

The following interim policy provisions have been adopted to comply with the Families First Coronavirus Response Act (FFCRA).

Indiana University employees (including all academic appointees, staff, and temporary employees) are eligible for Emergency Paid Sick Leave (EPSL). Additional eligibility requirements apply to Student Academic Appointees and Adjunct instructors. EPSL is available from July 1 to December 31, 2020.

Indiana University employees (including all academic appointees, staff, and temporary employees) may be eligible for Emergency Family Medical Leave (EFMLA) if they have been employed for at least 30 days prior to their leave request. EFMLA is available through December 31, 2020.

Information regarding the implementation of EPSL and EFMLA, including how to apply, can be found at <https://hr.iu.edu/relations/coronavirus/faq-i.html>.

In addition, interim policy provisions have been adopted to encompass the Keep IU Healthy (KIH) sick leave that Indiana University is providing for coronavirus-related illnesses. See <https://hr.iu.edu/relations/coronavirus/faq-i.html> for information related to eligibility and qualifying reasons for leave. This amendment will remain in effect during only for the period of the pandemic and will become inapplicable upon the rescission of KIH.

All other provisions of this policy remain in full force and effect.

Income Protection Time (Sick Time)

HR-05-40

About This Policy

Effective Dates:

10-25-1968

Last Updated:

08-17-2020

Responsible University Administrator:

Vice President for Human Resources

Policy Contact:

[IU Human Resources](#)

askHR@iu.edu

SUPERSEDED AS OF 12/31/2020

Scope

This policy applies to all Support and Service Staff employees.

Policy Statement

1. Regular attendance is a condition of employment.
2. Income Protection Time is provided to protect income and to prevent loss of pay during personal and family illness, injury, or medical/dental appointments, personal emergencies that are not health related such as adverse weather or adverse working conditions, and other special non-emergent situations that cannot be handled during the normal hours away from the job.
3. 100% FTE, appointed employees earn 3.7 hours per eligible 80-hour period (see the [Attendance, Absence, and Personal Emergency](#) policy). This results in a maximum earning of 96.2 hours in a calendar year.
 - a. Employees do not earn hours during a leave of absence, an absence without pay, or a furlough of more than 60 and no more than 180 days or a permanent reduction in force.

4. Appointed employees of 75% FTE or greater earn a prorated amount of hours, based on their specific FTE. Hours are not earned if the FTE is less than 75% FTE.
5. The amount of income protection time that may be used for any period of personal or family illness or injury is limited only by the amount of time accrued and the medical need to be away from work.
6. Time accrued cannot be used before it is officially earned.
7. Earnings are accumulative from year to year.
8. Administrators may require confirmation of illness or injury through a licensed physician's statement before approving the use of income protection time. See the provisions in the Procedures section for details.

Procedure

1. Use of earnings for personal illness, medical/dental appointments
 - a. Employees may use accumulated income protection time after receipt of their first paycheck.
 - b. Medical disabilities resulting from pregnancy will be treated as any other temporary medical disability.
2. Use of earnings for family care
 - a. Earnings may be used so that employees can provide medical and dental care for family illness, injury or medical/dental appointments for members of the immediate family or household.
 - b. Members of the immediate family or household are: spouse, unmarried child at home, or other relatives living with the employee. Parents, children, grandparents, grandchildren, brothers, sisters and relatives of the spouse of the same degree who are dependent on the employee for emergency care.
3. In addition to illness and injury, earnings may be used to cover the following:
 - a. Personal emergencies that are not health related. These events will typically be unforeseen, will require immediate action, and are beyond the employee's control. The employee must notify the supervisor as soon as possible as to the reason and expected time of return. The employee may be required to provide documentation on the nature and circumstances of the absence.
 - b. Special situations that cannot be handled during the normal hours away from the job. Examples are: religious holidays not provided for in the university's holiday policy, funeral arrangements, marriage arrangements, legal matters, real estate transactions, university class attendance, etc. Any questions about the application of this provision should be directed to campus Human Resources.
 - i. Requests must be approved by the department in advance of usage.
 - ii. Department heads are authorized to deny these requests with pay when there is evidence (1) the absence will cause an undue hardship upon the university in relation to employee's convenience or needs and (2) when the request is inconsistent with the provisions of this section of the policy.
 - iii. Department heads shall not deny such requests on the basis of undue hardship if requested at least 48 hours in advance, except on the basis of excessive numbers of requests for the same day.
 - iv. Denials must be made within two hours following the request, or 48 hours before the requested absence, whichever comes later.
 - v. The employee may be asked for an explanation for the request so that the supervisor can make a decision consistent with the policy.
 - c. Injury or illness in conjunction with Worker's Compensation
 - d. Selective Service physical—a maximum of eight hours when orders require a physical exam
4. Confirmation of illness or injury
 - a. Before approving the use of income protection time, supervisors may require confirmation of illness, injury, medical/dental appointment, or the need for family care through a licensed physician's statement whenever any of the following apply:
 - i. The employee has been absent three or more consecutive workdays.
 - ii. There is a pattern of absenteeism.

