

What Triggers COVID-19 Leave?

COVID-19 Qualifying Reasons

1. Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. Has been advised by a health care provider to self-quarantine related to COVID-19;
3. Is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. Is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. Is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
6. Is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

COVID-19 Qualifying Reason	COVID-19 Scenarios	Employer Provided [Paid] Sick Leave	Short-Term Disability Plan (if available)	Family & Medical Leave Act (FMLA)	Emergency Family and Medical Leave Expansion Act (EFMLEA)	Emergency Paid Sick Leave Act (EPSLA)**
#3	Employee making, waiting or attending an appointment for test results related to COVID-19 and unable to work or telework	Maybe, depending on plan details	Unlikely if fully insured, but check with carrier to confirm. If self-funded, may be possible if all employees are treated consistently.	No	No	Up to 80 hours (pro-rated for part-time employees) to FFCRA maximums
#2	Employee is mildly ill with COVID-19 and unable to work or telework	Probably Yes, depending on plan details	Yes, if doctor orders to stay home from work	Yes, if doctor orders to stay home & employer is subject to FMLA and employee meets FMLA requirements	No	Up to 80 hours (pro-rated for part-time employees) to FFCRA maximums
#2	Employee is severely ill with COVID-19	Probably Yes, depending on plan details	Yes, if doctor orders to stay home from work	Yes, if employer is subject to FMLA and employee meets FMLA requirements	No	Up to 80 hours (pro-rated for part-time employees) to FFCRA maximums
#4	Employee is caring for family member who is severely ill with COVID-19 and unable to work or telework	Maybe, depending on plan details	No	Yes, if employer is subject to FMLA and employee meets FMLA requirements	No	Two-thirds of pay up to 80 hours (pro-rated for part-time employees) to FFCRA maximums. Includes caring for an individual (e.g. immediate family member, roommate, or a similar person) with whom the relationship creates an expectation the employee would care for them.
#4	Employee is caring for family member who has been advised by a health care provider to self-quarantine due to concerns related to COVID-19 and is unable to work or telework.	Maybe, depending on plan design	No	No	No	Two-thirds of pay up to 80 hours (pro-rated for part time employees) to FFCRA maximums. Includes caring for an individual (e.g. immediate family member, roommate, or a similar person) with whom the relationship creates an expectation the employee would care for them.
#2	Employee was exposed and quarantined*; Business is open	Probably Yes, depending on plan details	Unlikely if fully insured, but check with carrier to confirm. If self-funded, may be possible if all employees are treated consistently.	No	No	Up to 80 hours (pro-rated for part-time employees) to FFCRA maximums
#2	Employee was exposed and quarantined*; Business is closed	Probably Yes, depending on plan details	No	No	No	No
#5	Schools/child care providers are closed because of COVID-19 and employee has no childcare for son or daughter, and is unable to work or telework	No, depending on plan details	No	No	Yes, if employee has been employed for at least 30 calendar days, up to 12 weeks of EFMLEA to FFCRA maximums. (Eligibility for EFMLEA depends on how much FMLA already taken, a total of 12 weeks for both.) Employers with fewer than 50 employees may be exempt if specific criteria are met. Only those Federal employees covered by Title I of the FMLA are potentially eligible.	Two-thirds of pay up to 80 hours (pro-rated for part-time employees) to FFCRA maximums. Employers with fewer than 50 employees may be exempt if specific criteria are met.
#2	Employee has compromised immune system and is advised to self-quarantine*	Probably No	Unlikely if fully insured, but check with carrier to confirm. If self-funded, may be possible if all employees are treated consistently.	No	No	Up to 80 hours (pro-rated for part-time employees) to FFCRA maximums
N/A	Employee is afraid of gathering in a group and refuses to go to work	Probably No	No	No	No	No
#1	Employer must shut down due to a Federal, State or local quarantine or isolation order, and employee cannot work from home via telework.	Probably No	No	No	No	No
#1	Employer must shut down due to a Federal, State or local quarantine or isolation order, and employee can work from home via telework but is unable to work due to a COVID19 reason.	Probably No	No	No	Yes, if COVID-19 reason #5 and employee has been employed for at least 30 calendar days, up to 12 weeks of EFMLEA to FFCRA maximums. (Eligibility for EFMLEA depends on how much FMLA already taken, a total of 12 weeks for both.) Employers with fewer than 50 employees may be exempt	Up to 80 hours (pro-rated for part-time employees) to FFCRA maximums. If COVID-19 reason #4-6, Two-thirds of pay up to 80 hours (pro-rated for part-time employees) to FFCRA maximums.
N/A	Employer reduces available hours due to business slowdown	Probably No	No	No	No	No

*Quarantine advised by a healthcare provider

**Employers may exclude employees who are health care providers or emergency responders from taking paid sick leave

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