

Situation – effective June 1, 2020 for CU Boulder. For most employees, current guidance remains - if the employee can work remotely, the employee should continue to work remotely.	Leave and Pay - University Staff and Research Faculty (12-month faculty including PRA)	FFCRA Form Required	FMLA	Documentation required (see HR website for details)
Employee identifies as high risk due to medical condition (CDC) and cannot work from home. <b>Per Safer at Home Executive Order D 2020-044</b> , no vulnerable individuals can be compelled by their employer to return to work if their work requires in person work near others.	1) Workplace accommodation (Refer to ADA Compliance); 2) Vacation (VAC) and sick (SCK) leave usage; 3) Leave without pay until Safer-at-Home order is lifted	Yes	If condition would otherwise qualify under FMLA	Yes; ADA Medical Info Request Form
Employee identifies as high risk due to being 65 or older. <b>Per Safer at Home Executive Order D 2020-044</b> , no vulnerable individuals can be compelled by their employer to return to work if their work requires in person work near others.	1) Vacation (VAC) and sick (SCK) leave usage; 2) Leave without pay until Safer-at-Home order is lifted	Yes	No	No
Employee identifies as high risk, cannot work from home and has not provided documentation or has been denied accommodation by ADA Compliance. <i>Workplace accommodations require medical documentation.</i>	1) Workplace accommodation ( <i>Refer to ADA Compliance</i> ); 2) Discipline, separation if employee refuses to perform requested/required work duties (case-by-case assessment of facts)	No	If condition would otherwise qualify under FMLA	Yes - Workplace accommodation requires documentation.
Employee has a family member who is high risk and does not feel safe being at work	1) FML (if eligible) using sick (SCK) and vacation (VAC) leave accruals; 2) Discipline, separation if employee refuses to perform requested/required work duties (case-by-case assessment of facts)	No	If condition would otherwise qualify under FMLA	FMLA paperwork if eligible
Employee is not comfortable returning to work	1) Vacation (VAC) leave accruals; 2) Discipline, separation if employee refuses to perform requested/required work duties (case-by-case assessment of facts)	No	No	No
Employee tested positive for COVID-19	1) Emergency sick (ACP) for 80 hours; 2) FML (if eligible) using sick (SCK) and vacation (VAC) leave accruals; 3) Leave without pay/ ADA process	Yes	Potentially, if additional medical leave is required after 2 weeks	Not for the first 80 hours. If additional time is required documentation is required
Employee has symptoms of COVID-19 and is seeking a medical diagnosis	1) Emergency sick (ACP) for 80 hours; 2) FML (if eligible) using sick (SCK) and vacation (VAC) leave accruals; 3) Leave without pay/ ADA process	Yes	Potentially, if additional medical leave is required after 2 weeks	Not for the first 80 hours. If additional time is required documentation is required
Employee needs to care for a family member who has COVID-19	1) Emergency sick to be paid at 2/3 comp rate for 80 hours (employee can use 1/3 of sick and vacation to make whole) with a maximum of \$12,000; 2) FML (if eligible) using sick (SCK) and vacation (VAC) leave accruals; 3) Leave without pay	Yes	Potentially, if additional caretaking is required after 2 weeks	Not for the first 80 hours. If additional caretaking is required after 2 weeks documentation is required
Employee needs time off to care for a child under the age of 18 due to COVID-19 school/daycare closure	1) Emergency sick at 2/3 pay comp rate for up to 12 weeks of FMLA (employee can use 1/3 of vacation to make whole) with a maximum of \$12,000; 2) Vacation (VAC) leave usage; 3) Leave without pay	Yes	Yes	Yes
Employee chooses to take time off to care for a child while their child care continues to be open or employee chooses to end childcare arrangements	Discipline, separation if employee refuses to perform requested/required work duties (case-by-case assessment of facts)	No	No	No
Employee is unable to work at home due to nature of position	1) Reassignment* within department if available; 2) Furlough (temporary); 3) Separation/layoff (permanent)	No	No	Work with HR
If no work is available for employee	1) Reassignment* within department if available; 2) Furlough (temporary); 3) Separation/layoff (permanent)	No	No	Work with HR

**This document is for guidance purposes and it does not supersede University policies, rules or legal requirements; this guidance is subject to change pending updated legal, regulatory or University policy changes.**

*Paid administrative leave ended for student and temporary employees on May 16, 2020; Paid administrative leave ends for university staff and 12-month faculty on May 31, 2020*

*All Critical Services pay ends on May 31, 2020.*

*If department does not partner with the HR Service Center, the department must collect the FFCRA forms and track the type of administrative leave (FFA codes) to the ACP codes that are entered into the timekeeping system.*

*\*Reassignment in this context is not the ADA reassignment process nor a formal process through HR. This would be handled within a department/college/school/institute to cover workload*

*\*\*Leave without pay for faculty will maintain benefits eligibility*