What Are Your Leave Options for Leave Related to COVID-19?
An Overview for Faculty, Academic Staff, Limited Appointees and University Staff

Introduction

The University of Wisconsin–La Crosse provides a variety of potential leave options to employees when they are unable to work or telework\(^1\) for reasons related to the COVID-19 pandemic. These leave options apply to employees in the following employment categories: Faculty, Academic Staff, Limited Appointees, or University Staff.

This document is designed to help you understand the various leave options and determine which, if any, may apply to your individual circumstances.

The leave options that you may qualify for are based on several factors, including:

- The eligibility requirements for each leave program
- Your employment category (Faculty, Academic Staff, Limited Appointees or University Staff)
- The pay basis of your appointment (annual-basis or academic year-basis)
- The reason you are unable to work and are requesting leave
- Prior leave you have used or taken
- Staffing needs of your operational area
- Approval of your work unit/supervisor

You may not qualify for all the leave programs that are listed. The reason for your leave may require the available leave programs to be applied in a specific order or may allow for a combination of leave programs to apply at the same time. Help is available in determining which leave programs you qualify for. You do not need to navigate these leave options on your own. For all requests, please consult with Human Resources.

\(^1\) The university defines telework as work you perform while you are at home or at a location other than your normal workplace. Telework is work for which normal wages must be paid and is not compensated under paid leave provisions.
• It is possible for leave programs to run concurrently if you qualify for more than one leave program.
• All leave programs require you to make a leave request and follow your department’s/unit’s leave request process.
• If you have questions, please contact Human Resources.

**Current Leave Options for UW–La Crosse Faculty, Academic Staff, Limited Appointees or University Staff**

1. **Federal Family and Medical Leave Act (FMLA) Entitlements**

   Entitlement to unpaid, job-protected leave that permits eligible employees 12 work weeks of leave (prorated for part-time employees) each calendar year (January 1-December 31) for University Staff and each fiscal year (July 1-June 30) for Faculty, Academic Staff and Limited Appointees. Leave may be used continuously, intermittently, on a reduced work schedule, or any combination as medically necessary.

   Covered reasons for leave under FMLA:
   - Serious health condition makes the employee unable to perform functions of their job
   - To care for employee’s spouse, son, daughter, or parent with a serious health condition
   - Birth of son or daughter; care for newborn child (leave must be used within 12 months of birth)
   - Placement with employee of son or daughter for adoption or foster care (leave must be used within 12 months of adoption or placement)

   “Serious health condition” is defined by FMLA as:
   - Illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.
   - Inpatient care includes:
     - An overnight stay in a hospital, hospice, or residential medical care facility
     - Any period of incapacity or any subsequent treatment in connection with the overnight stay
   - Continuing treatment by a health care provider includes:
     - Incapacity or absence of more than 3 consecutive, full days from work, school, or other activities
     - Chronic or long-term condition incurable or so serious if not treated would result in incapacity of more than 3 days
     - Prenatal care

   During a designated unpaid FMLA leave, employees can use their earned Sick leave, Vacation, Personal Holiday and/or Banked Leave.
2. Wisconsin Family and Medical Leave Act (WFMLA) Entitlements

Entitlement to unpaid, job-protected leave that permits eligible employees the following amount of leave each calendar year (January 1-December 31) for University Staff and each fiscal year (July 1-June 30) for Faculty, Academic Staff and Limited appointees:

- 2 work weeks of leave for employee’s serious health condition (80 hours, prorated for part-time employees)
- 2 work weeks of leave to provide care (80 hours, prorated for part-time employees) Please see “covered reasons” below.
- 6 work weeks for childbirth/adoptive care (240 hours, prorated for part-time employees)

Leave may be used continuously, intermittently, or on a reduced work schedule or a combination.

Covered reasons for leave under WFMLA:

- Employee’s serious health condition (2 weeks, 80 hours, prorated for part-time employees)
- To care for an employee’s spouse or domestic partner, child, parent, spouse or domestic partner’s parent who has a serious health condition requiring the employee’s care (2 weeks, 80 hours, prorated for part-time employees)
- Childbirth or adoption (6 weeks, 240 hours, prorated for part-time employees).

During a designated unpaid WFMLA leave employees can use their earned Sick leave, Vacation, Personal Holiday and Banked Leave.

