



**MEMORANDUM**

**To:** All Employees  
**From:** Bryan Cook, Director of Employee Services  
**Date:** April 7, 2020  
**Subject:** Q&A for COVID-19 Emergency Pay Policy

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**Why is the emergency pay policy changing?**

The previous emergency pay resolution helped us to quickly respond to the onset of COVID-19 and reconfigure business processes while adapting to the change, such as working remotely. Now that we are somewhat established, we need to differentiate between not working, working from home, and working outside the home. We also needed to draft a pay mechanism that applies Administrative Leave in order to comply with the Families First Coronavirus Response Act (FFCRA). Unfortunately, a reality of COVID-19 could mean lack of available work for some positions and staff. As a result, some employees may be furloughed on a full or partial basis. While those employees are on furlough, we needed a policy to preserve their medical insurance.

**Why are we having to place employees on full or partial unpaid furloughs?**

- There is a lack of available work in some departments.
- Some work is not conducive to remote work and can't be done in an office or facility that is not fully operational.
- Demand for some work has slowed or stopped.
- Need to reduce costs.

**How will we decide which positions are furloughed?**

We will decide which positions are furloughed based on a lack of available work and the unique situations and circumstances of each department. Talk to your supervisor and department head about the work plans for your specific department.

## **How does FFCRA leave work?**

The official information regarding FFCRA Leave can be viewed on the Department of Labor website by selecting the link below.

<https://www.dol.gov/agencies/whd/pandemic/ffcra-employer-paid-leave>

The Families First Coronavirus Response Act (FFCRA) went into effect April 1, 2020. This act expanded FMLA and provides paid leave to employees under certain circumstances.

Under the FFCRA, an employee qualifies for paid sick time if the employee is unable to work (or unable to telework) due to a need for leave because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. is caring for a child whose school or place of care is closed (or child-care provider is unavailable) for reasons related to COVID-19; or
6. is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

Human Resources is handling requests the same way FMLA is handled, since it is paid as administrative leave. If the above circumstances apply, please contact Pam Pumar, HR Administrator, at 305-292-4459 or [Pumar-pam@monroecounty-fl.gov](mailto:Pumar-pam@monroecounty-fl.gov) who normally handles all FMLA leave cases for the BOCC. Similarly, she will process leave under FFCRA related to COVID-19. She will also coordinate with payroll to ensure employees are paid at the correct rate according to the Act. A flyer with more information is posted in various workplaces throughout the County.

## **How do furloughed employees apply for reemployment compensation?**

Select the link below to be routed to the Florida Department of Economic Opportunity website webinar on information regarding steps to file for reemployment compensation.

<http://floridajobs.org/Reemployment-Assistance-Service-Center/reemployment-assistance/claimants/apply-for-benefits>

Included directly under the webinar is a link titled 'Connect' embedded in the instructions which will also allow you to apply online. If you have an issue applying over the phone or online, hardcopy reemployment compensation forms are also available. For those who do not have access to a printer, document boxes with reemployment forms are located at the Gato Building, Harvey Government Center, Bernstein Park and the Monroe County Courthouse, Big Pine Park and the Marathon Government Building, all libraries, and Commissioner Coldiron's office on Big Pine.

Reemployment Assistance benefits, formerly known as unemployment compensation, can be filed online using the link 'Connect'. If you have never filed in Florida before, use the "File a New Claim" link to start your application and create a profile. If you have filed previously, please log in using your Social Security number and PIN. If you no longer have your PIN, select the "Forgot PIN" button to regain access to your account.

Before filing, make sure you have the following information available:

- Social Security number
- Driver's license or State ID number
- Your employment for the last 18 months including for each employer:
- Name, address, and phone number
- First and last day of work
- Gross earnings (before taxes are taken out) during the listed dates
- The reason for separation
- FEIN (this is found on any W2 or 1099 tax forms you have received)
- If you don't have the FEIN, you can use employer details from a recent paystub
- Claims filed without correctly reporting employers may experience delays. It is important to list the correct employment information when filing your claim. If you fail to do so, your benefits may be delayed while the missing employment information is obtained.

