

FAMILIES FIRST CORONAVIRUS RESPONSE ACT

EMPLOYEE IS WORKING FROM HOME

EMPLOYEE NEEDS PAID LEAVE

EMPLOYEE NEEDS eFMLA

- Employee is immediately eligible for; no tenure requirement
- 10 days maximum available; leave ends when employee no longer has need for leave
- Intermittent leave is okay as long as the employer allows
- Can be taken in any increment approved by employer

Employee Receives 100% Regular Pay

- Employee is subject to a federal, state or local quarantine or isolation order related to COVID-19
- Employee was advised by a health care provider to self-quarantine due to COVID-19 concerns
- Employee is experiencing COVID-19 symptoms AND is seeking a medical diagnosis
- Maximum of \$511 per day; \$5,110 total

Employee Receives 2/3 Regular Pay

- Employee is caring for an individual subject to federal, state or local quarantine or isolation order or advised by a health care provider to self-quarantine due to COVID-19 concerns
- Employee is caring for his/her child if the child's school or place of care is closed or the child's care provider is unavailable due to public health emergency
- Employee is 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
- Maximum of \$200 per day; \$2,000 total

COVID-19 Non-Childcare Related Reasons

- This is not a qualifying reason for eFMLA
- Refer to regular FMLA guidelines for eligibility if employee works for FMLA covered employer with > 50 employees

Child Care Purposes

- Eligibility after 30 days of employment
- Maximum of 12 weeks are available; first 10 days are unpaid
- eFMLA is NOT in addition to regular FMLA
- Only Covers: Employee who need to care for his/her child if the child's school or place of care is closed or the child's care provider is unavailable due to public health emergency
- Intermittent leave is okay as long as the employer allows
- Can be taken in any increment approved by employer
- For care of son or daughter (See FMLA guidelines for definition)
- Employee receives 2/3 of regular pay
- Maximum of \$200 per day; \$10,000 total

PAID LEAVE CONSIDERATIONS (80 Hours Total) Regular Pay: Includes commissions, tips and piece rates

Full time is > or = 40 hours per week; Average of regular rate for 6 months prior to the date of leave; hours are calculated over 2 week period but are capped at 80 - overtime hours can be included in count (If overtime hours are included in the 80 cap, they are paid as straight pay)

Part time is < 40 hours per week; Average number of hours the employee is normally scheduled to work in a 2 week period

eFMLA CONSIDERATIONS (12 Weeks Total) Regular Pay: Includes commissions, tips and piece rates

eFMLA does not distinguish between full and part time, but the number of hours an employee normally works each week will affect the amount of pay received. Overtime hours normally worked but not the overtime premium are also included (these hours are counted as straight pay).

EMPLOYEE IS WORKING FROM REGULAR WORKSITE

EMPLOYEE NEEDS PAID LEAVE

COVID-19 Non-Childcare Related Reasons

- Employee is immediately eligible for; no tenure requirement
- 10 days maximum available
- Leave ends when the employee no longer has need for leave; remaining balance can be used for another qualifying reason until 12/31/2020
- Intermittent leave is not allowed
- Full day increments only

Child Care Purposes

- 10 days maximum available
- Full day increments only
- Intermittent leave is okay as long as employer allows
- For care of son or daughter (see FMLA guidelines for definition)
- Employee receives 2/3 of regular pay
- Maximum of \$200 or per day or \$2,000 total

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- Employee is caring for his/her child if the child's school or place of care is closed or the child's care provider is unavailable due to public health emergency
- Employee is 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
- Maximum of \$200 per day; \$2,000 total

EMPLOYEE NEEDS eFMLA

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SPECIAL CONSIDERATIONS

- Paid Leave and eFMLA apply to employers with < 500 employees
- Companies with < 50 employees are eligible for exemption from eFMLA and paid leave for child care purposes only
- Job restoration NOT required if employer has < 25 employees