3. Current UW–La Crosse Leave Policy Entitlements

UW–La Crosse has the following paid leave options that allow eligible University Staff, Faculty, Academic Staff and Limited appointees to earn paid leave:

- Vacation, including Vacation Carryover and Banked Vacation
- Personal Holiday
- Sick Leave

You may review UW–La Crosse’s paid leave policies at [https://www.wisconsin.edu/ohrwd/benefits/leave/](https://www.wisconsin.edu/ohrwd/benefits/leave/).

You may verify your paid leave balances by logging into MyUW at [https://my.wisc.edu](https://my.wisc.edu). Click on the “Time and Absence” module and then click on the “Absence Balances” tab.


UW-La Crosse has leave without pay policies for University Staff, Faculty, Academic Staff and Limited appointees.
You may review UW–La Crosse’s unpaid leave policies at https://www.wisconsin.edu/ohrwd/benefits/life-events/empcha/loa/.

Please note that on December 23, 2020, a new interim policy was created to expand the current Sick Leave policy allowing for employees to use their accumulated Sick Leave for:

- Childcare needs when there are facility closures related to the COVID-19 Pandemic;
- Care for self or others (within the immediate family) related to the COVID-19 disease;
- For purposes of self-quarantine or isolation due to COVID-19 exposure.

These new provisions expire on June 30, 2021.

**Catastrophic Leave Donation Policy: Employees who meet the eligibility requirements may request catastrophic leave donations**

This policy permits University Staff, Faculty, Academic Staff, and Limited Appointees to donate earned leave, other than Sick Leave, to other annual-basis employees in those employment categories when an employee is unable to work because of their own medical condition or the employee’s immediate family member’s medical condition and when the employee has exhausted all of their own earned leave time, is in leave without pay, and meets the eligibility requirements and has provided sufficient information to conclude a catastrophic illness or medical condition exists. Catastrophic illness is defined as "any illness, medical condition or injury that incapacitates, or is expected to incapacitate an employee or an employee's immediate family member. A request to receive catastrophic leave donations does not guarantee receipt of leave donations. Catastrophic leave requests can be fulfilled when other employees have submitted catastrophic leave donations.

**Leave Options Based on Your Particular Circumstances**

Below are a variety of reasons you may be requesting a leave of absence and the leave options you may be eligible for, based on your employment category and your pay basis. You may not qualify for all the leave options that are listed. The reason for your leave may require the available leave options to be applied in a specific order or may allow for a combination of leave options to apply at the same time.

All leave options require you to make a leave request and follow your department’s/unit’s leave request process.
### I have tested positive for COVID-19.

<table>
<thead>
<tr>
<th>Faculty, Academic Staff and Limited Appointees in annual-basis appointments:</th>
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<tr>
<td>• FMLA and/or WFMLA</td>
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<td>o Apply for catastrophic leave donation</td>
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<td>o Apply for catastrophic leave donation</td>
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### I am unable to work because my family member has tested positive for COVID-19 and I need to care for them.

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<td>• Apply for catastrophic leave donation</td>
<td>• Any earned paid leave</td>
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<td>I have been advised to quarantine.</td>
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<th>I am unable to work because I need to provide care to my children because their school/summer program/daycare center is closed or unavailable due to COVID-19.</th>
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<td>University Staff:</td>
</tr>
<tr>
<td>• Any earned paid leave</td>
<td>• Your earned paid sick leave</td>
<td>• Any earned paid leave</td>
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<td>• Leave without pay</td>
<td>• Any earned paid leave</td>
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I am unable to work because my child(ren) has cold symptoms or other symptoms of illness and they are not permitted to attend their school/childcare center until they are symptom-free for the required period of time.

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| • Any earned paid leave  
• Leave without pay | • Any earned paid leave  
• Leave without pay | • Any earned paid leave  
• Leave without pay |

I have a risk factor, as identified by the Centers for Disease Control and Prevention, that puts me at risk for severe illness if I contract COVID-19.

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| • Possibly FMLA and/or WFMLA  
• Any earned paid leave  
• Leave without pay | • Possibly FMLA and/or WFMLA  
• Any earned paid leave  
• Leave without pay | • Possibly FMLA and/or WFMLA  
• Any earned paid leave  
• Leave without pay |

I do not have a medical reason or risk factor; however, I am hesitant to return to the workplace.

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</table>
| • Any earned paid leave (excluding sick leave)  
• Leave without pay | • Leave without Pay | • Any earned paid leave (excluding sick leave)  
• Leave without Pay |
I live with an immediate family member who is at a higher risk of contracting COVID-19. What leave options are available to me?

