

## FI Paid Leave Program Script

**EFFECTIVE APRIL 1, 2021**

**Caller Type: Employee**

**When to Use This Script:** The following script is intended to be used when an employee of a consumer-employer participating in self-direction (referred to as “worker” in this document) calls with questions about the federal Paid Leave programs (Paid Sick Time and/or Paid Expanded Family and Medical Leave (Expanded FMLA) and/or wants to apply for benefits.

### **Section 1: Worker Requesting Paid Sick Leave and Potentially Expanded FMLA**

**Caller:** I want to get paid sick leave - how do I do that? OR My relative/friend etc. needs paid leave but is unable to call herself/himself.

**FI:** Ok. I can help you with that. I need to ask you a few questions to process your request. This will take about 10 minutes. ***FI Staff Action – read question below.***

- (1)** Have you contacted your employer(s) and informed them that you will be taking leave, how long you will be out on leave and the reasons for your leave? How many employers will you be taking leave from? ***FI Staff Action: If yes, go to subsection (a); If no, go to (b). Also, if more than 1 employer a separate form needs to be completed for each employer.***
  - a. Great. Did the employer(s) verbally authorize your leave? We will call him/her to confirm later. Let’s now complete the application process.
  - b. Ok. Let’s complete the application process and then when we hang-up you need to call your employer and inform him/her that you are taking leave, how long you will be out on leave and the reason. We will also call the employer later to obtain authorization of this request.
  
- (2)** Have you worked for the employer more than 30 days? ***FI Staff Action: If yes, go to #3. If no, go to #5.***
  
- (3)** Depending on your individual situation, you may qualify for both federal paid sick leave (1) 2 weeks (10 days) of paid sick leave and (2) 12 weeks of Expanded Family and Medical Leave at 2/3 of your regular pay up to \$200 per day.
  - a. Are you requesting to use the benefits under both programs for a total of 14 weeks paid leave or just a portion of this? ***FI Staff Action: If yes, open Paid Sick Time and Expanded FMLA intake forms for completion and read subsection b below.***
  - b. When do you plan to start your leave and when do you plan to return to work? ***FI Staff Action: (1) Expanded FMLA may only be taken for reasons other than childcare on or after April 1, 2021. Expanded FMLA taken for any reason other than childcare prior to April 1, 2021 does not qualify for Expanded FMLA benefits. (2) If leave is requested for a qualifying reason beginning April 1, 2021 and for a period of longer than two weeks go to #4. If requesting leave for a period longer than two weeks that began before April 1, 2021 for any reason other than childcare skip to #6. If requesting leave for a***

**period of ten (10) days or less skip to #7. Remember to apply timeliness standards for applications as directed by DSS and DDS. FIs have authority to approve applications for leave if the application is submitted within 7 days of the requested paid leave period. Applications submitted beyond the 7 day paid leave period must be submitted to the respective department for review and approval.**

- (4) Since you are taking more than two weeks of paid leave, you will be requesting to use both the Paid Sick Leave and the Expanded Family and Medical Leave programs. I am going to start by completing the Paid Sick Leave form with you. **FI Action: Go to Section 2, #1.**
- (5) Based on that response, you appear to qualify for up to two weeks of paid sick leave. You do not qualify for the 12 weeks of Expanded Family Medical Leave because you have not worked for your employer longer than 30 days. **Skip to Section 2, #1.**
- (6) Based on that response, you appear to qualify for up to two weeks of Paid Sick Leave. You do not qualify for the 12 weeks of Expanded Medical Leave because you are requesting leave prior to April 1, 2021 for a cause that was not a qualifying reason for Expanded Family Medical Leave prior to April 1, 2021. I can help you with the apply for Paid Leave. **FI Action: Skip to Section 2, #1.**
- (7) Based on that response, you only need to utilize the Paid Sick Leave benefit which consists of two weeks (10 days) of paid sick leave. I can help you apply for Paid Leave. **FI Action: Skip to Section 2, #1.**

