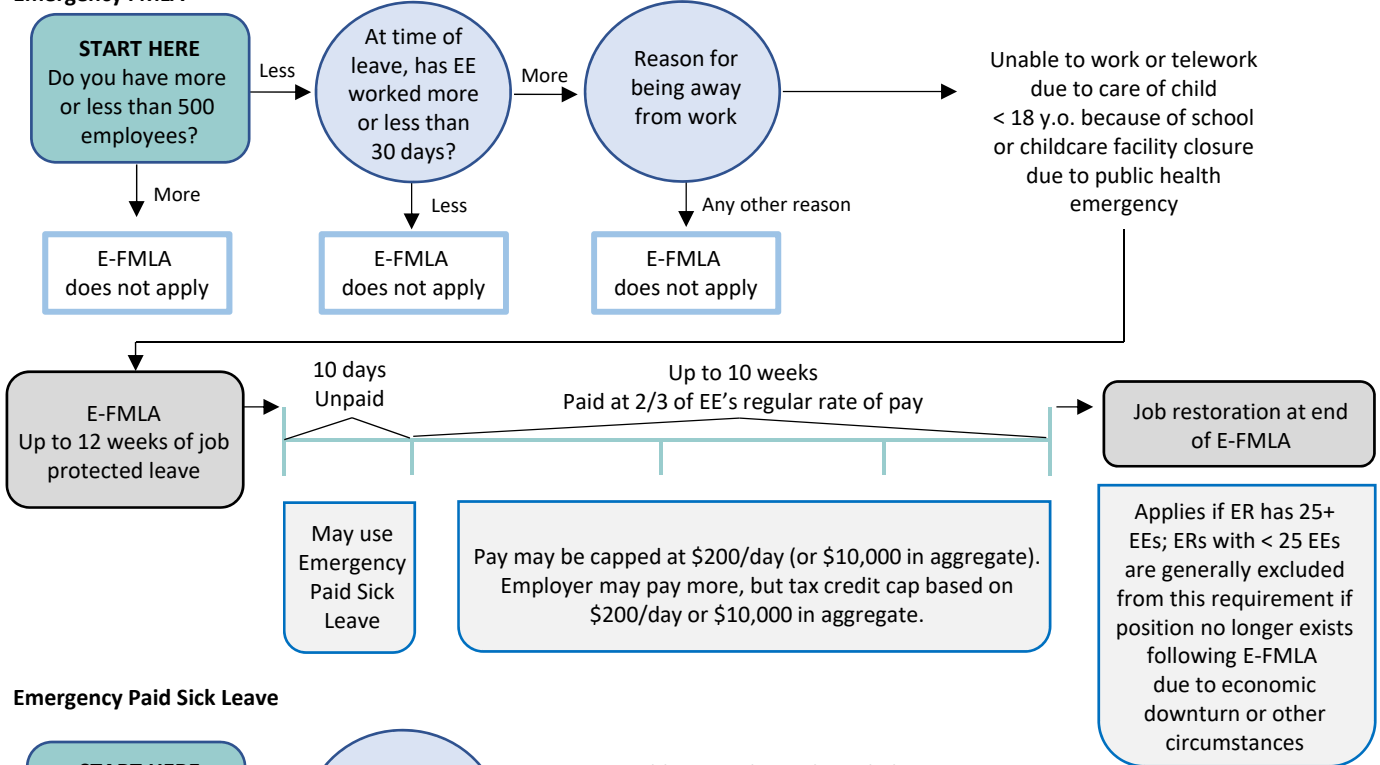


Families First Coronavirus Response Act (FFCRA)

