




COVID-19

UPDATE:
June 15, 2020

**Coronavirus / COVID-19
Response Team**


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**School's Out & Camps Are
Now Open: Does My
Employee Still Get Leave for
Childcare?**

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Today's Topics

- Michigan EO's: Child care availability
- Michigan EO's: Impact on Michigan protected leave/benefits due to child care responsibilities
- Michigan EO's: Impact on FFCRA protected leave/benefits due to child care responsibilities

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Michigan EO's: What Should Now Be More Available to Employees?

EO-110: Implications for Child Care

Michigan.gov

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Can working parents access childcare services under Executive Order 2020-110?

Yes. Effective immediately, Executive Order 2020-110 allows child care providers to serve any family in need of care—regardless of where a parent or caregiver works.

To ensure safe spaces for your child when you return to work, the Department of Licensing and Regulatory Affairs has created a document for child care providers called *Guidelines for Safe Child Care Operations During COVID-19*. Families can review these guidelines and ask their child care provider what they are doing to respond to COVID-19.

- Effective: Monday, June 1st
- Child care providers can choose to remain closed at their own designation

EO-120: Camps and School Activities

- Effective: Monday, June 15th
- Camps: Residential, travel, and troop camps
 - Previously restricted under EO-110 and EO-115
 - Reopen **subject to** guidance issued by LARA
- School Activities: Sports and Extra-curric.
 - Previously restricted under EO-65
 - **Amends** EO-65
 - Resume **consistent with** EO-110 or EO-115

EO-110 + EO-120: Implications for Child Care



Michigan EO's: Impact On Michigan Protected Leave/Benefits

Implications for Protected Leave

- Michigan Paid Medical Leave (MPMLA)
 - Effective March 29, 2019
 - Up to 40 hours paid leave/benefit year for qualifying reasons:
 - “To care for his or her child whose school or place of care has been closed by order of a public official due to a public health emergency.”
 - **Take-away:**
 - 2019-2020 school year has ended
 - Michigan EO's no longer broadly close places of care due to public health emergency
 - Reminder: Check local public health orders

Implications for Benefits

- EO-76: Expanded Unemployment Eligibility
 - March 16, 2020 thru duration of Emergency
 - COVID-19 related reasons
 - #5: Left work involuntarily if the individual leaves work because the individual has a family care responsibility **as a result of a government directive**
 - **Take-away:**
 - “Family care responsibility as a result of government directive” is broader language:
 - Michigan EO’s no longer broadly **close** places of care due to public health emergency
 - Reminder: Check local public health orders

Michigan EO’s: Impact On FFCRA Protected Leave/Benefits

FFCRA: Refresher

- Effective: April 1st
- Emergency Paid Sick Leave Act (EPSLA)
 - Up to 80 hours
- Expanded FMLA
 - Up to 12 weeks (10 paid)
- Common reason:
 - Employee is caring for his or her child whose school, place of care is ***closed*** (or child care provider is ***unavailable***) ***due to a COVID-19 related reason***

FFCRA: Child Care Leave

- FFCRA child care leave is:
 - ***Only available*** if no other suitable person is available to care for the son or daughter during the period of leave
 - ***Not available*** if the school or child care provider is closed for summer vacation or any other reason not related to COVID-19

Michigan EO's Implications for FFCRA

■ Take-away:

- Michigan Executive Orders no longer ***broadly close*** places of care - including summer camps- due to COVID-19 public health emergency
- "COVID-19 related reason" is broader language
- Reminder: Check local orders



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Back to Work Resource Center

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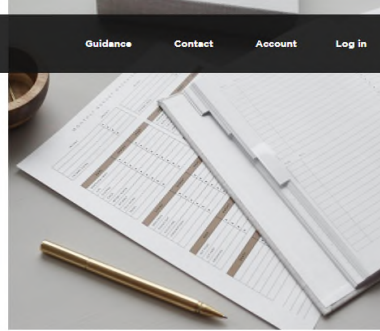
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Our **Back to Work Resource Center** provides a single source option for employers who are wrestling with the legal and practical consequences of a changed world.

For less than the cost of a typical handbook update, you gain access to an extensive collection of resources and Miller Johnson work product that we are confident will provide meaningful support to your efforts to navigate waters that are not only choppy but continuously changing direction.

Here is a sampling of what subscribers will find:

- Forms, Plans and Policies - we have drafted templates for you to put into service immediately
- Practical Guidance - tools to effectively, safely and confidently return to work incorporating best practices from outside organizations, including community partners such as Spectrum Health
- Industry Specific Guidance - pages devoted to industries singled



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