

FAQs FOR USF HEALTH DESIGNATED HEALTH CARE PROVIDERS UNDER THE FFCRA

Q1. What is the Families First Coronavirus Response Act (FFCRA)?

A. It is a federal law passed by Congress, and signed into law by the President, which went into effect on April 1, 2020. It provides for a number of benefits specific to address the national impact created by the Covid-19 infection, including the creation of a new provision in the FMLA. This new provision did not eliminate any of the existing FMLA benefits.

The FFCRA provides that certain employers can designate employees as exempted from the provisions based on the types of jobs they perform, such as health care providers or emergency responders.

Q2. Did USF make any such designations?

A: Yes, USF made sent an email announcement on March 31, 2020. The text of the email Subject "Exclusions regarding Families First Coronavirus Response Act (FFCRA)" is available at the end of the FAQs.

Q3. Why did USF designate certain jobs as exempt from the FFCRA?

A. USF Health senior leadership and the four (4) Colleges made the decision based on the skills and knowledge which are necessary to not only to address the Covid-19 pandemic but also maintain current (and future) clinical operations, and making such determinations as prudently as possible to protect as many people as possible.

Q4: Am I covered by the USF Health exempted Health Care Provider definitions?

A. Generally, if you are a member of the MCOM faculty with a clinical assignment, or an employee in any of the positions and/or areas listed below (as found in the March 31, 2020 email, see below), you are exempt from the FFCRA. The list below identifies those exempt positions; however, there are some exceptions.

1. All MCOM Faculty [NB: Please see Q&A5], USF employed residents and fellows; physicians working in USF Student Health Services
2. From UMSA, all patient facing staff team members, which include but are not limited to: Medical Assistants (MA), License Practical Nurses (LPN), Registered Nurses (RN), Nurse Practitioners (NP), Physician Assistants (PA), and Licensed Independent Practitioners.
3. All Critical staff that support patient care activities, such as Revenue Cycle Operations staff (front and back office), and Patient Access Center staff;

4. All faculty clinicians within the Taneja College of Pharmacy Department of Pharmacotherapeutics and Clinical Research;
5. All Per Diem and OPS employees in the positions listed above.

Q5: I am a faculty member in MCOM, not an MD, and assigned to teach and conduct research. It seems like I was included in the exemption. But am I?

A: Any member of the MCOM faculty who has a clinical assignment is definitely included in the exemption. If you are faculty member in MCOM, and not an MD, you might still be within the listed exemption because of other work you might be doing in support of the efforts to treat and fight Covid-19. Any faculty member in MCOM who has questions about whether they should be included in the exemption, should contact the Office of Faculty and Academic Affairs, Olga J. Joanow, Associate Vice President, Faculty Relations, USF Health/Associate Dean, Faculty Relations, MCOM at ojaonow@usf.edu

Q6. Do I still have the regular leave benefits USF provides even though USF designated me as exempt under the FFCRA?

A. Yes.

Q7. So I can still request/use sick leave if I was designated as exempt?

A: Yes, the DOL FAQ (number 7) provides for the use of paid sick leave by an employee, so the normal USF sick leave benefit is available USF. You should continue to use your unit's normal process to make these requests and be prepared to submit medical certification as would normally be required based on the type and duration of sick leave requested. For example, an absence anticipated to last more than 3 days or an FMLA request.

Q8. What if I want to request/use annual leave and I am exempt from the FFCRA, can I?

A. Yes, you can still request annual leave following the established process for your area. Such requests, as they normally are, will be subject to approval by the supervisors, who will continue to consider operational and staffing needs when they review annual leave requests.

Q9. Can I use my annual leave to handle personal or family matters during the pandemic?

A. Yes, annual leave use, as it has always been, is available for any personal situation. Requests are subject to review by the supervisor as described in the answer to Question 8.

Q10. If I request annual leave, can my supervisor deny my request?

A. Yes, depending on operational and staffing needs in your area. This has always been the case, and nothing in the FFCRA changed that.

Q11. Can I still request Faculty Paid Parental Leave (PPL)?

A. If you are anticipating the birth or adoption of a child, you can request the PPL benefit following the normal request and review process by submitting the form to the your Chair/Supervisor and then to the Office of Faculty and Academic Affairs..

Q12. What if I need FMLA, can I still request it?

A. The existing FMLA benefit remains in place and the FFCRA did not change that. FMLA requests will continue to require medical documentation submitted to HR for review and approval, as required by the current HR process.

Q13. If I am a member of the USF Sick Leave Pool (SLP), can I use the SLP benefit to stay home if my child is out of school because the school is closed due to Covid-19?

A. No, the SLP benefit is for an employee's personal health event.

Q14. What happens if I use annual leave and travel?

A. As mentioned above, you can request annual leave for any personal reason, subject to approval based on operational and staffing needs of the unit. However, under the current pandemic, many areas have imposed travel restrictions. If you travel to certain locations, you may be required to self-quarantine based on a directive from local health officials or because you may have inadvertently been exposed to Covid-19. If that happens, you may be required to use your own accrued annual or sick leave following such travel.

Subject: Exclusions regarding Families First Coronavirus Response Act (FFCRA)

Dear USF Health employees:

All of you are extremely important to the success of USF Health and our culture. As you may have read, Congress recently enacted the Families First Coronavirus Response Act (FFCRA), which requires certain employers to provide employees with sick leave or expanded medical leave for specified reasons related to COVID-19. In light of this public health emergency, the new law allows employers to exclude health care providers and emergency responders from these new leave provisions. We are writing to clarify how USF Health will be applying this exclusion.

The following USF Health groups will be excluded from participating in certain provisions of FFCRA:

1. All MCOM Faculty, USF employed residents and fellows; physicians working in USF Student Health Services
2. From UMSA, all patient facing staff team members, which include but are not limited to: Medical Assistants (MA), License Practical Nurses (LPN), Registered Nurses (RN), Nurse Practitioners (NP), Physician Assistants (PA), and Licensed Independent Practitioners.
3. All Critical staff that support patient care activities, such as Revenue Cycle Operations staff (front and back office), and Patient Access Center staff;
4. All faculty clinicians within the Taneja College of Pharmacy Department of Pharmacotherapeutics and Clinical Research;
5. All Per Diem and OPS employees in the positions listed above.

We may announce revisions to this procedure later as the COVID-19 public health emergency evolves. In the meantime, all USF Health faculty can reach out to Olga Joanow if they have questions, ojoanow@usf.edu. Other USF employees should direct their questions to employee-relations@usf.edu, and UMSA employees should reach out to hr-healthbenefits@usf.edu.

Sincerely,

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