## **Section 2 – Completing Paid Leave Forms**

- (1) Ok. I am going to read some circumstances that may qualify you to receive Paid Leave. I am going to ask you to certify if any of these reasons apply to you. **FI Staff Action:**
  - a. **Read to caller: “I certify that I am unable to work (or telework) for the following reason” and then read the eight qualifying reasons for Paid Leave one-by-one as listed on the appropriate form Paid Sick Leave and/or Expanded Family Medical Leave In-Take Forms and check the one that the caller indicates as being applicable.**  
**IMPORTANT NOTE regarding sick leave reason #6 - leave for a “substantially similar condition” specified by the U.S. Department of Health and Human Services. The U.S. Department of Health and Human Services (HHS) has not yet identified any “substantially similar condition” that would allow an employee to take paid sick leave. If HHS does identify any such condition, the Department of Labor will issue guidance explaining when you may take paid sick leave on the basis of a “substantially similar condition.” Leave cannot be taken for this reason.**
  - b. **Once a reason is identified collect any additional documentation required under that item from the caller as indicated on the form (for example: Name of the government entity issuing the order under reason #1 on the form). ONLY CHECK ONE REASON**
  - c. **If the caller sites qualifying reasons #1-#3 on the in-take form go to #2**
  - d. **If the caller cites reason #5, qualify for reasons related to childcare, skip to #3**

- e. If the caller sites any other reason skip to #4***
- f. IF NONE OF THE REASONS APPLY SKIP TO #7***

- (2) Based on that response, you appear to qualify for two weeks of paid sick leave at 100% of your regular pay up to \$511 per day. If your work hours vary week to week, payments will be based on the number of hours you have worked over a six month period of time. ***FI Action: After reading this go to #6.***
- (3) You have indicated that you are seeking leave due to reasons related to childcare. I am going to read you a statement to determine if you qualify for Paid Leave due to the loss of childcare. The statement serves to certify your reason for needing paid leave. When I am done reading, I will ask you if you agree with the statement. I certify that I need to care for my child(ren) because their school or childcare provider is closed or unavailable because of COVID-19 and that no other suitable person is available to care for the child(ren) during the period of requested leave. If listed child is over 14, I further certify that there are special circumstances that require me to provide care for them and no other suitable person is available to provide care for the child during the period of requested leave. Do you agree that this statement accurately describes your situation? ***FI Staff Action: If yes, go to #4. If no, skip to #5.***
- (4) We are almost done with the application for paid sick leave - just a few more questions. ***FI Staff Action: Check box number 5 on the Paid Sick Leave Form and record the requested information in that section (i.e. Name(s) and age(s) of child(ren): and Name of closed school(s) or place(s) of care) and continue to complete the remaining section of the form.***
- (5) Based on that response, you appear to qualify for two weeks of paid sick leave at 2/3 of your regular pay up to \$200. If your work hours vary each week, payments will be based on the number of hours you have worked over a six month period of time.
- a. FI Action: Read the following if only taking Paid Sick Leave:*** When do you plan to start your leave and when do you plan to return to work? ***FI Staff Action: complete the corresponding sections of the Paid Sick Leave Form and then go to #6.***
  - b. FI Action: Read the following if need to complete an application for Expanded Family Medical Leave:*** Since you are also requesting to take Expanded Family and Medical Leave, I am going to run down the information I collected from you already to be sure it is correct and also to enter it into the application for Expanded Medical leave. ***FI Staff Action: Read through entire FMLA form. You should have already collected all of the required information. This is an exercise to confirm what you have collected and enter it onto the separate Expanded FMLA form. When form is completed for Expanded FMLA go to #6.***
- (6) You have just completed the application. However, In order to complete the application process I will need your e-mail address so that we can e-mail you the form we just completed together (***FI Staff Action: If no e-mail collect the postal mail address***). Once you receive the form it is critical

