

Leaves of Absence Information– as of August 25, 2020 *SUBJECT TO CHANGE*

REASON	BENEFIT	SOURCE OF RIGHT
COVID + diagnosis	2 weeks (10 days) paid at regular rate ⁱ	New York State Paid Family Leave ⁱⁱ & Emergency Paid Sick Leave Act (EPSLA) ⁱⁱⁱ
Mandatory quarantine order by DOH or NYS	2 weeks pay (10 days) at regular rate	NYS & EPSLA
Quarantine under advice of health care provider	2 weeks (10 days) up to \$511/day	Federal Law – EPSLA
Caring for someone who has COVID diagnosis or has been ordered to quarantine	2 weeks (10 days) 2/3rds pay up to \$200/day	Federal Law - EPSLA
Childcare: Unable to work OR telework because of loss of childcare due to COVID	2 weeks (10 days) 2/3rds pay up to \$200/day up to \$2,000 and then 10 weeks at 2/3rds pay up to \$200/day for a total of 12 weeks of leave Keep health care benefit Can be taken intermittently <i>(currently in effect; this may be subject to appeal by the USDOL)</i> Must be employee for at least 30 days and state that “suitable” childcare cannot be found	Federal Law – EPSLA & Emergency Federal Family & Medical Leave Expansion Act (EFMLEA) ^{iv} <i>Note: this leave is complex and changing. There may be other requirements to qualify.</i>
Living with a family member (including elderly & newborns) who you’re worried about (who may or may not be considered higher risk)	No federal or state law provides for paid leave in this situation. Check your contract to see if there is anything available.	
Individual’s medical condition	May be eligible for ADA accommodation. Talk to your doctor and begin interactive process with your employer to request an accommodation ^v . Consult CDC website for list of conditions which may make one eligible for accommodation due to COVID ^{vi} <i>(Note: pregnancy itself is not necessarily grounds for an accommodation)</i>	Americans with Disabilities Act (ADA)

REMINDER: Check your collective bargaining agreement for other leave provisions which may apply in any of the above situations.

ⁱ Up to 80 hours is the total amount of leave time under EPSLA is until Dec 31, 2020. It is not per quarantine order or diagnosis. NYS Paid Leave may be available if an employee exhausts the 80 hours of EPSLA leave.
ⁱⁱ Voluntary travel to a state on Cuomo’s list with high infection rates will likely make you ineligible for paid leave by NYS. Also, you must self-quarantine for 14 days upon return from one of these states.
ⁱⁱⁱ The provisions of EPSLA expire on Dec 31, 2020 unless renewed by Congress.
^{iv} The provisions of EFMLEA expire on Dec 31, 2020 unless renewed by Congress.
^v The employer can request medical documentation or ask you to sign a release to speak to your doctor.
^{vi} CDC website: <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>