

# Salt Lake County Human Resources Policy 4-1100: Families First Coronavirus Response Act (FFCRA)

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## Purpose

This policy explains the circumstances under which an eligible employee may use leave under the Families First Coronavirus Response Act (FFCRA) and under similar County policy provision.

## I. Policy

It is the policy of Salt Lake County to provide employees with a general description of their rights under the [Families First Coronavirus Response Act](#) and implementing regulations. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. “Health Care Providers” and “Emergency Responders” are excluded from the FFCRA but may be covered under similar County provisions.

## II. Procedures

### A. Healthy Workforce

1. Employees shall not work on-site if demonstrating COVID-19 symptoms (or suppressing symptoms with medication) as defined by the Salt Lake County Health Department or the Centers for Disease Control and Prevention.
  - a. Employees demonstrating or suppressing symptoms may be sent home by a supervisor.
  - b. Employees demonstrating or suppressing symptoms may telecommute if able.
2. Return to Work
  - a. Employees may return to work pursuant to the guidance provided by the Salt Lake County Health Department or the Centers for Disease Control and Prevention.

### B. Families First Coronavirus Response Act Leave

1. Eligibility: All employees are eligible for Own Condition and Caregiver paid sick leave.
  - a. Employees must have been on the payroll for the 30 calendar days immediately prior to the day the employee’s leave would begin to be eligible Caregiver Extension leave.
2. Employees who *cannot telecommute* shall receive paid leave not to exceed 80 hours as follows:
  - a. **Own Condition:** paid leave relating to *employee’s own condition* because employee:
    - i. Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
    - ii. Has been advised by a health care provider to self-quarantine related to COVID-19; or
    - iii. Is experiencing COVID-19 symptoms and is seeking a medical diagnosis.
      1. Benefits eligible employees’ leave is paid at the regular rate.
      2. Non-Benefits eligible employees’ leave is paid at the regular rate of pay and capped at \$511 per day and \$5,110 in aggregate.
  - b. **Caregiver:** paid leave relating to the *employee being a caregiver*:
    - i. For an individual described in II(B)(2)(a) above or

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- ii. An employee caring for a child whose school or place of care is closed, or the childcare provider of the child is unavailable, due to coronavirus emergency.
    - 1. Benefits eligible employees' leave is paid at the regular rate of pay.
    - 2. Non-benefits eligible employees' leave is paid at 2/3 the regular rate of pay and capped at \$200 per day and \$2000 in aggregate.
  - c. **Caregiver Extension:** After exhaustion of Caregiver leave, up to 10 additional weeks (400 hours) of paid leave relating to bona fide need for the *employee to be a caregiver*:
    - i. For a child, whose school or childcare provider is closed or unavailable due to a coronavirus emergency.
      - 1. Benefits eligible employees' leave is paid at the regular rate.
      - 2. Non-Benefits eligible employees' leave is paid at 2/3 regular rate of pay and capped at \$200 per day and \$12000 in aggregate (over a 12-week period – 2 weeks Caregiver plus 10 additional weeks Caregiver Extension).
    - ii. Caregiver Extension leave runs concurrently with FMLA (for employees who qualify for FMLA).
    - iii. FMLA leave taken within the previous 12 months will count against the leave balances available under the Caregiver extension.
- 3. The combination of total FFCRA leave (Own Condition, Caregiver, and Caregiver Extension) shall not exceed 12 weeks (480 hours).
- 4. FFCRA leave may be taken intermittently with administrator approval.
- 5. Employees who work less than 40 hours per week shall receive prorated FFCRA leave under the same eligibility criteria above according to their average hours worked in a two-week period based on a six-month average (if available).
- 6. County Human Resources may require documentation to verify any of the eligibility criteria above.

## C. Health Care Providers and Emergency Responders

- 1. "Health Care Providers" and "Emergency Responders" are excluded from FFCRA leave as designated by each Elected Official.
- 2. Excluded employees may receive paid administrative leave pursuant to similar eligibility criteria and amounts provided by the FFCRA.
  - a. Provisional leave for excluded employees requires Elected Official or designee approval.
  - b. Elected Officials or designees are encouraged to approve leave when business needs allow.

## D. Procedure

- 1. County Human Resources will manage all functions under the FFCRA, to include review and approve requests, track, and communicate and partner with agencies to ensure compliance and provide advice and guidance on leave covered by the FFCRA to managers and employees as requested.
  - a. This will also include managing leave request for employees who are exempt from FFCRA, but request leave for COVID-19 related reasons.

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2. Employees may request FFCRA leave by submitting the FFCRA Leave Request Form.
  - a. County Human Resources will notify the employee, supervisor, and HR contact in writing as to the determination of coverage under the FFCRA.
  - b. County Human Resources will input all approved FFCRA hours (or equivalent for exempt employees) in the payroll system.
3. If an employee requests unpaid leave for COVID-19 symptoms, Salt Lake County may designate all or some portion of related leave taken as FFCRA Leave, to the extent that the leave meets the necessary qualifications.

## E. Effective Date and Sunset

1. This policy is effective April 1, 2020.
2. This policy and its requirements shall expire on December 31, 2020.

## III. References

- A. [Families First Coronavirus Response Act \(FFCRA or Act\)](#)

APPROVED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2020.

### SALT LAKE COUNTY COUNCIL

By \_\_\_\_\_  
Max Burdick, Chair

ATTEST:

\_\_\_\_\_  
Sherrie Swensen  
County Clerk

Approved as to form and legality:

Deputy District Attorney

Voting:

Council Member Bradley voting	_____
Council Member Bradshaw voting	_____
Council Member Burdick voting	_____
Council Member DeBry voting	_____
Council Member Granato voting	_____
Council Member Jensen voting	_____
Council Member Newton voting	_____
Council Member Snelgrove voting	_____
Council Member Ghorbani voting	_____