**What leaves are available for use during the COVID-19 pandemic?**

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| **Reason** | **Classified** | **Unclassified/Administrator** | **Faculty** |
| My child’s school or daycare has closed | * Emergency Family and Medical Leave (HR 6201)
* Emergency Paid Sick leave (HR 6201) with SOU/SEIU variation for full pay for up to 80 hours, pro-rated for part-time
* Accrued sick leave
* Accrued vacation leave
* Accrued personal leave
* Leave without pay
 | * Emergency Family and Medical Leave (HR 6201)
* Emergency Paid Sick leave (HR 6201)
* Accrued sick leave
* Accrued vacation leave
* Leave without pay
 | * Emergency Family and Medical Leave (HR 6201)
* Emergency Paid Sick leave (HR 6201)
* Accrued sick leave
* Leave without pay
 |
| I am/have been:* ordered to quarantine or self-isolate by a health care provider
* or am subject to a government quarantine or isolation due to COVID-19
* Experiencing the symptoms of COVID-19 and are seeking diagnosis
* Caring for an individual subject to or advised to quarantine of isolate
* Experiencing a substantially similar condition as those specified by the Secretary of Health and Human Services in consultation with the Secretaries of Labor and Treasury
 | * Emergency Paid Sick Leave
* Accrued sick leave
* Accrued vacation leave
* Accrued personal leave
* Hardship Donation leave (if eligible under Article 36, Section 8)
* Unpaid FMLA/OFLA (if eligible)
* Leave without pay
 | * Emergency Paid Sick Leave
* Accrued sick leave
* Accrued vacation leave
* Hardship donation leave (If eligible under FAD.011)
* Unpaid FMLA/OFLA (if eligible)
* Leave without pay
 | * Emergency Paid Sick Leave
* Accrued sick leave
* Hardship donation leave (if eligible under FAD.011)
* Unpaid FMLA/OFLA (if eligible)
* Leave without pay
 |
| I do not have the ability to Telework and campus is closed or there is not enough work for me to do. | * SOU/SEIU Emergency Paid Sick leave variation from Federal law to allow up to eighty (80) hours of regular pay, pro-rated for part-time employees
* Accrued vacation leave
* Accrued sick leave
* Leave without pay
 | * Accrued vacation leave
* Accrued sick leave
* Leave without pay
 | * Accrued sick leave
* Leave without pay
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**Overview of Federal/State leave laws, SEIU/APSOU Collective Bargaining Agreements and SOU Policies**

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| --- | --- | --- | --- |
| **Benefit** | **Classified Employees** | **Unclassified/Administrator** | **Faculty** |
| Use of accrued sick leave | Yes (SEIU CBA Article 36) | Yes | Yes |
| Use of accrued vacation leave | Yes (SEIU CBA Article 43) | Yes | No  |
| Use of accrued personal leave | Yes (SEIU CBA Article 34) | No | No |
| Emergency Family & Medical Leave (HR 6201) | Yes – if employed for 30 days and unable to work due to the need to care for a minor child if the minor child’s school or childcare has been closed or is unavailable due to a public health emergency.1st 10 days of leave are unpaid. The remainder of the leave would be paid at two-thirds the employee’s regular rate of pay for the hours they would be scheduled to work if the public health emergency was not occurring. This pay is capped at $200 per day, or $10,000 totalEmployees may use accrued vacation, personal or sick leave for the 1st 10 days, or may use paid sick leave under the Emergency Paid Sick leave provision under HR 6201. | Yes – if employed for 30 days and unable to work due to the need to care for a minor child if the minor child’s school or childcare has been closed or is unavailable due to a public health emergency.1st 10 days of leave are unpaid. The remainder of the leave would be paid at two-thirds the employee’s regular rate of pay for the hours they would be scheduled to work if the public health emergency was not occurring. This pay is capped at $200 per day, or $10,000 totalEmployees may use accrued vacation, or sick leave for the 1st 10 days, or may use paid sick leave under the Emergency Paid Sick leave provision under HR 6201 | Yes – if employed for 30 day and unable to work due to the need to care for a minor child if the minor child’s school or childcare has been closed or is unavailable due to a public health emergency.1st 10 days of leave are unpaid. The remainder of the leave would be paid at two-thirds the employee’s regular rate of pay for the hours they would be scheduled to work if the public health emergency was not occurring. This pay is capped at $200 per day, or $10,000 totalEmployees may use accrued sick leave for the 1st 10 days, or may use paid sick leave under the Emergency Paid Sick leave provision under HR 6201 |
| Emergency Paid Sick Leave(HR 6201)  | Yes – if unable to work for the following reasons:1. Employee is subject to a government quarantine or isolation due to COVID-19
2. Employee has been advised by a healthcare provider to self-quarantine due to COVID-19
3. Employee is experiencing the symptoms of COVID-19 and are seeking a diagnosis
4. Employee is caring for an individual subject to or advised to quarantine or isolate
5. Employee is caring for a child whose school or childcare is closed or unavailable due to COVID-19
6. Employee is experiencing a substantially similar condition as those specified by the Secretary of Health and Human Services in consultation with the Secretaries of Labor and Treasury

