

FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)

WHAT DO WE NEED TO KNOW ABOUT THE FFCRA?

Due to the unprecedented global pandemic of COVID-19, the recently enacted Families First Coronavirus Response Act (FFCRA) was signed into law on March 18, 2020 and takes effect on April 1, 2020. The FFCRA is designed to help both employees and their employers by providing, for private employers, paid sick and family leave that is dollar-for-dollar reimbursed through a refundable tax credit. The law applies to businesses with 500 employees or less and requires employers to provide paid sick leave or expanded family and medical leave for specific reasons related to COVID-19. Below is an outline of what employers are required to provide to employees and the informational Employee Rights Poster that is required to be posted (April 1 to December 31, 2020).

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- Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
- Two weeks (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor.

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- Up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay where an employee is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

Any paid leave given to employees prior to April 1 does not count towards the FFCRA. The new law imposes a new leave requirement as of April 1, 2020.

If you have less than 50 employees there is a small business exemption available regarding expanded family and medical leave. Criteria has been set to meet this exemption with further guidance to come from the Department of Labor.

Finally, there is an Employee Rights Poster that will be required to be displayed April 1, 2020 through December 31, 2020. It must be posted in a prominent and obvious place where employees can read it. A good place would be with the Federal and State Labor Law Posters, near time clocks, or in breakrooms. For the free links please reach out to your US Compliance Advisor or visit our CRC webpage to access the poster: <https://www.uscompliance.com/resources/coronavirus-disease-covid-19-resource-center/>

U.S. Compliance will continue to monitor FFCRA for any amendments and further guidance as it becomes available.

Thank you for visiting our COVID-19 Resource Center. We are committed to identifying, developing and updating resources to help the manufacturing community respond to the coronavirus pandemic. If you need more information, please email: covidresponse@uscompliance.com. Thank you for your support and we look forward to working through this challenge together!