- iii. There has been corrective action for absenteeism during the prior twelve months.
- iv. The supervisor has a reasonable belief that the claim is dishonest and the absence is for a reason other than illness or injury.
- v. The employee has not followed campus or department attendance guidelines.
- b. In determining whether there is a pattern of absenteeism, absences approved by the university as a reasonable accommodation under the Americans with Disabilities Act or taken under the provision of the Family Medical Leave Act cannot be considered.
- c. The university reserves the right to require a physician's statement or other medical documentation to support a long-term absence, including FMLA, fitness to return to work, or continued ability to perform the assigned tasks, or to determine eligibility for other benefits or comply with any state or federal requirement.
5. Payment for unused accruals - Except as provided below for separations with IU Retiree status or at time of death, employees do not receive payment for unused accruals.
 - a. Support and Service Staff employees that separate from the university with IU Retiree status, regardless of the reason for the separation or who die at any age and with any years of service, are entitled to receive payment for their unused income protection accruals, subject to the criteria below.
 - i. 25% of pay for 152.0 through 312.0 hours
 - ii. 50% of pay for hours more than 312 hours.
 - iii. Accrued hours below 152 receive no pay.
 - b. Refer to the, Retiree Status and Benefits policy for information about qualifying for IU Retiree status.
6. When income protection earnings are used, the exact number of hours, including tenths of hours, are reported and subtracted from accumulated earnings.
7. Unused vacation hours accumulate from year to year and will be paid upon separation up to specified limits detailed in this policy.
8. Employees who transfer from an academic appointment to a Support or Service Staff appointment receive, at the time of transfer, four hours for each month of the academic appointment.
9. A Professional Staff employee who transfers to a Support or Service Staff position will have any sick leave account balance transferred to an income protection account.
10. For converting Income Protection Time to Vacation see the Vacation policy.

Sanctions

Managers, supervisors, and employees who violate this policy are subject to corrective action, up to and including separation.

History

August 2020

Interim provisions to this policy were put into effect to comply with the Families First Coronavirus Response Act (FFCRA).

May 2018

Removed same-sex domestic partner language.

April 2018

Updated wording to clarify how full time equivalent (FTE) impacts income protection time accruals.

September 2017

Removes Affidavit of Domestic Partnership.

February 2016

Replaces the following policies:

AFSCME Police	Income Protection Time (Sick Time)
AFSCME Service	5.5 - Income Protection Time (Sick Time)
CWA	12.6 - Income Protection Time (Sick Time and Other Uses)
Professional Staff and Support and Service Staff not Covered by a Union	10.3 - Income Protection (Sick Time) for Support and Service Staff

Related Information

[Family Medical Leave Act \(FMLA\)](#)

[Vacation Time](#)

[Separation Pay for Unused Time Off Accruals](#)

SUPERSEDED AS OF 12/31/2020

COVID-19 FAQ

As of December 8, 2020

Page: COVID-19 Related Leaves

This page contains information about COVID-19 related leaves available to IU employees, including the [Families First Coronavirus Response Act \(FFCRA\)](#), which was signed into law to address the impact of the COVID-19 pandemic and national emergency. Pursuant to the FFCRA, Indiana University will provide eligible employees with paid sick leave or emergency family and medical leave for specified reasons related to COVID-19. Because IU maintained employees' pay status from March 23, 2020 through June 30, 2020, the leaves offered through FFCRA will apply at IU from July 1, 2020 through December 31, 2020. Additionally, Keep IU Healthy leave (KIH) is available for employees for certain COVID-19 related absences.

See below for answers to the most frequently asked questions about COVID-19 related leaves and the FFCRA. If you have additional questions, please contact your HR representative or ask HR at askHR@iu.edu or [812-856-1234](tel:812-856-1234) for guidance and clarification.

Leave Options

I need time off to care for myself due to COVID-19 illness. What are my options for leaves?

You may be eligible for the Emergency Paid Sick Leave (EPSL) or the Keep IU Healthy leave (KIH).

See the [Guide to Using COVID-19 Leaves for Staff and Temporary Employees](#) and related [EPSL](#) or [KIH](#) FAQ for details.

Last updated August 14, 2020

I need time off to care for another individual due to COVID-19 illness. What are my options for leaves?

You may be eligible for the Emergency Paid Sick Leave (EPSL).

See the [Guide to Using COVID-19 Leaves for Staff and Temporary Employees](#) and related [EPSL](#) FAQ for details.

Last updated August 14, 2020

My child(ren)'s school or child care facility is closed or we have chosen online learning, what are my options for leaves?

You may be eligible for Emergency Paid Sick Leave (EPSL) and/or Emergency Family and Medical Leave Act (EFMLA).

See the [Guide to Using COVID-19 Leaves for Staff and Temporary Employees](#) and related [EPSL](#) or [EFMLA](#) FAQ for details.

Last updated August 14, 2020

About the FFCRA

What is the Families First Coronavirus Response Act (FFCRA)?

The Families First Coronavirus Response Act (FFCRA) is Federal legislation that provides two types of COVID-19-related leave to employees:

1. Emergency Paid Sick Leave ([EPSL](#))
2. Emergency Family & Medical Leave Act ([EFMLA](#))

Please review the [Guide to Using COVID-19 Leaves](#) for a side-by-side comparison of the two leaves offered through the FFCRA.

Last updated June 30, 2020

How long are these leaves available for use?

FFCRA leaves are available through December 31, 2020.

Last updated June 26, 2020

Can I use FFCRA leaves if I am furloughed?

