

Leave Options for Parents Balancing Work and Distance Learning

Among the many challenges facing employees during the COVID-19 pandemic, parents with school-age children may struggle to balance the demands of work and schooling.

This fact sheet summarizes information about the many options available for working parents. The rules around leave often can be complex and may require review and interpretation of statutes, regulations, policies, and labor agreements. This fact sheet is intended as a resource, but is not a substitute for guidance. For specific situations, employees should consult with their supervisor and department human resources office and department supervisors should consult with their human resources offices.

Families First Coronavirus Response Act (FFCRA)

The Families First Coronavirus Response Act (FFCRA) provides for two types of leave: (1) Emergency Paid Sick Leave Act (EPSLA), which is capped at 80 hours, and (2) Emergency Family Medical Leave Act (EFMLA) leave for childcare purposes.

EPSLA allows for an employee to take up to 80 hours of job-protected leave at their regular rate of pay for certain covered reasons, one of which is to care for a child whose school, daycare, or regular daycare provider has closed or become unavailable due to COVID-19-related reasons.

EFMLA provides up to 12 weeks of job-protected time off to employees who have worked at least 30 days for their employer and who require extended time-off to care for a child whose school, daycare, or daycare provider has closed or become unavailable due to COVID-19. The first two weeks of EFMLA leave may be unpaid unless it runs concurrently with EPSL for the same reason. The remaining 10 weeks of EFMLA leave are paid at two-thirds (2/3) the employee's regular rate of pay, up to a daily maximum of \$200. Because EFMLA leave is an extension of the existing (unpaid) Family and Medical Leave Act (FMLA), an employee's total FMLA allowance, including EFMLA leave, is 12 weeks.

Leave of Absence (LOA)

Employees may request an unpaid leave of absence for up to one year for various reasons such as caring for a new child, family crisis, or family activities. Such leave may be extended when unusual circumstances warrant it.

Family School Partnership Act

Eligible employees can take time off for child-related activities in the areas of education and school emergencies. Such an emergency includes closure or unexpected unavailability of the school.

Current Employer Paid Leave

Employees are permitted to use leave credits of all types available, including sick leave to care for children as a result of school closures that officials determine are necessary to protect public health.

Catastrophic Leave/Transfer of Leave

The Catastrophic Leave program allows employees to request catastrophic leave when they have exhausted their leave credits and must miss work due to a prolonged illness or injury (including that of an eligible family member), or due to a natural disaster.

California Reduced Worktime Act

State employers, to the extent feasible, may make reduced worktime available to employees who are unable, or who do not desire, to work standard working hours on a full-time basis. “Reduced worktime” means employment of less than 40 hours per week, and includes arrangements involving job sharing, four-, five-, or six-hour workdays, jobs which provide 8 hours of employment or less for one, two, three, four, or five days per week, and such other arrangements which department finds consistent with maximum employment opportunity to employees desiring other than standard worktime with commensurate reduction in pay. This is for employees who wish to voluntarily reduce their work schedule. (This does not apply to employees who are full-time state peace officers unless approved by peace officers’ appointing power.)

Flex Schedules

Flexible work arrangements assist employees in balancing work and personal commitments while meeting business needs. Flexible work arrangements may include options such as Alternate Work Week Schedules, Job Sharing, Flextime, and Telework. Such options, like other leave options described here, are typically covered by labor agreements which should be consulted.