



Montana Legislative Branch -HR

January 11, 2021

TO: Legislative Leadership COVID-19 Response Panel

FROM: Kelly DaSilva, HR Manager

RE: COVID Paid Leave

The Families First Coronavirus Response Act (FFCRA) first passed in April of 2020 required employers to provide employees with Paid Sick Leave (PSL) and Expanded Family and Medical Leave Act (E-FMLA) Leave related to the COVID-19 pandemic. This federal law expired December 31, 2020.

As of January 1, 2021, federal law allows, but does not require, employers to extend paid sick leave and emergency family and medical paid leave to employees through March 2021.

The Legislative Audit Division, Legislative Fiscal Division, and Legislative Services Division Directors have approved extending the leave through March 2021 for their employees.

The Executive Branch also made a decision to extend the leave. After conferring with State Human Resources from the Department of Administration, it was discovered that they are also offering to short term workers and interns.

Legislative Leadership could decide to offer this paid leave to their short-term session staff if they become symptomatic, have a positive COVID test, or are quarantining because of a "close contact". This paid leave is not budgeted for and would come out of the House and Senate budget in the Feed Bill, House Bill No. 1. I would suggest that it be applied on a consistent basis to avoid any discrimination issues.