



Families First Coronavirus Response Act

On March 18, 2020, the President signed into law the [Families First Coronavirus Response Act](#) (FFCRA), requiring certain employers to provide employees with paid family and medical leave or paid sick leave for specified reasons in response to COVID-19.

On March 24, 2020, the U.S. Department of Labor's Wage and Hour Division (WHD) announced its first wave of guidance on how to provide information to employees and employers about how each will be able to take advantage of the protections and relief offered by the Families First Coronavirus Response Act (FFCRA), also known as **H.R. 6201** when it takes effect on April 1, 2020.

The FFCRA is a relief package broken up into two parts:

1. Paid Job-Protected Leave Under the Family and Medical Leave Act for Childcare Reasons
2. Two Weeks or 80 hours of Paid Sick Leave

The Act applies to employers with fewer than 500 employees. Each covered employer must post in a conspicuous place on its premises a notice of [FFCRA requirements](#) - an email to employees will suffice due to current circumstances.

The Emergency Family and Medical Leave Act

The provisions of the Emergency Family and Medical Leave Act (FMLA) under the Families First Coronavirus Response Act are as follows :

- Employees have the right to take up to 12 weeks of job-protected leave after 30 days of employment.
- Employees may use the leave to care for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19.

The first two weeks of leave may be unpaid; the employee may choose to substitute accrued paid time off or other medical or sick leave during this period, but an employer cannot require an employee to do so. After the first two weeks of unpaid leave, employers must continue paid Emergency FMLA leave at a rate of no less than two-thirds of the employee's usual rate of pay up to \$200 a day.

As with traditional FMLA leave, this leave is job-protected and an employer must return the employee to the same or equivalent position upon their return to work.

NOTE: The bill outlines an exception for employers with **less than 25 employees** if the employee's job no longer exists due to the coronavirus pandemic, which requires

employers to make reasonable efforts to restore the employee to an equivalent position over a one-year period.

Emergency Paid Sick Leave

Employers will be required to provide full-time employees with 2 weeks (80 hours) of paid sick leave if the employee:

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);
5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
6. is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.