

**Child and Family Services Agency**  
**COVID SICK LEAVE/CHILDCARE POLICY FAQ**



**FMLA/PFL AND COVID SICK LEAVE**

- **Will my use of COVID Sick Leave hours impact my eligibility of other categories of FMLA?**

The first 80 hours of COVID Sick Leave will not impact or run concurrently with your FMLA hours. However, COVID Sick Leave hours beyond the first 80 hours used may run concurrently with Federal FMLA, DC FMLA, and/or Paid Family Leave depending on the reason for your leave request. Your approval notice will include all the leave programs that will run concurrently with your COVID Sick Leave hours. If you have any questions about your FMLA eligibility, please contact the FMLA Coordinator at [cfsa.covidsickleave@dc.gov](mailto:cfsa.covidsickleave@dc.gov).

- **Approval of COVID Sick Leave beyond two workweeks (80 hours) depends on my previous use of Federal FMLA within the last 12 months. Will it also depend on my previous Paid Family Leave (PFL) usage?**

COVID Sick Leave approval beyond 80 hours will depend only on your previous use of Federal FMLA. Please note that if you have been approved for PFL within the previous 12 months, you might have also been approved for Federal FMLA hours that were running concurrently with your PFL. If you have additional questions, please contact the HR COVID Sick Leave inbox at [cfsa.covidsickleave@dc.gov](mailto:cfsa.covidsickleave@dc.gov).

- **What is PFL? Is this different from COVID Sick Leave?**

Paid Family Leave (PFL) is a paid leave benefit that is separate from COVID Sick Leave. An employee may be eligible for paid leave under this section for any of the following qualifying events:

- The birth of a child of the employee;
- The legal placement of a child with the employee (such as through adoption, guardianship, or foster care);
- The placement of a child with the employee, when the employee permanently assumes and discharges parental responsibility for that child; or
- When a family member suffers from a serious health condition, as defined in Section 1283 of this chapter that requires the employee's care.

An employee may be approved for 320 hours of Paid Family within 12-month period.

## **DO I QUALIFY?**

- **Is it required that I have worked a certain number of hours within the last year to qualify (as is required for FMLA)?**

No, there is no number of hours worked required for this benefit.

- **What if I am caring for a child that is not my biological child because his/her school, daycare, or camp has been closed? Can I still utilize the childcare leave option?**

You must provide documentation establishing your legal parental, custodial, or guardianship relationship to the child if you are applying to care for that child due to school, daycare, or camp closure.

- **Can you define childcare? Does COVID Sick Leave only apply to children of a certain age, or are there developmental considerations that allow me to qualify for this leave benefit?**

A parent may qualify for this leave category if they are caring for a child under the age of 18 years (or an adult child who is 18 years of age or older and who (1) has a mental or physical disability, and (2) is incapable of self-care because of that disability) because his or her child's school or childcare provider is unavailable due to the COVID-19 emergency.

- **What about elder care? If I am caring for a parent with special needs who attends a day program, but the program is closed due to governor's order, do I qualify?**

Yes, if your parent is under Federal, District, or state order to quarantine or isolate or has been advised by a health care provider to quarantine or isolate and needs care. If caring for an adult for non-COVID related reasons, please contact the FMLA Coordinator at [cfsa.covidsickleave@dc.gov](mailto:cfsa.covidsickleave@dc.gov).

- **Do I qualify if I am caring for a family member outside of my household?**

Yes, if this is a family member who is under Federal, District, or state order to quarantine or isolate or has been advised by a health care provider to quarantine or isolate and needs care. For additional guidance, please send your application materials to [cfsa.covidsickleave@dc.gov](mailto:cfsa.covidsickleave@dc.gov).

- **Does this policy cover employees working in the office as well as telework?**

Yes. All employees may qualify for this benefit regardless of their telework status.

## **LEAVE USAGE**

- **Is COVID Sick Leave paid leave or must I use my accrued annual and sick leave?**

COVID Sick Leave is a paid leave benefit that is separate and in addition to accrued sick and annual leave.

- **If I use a flexible schedule, do I still have to apply for this benefit?**

Yes. Applications are required for any benefit included in the CFSA COVID Sick/Childcare Policy.

- **What if I work outside of 7AM—7PM? Can I use COVID Sick Leave hours, or the flexible schedule/extended leave option?**

You may if your schedule is agreed upon with your supervisor. HR will review and approve on a case-by-case basis.