that you sign it and return it to us either via e-mail (preferred method) or postal mail. An e-signature is acceptable. Therefore, you will see an option in the e-mail that allows you to just respond to the e-mail message by typing in your full first and last name. DO NOT FAX THE INTAKE FORM. **Paid leave benefits cannot be paid to you until the signed form is received by the FI.** Assuming that your employer authorizes the leave, once your e-mailed or mailed forms are received by the FI you will receive an e-mail or phone call within one business day confirming receipt of your form. **FI Staff Action: Stress the following statement in bold: Not returning the form timely will delay payment of your benefits.** Next we will contact your employer to obtain verbal authorization of your time off. Your employer has 24 hours to respond once we contact them. If your employer does not respond within 24 hours, then it is assumed they have given authorization for leave. If there is any issue with your request for Paid Leave we will notify you within 1-2 business days. Assuming your employer authorizes your request and you sign and return the intake form, you can expect your first paid leave check on the following pay cycle. After that you will receive a weekly check through your benefit period. A few things to know: (1) You cannot collect unemployment while you are receiving paid leave benefits; (2) the paid leave benefits are “one-time use” benefits. Which means, if you work for more than one employer or switch employers, you are not entitled to an additional amount of benefit. Each person is only allowed to receive a maximum of 2 weeks paid sick leave in total and 12 weeks of Expanded FMLA in total. (3) Also, leave cannot be taken due to a school closure once the school year has officially ended or it is school vacation causing the school closure. Thank you and have a good day. **FI Staff Action: If the worker has additional questions please see attached PCA Question and Answer document for responses and/or direct the worker to view the Paid Sick Leave information on the PCA Workforce Council web site <https://portal.ct.gov/pcaworkforcecouncil/>**

- (7) Unfortunately, based on your responses you do not appear to qualify for either of the Paid Leave programs. You must meet one of the qualifying reasons I read to you and the reason must be directly related to COVID-19. If you need information regarding other services that may be able to assist you please call CT Infoline 2-1-1.

**SEE NEXT PAGE FAQ EMPLOYEES RECEIVED FOR MORE INFORMATION**



**NOTICE TO EMPLOYERS REGARDING EXTENSION OF FEDERAL PAID LEAVE PROGRAMS FOR YOUR  
EMPLOYEES**

On March 11, 2021 President Biden signed into law the American Rescue Plan Act (ARPA), 2021, that among other things, extends the COVID related Paid Sick Leave and Expanded Family and Medical Leave (EFMLA) programs that have been available to your employees since April 1, 2020 through the Families First Coronavirus Response Act and are set to expire on March 31, 2021. Under the ARPA, COVID related Paid Sick Leave and EMFLA will now be available through September 30, 2021. ARPA makes other changes to the leave programs effective April 1, 2021 – September 30, 2021 that you should be aware of as an employer. Please note that **your individual budget will not be used to pay for the benefits**. Your PCAs may utilize this benefit at no cost to you. The benefit payments to PCAs are in addition to the funds you have to pay for hours of support.

**(1) What Are The Federal Leave Programs?**

The federal government recently passed the ARPA that extends the two Paid Leave Programs originally created through the Families First Coronavirus Response Act (Act). The two programs are: (1) Paid Sick Leave directly related to COVID 19 - up to 10 days (80 hours) of Paid Time-Off. This benefit is available to all PCAs no matter how long they have worked for you; and (2) Expanded Family and Medical Leave (EFMLA) directly related to COVID-19 - up to 12 weeks off. Previously under the EFMLA benefit the first two weeks were unpaid time off and 10 weeks of paid time-off. However, the ARPA makes all 12 weeks of EMFLA paid-time off. Expanded FMLA is only available to PCAs who have worked for you for at least 30 days. Both of these benefits were available to PCAs beginning April 1, 2020 and were set to expire on March 31, 2021 and are now extended through September 30, 2021. PCAs may be eligible to use both programs for a combined 14 weeks paid time-off.