Furloughed employees can select the following link to the Florida Department of Economic Opportunity for more information including answers to frequently asked questions:

<http://floridajobs.org/Reemployment-Assistance-Service-Center/reemployment-assistance/claimants>

Between now and July 31, 2020, an **additional \$600 per week will be added** to every unemployment compensation check. In the State of Florida unemployed workers can receive up to \$275/wk. With the enhanced unemployment benefit, laid off workers can receive up to \$875/week, and no one will receive less than \$600 per week.

**If I am furloughed, can I use my Vacation, Sick, or Comp time in order to keep receiving a paycheck?**

Yes. Employees can use any form of their earned time to keep their pay intact or partially intact at their discretion.

**If I am furloughed and I am given the option to use Vacation, Sick, or Comp time does that mean I am no longer furloughed until I run out of time?**

Yes, employees who use Vacation, Sick or Comp time will not be furloughed until they run out of time.

**If I am furloughed, should I use my Vacation, Sick, or Comp time first or save it for later?**

This is a personal decision and will be left up to the discretion of each employee. The enhanced unemployment benefit is set to run through July 31, 2020. It may or may not be extended. Either way, you may wish to seek unemployment compensation at the higher rate first, and then use accrued leave later. The County will allow you to use your accrued leave at any point based on what is best for your personal circumstances.

**If I am furloughed how does the continuation of health insurance work?**

All existing coverage(s) will remain active, including voluntary coverage(s) for both fully and partially furloughed employees. Florida Blue Medical, Envision Rx Pharmacy, VSP Vision, Delta Dental, Minnesota Supplemental Life will continue and will provide coverage as if the employee is actively working; the same will apply to voluntary products, such as AFLAC. The County will waive the current per payday benefit premiums being paid by the employee during the period of furlough. Employees who are enrolled in the High Deductible Health Plan with a Health Savings Account (HSA) and are currently contributing per payday to their HSA on a pre-tax basis, will not contribute to their account during furlough, but will resume contributions upon return from furlough.

**What if I'm an exempt employee and placed on partial furlough?**

Exempt employees will change to hourly and non-exempt while working less than a full-time schedule. Those employees will go from being paid a salary to being paid their hourly rate for all time worked. When their partial furlough ends and they return to a full-time workweek, the position and person will most likely return to an exempt/salaried status.

**When does the new policy go into effect?**

The new policy goes into effect April 12, 2020 at the beginning of the pay week. The BOCC is set to review and ratify the policy at the meeting on April 15, 2020.

**When does the policy expire?**

There is no end date. It is set to be active for as long as the County is dealing with the COVID-19 pandemic. The BOCC will repeal the resolution when it is no longer needed.

**If I am working from home, how am I paid?**

Employees are paid their regular rate and earnings just like any normal, non-emergency time per section 5 of the Personnel Policies and Procedures Manual. Whether working on regular duties or emergency response duties related to COVID-19, the first 40 hours of work are paid at the regular rate. Overtime is paid according to policy and/or applicable federal law.

**If I am required to leave my residence to go to work, how am I paid?**

Employees required by a supervisor to work outside the home are paid one and a half times their regular rate of pay for time spent working outside the home, regardless of the time within the workweek the work takes place. To further clarify, this includes work that takes place within the first 40 hours or outside the first 40 hours. The County will follow 'portal-to-portal' pay practices, which means that commute time to the first work site and home from the last worksite is considered commute time and is not paid. Time worked at each work site and time spent driving between worksites is paid. For example, if an employee leaves their home and drives 20 minutes to a work site, the first 20 minutes is commute time and is not paid. Pay begins when an employee arrives at the worksite and begins work. If an employee then drives 30 minutes to the next work site, the 30-minute drive between the first and second work sites is paid in addition to time spent working at the second work site. The employee then drives 20 minutes back home. The drive back home is the return commute and is not paid. All work time and drive time between work sites described in this example as 'paid' is paid one and a half times the employee's regular hourly rate.