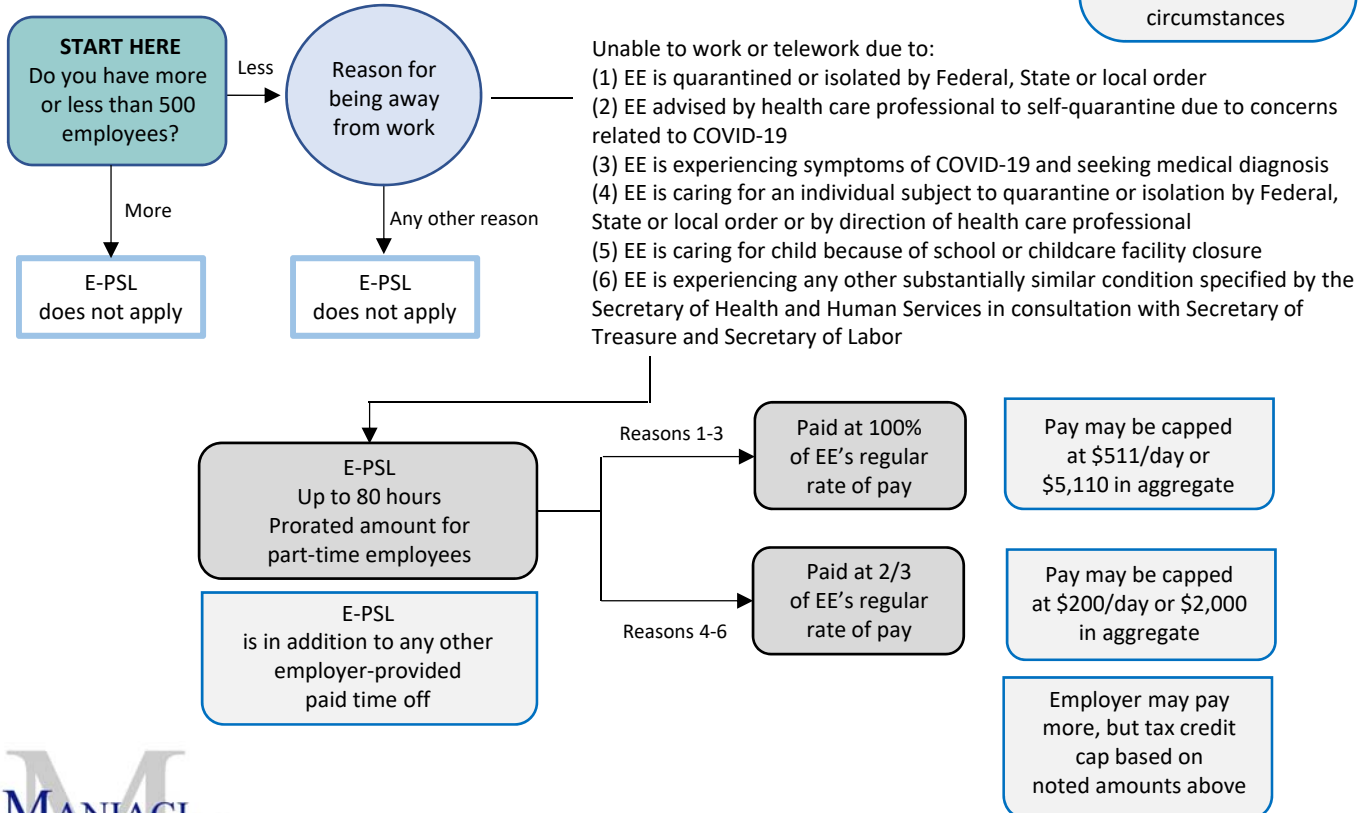
Emergency FMLA & Emergency Paid Sick Leave

Effective April 1, 2020 – December 31, 2020

Emergency FMLA



Emergency Paid Sick Leave



**Families First Coronavirus Response Act (FFCRA)
Emergency FMLA & Emergency Paid Sick Leave
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Other Notable Mentions

Special Rules

- Employer of an employee who is a health care provider or an emergency responder may elect to exclude such employee from Emergency FMLA and Emergency Paid Sick Leave
- Secretary of Labor may exempt small businesses with fewer than 50 employees if imposition of the programs' requirements would jeopardize the viability of the business

Emergency FMLA

- Employee may take leave intermittently, if employer chooses to allow it
- Employee notice to company of need for leave – as soon as practicable

Emergency Paid Sick Leave

- Employee notice to company of need for leave – as soon as practicable
- Employee may use Emergency Paid Sick Leave before any other employer-provided paid time off; employer may not require employee to use other paid time off before Emergency Paid Sick Leave
- Emergency Paid Sick Leave does not preempt any local paid sick leave requirements that already exist
- No year-end carryover of unused Emergency Paid Sick Leave
- Unused Emergency Paid Sick Leave is not paid out upon separation of employment
- Employers may not retaliate against employees for use of Emergency Paid Sick Leave
- Employee cannot be required to find replacement

Calculating Rate of Pay for Emergency FMLA and Emergency Paid Sick Leave

- Full Time Employees: Regular rate of pay, hours normally scheduled to work
- Part Time Employees: Regular rate of pay, average number of work hours in a two-week period
- Variable Hour Employees: Regular rate of pay, average number of hours worked for six months prior to taking leave

Disclaimer: The content provided in this update is informational in nature and based on information that is generally available. Maniaci Insurance Services does not make any representation or warranty as to its accuracy.

Maniaci Insurance Services helps business leaders get the people side of their business right. We provide strategic solutions for Human Resources, Payroll, Employee Benefits, and Business Insurance. During challenging times, Maniaci Insurance Services works hand-in-hand with our clients to help them navigate complex workforce situations. We are here to help during the COVID-19 crisis.