Not for the hours furloughed, whether paid or unpaid. For example, an employee furloughed 20 hours per week and working 20 hours per week could use 20 hours of EPSL or EFMLA for the 20 hours per week they were scheduled to work, but not for the 20 hours they are furloughed. An employee who is on a full furlough cannot use EPSL or EFMLA.

Last updated June 26, 2020

What is the difference between EPSL and EFMLA? How do I know which one applies?

Please review the [Guide to Using COVID-19 Leaves](#) for a side-by-side comparison of the two leaves offered through the FFCRA.

Last updated June 30, 2020

Is a doctor's note required for my own COVID-related illnesses?

Documentation indicating you are under quarantine or isolation order, being screened, tested, or are under the care of a health care provider for COVID-19 may be necessary to qualify for EPSL or KIH.

Last updated August 14, 2020

Emergency Paid Sick Leave Act (EPSL)

Who is eligible for EPSL?

All current employees (academic appointees, adjuncts, student academics, staff, work-study, and temporary employees) are eligible for this leave. The employee must be scheduled to work and be unable to work on campus or remotely.

*In the case of student academic appointees and adjunct instructors, they must meet one of the qualifying reasons below:

- A student academic appointee must have a pre-existing, formal agreement for specific duties for the fall 2020 term.
- An adjunct instructor must have a pre-existing formal appointment for specific duties for the fall 2020 term, and the course(s) have not been cancelled due to lack of enrollment.

Last updated August 14, 2020

What are the qualifying reasons to use this leave?

To qualify for EPSL, an employee must be unable to work on campus or remotely because they are:

- a. Subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- b. advised by a health care provider to self-quarantine related to COVID-19;
- c. experiencing COVID-19 symptoms and seeking a medical diagnosis;
- d. caring for an individual subject to an order described in (a) or subject to self-quarantine as described in (b);
- e. caring for a child whose school or place of care is closed (or online only), or they have chosen online learning or to keep their child home from a child care facility due to COVID-19 related reasons; or
- f. experiencing any other substantially similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

Last updated June 26, 2020

My child's school or daycare is open, but I have chosen an online/at-home learning option or to keep them home from daycare, is this a qualifying reason for EPSL?

Yes. As long as you have not exhausted your available EPSL balance and are the one providing care for the child with no other co-parent or guardian available, you would qualify for EPSL in this case. Except in special circumstances, the child must be 14 years or younger.

Last updated July 17, 2020

How much EPSL time can I receive?

Regardless of the number of qualifying events, employees will receive a total of 80 hours of EPSL, prorated for part-time and temporary employees, through December 31, 2020.

For example, an employee who uses 80 hours of EPSL in August for childcare will not be eligible for an additional 80 hours if they have a different qualifying event at a later date (e.g. they test positive for COVID-19).

Last updated August 14, 2020

Can I take my EPSL in less than full day increments or intermittently?

Staff & Temporary

For non-child care related usage: For employees working on campus, EPSL must be used in full-day, consecutive blocks. Employees who are working remotely, and who are able to work, may take EPSL intermittently in full-day increments.

For child care related usage: When an employee uses EPSL because their child's school or place of care is closed due to COVID-19 (or they choose an online/at home option), the time must be taken in full-day increments only, but may be taken intermittently (e.g. an employee is off Monday, Wednesday, and Friday).

Academic

Consistent with CDC guidelines on quarantine and Department of Labor guidance, and in the event the employee cannot work remotely, EPSL must be taken in full-day, consecutive blocks when the employee or someone the employee is caring for has COVID-19 or symptoms of COVID-19, or when the employee or someone the employee is caring for is subject to a COVID-19-related Federal, State, or local quarantine or isolation order.

Academic appointees using EPSL because their child's school or place of care is closed (or child care provider is unavailable) due to COVID-19 can only take EPSL in a consecutive block of time of up to two workweeks.

Last updated August 14, 2020

How much will I be paid for the EPSL?

Staff & Temporary

Staff and temporary employees will be paid their regular rate of pay for the number of hours on leave, up to a maximum of 80 hours, prorated for part-time and temporary employees.

Academic

Academic appointees will be paid for up to two weeks of regular pay.

Last updated August 14, 2020

How do I record EPSL on my timesheet?

For staff and temporary employees:

- For all non-exempt employees: Only Payroll Processors will be allowed to enter EPSL codes in Quali TIME (employees and supervisors will be expected to put notes in the timesheet indicating days taken).
- Exempt employees will enter their own EPSL codes in ePTO.

See [COVID-19 Leave Coding](#) for more details.

Last updated June 26, 2020

How will EPSL be reported for academic appointees?

An academic appointee wishing to use EPSL for medical purposes should notify their supervisor and their designated campus contact, who will then notify their campus academic affairs office of the leave. EPSL hours for academics will be recorded in HRMS by the campus academic affairs office. Those using ESPL because their child's school or place of care is closed (or child care provider is unavailable) due to COVID-19 should use the [Child Care Leave Request for Academic Appointees](#) form.

Last updated August 14, 2020

Will I get paid for the available hours if I don't use them?

Unused EPSL will not be paid, nor will unused leave hours carry over into 2021.

Last updated June 26, 2020

How do I apply for this leave?

Staff & Temporary

Staff and temporary employees who believe they have a need for this leave should complete one of the forms below or contact their supervisor or unit HR representative:

- [Non-Child Care Leave Request for Staff & Temporary Employees](#)
- [Child Care Leave Request for Staff & Temporary Employees](#)

Academic

Academic appointees should use the appropriate form below and notify their campus academic affairs office or HR representative that they would like to take the EPSL leave. Supporting documentation may be required.

