

Emergency Family Leave due to COVID-19 – Excused Leave at Partial Pay

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Can I take an Emergency Family Leave due to COVID-19 reasons? What is the Excused Absence at Partial Pay Leave?

Important:

This article has been updated to reflect the contents of [Personnel Memorandum #1, 2021-2022](#).

For an overview on leaves of absence, please see: [Leaves Overview](#) (9220).

Looking for something else?

If you are a Payroll Secretary/Timekeeper, please see: [Emergency Family Leave - Instructions for Payroll Secretaries](#) (8204).

For information about other absences and leaves, please see: [Absences and Leaves Due to COVID-19](#) (7163).

As outlined in [Personnel Memorandum #1, 2021-2022](#), employees who have been employed for thirty (30) days or longer are eligible for twelve (12) weeks of excused leave at partial pay (two-thirds of the employee's regular rate of pay, not to exceed \$200 per day or a total of \$12,000) as follows:

1. The employee is exhibiting symptoms of COVID-19 but does not, at the time symptoms develop, have a positive COVID-19 diagnostic test. To be eligible for excused leave, an employee must provide documentation that they have exhibited symptoms of COVID-19 and that they sought diagnosis of COVID-19 with a COVID-19 diagnostic test within three days from symptom onset. Employees must use their own sick leave for any additional time taken after receiving a negative COVID-19 test result or if they do not seek COVID-19 testing; or
2. The employee is subject to a governmental quarantine or isolation order or healthcare provider's quarantine order and is unable to telework while observing the quarantine or isolation order. The employee is caring for an individual subject to a governmental quarantine or isolation order and the employee must demonstrate that the individual depends on the employee for care and that they are unable to telework while caring for an individual under the governmental quarantine or isolation order; or
3. The employee is caring for an individual subject to a governmental quarantine or isolation order and the employee must demonstrate that the individual depends on the employee for care and that they are unable to telework while caring for an individual under the governmental quarantine or isolation order; or
4. The employee is caring for an individual who has been advised by a licensed health care provider to self-quarantine either because of exposure to COVID-19 or because of heightened risk associated with exposure to COVID-19. The employee must provide documentation of the licensed health care provider's advice and must demonstrate that the individual depends on the employee for care and that they are unable to telework while caring for the individual in self-quarantine; or
5. The employee is caring for their child under 18 years of age whose school or place of care has been closed or whose child care provider is unavailable due to COVID-19 precautions. The employee must provide documentation to show that the school or place of care has been closed.

How long can I be out for?

Effective April 1, 2021, employees are eligible for a cumulative total of to 12 weeks of leave at partial pay in a rolling 12-months period, starting from the first day of leave. The maximum 12 weeks of leave in a twelve-month period available under this section is reduced by the amount of FMLA leave taken by the employee during the same twelve-month period.

Can I take this leave intermittently?

An eligible employee may utilize excused leave intermittently as agreed upon by the DOE and the employee. This leave must be taken in full-day increments.

Can I use my accruals to receive full pay instead of partial pay?

Excused leave under this Policy is in addition to existing rules and entitlement regarding leave (e.g. annual leave, CAR, and sick leave). An employee may waive excused leave at partial (two-thirds) pay authorized by this policy and use accrued annual leave or sick leave, if applicable, during the period of excused leave at partial pay.

What supporting documentation do I need?

Although supporting documentation may not be required for the application, it may be requested/required at some point by your Supervisor. You may be asked to provide documentation for any of the conditions covered under this excused leave. This may include a letter from your health care provider or a government agency.

How do I apply?

1. Complete the "[Emergency Family Leave – Excused Leave at Partial Pay Form](#)." This form is also available on [DHR Forms](#). If you are having difficulty opening this form, please check to make sure that it is not opening within your internet browser. If it is, save it to your desktop and open the file with Adobe Acrobat Reader. We have also included a simplified version under the Attachments section at the bottom of this page.
2. Gather your supporting documentation and ensure that you have this ready. You may be asked by your Supervisor to provide documentation for any of the conditions covered under this excused leave.
3. Submit your completed form via either of the following ways:
Via email: email the form to hrconnectleavesfax@schools.nyc.gov. If possible, please send this from your DOE email address.
Via fax: Fax your completed form to (718) 935-4350.

Where can I find more information?

Please see attachment, "COVID-19 Timekeeping Frequently Asked Questions" located at the bottom of this page.

Attachments

- [File Type pdfFFCRA Poster WH1422 Non-Federal.pdf \(177.72 KB\)](#)
- [File Type pdfCOVID Timekeeping Frequently Asked Questions Revised.pdf \(279.34 KB\)](#)
- [File Type pdfEmergency Family Leave with Partial Pay Form - 092821F.pdf \(78.41 KB\)](#)