



Memorandum

To: Department HR Directors; Department Chiefs
From: The Department of Transformation and Shared Services
Date: December 30, 2020
Subject: FFCRA Leave

The Consolidated Appropriations Act that President Trump signed Sunday does not extend the Families First Coronavirus Response Act (FFCRA) emergency paid sick leave or emergency paid family leave past the original December 31 deadline. With the expiration of the FFCRA leave on December 31, the following is implemented:

- The FFCRA COVID-Sick and COVID-FMLA Leave options for employees to select when requesting leave will be disabled from the system on January 1.
- Departments can and should use Director's Authorized Leave (DAL) for qualified employees who have tested positive, are quarantined, are experiencing COVID-19 symptoms, have been exposed to someone that has tested positive, or are awaiting test results. (This assumes the employee is unable to work remotely.) All DAL requests must get approved through the respective Secretary's Office (or Department-level Human Resources Office) and not at the division level to ensure that DAL is being used properly and consistently.
- Remote work will continue to be an option for qualified employees with high-risk conditions impacted by COVID-19 and employees that have tested positive for COVID-19, are quarantined, are experiencing COVID-19 symptoms, have been exposed to someone that has tested positive, or are awaiting test results.
- Remote work or DAL may be used on a case-by-case basis for qualified employees who care for a child whose school or place of care is closed or unavailable for reasons related to COVID-19. Remote work or DAL for this situation will be at the respective Department Secretary's discretion.
- Departments, including those with situation-specific guidance that may impact leave, should continue to follow the Arkansas Department of Health (ADH) COVID-19 requirements for their operations.
- Critical on-site employees (emergency responders, healthcare providers, and Category 1 employees) may not qualify for remote work or DAL. Any requests for remote work or DAL by critical on-site employees will be handled on a case-by-case basis depending on the job duties,

length and type of need, Department-specific requirements, and any other relevant factors. This will be at the respective Department Secretary's discretion.

Hopefully, this provides some clarity on leave moving forward once the FFCRA paid leave expires. This memo only addresses how leave will be used moving forward without the FFCRA leave; it does not replace any guidance on returning to on-site work or ADH guidance on how to address COVID-19 in the workplace. Please reach out to Mitch Rouse at mitch.rouse@arkansas.gov or the Office of Personnel Management if you have any questions.