- [Non-Child Care Leave Request for Academic Appointees](#)
- [Child Care Leave Request for Academic Appointees](#)

Last updated August 14, 2020

Emergency Family and Medical Leave (EFMLA)

Who is eligible for EFMLA?

All employees (academic appointees, adjuncts, student academics, staff, work-study, and temporary employees) are eligible if they:

- Have been employed at Indiana University for at least 30 calendar days in the 2020 calendar year.
- Were scheduled to work and cannot work on campus or remotely because their child's school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19.
- AND have NOT already exhausted their FMLA or Paid Family Leave in 2020.
- *A student academic appointee must have a pre-existing formal appointment for specific duties for the fall 2020 term. An adjunct instructor must have a pre-existing formal appointment for specific duties for fall 2020 term, and the course(s) have not been cancelled due to lack of enrollment.

Last updated August 14, 2020

What are the qualifying reasons for using this leave?

An employee qualifies for EFMLA if they are caring for a child whose school or place of care is closed (or online only), or they have chosen online learning or to keep their child home from a child care facility due to COVID-19 related reasons.

Last updated June 26, 2020

Does caring for step-children, grandchildren, etc. count?

Under the FFCRA, a “son or daughter” is your own child, which includes your biological, adopted, or foster child, your stepchild, a legal ward, or a child for whom you are standing in loco parentis—someone with day-to-day responsibilities to care for or financially support a child. Employees may also be off to care for their child 18 years or older who has a serious health condition and is incapable of self-care because of a mental or physical disability.

Last updated June 26, 2020

My child’s school or daycare is open, but I have chosen an online/at-home learning option or to keep them home from daycare, is this a qualifying reason for EFMLA?

Yes. As long as you have been employed at IU for 30 days, and have not previously exhausted your FMLA/EFMLA balance for calendar year 2020, and you are the one providing care for the child with no other co-parent or guardian available, you would qualify for EFMLA in this case. Except in special circumstances, the child must be 14 years or younger.

Last updated July 17, 2020

How much EFMLA time can I receive?

EFMLA provides up to 12 weeks of leave for eligible employees who have a qualifying reason. Note that:

- The first two weeks are unpaid.
- Leave taken under EFMLA counts towards a staff or temporary employee’s allotment of 12 weeks available to them under regular FMLA. Additionally, any regular FMLA staff or temporary employee used previously in calendar year 2020, or any Paid Family Leave an academic appointee previously took in calendar year 2020 will reduce the bank of EFMLA time available.

Last updated August 14, 2020

How much time am I eligible for if I am a temporary employee, student academic appointee, or an adjunct instructor?

Staff & Temporary

For staff and temporary employees, supervisors will follow guidance provided by IU HR.

Academic

For academic appointees, follow guidance provided by your campus academic affairs offices to determine eligible hours based on scheduled/expected work or average hours.

For student academic appointees and adjunct instructors, in general, the weeks taken will be compared to the normal pay for those scheduled weeks. Unless specifically authorized otherwise, academic employees must take EFMLA in weekly blocks of time.

Last updated August 14, 2020

Can I take my EFMLA in less than full day increments?

Staff & Temporary

For staff and temporary employees, EFMLA must be taken in full-day increments.

Academic

Academic appointees must take EFMLA in full week increments.

Last updated August 14, 2020

Can I take my EFMLA intermittently, or must it be taken consecutively?

Employers are not required to permit intermittent EFMLA. Indiana University will permit intermittent leave as listed below.

Staff & Temporary

For staff and temporary employees, EFMLA may be taken intermittently in full-day increments (e.g., an employee is off Monday, Wednesday, and Friday).

Academic

For academic appointees, EFMLA must be taken in full-week increments. Although Indiana University is not required to extend intermittent leave, non-consecutive days of leave can be considered on a case-by-case basis, depending on circumstance and nature of work.

Last updated August 14, 2020

How much will I be paid for the EFMLA?

Staff & Temporary

The *first two weeks* of EFMLA are unpaid. However, staff and temporary employees have the following options for the first two weeks:

- Those who have not used their two weeks of allotted EPSL time may use that time to cover the first two weeks of EFMLA.
- Staff employees may also choose to supplement with their own accrued time off. If an employee chooses to do so, it must be used in the following prioritized order:
 1. Compensatory time
 2. Vacation (VFL)/PTO (PFL)
 3. Holiday

4. Income Protection/PTO Sick

For the *following 10 weeks*, staff employees will be required to first use their accrued time off (which will count toward their FMLA) in the above prioritized order.

Should staff and temporary employees have less than a full day's worth of accrued time off, they are entitled to receive pay at 2/3 their regular rate—up to \$200 per day and \$10,000 in the aggregate—over a 10-week period.

Academic

For academic appointees, after two weeks covered by EPSL (at regular pay), payments will be at the rate of 2/3 the regular rate, with a further cap of up to \$200 per day or \$10,000 in the aggregate.

Last updated August 14, 2020

How do I record EFMLA on my timesheet?

Staff & Temporary

- Non-exempt employees: Only Payroll Processors will be allowed to enter EFMLA codes in Quali TIME (employees and supervisors will be expected to put notes in the timesheet indicating days taken).
- Exempt employees will enter their own EFMLA codes in ePTO.