**(2) Are My PCAs Eligible for Paid Leave Benefits?**

Your PCAs may be able to use both programs. The ARPA adds two new qualifying reasons for leave and expands the eligibility for Expanded FMLA benefits to mirror the eligibility criteria for Paid Sick Leave. Therefore, there are now eight ways that your PCA can qualify for the Paid Sick Leave and Expanded FMLA benefits. The law requires that the reason for taking the leave be directly related to COVID-19. See the attached detailed program bulletin for a complete review of eligibility criteria, which now includes qualifying reasons for COVID testing and vaccination.

**(3) How Long Can My PCA Be Out On Leave?**

Paid Sick Leave may be taken for up to eight different COVID-19 related reasons. A PCA may take up to 2 weeks Paid Sick Leave (10 days up to 80 hours) if they qualify.

The Expanded FMLA Program provides up to 12 weeks off for the same eight COVID-19 related reasons that qualify an individual for the Paid Sick Leave benefit.

*If your PCA qualifies for and applies to take both the Paid Sick Leave and Expanded FMLA* – Generally, if the PCA is taking leave due to one or more of the eight qualifying COVID-19 related reasons, the PCA could be out on leave for up to 14 weeks, depending on how the time is used.

**(4) My PCAs Already Exhausted the Full 80 Hours of Paid Sick Leave and 12 Weeks of EFMLA Before April 1, 2021, Do They Qualify for Another Round of Benefits?**

Yes. The ARPA resets the benefit and makes the full 14 weeks available to employees if taken April 1, 2021 – September 30, 2021. Each employee is still only entitled to a one-time allotment of up to 80 hours of Paid Sick Leave and 12 weeks of EMFLA from April 1, 2021 – September 30, 2021 if they meet the eligibility criteria.

**(5) How Do My PCAs Request Paid Leave?**

The PCA must do the following to receive paid leave:

- (1) Verbally inform you the day they plan to begin taking leave that they will be out on leave and identify the reason for the leave.
- (2) Contact your FI and inform them that one of your PCAs will be taking leave and provide the FI with the required information. PCAs should Email or call the FI to learn what required information and documentation is needed to request paid leave.

Allied Community Resources: Phone (866) 275-1358 or E-mail [covid19@alliedgroup.org](mailto:covid19@alliedgroup.org)  
Sunset Shores: Phone 1-800-887-0647 enter 206 during message or E-mail [covid19@sunsetshoresfi.com](mailto:covid19@sunsetshoresfi.com)

**Action You Need to Take:** After the PCA tells you they are taking leave, the PCA should be directed to inform the FI. The FI will then contact you with more information. See below.

- (3) Ensure that proper proof of eligibility is submitted to the FI.

**After Hearing from Your PCA, The Fiscal Intermediary Will Do the Following:**

- (1) Contact you to verify authorization of leave. If the FI does not reach you in-person, a message will be left informing you that one of your employees has filed for Paid leave. The message will specify:
  - a. the name of the employee requesting the leave;
  - b. the type and duration of leave applied for; and
  - c. inform you that you do not need to take any action unless you want to deny the leave. Specifically, you will be instructed that you have 24 hours to call the FI and inform them if you desire to deny Paid Leave. There are new rules about leave approvals and denials detailed in question 6 below.
- (2) Review the documentation/reason for the requested leave provided by the PCA.
- (3) Pay the leave benefit(s) to the PCA upon review and approval of documentation.

**(6) Does My PCA Have to Get Approval from Me to Take Paid Leave? If So, How Do I Do That?**

Yes. Employers have the option of denying leave for their employees if they so choose. However, employers are encouraged to remember the point of the Paid Leave extension is to help stop the spread of COVID. If the PCA meets the eligibility criteria for the Paid Family Leave Programs, then serious consideration should be given to approving the benefits. Additionally, the ARPA requires that if you choose to approve or deny paid leave benefits for one employee who meets a qualifying reason, you must then do the same for all other employees who apply and qualify for paid leave. You may not deny benefits for one employee and approve them for another or vice versa. As a reminder, the money for the paid leave does not come from your individual budget. It is a benefit that is fully paid by the federal government.

