

FREQUENTLY ASKED QUESTIONS

Beginning April 1, 2020, you will no longer be allowed to go negative on your sick time accrual. Please keep in mind that your sick time is there for you when you need it. Be careful of the way you utilize your sick time so you do not find yourself in a situation without time available to you, especially given the current pandemic situation.

For those of you who are unable to telework, the City is taking precautions for your safety by cleaning and sanitizing more frequently, applying social distancing, and appropriately spacing workstations. If you have other concerns or you have ideas how we can help regarding work safety, please contact Human Resources.

Q1: Does Childcare expansion period count as FMLA?

A: If you have FMLA available and you are eligible for FMLA, then Yes, the time you are out under the FFCRA Act due to Childcare will count as FMLA time. This is very important to note: FMLA is job-protected leave, and if you need leave, make sure you understand your situation and are willing to exhaust your FMLA under the FFCRA childcare expansion. In addition, if you are someone who has used FMLA in the previous 12-months, you may not be eligible for any/ALL of the FFCRA childcare expansion.

Note: The expanded childcare FMLA under FFCRA will be carried over through September 30, 2021 for qualifying employees/leave reasons.

Q2: If I have exhausted all of my FMLA, will I be eligible for paid leave under the FFCRA Act?

A: Yes and No. You are eligible for the two weeks of emergency paid sick time provided you meet the criteria for one of the six qualifying reasons. You are NOT eligible for the paid leave under qualifying reason #5 for the 10-week expansion if you have exhausted your FMLA.

Q3: If both my spouse and I work for the City of Frisco, are we both eligible for the paid leave under the FFCRA Act?

A: Yes, provided both you and your spouse do NOT work in the same department.

Q4: Does the shelter-in-place or stay at home order for my county qualify?

A: We have deemed all employees as “essential,” so a shelter-in-place or stay at home order for your county would not qualify.

Q5: What documentation is required to request paid leave under the Act?

A: You may be asked to provide a copy of the order for qualifying reasons #1 & 4. You may be requested for a note from a licensed provider for qualifying reasons #2 & 3. For qualifying reason #5, you will be asked to provide a notice from the daycare or childcare provider, or a notice posted on the provider or school’s website, or something published in a paper. We may request other additional supporting documentation.

Q6: Who qualifies as an individual for qualifying reason #4?

A: A qualified individual is defined as:

- An employee's immediate family member (as defined in the City's sick leave policy),
- A person who regularly resides in employee's home, or
- A similar person with whom employee has relationship that creates expectation that employee would care for the person if they were quarantined or self-quarantined.

"Individual" does not include person with whom employee has no personal relationship.

Q7: If the qualifying reason I selected is 1-4 or 6 and I need to be out longer than 2 weeks, what do I need to do?

A: Call The Hartford at 888-458-5541 and request a leave of absence. You will be required to provide supporting documentation to the Hartford to determine eligibility under Family Medical Leave (FMLA), City Leave of Absence (CLOA), or the American with Disabilities Act (ADAAA).

Q8: I am not symptomatic nor have I tested positive for COVID19, but I have a doctor's note stating I am at high risk for COVID19 due to an underlying health condition, Am I able to utilize the paid sick leave under the Act?

A: In this situation, you may use your two-week entitlement under the Act, **ONLY** if you are quarantined pursuant to the advice of your health care provider. If you need to be out past two weeks, you can contact The Hartford to apply for leave under FMLA, but typically you must have a serious health condition in order to be eligible for FMLA.

If you are not being quarantined by your health care provider, or you do not qualify for FMLA beyond the two-weeks of leave under the FFCRA, you may use your accrued vacation time if your manager approves. Keep in mind, while on leave that is not covered by FMLA, your job is not protected.

Q9: I am afraid to be at work right now with the COVID19 pandemic. What can I do?

A: Fear of contracting COVID19 is not covered under any job protected leave types. You may turn in a leave request with The Hartford to see if you qualify for other leave such as FMLA or ADAAA. Or if you have vacation time **and** your manager approves the use of vacation time, you may utilize your vacation time. Talk to your supervisor or manager about your fears and concerns. You can also get help through your free employee assistance program (EAP) at 877-622-4327. Employer ID is friscotexas.

You can also talk to your supervisor or manager about whether working from home is possible.

