

City of Memphis

COVID-19 Part-Time Employee FAQs

Please note – this document will be updated periodically as new information and guidance emerges.

Updated April 8, 2020

The City of Memphis is committed to maintain a respectful, safe, inclusive and equitable workplace. As we move through this challenging time, we want to keep all employees safe as we serve the public.

Congress has recently passed and President Trump has signed the “Family First Coronavirus Response Act” (H.R.6201), which is effective April 1, 2020. There are two primary employment provisions **1) Emergency Paid Sick Leave and 2) Emergency Family Medical Leave Act.**

When do these laws go into effect? April 1, 2020

How long will these laws be in effect? Until December 31, 2020

Section I. Emergency Paid Sick Leave

- 1. What is Emergency Paid Sick Leave (EPSL)?** Emergency Paid Sick leave is a benefit for an employee’s own COVID related condition/ status or for an employee providing COVID related care to someone else. Part-time employees are eligible.
- 2. When is an employee eligible for Emergency Paid Sick Leave?** An employee is eligible for Emergency Paid Sick Leave when he/she is unable to work or telework because the employee is:

SELF

- subject to a quarantine or isolation order related to COVID-19,
- has been advised by a health care provider to self-quarantine due to COVID-19 concerns, or
- is experiencing symptoms of COVID-19 and seeking a medical diagnosis, or

CARE

- caring for an individual who is subject to quarantine or isolation order or has been advised by a health care provider to self-quarantine due to COVID-19 concerns; or
- caring for their child if their school or day care has been closed, or the child care provider is unavailable, due to COVID-19 precautions.

- 3. Who is eligible for Emergency Paid Sick Leave?** Part Time employees are eligible. **However, Commissioned employees, Communications employees, PSTs, Recruits and EMS employees within the Police and Fire Divisions are not eligible.**

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4. What amount will I be paid and for how long?

PART TIME – EPSL – Time Needed for Self

Part-time employees are entitled to an amount equal to the average number of hours worked over a previous 2-week period at their regular pay up to \$511 per day with a cap of \$5,110 over a 10 day/two-week benefit period.

PART TIME – EPSL– Time Needed to Care for Others

Part-time employees are entitled to 2/3 of their regular rate of pay or 2/3 of the applicable minimum wage, whichever is greater up to \$200 per day with a cap \$2,000 over a 10 day/two-week benefit period. The remaining 1/3 is unpaid leave.

- 5. When is Emergency Paid Sick Leave available?** Emergency Paid sick leave is available for immediate use and does not require a waiting period or accrual.
- 6. Last week I was out sick due to COVID symptoms, can I receive the Emergency Paid Sick Leave benefit?** No, the benefit begins on April 1, 2020 and it is not retroactive.
- 7. How do I apply for Emergency Paid Sick Leave?** Employees can apply for these benefits online in the **COVID section** at totalrewards.memphistn.gov or by sending an email to the leave coordinator at leavecoordinator@memphistn.gov.

Section II. Emergency Family and Medical Leave Act

- 1. What is Emergency Family Medical Leave (EFMLA)?** Emergency Family Medical Leave is a benefit that allows an employee to care for their son or daughter who is under 18 and whose school or place of care is closed (or childcare provider is unavailable) due to COVID-19 related reasons. Please note that a statement of special circumstances is required for students between the ages of 14-17 for employees whose shifts are during the day.
- 2. Am I eligible for the Emergency FMLA benefit?** Part-time employees who have been employed with the City of Memphis for 30 calendar days or more are eligible. **However, Commissioned employees, Communications employees, PSTs, Recruits and EMS employees within the Police and Fire Divisions are not eligible.**
- 3. If approved, how much Emergency FMLA leave can I take?** Up to 12 Weeks.
- 4. How do I apply for Emergency FMLA due to Childcare?** Employees can apply for these benefits online in the **COVID section** at totalrewards.memphistn.gov or by sending an email to the leave coordinator at leavecoordinator@memphistn.gov.

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5. **How long and much will I be paid while on Emergency FMLA?** If approved, an employee is eligible to receive two-thirds (2/3) of regular pay up to \$200/day with a cap \$12,000 over a (12) twelve-week benefit period. The first two weeks/10-day period is unpaid. **However, an employee may use the above Emergency Paid Leave benefit during that period, if available.**

Section III. Non-Eligible FFCRA Part-Time Employees

1. **I am a Part-Time employee in the Fire or Police Division who is not eligible for Families First leave, will I be paid if I experience any of the following situations:**

- **In quarantine or isolation due to an order related to COVID-19, or**
- **Advised by a health care provider to self-quarantine due to COVID-19 concerns, or**
- **Experiencing symptoms of COVID-19 and seeking a medical diagnosis?**

Yes. Part-time Fire and Police Division employees (**High/Medium Exposure Risk/Awaiting Test Results**) may be paid for fourteen (14) days after being identified as having high or medium exposure risk. Payment will be based on the part-time employees' monthly average of hours worked and 100% of current wage rate.

Employees will need to use normal departmental leave notification procedures to access this benefit.

2. **I still have questions about these topics. Where can I get additional information?**
Contact the Leave Coordinator at leavecoordinator@memphistn.gov or call 901-201-9335.

Additional FAQs excerpted from <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>.

Section IV. Reassignment Pool

Based on an employee's skillset and the City's operational needs, the City may deploy employees to provide support for City or community-wide operations at alternative worksites or assign other duties as needed.

What is a reassignment pool?

1. All employees impacted by a facility closure will be assigned to a reassignment pool during the closure period if they are not eligible for telecommuting. This is separate and apart from normal divisional reassignment and out of class procedures.
2. Employees within the reassignment pool may be contacted by the Chief of Human Resources or her designee by certified mail to the address of record, email and/or by phone during the closure period when a reassignment opportunity becomes available. It is the

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responsibility of the individual to maintain a current address and telephone number within [Oracle self-service](#). It is also the responsibility of the division to have an updated contact list of all employees including work and personal cell phone numbers, email and home address.

3. The employee must accept the reassignment, unless they are on leave (i.e. approved paid or unpaid) or have indicated a need for medical leave. The employee will be given the assignment and a reasonable time to report to work or complete the assignment.
4. Failure to show up or complete the assignment will lead to disciplinary action up to and including termination.
5. While being assigned to the reassignment pool an employee's salary will be compensated based on the part-time employees' monthly average of hours worked before the facility closure and at 100% of the current wage rate, until the facility closure is revoked.

NOTE: If you have any questions regarding the following policy or procedures please email memphishr@memphistn.gov.