- **Who will track my COVID Sick Leave?**

HR will provide an anticipated date of COVID Sick Leave exhaustion based on your application and approved leave schedule to ensure that you do not exceed your approved number of COVID Sick Leave hours. However, you and your timekeeper must also track your hours used.

- **How long may I use the COVID Sick Leave benefit?**

The COVID Sick Leave benefit may be used no later than December 31, 2020. Please note that the agency may deny or rescind this benefit to support the agency's response to the public health emergency and business operations at any time.

- **Will the agency consider extending the leave policy beyond June 8, 2020 since many of the qualifying conditions may arise or persist for families beyond that date?**

The COVID Sick Leave benefit may be used no later than December 31, 2020. Please note that the agency may deny or rescind this benefit to support the agency's response to the public health emergency and business operations at any time.

- **Do workweeks in the policy refer to calendar weeks or the number of hours contained within a workweek?**

A "workweek" refers to the number of hours that comprises a workweek (40 hours).

- **What if I only needed about two hours a day to care for my child because his/her school, daycare, or camp was closed?**

You may request and be approved for up to four offline or four COVID Sick Leave hours per day. However, you may request and be approved for fewer than four hours per day.

- **Do I need to use my COVID Sick Leave or offline hours to care for my child in consecutive weeks if his/her school, daycare, or camp is closed?**

No. You may alternate weeks to use your leave to care for a child due to school, daycare, or camp closure. Your schedule must be in coordination with your supervisor.

## **SUPPORTING DOCUMENTATION FOR APPLICATIONS**

- **What type of documentation do I need to provide to support an application to care for a family member?**

Examples of documentation include federal, state, or District stay-at home orders; documentation from a healthcare provider or Department of Health that states that someone has a positive test result.

- **What type of documentation do I need to provide to show that my child's school, daycare, or camp is closed?**

You may use any method of documentation/correspondence that indicates that your child's school has closed. This includes notifications from Maryland, DC, or Virginia indicating school, daycare, or summer camp closures (also includes news announcements or notifications directly from the school, daycare, or camp).

- **If it is already known that schools in the DMV are closed, am I still required to provide documentation showing that my child's school is closed?**

Yes. You must provide all the required documentation to receive this benefit. The FMLA Coordinator may conditionally approve an application without all required supporting documentation. However, all supporting documentation must then be submitted to the FMLA Coordinator within 28 days of the conditional approval.

- **Would a report card suffice as proof of enrollment if I am applying to care for a child because his/her school is closed?**

Yes. Any official school document will suffice for proof of enrollment, including report cards, school invoices, proof of tuition payment, school vouchers, class schedules, online communication with the school, etc.

- **May I use continuous leave if I use this benefit to care for my child because his/her school, childcare, or camp is closed?**

If you are using this benefit to care for a child because his/her school, camp, or daycare is closed, you may only use this benefit intermittently in the form of COVID Sick Leave or offline hours at a maximum of four hours per day.

- **How do I coordinate my schedule with my supervisor if I am using this benefit to care for a child because his/her school, daycare, or camp is closed?**

If you are approved for a flexible schedule or COVID Sick Leave hours, the FMLA coordinator will provide you with a form for you to indicate your flexible or COVID Sick Leave schedule. Both you and your supervisor must sign this form and return it to the FMLA Coordinator to show that you have agreed upon a set schedule. If you and supervisor are unable to provide signatures due to technological challenges, the FMLA Coordinator will accept the finalized schedule via email from your supervisor indicating that the schedule has been approved.

- **What if my child was registered for summer camp, but the camp has not decided whether they will open?**

You must provide documentation to support that the camp is or will be closed.

- **Would a standard letter indicating a jurisdictional closure (for example, MD, DC, VA) closures suffice as documentation that camps are closed?**

Yes.

### **APPLICATION DEADLINE**

- **What if I do not qualify for COVID Sick leave prior to May 15, 2020? May I apply after May 15<sup>th</sup>?**

The agency requests that everyone who is now eligible or will be eligible (for example, you will need this benefit due to closure of summer camp) submit their applications and supporting documentation to [cfsa.covidsickleave@dc.gov](mailto:cfsa.covidsickleave@dc.gov) by May 15, 2020. If you qualify for COVID Sick Leave after May 15, 2020, please submit your application as soon as possible.