



Seasonal Employees and COVID-19

As we approach spring and summer, employers may hire seasonal workers for planting/harvesting, lifeguards, park/snack shop workers, camp counselors and many types of seasonal work. An employer who hires seasonal workers should familiarize themselves with how seasonal workers emergency paid leave and emergency family and medical leave wages are calculated. Below is a step by step process and an example to assist employers as they prepare for the months ahead.

As an employer, how much do I pay a seasonal employee with an irregular schedule for each day of paid sick leave or expanded family and medical leave that he or she takes?

It is important to note that if your seasonal employees are not scheduled to work, for example, because it is the off-season, then you do not have to provide paid sick leave or expanded family and medical leave.

You may calculate the daily amount you must pay a seasonal employee with an irregular schedule by taking the following steps.

STEP ONE:

Calculate how many hours of leave your seasonal employee is entitled to take each day. Since your employee works an irregular schedule, this is equal to the average number of hours each day that he or she was scheduled to work over the period of employment, up to the last six months. Please note that you should exclude from this calculation off-season periods during which the employee did not work.

STEP TWO:

Calculate the seasonal employee's regular hourly rate of pay. This is calculated by adding up all wages paid over the period of employment, up to the last six months, and then dividing that sum by the number of hours actually worked over the same period. Again, you should exclude off-season periods during which the employee did not work.

STEP THREE:

Multiply the daily hours of leave (step one) by your employee's regular hourly rate of pay (step two) to compute the base daily paid leave amount.

STEP FOUR:

Determine the actual daily paid leave amount, which depends on the type of paid leave taken and the reason for such paid leave.

You must pay your seasonal employee the full base daily paid leave amount, up to \$511 per day and \$5,110 in total, if the employee is taking paid sick leave for any of the following reasons:

- Your employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- Your employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or
- Your employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis.

You must pay your seasonal employee 2/3 of the base daily paid leave amount, up to \$200 per day and \$2,000 in total, if your employee is taking paid sick leave for any of the following reasons:

- Your employee is caring for an individual who either is subject to a quarantine or isolation order related to COVID-19 or who has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- Your employee is caring for his or her child whose school or place of care is closed, or childcare provider is unavailable, due to COVID-19 related reasons; or
- Your employee is experiencing any other substantially similar condition, as determined by the Secretary of Health and Human Services.

You must pay your seasonal employee 2/3 of the base daily paid leave amount, up to \$200 per day and \$10,000 in total, if the employee is taking expanded family and medical leave to care for the employee's child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19-related reasons.

John is a lifeguard at a public pool and upon hire by the city is scheduled to work from May 1st to September 30th.

John is scheduled to work Friday, Saturday and Sunday each week for 6 hours a day. However, during the 4th of July holiday week John is schedule to additionally work Monday thru Thursday for 5 hours a day.

On July 12th John has covid-19 symptoms is tested and is awaiting diagnosis.

JOHN'S PAID LEAVE CALCULATION

STEP ONE		
May	12 days @ 6 hours/day	72
June	12 days @ 6 hours/day	72
July	12 days @ 6 hours/day	72
Additional Monday - Thursday July 4th week	4 @ 5 hours per day	20
August	12 days @ 6 hours/day	72
	Total hours	308
	Days scheduled to work	52
	Average per day hours	5.92
STEP TWO		
	Wages paid over the period	\$2,832.68
	# of hours worked	184
	Regular hourly rate of pay	\$15.40
STEP THREE		
	Average per day hours	5.92
	Regular hourly rate of pay	\$15.40
	Base daily paid leave amount	\$91.17
STEP FOUR		
Employee is experiencing symptoms of COVID-19 and is seeking medical diagnosis	2/3 of base daily leave amount	\$60.78
	Avg # hours over 2-week period	24
	Calculated paid leave amount	\$1,458.72
	Maximum paid leave	\$2,000.00

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