



## THE AMERICAN RESCUE PLAN ACT OF 2021: EMERGENCY PAID LEAVE PROGRAM



### Overview

- On March 11, President Biden signed the American Rescue Plan Act of 2021. The Act included a temporary, time-limited, emergency paid leave (EPL) program for federal employees affected by COVID-19.
- There is an \$80 million funding cap for Title 38 and hybrid Title 38 employees at the VA . There is a \$570 million funding cap for Title 5 employees across the federal government. The union encourages VA workers to use this benefit. **The EPL benefit is retroactive to March 11, 2021 and expires on or before September 30, 2021, subject to the funding limits in the law.**

### Who is eligible?

- The Act does not exclude any employees from coverage for EPL. Thus, VA employees may use EPL if they satisfy one or more of the following qualifying reasons:
  1. Is subject to quarantine or isolation because of COVID-19.
  2. A health care advisor advises them to self-quarantine due to COVID-19 concerns.
  3. Is caring for an individual under #1 and #2, above.
  4. Is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
  5. Is caring for a child and school or childcare is closed, requires or makes optional virtual or hybrid learning, or if a childcare provider is unavailable, due to COVID-19.
  6. They experience a substantially similar condition to #1-#5.
  7. Is caring for a family member over 55 with a mental or physical disability incapable of self-care if their place of care or a direct care provider is unavailable due to COVID-19.
  8. Is getting vaccinated for COVID-19 or recovering from injury, disability, or illness due to the immunization.

### What are the benefits and limitations?

- **BENEFITS:** For full-time employees, the Act provides up to 600 hours (or 15 weeks) of EPL in addition to the employee's personal leave. However, leave payments are capped at \$2,800 biweekly. For part-time employees, the available hours of EPL and maximum biweekly benefit are reduced proportionately.
- **LIMITATIONS:** If an employee elects to use EPL, that time will not be used in the calculation of retirement benefits. Employees should consider this limitation before using EPL.

### What if I contract COVID-19 on the job?

- For workers' compensation purposes, the Act includes a presumption that COVID-19 was contracted in the line of duty for employees who carry out duties which require patient, public, or co-worker contact, or includes the risk of exposure to COVID-19. For more information about how to file a workers' compensation claim for COVID-19, please contact your local AFGE union.

### Requesting EPL

- VA workers can request EPL via a [EPL request form](#) and/or through VATAS. Employees are encouraged to consider the benefits and limitations of EPL before submitting their request. More detailed information about EPL eligibility and procedures is available from local Human Resources or Payroll offices. Please contact your local AFGE union for further information.

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