See [COVID-19 Leave Coding for Staff & Temporary Employees](#) for details.

Academic

Academic appointees should notify their supervisor and their unit HR representative, who will notify their campus academic affairs office to record the leave in the HRMS system. EFMLA leaves for academic appointees will be recorded in HRMS with newly established leave codes. The campus academic affairs office will guide this process while coordinating with departments on leave eligibility and approvals.

Last updated August 14, 2020

Will I get paid for the available hours if I don't use them?

Unused EFMLA will not be paid, nor will unused leave hours carry over into 2021.

Last updated June 26, 2020

If I previously took FMLA time in calendar year 2020, how much EFMLA time will I have available to me?

Staff & Temporary

For staff and temporary employees, any regular FMLA time previously used in calendar year 2020 will reduce the amount of time available to you under EFMLA. For example, an employee who used four weeks of FMLA in January 2020 will only be eligible for up to eight weeks of EFMLA.

Academic

For academic appointees, any Paid Family Leave previously used in calendar year 2020 will reduce the amount of time available to you under EFMLA. For example, an employee who used four weeks of Paid Family Leave in January 2020 will only be eligible for up to eight weeks of EFMLA.

Last updated August 14, 2020

Is leave time taken under EFMLA included in the overall FMLA or Paid Family Leave limits?

Yes, the Department of Labor has specified that EFMLA is included in the regular FMLA limit. As specified in applicable staff and academic policies, hours used for this leave count toward overall FMLA (for staff and temporary employees) or Paid Family Leave (for academic appointees) usage for the 2020 calendar year.

Last updated August 14, 2020

How do I apply for this leave?

Staff & Temporary

Staff and temporary employees who believe they have a need for this leave should complete the form below or contact their supervisor or unit HR representative.

- [Child Care Leave Request for Staff & Temporary Employees](#)

Academic

Academic appointees who believe they have a need for this leave should complete the form below or contact their campus academic affairs office or unit HR representative.

- [Child Care Leave Request for Academic Appointees](#)

Last updated August 14, 2020

Keep IU Healthy Leave (KIH)

What is the Keep IU Healthy leave (KIH)?

In order to help protect the IU community, the Keep IU Healthy leave (KIH) gives employees time off for any scheduled work missed during a 14-calendar day period for a qualifying reason.

Last updated August 14, 2020

Who is eligible for KIH?

All employees (academic appointees, adjuncts, student academics, staff, and temporary employees) are eligible for this leave. In order to qualify, employees must be scheduled to work and be unable to work on campus or remotely.

Last updated August 14, 2020

What are the qualifying reasons to use this leave?

To qualify for KIH, employees must be unable to work on campus or remotely because they are:

- Exhibiting symptoms of COVID-19 and seeking a medical diagnosis, or
- Required to self-isolate because of a positive COVID-19 diagnosis.

Last updated August 14, 2020

How much KIH do I receive?

After exhausting all available EPSL, employees are eligible for KIH for any scheduled work missed during a 14-calendar day period because of a qualifying reason.

Last updated August 14, 2020

Can KIH be used before EPSL?

Typically, employees must exhaust EPSL prior to using KIH. KIH may be used before EPSL at the determination of the department. If a non-exempt employee working on campus is sent home before the end of their shift because of a qualifying reason, they may use KIH to cover any remaining hours for that day. They must then exhaust all remaining EPSL during any subsequent time off.

Last updated August 14, 2020

Can I take my KIH in less than full day increments or intermittently?

Staff & Temporary

For employees working on campus, KIH must be used in full-day, consecutive blocks. Employees who are working remotely, and who are able to work, may take KIH intermittently in full-day increments.

Academic

Consistent with CDC guidelines on quarantine and Department of Labor guidance, and in the event the employee cannot work remotely, KIH must be taken in full-day, consecutive blocks when the employee or someone the employee is caring for has COVID-19 or symptoms of COVID-19, or when the employee or someone the employee is caring for is subject to a COVID-19-related Federal, State, or local quarantine or isolation order.

Last updated August 27, 2020

How much will I be paid for the KIH?

Employees will be paid their regular rate of pay for any scheduled work missed over the course of a 14-calendar day period.

Last updated August 14, 2020

How do I record KIH on my timesheet?

- For all non-exempt employees: Only Payroll Processors will be allowed to enter the KIH codes in Quali TIME (employees and supervisors will be expected to put notes in the timesheet indicating days taken)
- Exempt employees will enter their own KIH codes in ePTO.
- Academics' leave time will be entered centrally at the campus level.

See [COVID-19 Leave Coding for Staff & Temporary Employees](#) for details.

Last updated August 27, 2020

How do I apply for this leave?

Staff & Temporary

Staff and temporary employees who believe they have a need for this leave should contact their supervisor or HR representative.

Academic

Academic appointees or their unit head may initiate leave by completing the [non-child care related form](#).

Last updated August 27, 2020

**APPLICATION GUIDE FOR STAFF & TEMPORARY EMPLOYEES****Emergency Paid Sick Leave (EPSL), Keep IU Healthy (KIH) Leave, & Emergency Family Medical Leave Expansion Act (EFMLA)**

EPSL, KIH, and EFMLA can only be taken if an employee is unable to work on campus or remotely for qualifying COVID-19 reasons. Other requirements apply. Visit the FFCRA page of the HR COVID-19 FAQ at hr.iu.edu/relations/coronavirus.html for additional details.

