825-A COVID-19 Illness

Approved by President

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Sidney A. McPhee, President

Effective Date: **June 5, 2020**
January 1, 2021

Responsible Division: Business and Finance

Responsible Office: Human Resource Services

Responsible Officer: Assistant Vice President, Human Resource Services

I. Purpose

This policy provides information concerning the symptoms of COVID-19 and information about the Families First Coronavirus Response Act (FFCRA). This policy will expire on **March 31, 2021**, December 31, 2020, or as directed by federal, state, or local laws pertinent to the FFCRA requirements.

II. Scope

This policy applies to all employees of Middle Tennessee State University (MTSU or University), whether employed full-time, part-time, or temporary.

A. COVID-19

1. The following is a list of symptoms as currently identified by the Centers for Disease Control and Prevention (CDC). The list is subject to change as more is learned about COVID-19.

   a. Fever over 100.4 degrees F
   b. Chills
   c. Cough
   d. Shortness of breath or difficulty breathing
   e. Fatigue
   f. Muscle or body aches
   g. Headache
   h. Sore throat
   i. New loss of taste or smell
   j. Congestion or runny nose
   k. Nausea or vomiting
l. Diarrhea
m. Other symptoms as updated by the CDC.

2. Symptoms may appear two (2) to fourteen (14) days after exposure to the virus.

3. Exposure to the virus. The virus that causes COVID-19 is thought to spread mainly from person to person, mainly through respiratory droplets produced when an infected person coughs or sneezes. These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs. Spread is more likely when people are in close contact with one another (within about six [6] feet).

B. Families First Coronavirus Response Act (FFCRA). The mandates concerning provision of leave contained in the FFCRA expired on December 31, 2020. However, MTSU has determined it will allow eligible employees to utilize any unused Emergency Paid Sick Leave or any unused Emergency Extended Family and Medical Leave under the conditions set forth below. The ability to use such leave shall expire March 31, 2021.

1. Emergency Paid Sick Leave (EPSL)

   a. Employees are eligible for two (2) weeks paid sick leave (up to seventy-five [75] hours or prorated for part-time employees) if the employee is unable to work or telework based on one of the following eligible reasons related to COVID-19.

   b. Employees cannot be required to use accrued leave before using EPSL.

   c. Eligible reasons include:

      (1) The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19;

      (2) The employee is under self-quarantine due to concerns related to COVID-19 based on the advice of a health care provider;

      (3) The employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis;

      (4) The employee is caring for an individual subject to an order described in (1) or (2) above;

      (5) The employee is caring for a child whose school or child care facility is closed, or child care provider is unavailable, for reasons related to COVID-19; or
(6) The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

d. Rate of Pay

(1) For leave reasons (1), (2), or (3) above: Employees taking leave shall be paid at their regular rate of pay, up to $511 per day and $5,110 in the aggregate over a two (2)-week period.

(2) For leave reasons (4), (5), or (6) above: Employees taking leave shall be paid at two-thirds their regular rate of pay, up to $200 per day and $2,000 in the aggregate over a two (2)-week period.

2. **Emergency Extended Family and Medical Leave Expansion Act (EFMLEA)**

   a. Employees are eligible for EFMLEA if they have worked at MTSU at least thirty calendar (30) days as of April 1, 2020, and are unable to work or telecommute due to caring for a child whose school or place of care is closed, or child care provider is unavailable, for reasons related to COVID-19.

   (1) An eligible employee must use annual leave, sick leave, EPSL or unpaid leave for the first ten (10) days of EFMLA.

   (2) After ten (10) days, the employee will receive two-thirds of their regular pay for the remaining leave period, up to fifty (50) additional days, with a cap of $200 per day and $10,000 in the aggregate.

   (3) The period of leave taken pursuant to the EFMLA will include any leave taken under the Family Medical Leave Act (FMLA). The FMLA allows a total of twelve (12) weeks of leave. Thus, any weeks taken under the FMLA in the twelve (12) months preceding the need for EFMLA will count against time that can be taken under the EFMLA.

3. Employees may apply for either EPSL or EFMLA leave by completing the applicable form.

Forms:

Emergency Paid Sick Leave Act Request Form (EPSL)

Emergency Family and Medical Leave Expansion Act Request Form (EFMLEA)

Last Reviewed: June 2020-January 2021.