

SUMMARY CHART: FAMILIES FIRST CORONAVIRUS RESPONSE ACT

(Effective April 2, 2020)



	WHO DOES IT AFFECT?	ELIGIBILITY REQUIREMENTS	REASONS FOR LEAVE	LENGTH OF TIME	PAY	OTHER FACTS	EXEMPTIONS
EMERGENCY PAID SICK LEAVE (SELF)	All private employers with fewer than 500 employees All public sector entities	All employees	Subject to government mandated quarantine Advised to self-quarantine by a medical provider Experiencing COVID-19 symptoms and seeking medical care	80 hours (10 days) Part Time employees time is based on average hours over last 6 months	100% of pay, up to \$511 / day; \$5110 total Wages paid are not subject to the 6.2% social security payroll tax paid by employers	Does not rollover In addition to other sick or PTO time Expires Dec. 31, 2020	Employers with fewer than 50 employees may be excluded "when the imposition of such requirements would jeopardize the viability of the business as a going concern" – a hardship application is required.
EMERGENCY PAID SICK LEAVE (FAMILY MEMBER OR OTHER PERSON CARING FOR)	All private employers with fewer than 500 employees All public sector entities	All employees who are able to work remotely (telecommute/telework) should.	Caring for an individual subject to government mandated quarantine, or advised to self-quarantine by medical provider Caring for employee's child due to schools or daycares are closed or provided unavailable to public health emergency	80 hours (10 days) Part Time employees time is based on average hours over last 6 months	66.67% of pay, up to \$200 / day; up to \$2,000 total Wages paid are not subject to the 6.2% social security payroll tax paid by employers	Does not rollover In addition to other sick or PTO time Job protection if there is still a job to go back to. Expires Dec. 31, 2020	Health care or Emergency responder providers may elect to exclude their employees. Employers with fewer than 50 employees may be excluded "when the imposition of such requirements would jeopardize the viability of the business as a going concern" – a hardship application is required.
EXPANDED FMLA	All private employers with fewer than 500 employees All public sector entities	30 days of employment; All employees who are unable to work remotely (telecommute/telework); and employee meets one of the following: 1. Is subject to a federal, state or local quarantine or isolation order related to COVID-19; 2. Has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; 3. Is experiencing symptoms of COVID-19 and seeking medical diagnosis; 4. Is caring for an individual subject to a federal, state or local quarantine order, or who has been advised to self-quarantine due to concerns related to COVID-19; 5. Is caring for the employee's son or daughter, if the child's school or child care facility has been closed or the child's care provider is unavailable due to COVID-19 precautions; or 6. Is experiencing any other substantially similar condition specified by DHHS.	To care for an employee's child (under 18) if the child's school or place of care is closed or unavailable due to public health emergency	12 weeks	First 10 days are unpaid. Employee may use paid sick leave or other PTO during this time. Remainder of leave is 66.67% of pay, up to \$200 / day; \$10,000 total	Expires December 31, 2020	Employers with 25 or more employees will be under the obligation to return employee to equivalent position. Employers with less than 25 employees are generally excluded, but need to reasonable attempt to return the employee to work for up to a year following their leave

Disclaimer - This briefing has been prepared by Poms & Associates Insurance Brokers, LLC to provide information on recent developments of interest to our clients. It is not intended to offer legal or regulatory advice for a particular situation. Events are rapidly developing during this national state of emergency, and best practices are constantly changing. We recommend that individuals and entities carefully monitor and follow health directives of the WHO and CDC, along with federal, state and local authorities.