	EPSL	KIH	EFMLA
Effective Date	July 1, 2020	July 1, 2020	July 1, 2020
Expiration Date	December 31, 2020	TBD	December 31, 2020
TYPE OF LEAVE COVERED			
Medical leave for self due to COVID-19 related reasons	Yes	Yes	No
Medical leave to care for an individual due to COVID-19 related reasons	Yes	No	No
Leave to care for employee's child (under 18) for child care issues related to COVID-19¹	Yes	No	Yes
KEY PROVISIONS			
Amount of leave available	2 weeks (80 hours) ²	Varies ³	12 weeks (480 hours) ⁴
Pay amount during leave	Full pay	Full pay	The first two weeks are unpaid. ⁵ After first two weeks, employee uses own accrued time off in prioritized order ⁶ When accrued balances cannot cover a full-day absence, EFMLA pay is applied at 2/3 regular pay rate and remainder of day is unpaid ⁷
Can employee use in increments smaller than full-day?	No ⁸	No ⁹	No
How can employees use this leave?	Full days Non-Child Care, Working On Campus – Consecutive only Non-Child Care, Working Remotely – Consecutive or non-consecutive Child care reasons—consecutive or non-consecutive	Full days Working On Campus - Consecutive only Working Remotely – Consecutive or non-consecutive	Full days, consecutive or non-consecutive
QUALIFICATIONS			
Minimum period of employment for eligibility	No minimum period	No minimum period	30 calendar days
Part-time and temporary employees covered?	Yes—prorated	Yes—prorated	Yes—prorated
Covered employee groups	All employees	All employees	All employees

Note: Regular [FMLA as provided by Indiana University](#) remains available to eligible individuals for qualifying reasons. For questions regarding regular FMLA, please contact your HR representative.

¹ Qualifying child care reasons under FFCRA include school or child care facility closures (or online only options), or if a parent chooses online learning or keeping their child home from a child care facility due to COVID-19 related reasons. Except in special circumstances, the child must be 14 years or younger.

² EPSL provides a maximum of 2 weeks (80 hours), prorated for part-time and temporary employee.

³ KIH provides employees pay at their regular rate for any scheduled shifts missed during a 14-calendar day period if they are required to self-isolate or are exhibiting symptoms of COVID-19. Generally employees must exhaust their EPSL prior to using KIH. If an employee is sent home at the department's direction due to a COVID-19 related situation, such as someone they live with is being tested but has not yet received results, they may use KIH prior to EPSL while a decision is made by EHS/MRT as to whether the employee may be required to self-quarantine or be tested. Depending on the outcome of the EHS/MRT decision, an employee required to self-quarantine or test for COVID-19 will need to use EPSL. Employees otherwise may be able to return to work.

⁴ Combination of regular FMLA and EFMLA in calendar year 2020 is limited to 12 weeks (480 hours). Part-time and temporary employees will be eligible for a prorated amount of leave time based on their normal or average schedule.⁵ During the first two weeks of EFMLA, employees may supplement unused EPSL time or choose to use their own accrued time off (in same prioritized order as below).

⁶ After the first two weeks, for remaining EFMLA time employees must use their own accrued time off in the following prioritized order: compensatory time, vacation/PTO, holiday, income protection/ PTO sick leave.

⁷ The remaining third will be recorded on an employee's time sheet with AFL (absent no pay – FMLA). Employees who have a balance of accrued time off that is less than a full-day absence cannot supplement that accrued time off to fill in the remaining third of pay. For the time an employee is paid at 2/3, the amount will be capped at \$200 per day or \$10,000 aggregate.

⁸ EPSL must be taken in full-day increments. If a non-exempt employee is sent home in the middle of a shift due to exhibiting symptoms or because they've received a positive COVID-19 test, the remaining unworked hours for that day will be charged to KIH.

⁹ Generally KIH must be used in full-day increments. If a non-exempt employee is sent home in the middle of a shift due to exhibiting symptoms or because they've received a positive COVID-19 test, the remaining unworked hours for that day will be charged to KIH. This is true even if the employee has not exhausted their EPSL.

GUIDE TO COVID-19 LEAVE CODING

Staff and Temporary Employees

Effective July 1, 2020



The codes below are only to be used for approved COVID-19 related staff and Temporary employee leave requests. All codes are effective July 1, 2020 through December 31, 2020. For exempt employees, entries are recorded in ePTO by the employee. For non-exempt employees, entries are recorded in Quali Time by the unit's Payroll Processor.

Please see Frequently Asked Questions for additional details about eligibility, payments/limits, and other process questions.

COVID-19 CHILD CARE RELATED LEAVES

Employees are eligible to take two types of child care leaves related to COVID-19. These leaves can be requested by submitting the [Child Care Leave Request Form for Staff & Temporary Employees](#) to IU Human Resources.

As part of the Emergency Paid Sick Leave (EPSL), employees can take up to two weeks of paid leave when they are caring for their child(ren) whose school or place of care has been closed (or the employee is uncomfortable sending them) and no other suitable person is available to provide care.

Additionally, the Emergency Family Medical Leave Expansion Act (EFMLA) extends the use of FMLA for employees with child care needs resulting from COVID-19.