Your Fiscal Intermediary will call you as soon as the PCA informs them of their intention to take leave and request your verbal authorization. If the FI cannot reach you within 24 hours of receiving the PCA's request for paid leave, the request will be automatically granted for your PCA.

**(6) How Do I Know If My PCA Meets the Eligibility Criteria for the Paid Leave Programs?**

Your Fiscal Intermediary will handle this for you. Once the FI is notified of the PCA's intention to take Paid Leave and your authorization is confirmed, the FI will work with the PCA to obtain the needed documentation/verification. If upon review, the FI does not believe the PCA meets the eligibility criteria, the FI will e-mail (or mail if no e-mail is available) a notice of denial to the PCA and also send a copy to you. The FI will also immediately contact you and explain why the PCA does not qualify so that you can call the PCA and discuss their return to work. You may request that the FI contact the PCA for you.

**(7) If My PCA Takes Paid Leave Will That Affect My Individual Budget?**

No. Paid Leave is a federal program that uses additional federal funding. It does not come out of your individual budget.

**(8) Do I Need to Submit Timesheets for My PCA to Receive Paid Leave?**

No. You and/or your PCA do not need to submit timesheets to receive payment through the federal Paid Leave programs.

**(9) If My PCA Takes Paid Leave Can Another PCA Work More Than 40 Hours Per Week for Me?**

Yes. During the COVID-19 outbreak PCAs may be approved for more than 40 hours per week under certain circumstances. If you need a PCA to work overtime, for both DDS and DSS services please contact your Case Manager immediately. If you are uncertain about how to contact your DSS case manager or access agency, you should choose the number below that is closest to where you live:

Eastern CT: 1-860 885-2960      Northeast CT: 1-860 589-6226

Northwest CT: 1-800-870-1852      Western CT: 1-203 465-1000

Southwest CT: 1-203 333-9288      South Central CT: 1-203 752-3040

**(10) My PCA Took Leave And Now I Do Not Have Care. What Do I Do?**

You should have a back-up plan that you can access. If you find yourself without care, immediately contact your Case Manager.

**\*\*\*SEE ATTACHED EMPLOYER BULLETIN FOR MORE INFORMATION\*\*\***



## Federal Paid Leave Programs – Employer Bulletin

March 26, 2021

### Purpose of This Employer Bulletin

The purpose of this Employer Bulletin is to provide additional detailed information on the two federal Paid Leave programs that may be available to your employees.

### SUMMARY OF BENEFITS:

The federal Families First Coronavirus Response Act (Act) created two Paid Leave programs for employees who work for employers with less than 500 employees and some government entities. On March 11, 2021, President Biden signed into law the American Rescue Plan Act (ARPA), 2021, that among other things, extends the COVID related Paid Sick Leave and Expanded Family and Medical Leave (EFMLA) programs that have been available to your employees since April 1, 2020 through the Families First Coronavirus Response Act and were set to expire on March 31, 2021. The first program provides employees with up to two weeks of Paid Leave due to any one of eight reasons related to the COVID-19 virus. The amount of leave an employee is entitled to is based on the number of hours the employee normally works in a week, up to maximum of 80 hours over a two per period. **This benefit is available to all employees no matter how long they have worked for you.**

The reasons that qualify an employee to receive the two weeks of Paid Leave and the amount they are eligible to receive in pay are as follows:

