

# COVID-19 Paid Leave Options

	<b>EPSL AND Expanded FMLA</b>		<b>State of Maryland</b>
	<b>Emergency Paid Sick Leave (EPSL)</b>	<b>Expanded Family and Medical Leave Act (FMLA)</b>	<b>Advanced Sick Leave</b>
<b>When is this leave option available?</b>	<p>April 1, 2020 to June 30, 2021.</p> <p>The Families First Coronavirus Response Act (FFCRA) temporary paid leave rule expired on December 31, 2020. However, the State of Maryland has extended EPSL through June 30, 2021. See the <a href="#">Maryland Department of Budget and Management FAQ</a>.</p>	<p>April 1, 2020 to June 30, 2021.</p> <p>The Families First Coronavirus Response Act (FFCRA) temporary paid leave rule expired on December 31, 2020. However, the State of Maryland has extended FMLA through June 30, 2021. See the <a href="#">Maryland Department of Budget and Management FAQ</a>.</p>	<p>Only in effect during the State health emergency when operating at Level II Flexible Operations or Level III Emergency Operations of the Pandemic Flu and Other Infectious Diseases Attendance and Leave Policy.</p>
<b>Do I have to use other leave options first?</b>	No.	For the first two weeks of this leave period, you may use up to two weeks of emergency paid sick leave or you may elect to use your accrued annual, personal, or comp paid time off. Otherwise, the first two weeks are unpaid.	You must exhaust all other leave options first.
<b>Am I eligible for this leave option?</b>	All MDH employees are eligible. You must not be able to work, including telework, for COVID-19 related reasons.	You must have worked for MDH for at least 30 days prior to the day leave would begin.	All MDH employees are eligible.
<b>When do I apply for this leave option?</b>	<ol style="list-style-type: none"> <li>(1) You are under a Federal, State, or local COVID-19 quarantine or isolation order.</li> <li>(2) Your health care provider advised you to self-quarantine.</li> <li>(3) You have COVID-19 symptoms and are seeking a medical diagnosis.</li> <li>(4) You are caring for an individual who must quarantine or isolate per (1) and (2) above.</li> <li>(5) You are caring for a minor child whose school or childcare is closed.</li> <li>(6) Other conditions as specified by the Secretary of Health and Human Services.</li> </ol>	You are unable to work or telework to care for a minor child whose school or childcare provider is closed due to COVID-19.	You must need sick leave due to having a flu-like illness or to care for an immediate family member with a flu like illness.

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<b>How long can I be on leave?</b>	A full-time employee is eligible for 80 hours of leave. A part-time employee is eligible for the average hours they work over a two-week period.	A full-time employee is eligible for up to 12 weeks of leave at 40 hours a week. A part-time employee is eligible for hours normally scheduled to work over that period.	There is no limit to how long an employee can use advanced sick leave. However, the employee is responsible for paying the entire amount back even if they separate from state service.
<b>How much will I be paid?</b>	For leave reasons (1), (2), or (3) you are entitled to pay at either your regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate (over a 2-week period). For leave reasons (4) or (6) you are entitled to pay at 2/3 your regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).	After the first two weeks of emergency paid sick leave, 2/3 your regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period).	You are paid at your regular rate.  You must agree to repay advanced sick leave at a rate of 50% of earned sick leave as it is earned.
<b>Do I have to take the leave all at one time?</b>	Unless you are teleworking, paid sick leave for qualifying reasons related to COVID-19 must be taken in full-day increments. You may take paid sick leave intermittently if you are taking it to care for your minor child whose school or childcare is closed because of COVID-19.	If you are working from home or teleworking, you may take FFCRA leave intermittently.	You may take advanced sick leave intermittently if caring for someone with a flu like illness.
<b>Do I need to fill out any forms?</b>	Yes. <a href="#">Request for Emergency Paid Sick Leave (EPSL)</a>	Yes. <a href="#">Request for Expanded Family and Medical Leave Act (FMLA)</a>	Yes. <a href="#">Request for Advanced Sick Leave</a>

# U.S. Department of Labor Families First Coronavirus Response Act: Questions and Answers – Return to School

**My child’s school is operating on an alternate day (or other hybrid-attendance) basis. The school is open each day, but students alternate between days attending school in person and days participating in remote learning. They are permitted to attend school only on their allotted in-person attendance days. May I take paid leave under the FFCRA in these circumstances?**

Yes, you are eligible to take paid leave under the FFCRA on days when your child is not permitted to attend school in person and must instead engage in remote learning, as long as you need the leave to actually care for your child during that time and only if no other suitable person is available to do so. For purposes of the FFCRA and its implementing regulations, the school is effectively “closed” to your child on days that he or she cannot attend in person. You may take paid leave under the FFCRA on each of your child’s remote-learning days.

**My child’s school is giving me a choice between having my child attend in person or participate in a remote learning program for the fall. I signed up for the remote learning alternative because, for example, I worry that my child might contract COVID-19 and bring it home to the family. Since my child will be at home, may I take paid leave under the FFCRA in these circumstances?**

No, you are not eligible to take paid leave under the FFCRA because your child’s school is not “closed” due to COVID–19 related reasons; it is open for your child to attend. FFCRA leave is not available to take care of a child whose school is open for in-person attendance. If your child is home not because his or her school is closed, but because you have chosen for the child to remain home, you are not entitled to FFCRA paid leave. However, if, because of COVID-19, your child is under a quarantine order or has been advised by a health care provider to self-isolate or self-quarantine, you may be eligible to take paid leave to care for him or her.

**My child’s school is beginning the school year under a remote learning program out of concern for COVID-19, but has announced it will continue to evaluate local circumstances and make a decision about reopening for in-person attendance later in the school year. May I take paid leave under the FFCRA in these circumstances?**

Yes, you are eligible to take paid leave under the FFCRA while your child’s school remains closed. If your child's school reopens, the availability of paid leave under the FFCRA will depend on the particulars of the school’s operations.

**Families First Coronavirus Response Act (FFCRA) is currently in effect for the period beginning April 1, 2020 to December 31, 2020.**

For more information, see [Families First Coronavirus Response Act: Questions and Answers](#).