule, or they have exhausted all their Federal Emergency Paid Sick Leave and their COVID-19 related circumstance remain.

Q. May an employee use the Federal Emergency Paid Sick Leave intermittently?

A. Yes, depending on the reasons for leave. Persons using it for child care or to support other family who are self-quarantining may use it intermittently. Individuals using leave because they have been directed to self-quarantine and those who are able to perform some work remotely may use the leave intermittently.

Q: Does the Emergency Family and Medical Leave Expansion Act give additional weeks to someone who has already used FML for other issues during their rolling year?

A: No. The Emergency FML Expansion leave is counted against a single FMLA 12 week leave period. So if someone has already used a portion of the allowed 12 weeks that portion will be deducted from the 12 weeks of leave.

Q. Can I use the Federal Emergency Paid Sick Leave again if qualifying reasons reoccur (i.e. I was sick, now my family is)?

A. No, that leave program is temporary and provides for a total of 80 hours paid leave between April 1, 2020 and December 31, 2020.

Q: Will my normal payroll deductions and PTO accruals be the same while employees are off for COVID-19 leaves?

A. Yes.

Q. Do the new paid federal leaves or the University’s Extraordinary Temporary Paid Time Off go into the calculation of overtime as hours worked during the day/week?

A. No, they do not.
Q: What kind of leave covers employees until June 30th?

A. The Extraordinary Paid Leave developed by Ball State University’s Board of Trustees covers eligible employees through their normal work ending date or June 30, 2020, whichever date is earlier.

Q. If I have concerns or additional information about an approved leave of absence, who should I contact?

A. Please feel free to reach out to Employee Relations or Human Resources to discuss any concerns or provide additional information relevant to a leave status.