For reasons 1-3 – Employee would receive regular pay capped at $511 per day and $5,110 totalFor reasons 4-6 – Employee would receive 2/3 regular pay capped at $200 per day and $2,000 total | Yes – If unable to work for the following reasons:1. Employee is subject to a government quarantine or isolation due to COVID-19
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| Family Medical Leave Act (FMLA) | Employee is eligible for UNPAID leave if they have worked for a minimum of one year and have worked a minimum of 1250 hours and have the following qualifying reasons:* Birth of a child, and to care for a newborn child
* Placement with employee of a child for adoption or foster care
* Care for the employee’s spouse/registered same gender domestic partner, parent or child with a serious health condition
* Employee’s own serious health condition
* Qualifying Military Exigency Leave arising out of the fact the employee’s spouse, parent or child is on active military duty in the National Guard or Reserve in a “contingency” military operation
* Service Member Care Leave (SMCL) for a covered service member with a serious injury or illness, if the employee is the spouse, parent or child, or the next of kin of the service member

Length of leave – the maximum leave is 12 weeks of unpaid leave in a 12-month period. (SMCL provides for up to 26 weeks) The 12-month period is calculated on a ‘rolling’ 12-month period measured backward from the date the employee uses any FMLA leave. Federal and State leave entitlements run concurrently.Certification by a Health Care provider is required. | Employee is eligible for UNPAID leave if they have worked for a minimum of one year and have worked a minimum of 1250 hours and have the following qualifying reasons:* Birth of a child, and to care for a newborn child
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| Oregon Family Leave Act (OFLA) | Employee is eligible for UNPAID leave if they have worked an average of 25 hours or more per week and have been employed for 180 days immediately preceding the leave. (The 25-hour average requirement does not apply for parental leave) Qualifying purposes for OFLA are:* Parental leave to care for a newborn, newly adopted child or newly placed foster child
* Care for the employee’s spouse or same gender domestic partner, parent or child, grandparent, grandchild, parent-in-law with a serious health condition
* Employee’s own serious health condition
* Sick child leave to care for a child who has a non-serious health condition but requires home care
* Bereavement leave: Up to two weeks per eligible family member, in a one-year period taken within 60 days of notification of the death to attend the funeral or make arrangements necessitated by the death or to grieve

Length of OFLA leave: the maximum leave is 12 weeks in a 12-month period. The 12-month period is calculated on a ‘rolling’ 12-month period measured backward from the date the employee uses any OFLA leave. Federal and State leave entitlements run concurrently.Extensions to the 12-week entitlement: * A female employee may take a total of up to 12 weeks of additional leave within any one-year rolling period for an illness, injury or condition related to pregnancy or childbirth that disables the employee from performing any available job duties
* An employee who takes 12 weeks of “parental leave” may take an additional 12 weeks to care for a child of the employee who is suffering from an illness, injury or condition that is not a serious health condition but that requires home care.
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| Bereavement Leave Pay | Yes – up to 4 days of pay arising from the death in the immediate family of the employee or employee’s spouse or domestic partner. SEIU CBA- Article 37 | Yes – up to 4 days of pay arising from the death in the immediate family of the employee or employee’s spouse or domestic partner. Paid and Unpaid Administrators Leave Policy FAD.011 | Yes – up to 4 days of pay arising from the death in the immediate family of the employee or employee’s spouse or domestic partner. Paid and Unpaid Administrators Leave Policy FAD.011 |
| Leave without Pay | Yes – SEIU Article 40, Section 5(A) – with 3 years of service with the university an employee may request, upon 60 calendar days advance notice, and subject to the operating requirements of the university, shall be granted a leave without pay for a period not to exceed four (4) months. 5(B) – when an employee uses leave without pay as outlined above, the employee must exhaust all leave accruals prior to being placed on leave without pay except as provided for in Article 43- vacation leave, section 14.  | Yes - Long-Term Leave – A leave without pay for up to twelve (12) months may be granted to an administrator for purposes such as extended illness, certain family-related needs, educational/professional advancement, or career development. To be eligible for leave without pay, an administrator must have completed three (3) years of service. | No – However, this may be applicable as a reasonable temporary accommodation under the American’s with Disabilities Act (ADA). |
| Sick Leave Exhausted – Additional leave | Yes – SEIU Article 36, Section 3(B) – after earned sick leave has been exhausted, the university may grant sick leave without pay for any non-job-incurred injury or illness of a continuous and extended nature to any employee upon request for a period of up to one (1) year. Medical Certification is required. | Yes - Short Term Leave – An Administrator may request a leave without pay for absences of short duration (maximum of two (2) weeks when available paid leave accruals are exhausted. (Paid and Unpaid Leave for Unclassified Employees policy FAD.011) | No – However, this may be applicable as a reasonable temporary accommodation under the American’s with Disabilities Act (ADA). |
| Hardship Leave Donations | Yes – SEIU Article 36, Section 8. Hardship leave pay is dependent upon donations received for qualifying serious medical conditions under FMLA/OFLA/ADA and their respective definitions for qualifying events and family members. See the CBA for additional information. | Yes - Hardship leave pay is dependent upon donations received for qualifying serious medical conditions under FMLA/OFLA/ADA and their respective definitions for qualifying events and family members. See the Paid and Unpaid Leave for Unclassified Employees policy FAD.011) | Yes -Hardship leave pay is dependent upon donations received for qualifying serious medical conditions under FMLA/OFLA/ADA and their respective definitions for qualifying events and family members. See the Paid and Unpaid Leave for Unclassified Employees policy FAD.011) |