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THE REGISTER CITIZEN

Today's Business: Working parents continue to manage the virtual office and the virtual classroom

By Jessica A. Slippen

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In a typical year, cooler temps and shorter days mean one thing: Back to school.

For working parents, back to school is somewhat of a reprieve, guaranteeing most at least a six-hour window of defined child-free work time. This was before COVID-19.

At the outbreak of the pandemic, a new federal law provided paid leave to working parents managing a virtual office and virtual classroom. Working parents and their employers were forced to juggle job and family responsibilities from home.

These challenges continue — although the landscape has changed. Most students are not back into classrooms full-time; many schools have adopted a hybrid model, leaving school and child care schedules in constant flux. And while some working parents are heading back into the office, many still are working from home, bouncing between conference calls and Google classrooms.

Can working parents really do it all in this new COVID-19 environment? It is not easy. And complicated.

In March, Congress passed the Families First Coronavirus Response Act (FFCRA), effective April 1 to Dec. 31.

The FFCRA requires certain employers to provide paid sick leave or expanded family and medical leave for specified reasons related to COVID-19. The leave provisions apply to certain public employers and private employers with fewer than 500 employees.

Under the FFCRA, working parents are entitled to paid sick leave if they are unable to work or telework because a child's school or care facility is closed or unavailable due to the coronavirus pandemic. It seemed pretty cut and dry back in April, right? It is not as cut and dry any longer.

The start of this school year was met with new concepts such as "hybrid," and "in-person" versus "fully remote" learning models. In many districts, parents were given the choice to send their children back to school in person or elect to commence the year fully remote from home. Situations were further complicated in districts where a hybrid model was offered. The traditional Monday to Friday school model has been replaced as schools work to decrease the daily number of students in a building to ensure proper social distancing and contact tracing.

Many students now only enter the physical classroom two or three days per week, or just for morning or afternoon sessions.

Faced with these new challenges affecting working parents, the U.S. Department of Labor recently tackled the issue of leave under the FFCRA for these new emerging COVID-19 learning models.

While it was clear that leave was available to a working parent whose child's school was closed due to COVID, it was unclear whether this leave applied in hybrid situations or where a parent elected fully-remote learning when in-person was offered.

Based on the new DOL guidance, where a child's school is operating on a hybrid attendance model (where the school is open each day, but students are required to alternate between in-person days and remote learning days), parents are eligible to take paid leave under the FFCRA on days when their child is not permitted to attend school in person and must instead engage in remote learning. (For purposes of the FFCRA, the school is effectively "closed" on days that a child cannot attend in person.)

If a school starts the year in the hybrid model, but then transitions to full-time, in-person learning, paid leave would stop when the student could begin attending full-time in person. Conversely, if a school had to close and go fully remote due to COVID-19, paid leave under the FFCRA becomes available.

FFCRA leave, however, is not available when a parent elects a fully remote learning model where an in-person option is offered. Paid leave is not available under the FFCRA because the child's school is not closed.

If a child has switched to fully remote learning because of a quarantine or has been advised by a health care provider to self-quarantine, paid sick leave to care for the child may be available.

While the laws have evolved, there is a constant juggle for many parents, as they tend to their professional responsibilities and assist with remote learning. Gone are 9-to-5 workdays, with many working parents forced to complete their jobs late at night or early

in the morning. With no end to the pandemic in sight, it seems that working parents will be managing the virtual office and virtual classroom for the foreseeable future.

Jessica A. Slippen is an attorney with Stratford-based Mitchell and Sheahan. She handles employment litigation matters before state and federal courts and administrative agencies and can be reached at 203-873-0240 or JSlippen@mitchellandsheahan.com.