

COVID-19 Payment Status

Statutory Disability, Sick and Paid Leave & FMLA

Updated March 26, 2020. Please note that given the rapidly changing environment, this information is reflective of a current point in time and may evolve as necessary

State & Territory	Pays for Quarantine	Revision Information
California	 Pays if exposed	<p>Sick or Quarantined</p> <ul style="list-style-type: none">• Unable to work due to having or being exposed to COVID-19 (certified by a medical professional), they can file a Disability Insurance (DI) claim. <p>Caregiving</p> <ul style="list-style-type: none">• Unable to work because they are caring for an ill or quarantined family member with COVID-19 (certified by a medical professional), you can file a Paid Family Leave (PFL) claim <p>Reduced Work Hours</p> <ul style="list-style-type: none">• If employer has reduced hours or shut down operations due to COVID-19, EE can file an Unemployment Insurance (UI) claim not disability <p>Waives the EDD's one-week waiting period for people who are unemployed (CA UI) and/or disabled (CA SDI) as a result of COVID-19 as of January 24, 2020</p> <p>Waiting Period</p> <ul style="list-style-type: none">• The waiver of the waiting period is effective for the "duration of this emergency"• The waiver of the CA SDI waiting period also applies to CA VDI. As stated in 22 CCR § 3254-1(c), "No voluntary plan may impose restrictions on or exclusions from eligibility for benefits in respect to individuals covered by such plans so as to deny benefits which would be payable to the individual from the Disability Fund but for his or her inclusion in the voluntary plan."• Paid Family Leave does not have a waiting period and is not addressed <p>Reference: https://www.gov.ca.gov/wp-content/uploads/2020/03/3.12.20-EO-N-25-20-COVID-19.pdf https://edd.ca.gov/about_edd/coronavirus-2019/faqs.htm https://edd.ca.gov/about_edd/coronavirus-2019/faqs.htm</p>

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Colorado		<p>The Colorado Department of Labor and Employment (CDLE) adopted the Colorado HELP Rules to require up to four days of paid sick leave for employees in select industries to attend to flu-related symptoms and treatment applying to the following industries:</p> <p>Leisure and hospitality; Food services; Child care; Education; Home healthcare; otherwise high-risk individuals; Operating a nursing home; and Operating a community living facility.</p> <p>An employer in any of the above industries must provide up to four days of paid sick leave for an employee (A) with flu-like symptoms, and (B) who is being tested for COVID-19.</p> <p>The paid sick leave ends if an employee receives a negative COVID-19 test result.</p> <p>Exceptions to Employer Responsibilities</p> <p>The Rules “do not require an employer to offer additional days of paid sick leave if it already offers all employees an amount of paid leave sufficient to comply with” the four-day paid leave requirement.</p> <p>An employee who has already exhausted his or her paid sick leave allotment, but then has flu-like symptoms and is being tested for COVID-19, is entitled to the additional paid sick days</p> <p>Reference: https://www.colorado.gov/pacific/cdle/information-and-resources-coronavirus</p>
Federal FMLA		<p>Effective April 1, 2020 through December 31, 2020</p> <p>Employers with less than 500 employees</p> <p>An “eligible employee” is one that has been employed for at least 30 calendar days</p> <p>Covers employees who are unable to work or telework because they are caring for a son or daughter under 18 if their school or place of care or childcare provider has closed or is unavailable due to a public health emergency</p> <p>There is a provision that requires the employer to pay 2/3 of the employees regular rate of pay up to \$200/day or \$10,000 in aggregate for weeks 3 through 12.</p> <p>Reference: https://www.congress.gov/116/bills/hr6201/BILLS-116hr6201eh.pdf</p>

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<p>Emergency Federal Paid Sick Leave Act</p>		<p>Effective April 2, 2020 through December 31, 2020 Applies to Employers with less than 500 employees No specific eligibility requirement Paid sick time must be provided if the employee is unable to work or telework because:</p> <ul style="list-style-type: none"> • The employee is subject to an order of quarantine or isolation due to Covid-19 • The employee has been advised by a health care provider to self-quarantine because of Covid-19 concerns • The employee is experiencing symptoms of Covid-19 and is seeking a diagnosis • The employee is caring for a family member that is subject to an order or quarantine or has been advised by a health care provider to self-quarantine • The employee is caring for a son or daughter because the school or place of care of the son or daughter has been closed or their care provider is unavailable due to Covid-19 precautions • The employee is experiencing any other substantially similar condition <p>Number of Paid Sick Leave hours</p> <ul style="list-style-type: none"> • Full time employees: 80 • Part-time employees: the number of hours that an employee works, on average, over a 2-week period • No carryover • Employer may terminate remaining sick time once the employee no longer needs them for coronavirus reasons • No payout of unused sick time <p>Reference: https://www.congress.gov/116/bills/hr6201/BILLS-116hr6201eh.pdf</p>
<p>Hawaii</p>		<p>Website includes information about COVID-19 but no revisions advise related to paying for quarantine or any other revisions</p>

