

As the university faces ongoing challenges and rapid change with the COVID-19 situation and working remotely, we will continue to update the following leave guidelines as it becomes available. *The following guidelines are effective immediately until January 31, 2021. This temporary change will be re-evaluated to determine if the date needs to be changed.*

## **Determining leave options for employees**

### **Scenario 1: Employee who meets the following criteria directly related to COVID-19:**

The following criteria are likely covered with the new federal programs, [Emergency Paid Sick Leave and FMLA Expansion](#). View the [guidelines](#) for full eligibility information and guidance.

1. government issued quarantine or isolation order
2. advised to self-quarantine by healthcare provider
3. advised to obtain medical diagnosis after COVID-19 symptoms
4. to care for someone who meets reasons 1-3
5. is caring for a child/dependent whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons
6. is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services

If the employee has already exhausted available emergency sick leave and/or FMLA Expansion benefits refer to Scenario 2 for options.

### **Scenario 2: Employee is eligible for Emergency Paid Sick Leave and/or FMLA Expansion, but has exhausted all eligible time:**

Options include seeking supervisor approval to:

- work from home (if able and employee is not sick); or
- temporarily change work shift/hours; or
- use accrued sick, vacation or personal leave (if any available); or
- be placed on unpaid leave (if all other leaves are exhausted)

If an employee is absent for more than seven (7) days and qualifies for FMLA, the employee may apply for benevolent time after all leave balances are exhausted.

### **Scenario 3: Employee is unable to work remotely and cannot come in to work on campus:**

Review the criteria listed in Scenario 1 to see if you are eligible for Emergency Paid Sick Leave and FMLA Expansion.

For any other reason employees must seek supervisor approval to temporarily change work shift/hours or supplement the hours they cannot work with their accrued sick and/or vacation time. If all leave hours are exhausted employees may seek supervisor and Human Resources approval for an [unpaid leave of absence](#).

#### **Scenario 4: Employee is eligible to work remotely, but unable to do so full-time or part-time:**

Review the criteria listed in Scenario 1 to see if you are eligible for Emergency Paid Sick Leave and FMLA Expansion.

For any other reason, employees must seek supervisor approval to supplement the hours they cannot work with their accrued sick or vacation time. If all leave hours are exhausted employees may seek supervisor approval for an [unpaid leave of absence](#).

#### **Scenario 5: Employee has COVID-19 symptoms or is sent home due to COVID-19 concerns:**

The employee is required to stay home and consult a medical provider. During this time the employee may:

- work from home (if able and approved by supervisor and the employee is not sick); or
- utilize Emergency Paid Sick Leave and FMLA Expansion (if not exhausted) ; or
- use accrued sick, vacation or personal leave (if any available); or
- be placed on unpaid leave (if all other leaves are exhausted)

If an employee is absent for more than seven (7) days and qualifies for FMLA, the employee may apply for benevolent leave after all leave balances are exhausted.

In order to return to work employees must provide HR with documentation from their medical provider, which releases them to return to work.

#### **Scenario 6: Childcare facilities open; employee cannot report to work due to childcare concerns:**

If an employee's childcare facility is open or their childcare provider is available, employees are not eligible for Emergency Paid Sick Leave or FMLA expansion. Employees must seek supervisor approval to work from home, temporarily change work shift/hours or supplement the hours they cannot work with their accrued sick leave and/or vacation leave. If all leave hours are exhausted employees may seek supervisor approval for an [unpaid leave of absence](#).

If the employee's **childcare facility is closed or the childcare provider is unavailable** due to COVID-19 related reasons, refer to Scenario 1 for options.

#### **Scenario 7: Employee has a general concern about returning to work:**

If you feel well enough to work but are uncomfortable coming to campus, working remotely may be an option for you. You should consult with your supervisor. If you have a physical condition that does not rise to the level of a functional disability under the ADA, but which limits your ability to return to work due to COVID-19, you may request a [courtesy accommodation](#).

**For any questions beyond these scenarios, please contact [Human Resources](#).**

### **Additional Temporary Leave Guidelines during COVID-19**

#### **FMLA eligibility**

FMLA eligibility continues to be available for any serious medical condition, birth of a child, etc. However, the one-year eligibility requirement is not waived for reasons other than COVID-19.

#### **Temporary change for unpaid leave status and health insurance premiums**

If an employee has exhausted all available leave options and must go on an unpaid leave, the employee will only be required to pay the employee portion of the health insurance premium during this time. In normal circumstances, an employee in unpaid leave status is also required to pay the university (employer) portion of the health insurance premium.

For questions please contact Human Resources at [hrcovid@nku.edu](mailto:hrcovid@nku.edu).