

Covid-19

State and Federal Paid Leave Programs: Information for 32BJ Members in Maryland

*****Information is changing rapidly. Visit state agency websites for the latest updates*****

This leaflet provides information on Maryland and Federal programs to provide paid leave when you are out of work due to COVID-19 for any reason. *Each program has its own eligibility requirements. In addition, you may have paid leave benefits under your contract. Check your contract for more details.*

This sheet shows what programs you may be eligible for. More details on the programs follow.

YOU MAY BE ELIGIBLE FOR THE PROGRAMS LISTED BELOW, IF YOU ARE MISSING WORK BECAUSE:

1. Your Health

- a. You Have COVID-19 or Its Symptoms (Cough, Fever and Shortness of Breath):
 - i. Earned Sick Leave
 - ii. Temporary Disability
 - iii. U.S. Government Emergency Paid Leave
- b. You are under quarantine because you have been exposed to someone who tested positive or a doctor order self-quarantine because heightened risk factors
 - i. Earned Sick Leave
 - ii. Temporary Disability
 - iii. U.S. Government Emergency Paid Leave
- c. Refuse to work because of danger of exposure (no doctor's order)
 - i. Earned Sick

2. Work Not Available:

- a. Because business closed under government order:
 - i. Earned Sick
 - ii. Unemployment Insurance
- b. Employer has lack of work
 - i. Unemployment Insurance

3. Have to Care for a Loved One:

- a. Who is sick:
 - i. Earned Sick
 - ii. Emergency U.S. Government FMLA and Paid Sick
- b. Child who is home from closed school or day care center:
 - i. Earned Sick
 - ii. U.S. Government Emergency Family Leave

PROGRAM DETAILS

Earned Sick Leave:

1. Who pays: Employer
2. Benefit: regular rate of pay if Employer has 15+ employees; unpaid leave if 14 or fewer employees
3. Use: worker's illness, to obtain preventative medical care for worker or family member, family¹ member's illness, parental leave, or dealing with domestic violence, sexual assault or stalking.
4. Eligibility: worker accrues 1 hour of earned sick leave for every 30 hours worked, up to a maximum of 40 hours in one year or 64 hours of accrual at any time.
5. Requirements: Employees are permitted to use earned sick and safe leave in increments in certain amounts established by their employer. Employees are required to give notice of the need to use earned sick and safe leave when it is foreseeable. An employer may deny leave in certain circumstances.
6. More information: <https://www.dllr.state.md.us/paidleave/paidleaveposter.shtml>

Temporary Disability Insurance:

Employers in Maryland are not required to have disability insurance, but check with your employer to see if they have any temporary disability options.²

Workers Compensation:

Note: Workers Compensation provides payments for injuries or illnesses arising out of employment and in the course of employment. It will be very difficult for Local 32BJ members to prove that they contracted COVID-19 at work.

U.S. Government Emergency Paid Sick Leave:

Note: This program applies only to companies who have 500 or fewer employees.

1. Who pays: Employer with less than 500 employees³
2. Use:
 - a. If under quarantine order
 - b. A health care professional orders self-quarantine
 - c. Having symptoms of COVID-19 and seeking diagnosis
 - d. Caring for an individual under quarantine or health care professional advises to quarantine
 - e. Caring for a child because school has been closed due to COVID-19

¹ A family member includes a spouse, child, parent, grandparent, grandchild, or sibling.

² <https://dhs.maryland.gov/documents/Temporary%20Disability%20Insurance%20Programs/TDI%20QA%20-%20DLLR%2010-13.pdf>

³ The Employer gets a tax credit so your taxes help pay for this program

- f. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.
3. Benefit:
 - a. Amount:
 - 2 weeks paid sick leave at regular rate of pay for worker's own illness (uses a-c);
 - 2 weeks at 2/3 pay for caring for a sick individual or child at home (uses d-f)
 - b. Cap:
 - For own illness—pay is capped at \$511 a day or a total of \$5,110
 - For caring for sick or child—pay is capped at \$200 a day or a total of \$2,000
 4. Eligibility: Full time employees eligible for 80 hours; part-time employees eligible for number of hours they average in a 2 week period
 5. Requirements: Employers may seek hardship exemption
 6. More information: This program is administered by the U.S. Department of Labor. See <https://www.dol.gov/agencies/whd/fmla/pandemic>

U.S. Government Public Health Emergency Leave

Note: This program applies only to companies who have 500 or fewer employees.

1. Who pays: Employer⁴
2. Benefit: 10 weeks of paid leave at 2/3 employee's regular rate:
 - a. First 2 weeks without work are unpaid leave (employer may require use of any paid time off for these 2 weeks)
 - b. Then up to 10 weeks of benefits
3. Use: If Unable to work to take care of child whose school or day care center has closed by government order
4. Eligibility: Full-time and part-time employees employed for at least 30 days
5. Requirements: Employers may seek exemptions

More information: This program is administered by the U.S. Department of Labor. See <https://www.dol.gov/agencies/whd/fmla/pandemic>

⁴ The Employer gets a tax credit so your taxes help pay for this program