The codes below are only to be used for approved COVID-19 related staff and Temporary employee leave requests. As part of the approval process, the IUHR Case Management team will notify units which specific codes should be used for each employee's request.

Time Off Reason	Description	Use Leave Code
Childcare needs resulting from COVID-19	EPSL: Used when an employee is caring for their child(ren) as a result of school or childcare issues because of COVID-19 and no other suitable person is available to provide care.	<p>EPSL Codes: FFC (Staff) FFD (Temporary) FFJ (Temporary—Flat Rate)</p> <p>*Paid at regular pay rate. EPSL is limited to up to 2 weeks (80 hours) of paid leave in 2020 for Full-Time Staff and the limit is reduced for Part-Time Staff and Temporary employees.</p>
	<p>EFMLA: Standard FMLA limits. Up to 12 weeks (480 hours) for full-time employees. Reduced limit for part-time staff and Temporary employees.</p> <p>Must be employed at IU for at least 30 days to be eligible.</p>	<p>1. For the first two weeks use (employee choice):</p> <ul style="list-style-type: none"> • Unpaid Time <ul style="list-style-type: none"> » AFL (Staff) » AFH (Temporary) • *EPSL (if not previously used) <ul style="list-style-type: none"> » FFA (Staff) » FFB (Temporary) » FFK (Flat Rate) • Accrued Time Off (Staff)—using FMLA codes and drawing from balances in this order: <ul style="list-style-type: none"> » Comp Time (CFL) » Vacation (VFL) / FMLA PTO (PFL) » Holiday (HFL) » Income Protection/Sick (SFL) <p>2. For remaining time (in the following order):</p> <ul style="list-style-type: none"> • Accrued Time Off (Staff)—using FMLA codes and drawing from balances in this order: <ul style="list-style-type: none"> » Comp Time (CFL) » Vacation (VFL) / FMLA PTO (PFL) » Holiday (HFL) » Income Protection/Sick (SFL) • EFMLA Pay <ul style="list-style-type: none"> 2/3 of regular pay (with a daily cap of \$200) using EFMLA codes <ul style="list-style-type: none"> » FFE (Staff) » FFG (Temporary) » FFL (Temporary – Flat Rate) 1/3 remaining time is unpaid <ul style="list-style-type: none"> » AFL (Staff) » AFH (Temporary)

SUPERSEDED AS OF 12/31/2020

COVID-19 ILLNESS/QUARANTINE/ISOLATION RELATED LEAVES

As part of the Emergency Paid Sick Leave (EPSL), employees are eligible for up to two weeks of paid leave when an employee is subject to or caring for an individual with whom they live who is subject to quarantine, isolation, or is experiencing symptoms, or tested positive for COVID-19. Employees are also eligible for additional paid time-off under the Keeping IU Healthy provisions of the IU Restart plan if they personally are subject to isolation, are experiencing symptoms, or have tested positive for COVID-19.

These leaves can be requested by submitting the [Non-Child Care Leave Request Form for Staff & Temporary Employees](#) to IU Human Resources. Generally, EPSL leave is to be used first and KIH leave codes for personal illness/isolation are only to be used once EPSL time has been exhausted.

Time Off Reason	Description	Use Leave Code	Pay
Caring for self for COVID-19 reasons	Used when an employee is subject to quarantine, isolation, or is experiencing symptoms of COVID-19 and awaiting diagnosis. EPSL leave is to be recorded first and only if additional time-off is required, KIH leave codes are to be used.	EPSL Codes: FFS (Staff) FFT (Temporary) FFH (Temporary—Flat Rate) KIH Codes: FFO (Staff) FFP (Temporary) FFQ (Temporary—Flat Rate)	EPSL: *Paid at regular pay rate. Limited to up to 2 weeks (80 hours) of paid leave in 2020 for full-time staff. Reduced limit for part-time staff and temporary employees. KIH: Paid at regular pay rate. Limited to lost wages over a 14 calendar day period
Caring for others for COVID-19 reasons	Used when an employee is caring for an individual who is subject to quarantine or self-isolation due to COVID-19.	EPSL Codes: FFM (Staff) FFN (Temporary) FFI (Temporary—Flat Rate)	EPSL: *Paid at regular pay rate. Limited to up to 2 weeks (80 hours) of paid leave in 2020 for full-time staff. Reduced limit for part-time staff and temporary employees.

*The EPSL limit of 2 weeks (80 hours) is the total available across all types of usage—child care and illness/quarantine/isolation of self/others.

SUPERSEDED AS OF 12/31/2020

FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)**Notice to Indiana University Employees**

As you likely know, the Families First Coronavirus Response Act (“FFCRA” or “the Act”) was signed into law to address the impact of the COVID-19 pandemic and national emergency. **Please read this notice in full as it contains important information regarding eligibility and notice requirements for paid leave pursuant to the FFCRA.**

Indiana University will provide employees, pursuant to the FFCRA, with Emergency Paid Sick Leave (“EPSL”) as well as leave under the EFMLEA (Emergency Family and Medical Leave Expansion Act – referred to in this notice as “EFMLA” or Emergency Family Medical Leave) for COVID-specific reasons, as further described below.

The manner in which these leaves are requested and processed will depend on whether you are an academic appointee or Staff/Temporary employee.

