KAUFMAN DOLOWICH LLP

Emergency Families First Coronavirus Ac Impacted

The legal landscape in a COVID-19 world continues to rapidly evo issues in the workplace. Indeed, the impact on the business comm

The Emergency Families First Coronavirus Response Act (the Emer yesterday, addresses immediate public health-related matters and Below is a summary of the relevant provisions of the Emergency A

Amendments to the Family and Medical Leave Act

The Emergency Act requires that all employers with fewer than 50 paid leave to employees who are unable to work (or telework) to or place of care has been closed, or the childcare care provider the regulatory authority to exempt employers with fewer than 50 vitality of their business.

To be eligible for coronavirus-related FMLA leave, employees mus

The employee s first 10 days of leave may be unpaid, however, th time or other medical or sick leave during this period. After th no less than two-thirds of the employee s regular rate of pay.

Similar to the traditional FMLA qualifying events, FMLA leave ta employer must allow the employee to return to the same or equiva than twenty-five (25) employees are exempt from having to restor leave expires due to economic conditions or other changes in the of leave.

The bill caps the amount of paid leave, per employee, to no more the paid leave portions of the Emergency Act will be funded. Tax which businesses will be eligible has yet to be decided.

Employers should also consider the potential impact of state and coronavirus-related reasons.

Emergency Paid Sick Leave

In addition to paid leave required under the amendments to the FM immediately provide employees with paid sick leave when the employee is unable to work because the employee:

at the employee's full regular rate

(a) is subject to a Federal, State, or local quarantine or isola

(b) has been advised by a health care provider to self-quarantin

(c) is seeking a coronavirus diagnosis if such employee is exper

Leave is paid at *two-thirds the employee's regular rate* if the employee takes leave because:

(a) the employee must care for an individual who is subject to a the individual has been advised by a health care provider to sel

(b) the employee must care for a son or daughter whose school or to COVID-19; or

(c) the employee is experiencing other substantially similar con consultation with the Secretary of the Treasury and the Secretar

Under the Emergency Act, full-time employees are entitled to two the number of hours they work, on average, over a two (2) week p over from one year to the next.

An employer is prohibited from requiring employees to look for o employee is using paid sick leave.

Additionally, an employer cannot require an employee to use othe sick time under Emergency Paid Sick Leave.

Employers are also required to post and keep posted, in conspicu posted, a notice of the requirements described above. This notic Secretary of Labor will make publically available within seven d

The aforementioned paid leave provisions go into effect not lat on or about April 2, 2020, and expire on December 31, 2020.

Retaliation is Prohibited

It is important to note that the Emergency Act includes anti-ret with, restrain, or deny anyone from exercising or attempting to

Still unknown is how the paid leave portions of the Act will be relief has yet to be decided

The attorneys at Kaufman Dolowich & Voluck are available to prov Emergency Act, as well as other recent changes to an employer s information about the proposed legislation, and its enactment, p Employment Law Practice Group at (516) 681-1100.

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