

Covid-19

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

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

This leaflet provides information on Virginia 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. 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. U.S. Government Emergency Paid Leave
- c. Refuse to work because of danger of exposure (no doctor's order)
 - i. No government paid leave available

2. Work Not Available

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

3. Have to Care for a Loved One

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

PROGRAM DETAILS

Workers Compensation

Note: Workers Compensation provides payments for workplace injuries or illnesses. 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 employees¹
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
 - 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. <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: Employer²
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
6. More information: This program is administered by the U.S. Department of Labor. See <https://www.dol.gov/agencies/whd/fmla/pandemic>

¹ The Employer gets a tax credit so your taxes help pay for this program

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