The Department of Labor’s Wage and Hour Division administers and enforces the new law’s paid leave requirements. The FFCRA provisions will apply at Indiana University from July 1, 2020 through December 31, 2020. (The University has already maintained employees in pay status from March 23, through June 30, 2020.)

STAFF AND TEMPORARY EMPLOYEES**EMERGENCY PAID SICK LEAVE (EPSL)**

- Employees are eligible for two weeks of Emergency Paid Sick Leave (EPSL) at their regular rate. A full-time employee is eligible for two weeks (80 hours) of Emergency Paid Sick Leave (EPSL); the amount is prorated for less than full-time employees, including temporary employees. An employee qualifies for EPSL if the employee is scheduled to work and is unable to work (or unable to telework) due to these qualifying reasons:
 1. The employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider).
 2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
 3. The employee is experiencing COVID-19 symptoms and seeking a medical diagnosis.
 4. The employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider).
 5. The employee needs to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19.
 6. The employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services.
- Although the law does not necessarily require full pay during EPSL (the law has pay caps), Indiana University will provide full pay.
- EPSL time off must be taken in full day increments. For reasons 1 through 4, and 6 related to having or caring for someone with COVID-19 or having symptoms, or being subject to a quarantine, the time off must also be taken consecutively.

EMERGENCY FAMILY MEDICAL LEAVE (EFMLA)

- An employee who has been employed with Indiana University for at least 30 calendar days, who is scheduled to work, and who is unable to work or telework because they are caring for a child whose school or child care provider is closed, or unavailable for reasons related to COVID-19, is entitled to take up to twelve weeks of Emergency Family Medical Leave (EFMLA).
 - This reason is valid only if no other suitable individual is available to care for the child during the period of the requested leave.
 - The 12 weeks of EFMLA will be reduced by any “regular” FMLA the employee has already used in the 2020 calendar year.
 - The time off must be taken in full day increments.
 - The first two weeks (usually ten workdays or 80 hours) of this leave are unpaid, though an employee may use EPSL during this time. Staff employees may opt to use their time off accruals for this initial two-week period.
 - For the remaining 10 weeks, as with “regular” FMLA, employees will be required to first use their earned or accrued paid time

off in this priority order: compensatory time, vacation/PTO, holiday, income protection/PTO sick leave.

- o Should employees have less than a full day's worth of paid time off, they are entitled to pay at 2/3 their regular rate up to \$200 per day and \$10,000 in the aggregate (over the remaining 10-weeks).
- o EFMLA time, including EPSL and use of accruals used during EFMLA, count toward an employee's annual FMLA limit.

TO RECEIVE LEAVE UNDER EPSL OR EFMLA

In the event you are unable to work due to one of the qualifying reasons specified above for EPSL or EFMLA, you must:

1. Notify your supervisor.
2. Complete and submit the [FFCRA Request Form](#).

ADDITIONAL PROVISIONS

- Paid time provided under the Act does not carry over from one year to the next.
- Employees are not entitled to reimbursement for unused leave under the Act upon termination, resignation, retirement, or other separation from employment.
- Where leave is foreseeable, you should provide notice of leave as soon as practicable. After the first workday of leave, please continue to stay in touch with your supervisor. The university will require that you follow reasonable notice procedures in order to continue receiving leave.

ACADEMIC APPOINTEES

EMERGENCY PAID SICK LEAVE (EPSL) & EMERGENCY FAMILY MEDICAL LEAVE (EFMLA)

The EPSL and EFMLA eligibility criteria for academic appointees are the same as those identified above for Staff and Temporary employees.

For academic appointees who are eligible for paid sick leave under ACA-49 and paid family leave under either ACA-50 or ACA-51, EPSL and EFMLA will be addressed through those processes.

- EPSL provides an additional two-week period of paid sick leave.
- EFMLA does not add to the length of time provided for an FMLA leave, but does allow for child care under specified conditions to be a reason for leave. The first two weeks (usually ten workdays) of this leave are unpaid; however, during this initial two-week period, an academic appointee may use EPSL or other available paid sick time under ACA-49 (or vacation time in the case of 12-month appointees (ACA-46)).

For academic appointees who are not eligible for paid sick leave (student academic appointees (AC3s) and adjunct faculty (AC2s)) under ACA-49 or paid family leave (visiting faculty, post-docs, student academic appointees (AC3s), and adjunct faculty (AC2s)) under either ACA-50 or ACA-51:

- EPSL provides two weeks of paid sick leave.
- EFMLA provides twelve weeks of leave. The first two weeks (usually ten workdays) of this leave are unpaid; however, during this initial two-week period, an academic appointee may use EPSL.

Important note for appointees in the School of Medicine: The calculation of pay to which you are eligible from Indiana University under EPSL or EFMLA is based only on salaries paid by Indiana University and not on salaries or other compensation that you may receive from other sources, including professional practice plans.

ALL EMPLOYEES

Indiana University will make every effort to keep employees apprised of plans and processes for returning to campus, teleworking arrangements, as well as issues related to EPSL and EMFLA leave. In the meantime, if you are a Staff/Temporary employee, please feel free to reach out to askhr@iu.edu or 812-856-1234 if you have any questions. If you are an academic appointee, contact your campus academic affairs office for guidance. Indiana University also has COVID-19-related resources and a Q&A online at coronavirus.iu.edu.

Again, please take care of and monitor your health. We hope that you and your loved ones stay safe and healthy.