

# CAN AN EMPLOYEE TAKE AN INTERMITTENT LEAVE AND GET PAID VIA THE FFCRA?

---

## YES IF:

Both the employee and employer agree.

The employee is working remotely.

If working onsite they would not create an unacceptably high risk of spreading COVID-19 (see below).

## HIGH RISK DEFINED AS:

- The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19
- Has been advised by a health care provider to self-quarantine due to concerns related to COVID-19
- Is experiencing symptoms of COVID-19 and is taking leave to obtain a medical diagnosis
- Is caring for an individual who either is subject to a quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19
- Is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.

# WHAT IF AN EMPLOYEE SAYS THEY DO NOT FEEL COMFORTABLE RETURNING TO WORK?



## FIND OUT WHY

- *If they have a concern about steps that are being taken to keep them safe, ask them what additional steps may be taken so they feel comfortable returning to work.*

## CAN YOU ACCOMODATE?

- *If it is something that is reasonable and can be considered, the request should be accommodated.*

## IS THERE FEDERAL, STATE OR LOCAL GUIDANCE?

- *Make sure the reason does not fall under a protected leave (such as FMLA, or FFCRA Leaves), or fall under protections such as ADA.*