To: Agency Heads of Agencies in the State Personnel System and the Florida Department of Lottery


GUIDANCE

Department of Management Services EO 20-02

Background

On March 18, 2020, President Trump signed the federal Families First Coronavirus Response Act (FFCRA) which provides, in part, for emergency paid sick leave and expansion of leave available under the Family and Medical Leave Act, effective April 1, 2020. The FFCRA also provides that an employer may elect to exclude “health care providers” or “emergency responders,” as defined by the federal Department of Labor for purposes of the FFCRA, from the emergency paid sick leave and expanded leave available under the Family and Medical Leave Act.

Guidance

On April 3, 2020, pursuant to the authority granted in Executive Order 20-52, I issued Emergency Order No. DMS EO 20-02 which, pursuant to Section 3, required agencies of the State Personnel System and Florida Department of Lottery to include “health care providers” or “emergency responders” in the leave benefits provided by the FFCRA. Such leave benefits must be administered in a way to ensure the agencies have sufficient staff to accomplish their missions and provide critical services.

Consistent with the authority granted by the FFCRA, agencies may exclude “health care providers” or “emergency responders,” as defined by the federal Department of Labor, from a portion or all of the leave provided for in the FFCRA, to the extent necessary to ensure the continued provision of mission-critical services in a manner that protects the health, safety, and welfare of both the public and of the employees of the agency. Upon exercising such authority, the agency shall notify the Department of Management Services.

[Signature]
Jonathan R. Satter, Agency Secretary
Department of Management Services
4050 Esplanade Way, Suite 285
Tallahassee, Florida 32399