

The Ohio Chamber of Commerce

PARTICIPANT QUESTIONS

APRIL 16, 2020 WEBINAR

QUESTION:

1 Are employers required to pay EPSL if an employee qualifies for any reason even if the employee does not specifically request using EPSL?

2 When an employee is already on FMLA and their healthcare provider orders them to self-quarantine to protect a child who has a compromised immune system, is that employee eligible for EPSL?

3 If an employee was told by a county health department to self-quarantine can the employer require any documentation to verify the employee is under quarantine order?

4 In order to receive tax credit for amount paid in EPSL and FMLA+ what documentation does an employer need to have?

5 Can an employee telework and take intermittent leave at the same under FMLA+ or EPSL?

6 If an employer provides paid sick leave already, is EPSL in addition to the employer provided sick leave?

ANSWER:

Yes. If the employer is paying this employee and they qualify they should go ahead and start EPSL and maintain documentation to take the dollar-for-dollar tax credit.

Yes. This would be covered under the caregiver leave that would qualify them for 2/3 pay under Emergency Paid Sick Leave. It would exhaust after 80 hours/2 weeks (depending on if the employee is full or part time. They would not qualify, however, for any additional paid leave under the FMLA+ because this condition does not qualify for that paid leave benefit.

Yes. They employer can request a copy of the order, if it is a public order, reference to the order number that the employer can located from publically-available information.

Documentation identifying the employee's name, reason for leave, time taken for leave, amount paid out.

Yes, but only for the reason to care for their own child due to a school or daycare closure. They cannot take intermittent leave for any other reason.

Yes. The employee would get both types of leave.