1. An employee is subject to a Federal, State or local quarantine or isolation order relative to COVID-19 (100% of pay up to \$511 per day for Paid Sick Leave and \$200/day for Expanded FMLA);
2. An employee has been advised by a health care provider to self-quarantine related to COVID-19 (100% of pay up to \$511 per day for Paid Sick Leave and \$200/day for Expanded FMLA);
3. An employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis (100% of pay up to \$511 per day for Paid Sick Leave and \$200/day for Expanded FMLA);
4. An employee is caring for an individual subject to an order described in reason #1 or self-quarantine as described in reason #2 (2/3 of pay up to \$200 per day for Paid Sick Leave and Expanded FMLA);
5. An employee is caring for his or her child whose school or place of care is closed (or care provider is unavailable due to COVID-19 related reasons (2/3 of pay up to \$200 per day for Paid Sick Leave and Expanded FMLA); or
6. An employee is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services (2/3 of pay up to \$200 per day for Paid Sick Leave and Expanded FMLA).
7. **NEW!** An employee is obtaining an immunization related to COVID-19 or recovering from any injury, disability, illness or condition related to such immunization (100% of pay up to \$511 per day for Paid Sick Leave and \$200/day for Expanded FMLA); or
8. **NEW!** An employee is seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, COVID-19, when such employee has been exposed to COVID-19 or the employer

has requested such test or diagnosis (100% of pay up to \$511 per day for Paid Sick Leave and \$200/day for Expanded FMLA).

**The Expanded FMLA program is only available to PCAs who have worked for you for at least 30 days.**

**Through the combination of the two Paid Leave programs, a PCA can be eligible for up to 14 weeks of Paid Leave.**

**PROCESS FOR PCAS TO REQUEST PAID LEAVE AND DOCUMENTATION:**

A PCA must first request the Paid Leave from you, the FI or download it from the PCA Workforce Council web page <https://portal.ct.gov/pcaworkforcecouncil/>. Second, the PCA must contact your FI and inform them that they will be taking leave and provide the FI with the required information and documentation - Allied Community Resources: Allied Community Resources: Phone (866) 275-1358 or E-mail [covid19@alliedgroup.org](mailto:covid19@alliedgroup.org) or Sunset Shores: Sunset Shores: Phone 1-800-887-0647 enter 206 during message or E-mail [covid19@sunsetshoresfi.com](mailto:covid19@sunsetshoresfi.com). The FI will instruct the PCA to provide them with the following documentation:

1. PCA's name;
2. Date(s) for which leave is requested;
3. Qualifying reason for the leave (see the eight reasons above for the two Paid Leave programs);
4. Oral or written statement that the PCA is unable to work because of the qualified reason for leave.

The following additional documentation is required based on the qualifying reason for the leave:

- If a PCA's qualifying reason is that they are subject to a Federal, State or local quarantine or isolation order they also need to provide the name of the government entity that issued such order.
- If a PCA's qualifying reason is that they have been advised by a health care provider to self-quarantine they also need to provide the name of the health care provider who issued such advice.
- If a PCA's qualifying reason is that they are caring for an individual subject to a quarantine or isolation order or who has been advised by a health care provider to self-quarantine they also need to provide either the name of the government entity that issued such order or the health care provider that issued such advice.
- If a PCA's qualifying reason is that they are caring for their child whose school or place of care is closed they also need to provide: 1) the name of the child being cared for; 2) the name of the school, place of care or child care provider that has closed or become unavailable; and 3) a representation that no other suitable person will be caring for their child during the period for which the PCA takes Paid Leave.
- We are awaiting guidance from the federal government on any documentation that may be required for employees taking leave due to the two new qualifying reasons created through the new federal law.

**YOUR RIGHTS UNDER THE PAID LEAVE PROGRAMS:**

Under the ARPA, employers have the right to not participate in the Paid Leave Programs. However, remember the purpose of the programs is to minimize the spread of the virus associated with COVID-19, and therefore, employers should act judiciously in opting not to grant the benefits to their employees.

**INDIVIDUAL BUDGETS:**

Please note that your individual budget will not be affected in anyway if your PCAs utilize the federal Paid Leave benefits. **The amount paid for Paid Leave benefits will not reduce your individual budget.**