



HAWAII ELECTRICIANS SUPPLEMENTARY UNEMPLOYMENT BENEFIT FUND

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Date: May 15, 2020

To: All Participants of the Hawaii Electricians Supplementary Unemployment Benefit (SUB) Fund
From: Travis Umemoto, Administrator
Re: SUB Benefit Additions, Effect of the Families First Coronavirus Response Act and the Coronavirus Aid, Relief, and Economic Security Act on Fund Benefits

Please see the following additions to SUB Fund. Many of these additions come from the Government's approval of the Families First Coronavirus Response Act (FFCRA) and the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Benefits will be provided up to the amount available in your SUB account.

- 1) Your Employer will provide for the FFCRA leave as described in the attached flyer.
- 2) As the FFCRA Benefits provided by your employer are limited in amount and duration, you may apply to the SUB Fund to supplement those benefits as follows:
 - A) The SUB Fund will supplement the FFCRA benefits up to 75% of your pay.
 - B) The SUB Fund will also pay for FFCRA qualifying benefits after the mandated FFCRA benefits reach their maximum term (two weeks or twelve weeks depending on the qualifying reason).
 - C) Any benefits paid by the SUB Fund under FFCRA qualifying reasons will end on December 31, 2020 (the current expiration of the law). The law became effective on April 1, 2020; however, the SUB Fund will provide for FFCRA benefits effective March 1, 2020.
 - D) If you wish, you may choose to have the FFCRA benefit fully provided by the SUB Fund instead of having it initially provided by your Employer and then supplemented by the SUB Fund. It is up to you.
- 3) Other Changes
 - A) The SUB Fund will take into account the Hawaii unemployment law change, temporarily waiving the first week waiting period. For most participants, this will be a savings of \$648 to your SUB Account.
 - B) The additional \$600 unemployment benefit coming from the CARES Act will be factored into the SUB calculation. Participants at the maximum unemployment amount will now receive \$1,248 from the State. (\$648 maximum unemployment + \$600 additional from the CARES Act) The SUB Fund will supplement unemployment benefits up to 75% of pay, less the \$1,248. This will save \$600 from coming out of your SUB account per week. Currently, the additional \$600 is in effect from 4/1/2020 - 7/31/2020).
 - C) For Temporary layoffs, the participant may sign the books, but won't be required to in order to qualify for SUB benefits. For Permanent layoffs, the participant will still be required to sign the books.
 - D) For reduced work weeks, benefits will now be paid if you have worked thirty-two hours or less in a week.

If you have any questions, please call the SUB Fund office at 841-6169, ext. 301 or 302. Neighbor islands may call toll free at (800) 622-3830.

EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

▶ PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- $\frac{2}{3}$ for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at $\frac{2}{3}$ for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

▶ ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days* prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

▶ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

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| <ol style="list-style-type: none">1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;2. has been advised by a health care provider to self-quarantine related to COVID-19;3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2); | <ol style="list-style-type: none">5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services. |
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▶ ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information
or to file a complaint:
1-866-487-9243
TTY: 1-877-889-5627
dol.gov/agencies/whd



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