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<p data-bbox="74 1140 306 1182">New Jersey</p>	<div data-bbox="436 1079 516 1171" style="text-align: center;">  </div> <p data-bbox="365 1360 597 1430" style="text-align: center;">Sick Leave, clarifying for TDI</p>	<p data-bbox="654 260 1008 289">A person has COVID 19</p> <ul data-bbox="654 302 1511 659" style="list-style-type: none"> • Can use accrued sick leave • Can apply for Temporary Disability Insurance (TDI); the health care provider would give the diagnosis and the duration the individual is expected to be out of work • May be eligible for Workers' Compensation: If a person contracts the virus because he/she waited on or worked with someone who had the virus, or contracted the virus for any other work related reason, that person could be eligible for workers' compensation. <p data-bbox="654 667 1425 697">A person is told to self-quarantine due to exposure</p> <ul data-bbox="654 709 1520 823" style="list-style-type: none"> • May be able use accrued Earned Sick Leave under The Earned Sick Leave law • Can apply for Temporary Disability Insurance (TDI) <p data-bbox="654 844 1503 913">Refer to specifics for each COVID-19 scenario as outlined in reference link</p> <p data-bbox="654 926 1463 995">Reference: https://www.nj.gov/labor/assets/PDFs/COVID-19%20SCENARIOS.pdf</p> <p data-bbox="654 1050 1544 1323">New: On March 25, 2020, NJ passed a coronavirus law that impacts New Jersey's Earned Sick Time law, Family Leave Act law, and TDI/FLI provisions. For purposes of leave administration only, please note that where there is a state of emergency declared by the Governor, Commissioner of Health, or other public health authority, "serious health condition" which now includes:</p> <ul data-bbox="654 1335 1536 1570" style="list-style-type: none"> • Illness caused by the epidemic of a communicable disease (here, COVID-19) • Known or suspected exposure to the communicable disease (here, COVID-19) • Efforts to prevent spread of the communicable disease (here, COVID-19) <p data-bbox="654 1583 1414 1652">If in-home care or treatment of a family member of the employee is required due to:</p> <ol data-bbox="654 1665 1552 1938" style="list-style-type: none"> 1) the issuance by a healthcare provider or the commissioner or other public health authority of a determination that the presence in the community of a family member may jeopardize the health of others 2) the recommendation, direction, or order of the provider or authority that the family member be isolated or quarantined because of suspected exposure to the communicable disease. <p data-bbox="654 1950 1552 2020">Please note: <i>We are researching this law and will provide more information in the future.</i></p>

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New York		<p>“Quarantine” is an employee who is subject to a mandatory or precautionary order of quarantine or isolation issued by the state of New York, the department of health, local board of health, or any governmental entity duly authorized to issue such order due to COVID-19</p> <p>“Disability” means 1) inability to perform regular duties of employment or duties of other employment the employer may offer employee 2) as a result of Quarantine, and 3) when the employee has exhausted all paid sick leave under this Law.</p> <p>“Family leave” expanded to mean 1) Quarantine or 2) to provide care for a minor dependent child of the employee who is Quarantined</p> <p>No waiting period, in most instances employer pays 5 to 14 days of sick pay</p> <p>Payment can be a combination of NY PFL and NY DBL</p> <p>Able to work from Home during Quarantine (asymptomatic or symptomatic) means no benefits are payable</p> <p>It increases the amount in total an employee can receive in aggregate to \$2,884.62/week.</p> <p>Reference: https://www.governor.ny.gov/programs/paid-sick-leave-covid-19-impacted-new-yorkers</p>
Oregon		<p>Oregon law requires employers to give sick time which pays:</p> <ul style="list-style-type: none"> • Being ill with Coronavirus • Quarantined • Worker is caring for sick family member • Employer shuts down due to quarantine • Schools are closed for COVID-19 and worker has no childcare • Employer stays open when urged to close for public health • First responder is under quarantine <p>Refer to specifics for each COVID-19 scenario as outlined in reference link</p> <p>In addition, the Oregon Family Leave Act is expanding protection for the covered reason of not being at work due to school and daycare closures.</p> <p>Reference: https://www.oregon.gov/employ/Documents/EDPUB190_0320.pdf</p>

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Puerto Rico		<p>The Puerto Rico Senate has revised House Bill 2428 to replace the provision of 20 days of unpaid emergency leave due to diagnosis of a pandemic illness with five days of paid emergency leave. We are monitoring the outcome.</p>
Rhode Island		<p>Temporary Caregiver insurance may be available for employees to care for themselves or a family member</p> <p>State Disability: Waived three rules:</p> <ul style="list-style-type: none"> • The seven-day waiting period to claim regular unemployment insurance or WorkShare short-term compensation • The seven-day minimum time to be out of work before qualifying for Temporary Disability Insurance (TDI) or Temporary Caregiver Insurance (TCI) benefits • The requirement for medical certification that someone is on a COVID-19 quarantine <p>Sick Leave: May take time off to care for themselves or family members affected by COVID-19</p> <p>Refer to specifics for each COVID-19 scenario as outlined in reference link</p> <p>Reference: http://www.dlt.ri.gov/pdfs/COVID-19%20Workplace%20Fact%20Sheet.pdf </p>
Washington		<p>Refer to specifics for each COVID-19 scenario as outlined in reference link</p> <p>Reference: https://esdorchardstorage.blob.core.windows.net/esdwa/Default/ESDWAGOV/newsroom/COVID-19/covid-19-scenarios-and-benefits.pdf </p>