

## COVID-19 LEAVE COMPARISONS

	SICK LEAVE	STATE PAID ADMINISTRATIVE LEAVE	FEDERAL EMERGENCY PAID SICK LEAVE	FEDERAL EMERGENCY FAMILY AND MEDICAL LEAVE
<b>Authority</b>	230.35(2), Wis. Stats. ER 18.03, Wis. Adm. Code DPM-0520-CC/POL	DPM-0518-CC/POL	Families First Coronavirus Response Act	Families First Coronavirus Response Act
<b>Eligible Employees</b>	All employees except LTEs	<ol style="list-style-type: none"> <li>1. LTEs</li> <li>2. Employees who have exhausted all accrued leave</li> <li>3. Exceptional Circumstances</li> <li>4. Non-Essential employees directed not to work and unable to telework</li> </ol> <p>Note: This leave is only available if an absence is not covered under federal emergency paid sick leave and/or emergency family and medical leave.</p>	All employees. However, healthcare providers and emergency responders are only able to use federal leave for their own COVID-19 related illness or healthcare provider directed quarantine.	All employees after 30 days of employment, except health care providers and emergency responders.
<b>Ineligible Employees</b>	LTEs	<ol style="list-style-type: none"> <li>1. Employees who can telework and are physically capable of working</li> <li>2. Elected officials.</li> <li>3. Employees denied leave due to operational necessity.</li> <li>4. State Patrol Troopers and Inspectors in the represented public safety bargaining unit, unless an agreement is reached with the union to be covered</li> </ol>	<ul style="list-style-type: none"> <li>• Elected Officials</li> <li>• Health care providers and emergency responders as determined by the agency head and in accordance with DOL regulations except for their own COVID-19 related illness or healthcare provider directed quarantine.</li> <li>• Elected officials</li> </ul>	<ul style="list-style-type: none"> <li>• Employees in the first 30 days of employment</li> <li>• Health care providers and emergency responders as determined by the agency head and in accordance with DOL regulations</li> <li>• Elected officials and their high-level appointees who are normally excluded from FMLA</li> </ul>

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<b>Qualifying Reasons</b>	<ol style="list-style-type: none"> <li>For personal illnesses, bodily injuries, maternity, or exposure to contagious disease: <ul style="list-style-type: none"> <li>Which require the employee's confinement</li> <li>Which render the employee unable to perform assigned duties</li> <li>Where performance of assigned duties would jeopardize the employee's health or recovery</li> </ul> </li> <li>For immediate family or personal medical or dental appointments which cannot be scheduled at times other than during work hours</li> <li>For temporary emergency medical care of ill or injured members of the immediate family for a limited period of time to permit the employee to make other arrangements.</li> <li>For a death in the immediate family</li> </ol> <p><i>*** Childcare, based on Gov's emergency waiver of admin rules (see DPM-0520-CC/POL)</i></p>	<p>For any purpose for self or family care in relation to the pandemic, including but not limited to:</p> <ul style="list-style-type: none"> <li>self-quarantine</li> <li>self-isolation</li> <li>sent home with flu-like symptoms</li> <li>care of an immediate family member</li> <li>childcare due to school/day care closures</li> <li>directed to not report to work and unable to telework</li> </ul>	<ol style="list-style-type: none"> <li>The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.</li> <li>The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.</li> <li>The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.</li> <li>The employee is caring for an individual who is subject to an order as described in 1., above or has been advised as described in 2., above.</li> <li>The employee is caring for a son or daughter (as broadly defined under the FMLA) if the school or place of care of child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions.</li> <li>The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.</li> </ol>	<p>Employee is unable to work or telework due to the need to care for a son or daughter (as broadly defined under the FMLA) if the child's school or place of childcare has been closed or the child care provider is unavailable, due to a public health emergency.</p>

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<b>Amount of Leave</b>	Earned at the rate of .0625 hour for each hour in pay status	<ul style="list-style-type: none"> <li>Up to 80 hours for full-time employees, prorated for part-time employees</li> <li>Must exhaust all available leave<sup>2</sup> before eligible, except that employees directed not to report to work &amp; unable to telework may use this leave before using any available leave<sup>2</sup></li> <li>Must use federal emergency paid sick leave or emergency FMLA leave first if eligible for federal leave</li> </ul>	<ul style="list-style-type: none"> <li>Up to 80 hours for full-time employees, prorated for part-time employees</li> <li>Not required to use other paid leave first</li> </ul>	12 weeks total for all reasons (26 weeks for military caregiver leave)
<b>Pay While on Leave</b>	Base rate of pay plus add-ons received for all hours in pay status	Base rate of pay plus add-ons received for all hours in pay status	Base rate of pay plus add-ons received for all hours in pay status <ul style="list-style-type: none"> <li>\$511 daily max for reasons 1-3 under Qualifying Reasons, above</li> <li>2/3 base pay<sup>1</sup> (subject to \$200 daily max) for reasons 4-6 under Qualifying Reasons, above.</li> <li>May supplement 2/3 base pay<sup>1</sup> with employee's own available leave<sup>2</sup> to cover the additional 1/3 base pay<sup>1</sup></li> </ul>	<ul style="list-style-type: none"> <li>First 2 weeks unpaid employee may substitute other paid leave or federal emergency paid sick leave (employee can supplement 2/3 base pay<sup>1</sup> with employee's own available leave<sup>2</sup> to cover the additional 1/3 base pay). State Paid Administrative Leave may not be used to supplement).</li> <li>Next 10 weeks: 2/3 base pay<sup>1</sup> w/ \$200 daily max. Employee may NOT substitute other available paid leave and may NOT supplement the 2/3 base pay<sup>1</sup> with other available paid leave</li> </ul>

<sup>1</sup> "Base pay" refers to the employee's base rate of pay plus add-ons received for all hours in pay status.

<sup>2</sup> "Available leave" refers to all available leave alternatives including sick leave, vacation, personal holiday, earned legal holiday, compensatory time, and sabbatical.