Q10: If I have tested positive for COVID19, will I be covered under Short-Term Disability?

A: If you are a full-time employee, you **MAY** be covered. A positive test for COVID19 is not by itself a Disabling condition. The employee would only be considered Disabled if they were

sick and unable to perform the Essential Duties of their Occupation due to the sickness. If you tested positive for COVID19, you can initiate a claim with The Hartford by calling 888-458-5541.

Q11: I tested positive for COVID19, and I believe I was contaminated at work. Will I receive workers' compensation benefits?

A: COVID19 is treated as a communicable disease under Workers' Compensation, and you may be eligible for benefits if it can be determined that you were exposed at work. Police and Fire uniformed employees who contract COVID19 due to exposure are presumed positive due to on-the-job exposure.

Q12: If I am diagnosed with COVID19, will my co-workers be informed of my diagnosis?

A: Yes, according to the CDC, employers should inform fellow employees of their potential workplace exposure. The City will adequately inform, while maintaining confidentiality.

Q13: I am experiencing symptoms of COVID19 such as coughing and sneezing. Can I be sent home from work?

A: Most of the time, no. However, if the City recognizes symptoms, we may ask that you seek care both for your safety and the others around you.

Q14: I exhausted my sick, comp, and vacation time. Am I eligible for donations?

A: No, not under the FFCRA. You are ONLY eligible for donations for your own condition under the current donation policy.

Q15: What are the eligibility requirements for son or daughter for qualifying reason #5?

A: Under the FFCRA, a "son or daughter" is your own child, which includes your biological, adopted, or foster child, your stepchild, a legal ward, or a child for whom you are standing in loco parentis—someone with day-to-day responsibilities to care for or financially support a child. For additional information about in loco parentis, refer to the City's Family and Medical Leave Policy. The child must be under the age of 18. If your son or daughter is over 18 and has a mental or physical disability and incapable of self-care because of that disability, he/she will qualify.

Q16: May I take the leave intermittently?

A: Yes, for qualifying reason #5 and in some situations, when working from home for other qualifying reasons. Intermittent leave must be taken in increments of 1-hour or more.

Q17: Will a family member such as a grandmother who provided care for my child and who can no longer care for my child due to being in the high-risk group count as a childcare provider for qualifying reason #5?

A: Yes, you must typically provide a signed note from the family member about the inability to care for the child related to COVID19.

Q18: How should I code my time in Kronos?

| Qualifying Reasons | Kronos Code | Pay Amount | Maximum |
|---|-----------------------------|----------------------------------|--|
| Reason #1 | Emergency Sick | Regular Base Rate | Full-time 80 ours Part-Time 40 hours Shift FireFighters 120 hours |
| Reason #2 | Emergency Sick | Regular Base Rate | Full-time 80 ours Part-Time 40 hours Shift FireFighters 120 hours |
| Reason #3 | Emergency Sick | Regular Base Rate | Full-time 80 ours Part-Time 40 hours Shift FireFighters 120 hours |
| Reason #4 | Emergency Sick Childcare | 2/3 of your regular base rate | Full-time 80 ours Part-Time 40 hours Shift FireFighters 120 hours |
| Reason #5 | Emergency Sick Childcare | 2/3 of your regular base rate | Full-time 80 ours Part-Time 40 hours Shift FireFighters 120 hours |
| Reason #5 (Expanded 10 wks) | EXPANDED Sick Childcare | 2/3 of your regular base rate | Full-time 80 ours Part-Time 40 hours Shift FireFighters 120 hours *Maximum aggregate of \$10,000 for FT and \$5,000 for PT |
| Reason #6 | Emergency Sick Childcare | 2/3 of your regular base rate | Full-time 80 ours Part-Time 40 hours Shift FireFighters 120 hours |
| *THE MAXIMUM ALLOWED IS INCLUSIVE OF ALL REASONS | | | |
| For reasons 4-6, an employee may use 1/3 sick, comp, or vacation time if available. | | | |

Q19: How long will Emergency Sick under the FFCRA be available to me?

A: The law first became effective April 1, 2020 and is set to expire December 31, 2020. It is unknown if the law will be expanded. However, since COVID-19 is still prevalent, the City of Frisco, will allow employees to carry over any unused Emergency Sick until September 30, 2021, and use it for any qualifying COVID-related reason.