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In this specific scenario, please consult with your supervisor and Human Resources to determine if there is a need for caregiving support, (possibility for Family Medical Leave) or if there are additional options, such as working remotely, hybrid working remotely and leave utilization, etc.

How to Request Leave Under the Different Leave Options

Here are the steps you should take to request the various leave options.

1. FMLA and/or WFMLA

   - You may request FMLA/WFMLA by contacting Human Resources. Human Resources will review the following with you:
     - The reason for your leave to determine if it is a covered reason under FMLA and/or WFMLA
     - The eligibility requirements of those leave entitlements
     - The documentation you will need to get from your medical provider
     - For Human Resource’s contact information, please visit https://www.uwlax.edu/human-resources/americans-with-disabilities-act-ada/.
     - Additional FMLA/WFMLA information can be found at https://www.wisconsin.edu/ohrwd/benefits/life-events/empcha/loa/.

2. Current UW–La Crosse Leave Policy Entitlements (Earned Paid Leave)

   - If your request to use Any earned paid leave is related to a medical reason, you will want to contact Human Resources to discuss the reason for your leave. HR will inform you of the leave options you are eligible for and any additional information they may need.
     - For Human Resource’s contact information, please visit https://www.uwlax.edu/human-resources/americans-with-disabilities-act-ada/.
   - If your request to use Any earned paid leave is not medically related, you may submit your leave request to your supervisor or follow your unit’s typical process to request an absence using Any earned paid leave.
3. Leave of Absence without Pay

- If your request to take a leave of absence without pay is related to a medical reason, you should contact Human Resources to discuss the reason for your leave. Human Resources will inform you of the leave options you are eligible for and any additional information they may need.
  - For Human Resource’s contact information, please visit [https://www.uwlax.edu/human-resources/americans-with-disabilities-act-ada/](https://www.uwlax.edu/human-resources/americans-with-disabilities-act-ada/).
- If your request to take a leave of absence without pay is not related to a medical reason, you may submit your leave request to your supervisor or follow your unit’s standard process to request an absence.
- Choosing to take a leave of absence without pay may affect your paid leave accrual, health insurance or other benefits. Please contact Human Resources at 608.785.8013 or hrinfo@uwlax.edu to discuss questions related to your benefits.
- Leave of Absence Without Pay request forms and information can be found under the Leave of Absence heading at [https://www.wisconsin.edu/ohrwd/benefits/life-events/empcha/loa/](https://www.wisconsin.edu/ohrwd/benefits/life-events/empcha/loa/).

4. Catastrophic Leave Donation

- Complete the Catastrophic Leave Request form and submit it to Human Resources. Human Resources will determine if you meet the eligibility criteria, inform you if any additional documentation is needed, and provide more details regarding the catastrophic leave donation process.
- For Human Resource’s contact information, please visit [https://www.uwlax.edu/human-resources/americans-with-disabilities-act-ada/](https://www.uwlax.edu/human-resources/americans-with-disabilities-act-ada/).
- Once Human Resources has determined that you qualify to receive catastrophic leave donations, you may also work with your chair/supervisor to coordinate this process.
- The Catastrophic Leave Request form is available under the Catastrophic Leave heading at [https://www.wisconsin.edu/ohrwd/benefits/leave/catastrophic/](https://www.wisconsin.edu/ohrwd/benefits/leave/catastrophic/).
- Additional guidance on the Catastrophic leave Policy:
  - [UW System Administrative Policy 1214](https://www.uwlax.edu/human-resources/americans-with-disabilities-act-ada/) - Catastrophic Leave Program Background. The purpose of UWS 1214 is to establish a catastrophic leave program for UW System employees. This program allows employees to donate earned paid leave credits, except for sick leave or compensatory time, to employees who have a catastrophic need at their own or at a different UW institution.
  - Use of the policy: Employees are eligible to access or receive donations from the Catastrophic Leave Program provided all paid leave is exhausted.
    - Employee or his/her family member must have “a significant financial hardship due to illness, medical condition, or injury that incapacitates or is expected to incapacitate an employee or an employee’s immediate family member that requires the employee to take unpaid time off from work for an extended period of time, as defined
For use during COVID-19 related use, the employee or his/her family member must have contracted or been diagnosed with Coronavirus (i.e. have a illness or injury that incapacitates or is expected to incapacitate the employee or the employee’s immediate family member). Childcare and care-giver coverage are not permissible uses of Catastrophic Leave. Catastrophic leave is not available for individuals who are quarantined but have not tested positive for COVID-19.