



CITY OF PHILADELPHIA

MEMORANDUM

FROM: Stephanie Tipton, Chief Administrative Officer *SFT*
DATE: April 2, 2020
SUBJECT: Emergency Paid Sick Leave (EPSL) and FMLA+

The United States Congress recently passed the Families First Coronavirus Response Act. The Act provides a new type of paid sick leave and alters the existing Family and Medical Leave Act to allow employees to use family medical leave in a new way. The following is a short explanation of how the City will be implementing these leave changes.

Emergency Paid Sick Leave

The Act created a new type of paid sick leave called Emergency Paid Sick Leave (EPSL). All full-time and part-time City employees are immediately eligible to use EPSL. Employees will immediately accrue as many hours' EPSL as they ordinarily work over a two-week period.

City employees will be permitted to use EPSL for the following reasons:

1. To comply with a federal, state or local quarantine or isolation order related to COVID-19;
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
4. To care for an individual who is subject to an order as described in (1) above or has been advised as described in (2) above;
5. To care for the employee's dependent child if a school or place of care is closed, or the childcare provider is unavailable, due to COVID-19 precautions;
6. The employee is experiencing any other substantially similar condition as specified by the designated Federal agencies.

The City will provide EPSL in addition to all other types of leave currently provided. Employees may choose when they use EPSL versus other accrued leave.

Employees taking EPSL for reasons (1), (2), and (3) will be compensated at the same rate as ordinary sick leave, capped at \$511 per day (\$5,110 in the aggregate). Employees taking leave for reasons (4), (5), or (6) will be compensated at two-thirds (2/3) of the employee's regular rate, capped at \$200 per day (\$2,000 in the aggregate).



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FMLA+

In addition to providing a new paid sick leave entitlement, the Act also revised the Family and Medical Leave Act to allow employees to take up to 12 weeks' family medical leave to care for a dependent child whose school, place of child care, or care provider is unavailable due to a COVID-19 related emergency (FMLA+).

Most City employees who have been employed for at least thirty consecutive calendar days prior to the leave request may qualify for FMLA+ with the following exceptions. To ensure that the City has the resources and personnel necessary to provide critical City services and to respond to the COVID-19 pandemic, employees in the following departments will be ineligible for FMLA+: Police, Fire, Prisons, DHS (PJJSC only), Office of Emergency Management, Streets, Water, and Health.

The first two weeks of FMLA+ is unpaid, although employees may elect to substitute accrued leave to remain in paid status during that time. The remaining FMLA+ will be paid at two-thirds (2/3) of their ordinary sick leave rate, capped at \$200 per day (\$10,000 in the aggregate).

The City will be distributing more detailed guidance to its payroll and HR professionals. Employees are encouraged to contact those individuals with any questions on these new leave types.