

**LEGAL ALERT****FMLA Paid Emergency Sick Leave  
Model Notice***Families First Coronavirus Response Act*

The U.S. Dept. of Labor has issued helpful guidance on the requirements and implementation of the new emergency FMLA paid sick leave benefits, along with a model notice for posting.

The following tools for implementation are now available from the DOL:

**Guidance:** Explanation of eligibility requirements for emergency paid sick leave and expanded FMLA.

**Model Notice:** Required for employers to provide employees notice about leave rights under the Act.

**FAQ:** Discussion and explanation of common issues regarding the Act and notice.

Key issues under *Families First Coronavirus Response Act* :

- The Act is effective April 1<sup>st</sup> and will terminate on December 31, 2020.
- While the employer notice is to be posted in a prominent workplace space, for the “shelter-in-place” conditions now in place, the notice can be provided by email or posting on an employee website.

For any questions or comments you might have regarding this newsletter, please feel free to contact:

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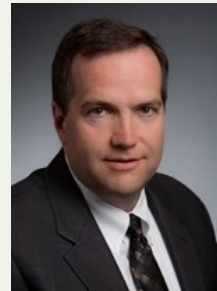
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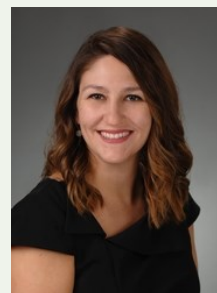
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- Act basics:
  - All public employers covered; private employers with under 500 employees covered; small businesses with less than 50 employees may be exempt.
  - The leave benefits are in addition to, and not a substitute for, current entitlements to paid leave.
  - Full-time workers: can take up to 10 days of paid leave (full or partial payment based on the reason for leave).
  - Part-time workers: leave is based on amount equal to average number of hours worked in a 2 week period. For part-timers working variable hours, can based 2 week average on the average for the past 6 months. (If employee has not worked 6 months, should be based on # of hours to be worked when hired, as agreed to between worker and employer).
  - Employees eligible for emergency paid leave if unable to telework and:
    - ◆ Subject to a federal, state, or local quarantine or isolation order related to COVID-19;
    - ◆ Advised by a health care provider to self-quarantine due to concerns related to COVID-19;
    - ◆ Experiencing the symptoms of coronavirus and seeking a medical diagnosis;
    - ◆ Caring for “an individual” (need not be a family member) who is subject to an order described in (1) above or has been advised to self-quarantine, as described in (2) above;
    - ◆ Caring for a son or daughter under the age of 18 because such son or daughter’s school or place of care has been closed, or such son or daughter’s care provider is unavailable due to coronavirus; or
    - ◆ Experiencing any other “substantially similar condition” specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.