



## **State of Emergency Leave and Additional State of Emergency Leave Frequently Asked Questions**

### **1. What is State of Emergency Leave?**

In order to help protect public health and safeguard the well-being of public-school employees, the North Carolina State Board of Education authorized State of Emergency Leave in response to the pandemic.

Up to 168 hours of paid State of Emergency Leave are available to employees in local education agencies from April 1 – April 30, 2020, and may be extended by the State Board of Education after which time unused leave expires.

### **2. Who can use this leave?**

- Mandatory (essential) or non-mandatory employees who could not or cannot work because they have childcare or eldercare needs due to COVID-19-related facility closings.
- Mandatory or non-mandatory employees who are sick due to symptoms consistent with COVID-19 or who are caring for a dependent with such symptoms, or who have been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
- Mandatory or non-mandatory employees who cannot work because they are high-risk and who have not been assigned alternate telework (work at home) duties. High-risk employees are those over 65 years of age, those who have underlying health conditions or a weakened immune system, or those who have been identified by state or federal health authorities as high risk for COVID-19 complications.
- Non-mandatory employees who are unable to work remotely and who have not been assigned alternate telework (work at home) duties.
- Mandatory employees who have been assigned duties for only part of their regularly scheduled workday.

### **3. What if I took my personal or sick leave for one of the mentioned reasons already?**

Up to ninety-six (96) hours of Additional State of Emergency Leave are available for employees who requested leave during the school closure period of March 16 - March 31, 2020, for the reasons mentioned in *Question Two*. This leave shall be pro-rated for part-time employees and may be retroactively applied to employees who took leave during this closure period.

### **4. What if I took personal or sick leave last month, but not for one of the mentioned reasons?**

The Additional State of Emergency Leave is only intended for those who were affected by COVID-19 and were unable to work from March 16 to March 31.

**5. What if I don't fall into any of the categories listed in question two?**

The State of Emergency Leave and Additional State of Emergency Leave are not available to you. You will need to use other forms of leave.

**6. Do I have to exhaust my other leave options first?**

No, you may use this leave in place of your annual, personal or sick leave.

**7. What do I need to do to ensure I can receive the State of Emergency Leave and/or the Additional State of Emergency Leave?**

Your supervisor, the Payroll office, and the Benefits office will work to ensure that all who qualify receive this leave. If you had previously taken leave prior to the State Board of Education's decision, the leave taken will be restored by the district.

**8. What is the Families First Coronavirus Response Act?**

The federal government also authorized the Families First Coronavirus Response Act, effective on April 2, 2020, which includes paid sick leave of 80 hours for full-time employees and a pro-rated number of hours for part-time employees. To qualify, employees must be under a doctor's care for COVID-19 or be responsible for a child or family member who is affected. The act also authorized additional leave if you have exhausted your Family and Medical Leave Act (FMLA) time during the past 12 months. This additional leave is at two-thirds your current rate of pay, following 10 days of unpaid leave, and is available through Dec. 31, 2020.

**9. When can I take the Families First Coronavirus Response Act leave?**

The district will apply the State of Emergency Leave for employees who qualify from March 16 - April 30, 2020. The Families First Coronavirus Response Act leave will be available to employees through December 31, 2020.

**10. What if I exhausted my leave prior to March 16, do not qualify for the State of Emergency Leave, cannot work remotely from home and cannot report to work on-site?**

While such situations should be very rare, you may be eligible for unemployment benefits and should file for those immediately through the North Carolina Division of Employment Security, either online (24-7) at [des.nc.gov](http://des.nc.gov) or through the DES Call Center, 888-737-0259, from 8 a.m. to 4:30 p.m., Monday through Thursday. DES is encouraging online applications where possible due to high call volumes. Please contact human resources for additional guidance.

**11. What about Spring Break?**

Except for mandatory employees providing food and childcare services, GCS will observe spring break, April 6 – 13, as planned for central offices and schools that follow the Traditional Academic Calendar. Annual leave is already built into the calendar for spring break. Friday, April 10, is a state holiday for all GCS employees, including mandatory workers.

## **12. What if I have already filed for or I am currently receiving unemployment benefits?**

If employees have filed for unemployment benefits and are now eligible under the criteria (outlined above) to collect paid State of Emergency Leave, please take note of the following:

- Employees are not eligible to collect both unemployment benefits and paid State of Emergency Leave benefits.
- Employees qualifying for State of Emergency Leave benefits are disqualified from receiving unemployment benefits.
- Employees currently receiving unemployment benefits must complete a Weekly Certification for each week of benefits, or the employee will not receive unemployment benefits.
- Employees who were collecting unemployment benefits but now qualify under the State of Emergency Leave should be instructed to immediately log onto the DES website under “My Account” and navigate to Weekly Certification. The Weekly Certification is a list of yes/no questions. At the end of the certification there are two choices. Employee should check “I Do Not Wish to Certify.”
- Choosing “I Do Not Wish to Certify” should stop the weekly unemployment benefits that employees are payed directly.
- If employees receive both unemployment benefits and paid State of Emergency Leave benefits, they will be obligated to return the unemployment benefits back to the North Carolina Division of Employment Security.
- The Division of Employment Security website is [www.des.nc.gov](http://www.des.nc.gov).

**Questions?** Please contact your supervisor or human resources for additional guidance.