Colleagues,

In March, Congress passed the Families First Coronavirus Response Act, (FFCRA), which required employers to provide emergency paid sick leave for all employees and made provisions to extend the Family Medical Leave benefit to employees who may need to attend to childcare obligations when facilities are close or childcare is unavailable.

The Office of General Counsel has recently notified UW System campuses that some of our student employees may be eligible for the emergency paid sick leave or emergency family medical leave components of the FFCRA. The paid sick leave component of the FFCRA provided up to 80 hours of paid leave, pro-rated based on the employee’s actual schedule.

This Paid Sick Leave covers a variety of circumstances, including not being able to work due to:

- Quarantine or isolation, health care advised self-quarantine, as well as if you are experiencing COVID-19 symptoms and are seeking a medical diagnosis.
- Caring for an individual who meets any of the above or caring for a child whose school or daycare is closed due to COVID-19.
- If you have been unable to work due to any of the reasons above, we encourage you to submit a request for Emergency Paid Sick Leave via the Request for Emergency Leave Form.

Eligibility determinations for our student employees who are requesting paid sick leave will be based on:

- Whether or not the student employee had received the Income Continuation Payment in the Spring Term – they will be ineligible if they had received this payment;
- If they had been employed at the time they are requesting their leave; and,
- If there was actually work to be performed during the requested leave period.

The scope of the expanded Family Medical Leave is narrow; however, some students may still be eligible. Students may only apply if their dependent child(ren)’s school or daycare is unavailable due to COVID-19 precautions.

On Wednesday, October 28, 2020, Human Resources will notify eligible Student Employees of their option to seek the emergency paid sick leave. Students will be able to download a request form and route to their supervisors and HR for certification on the number of hours that would have been available to them during their requested leave period as well as seek certification on the availability of actual work during that period of time.

When receiving the submitted form, the supervisor will be required to certify that the number of requested hours is consistent with how many hours the student would have worked during that period. They will also be asked to certify that work would have been performed during that period.

I recognize that you may have questions regarding the assessment of whether work would have otherwise been available. In these cases, please treat them on a case-by-case basis and contact your Human Resource Partner for assistance.

JA
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