

Legal Update

March 2020

Coronavirus Bill Requiring Paid Employee Leave Signed Into Law

On March 18, 2020, President Trump signed the Families First Coronavirus Response Act (the Act) into law. The Act requires employers to provide paid leave for some employees related to the coronavirus (COVID-19) pandemic, among other measures. The Act takes effect no later than 15 days after it is signed by the president.

Emergency Paid Sick Leave

The Act requires two weeks of paid sick leave for government workers and employees of companies with fewer than 500 employees. Leave must be made available to workers who are symptomatic or are under an order or advice to quarantine or self-isolate, who have to care for a family member under such an order or advice, or who have a child whose school or child care provider or facility has closed or is unavailable due to the coronavirus.

The Act provides that future regulations issued by the Dept. of Labor may exempt health care providers and small businesses with fewer than 50 employees from the paid sick leave requirement.

Emergency Family and Medical Leave Act

The Act provides FMLA rights for some employees of companies with fewer than 500 employees, requiring partially paid leave after 10 days when an employee is unable to work or telework due to school or child care closures related to the coronavirus.

Important Dates

March 14, 2020

The Act was passed by the U.S. House of Representatives

March 18, 2020

The Act was passed by the U.S. Senate and signed by the president

Dec. 31, 2020

Emergency leave benefits for workers provided under the Act would expire.

The Act requires paid leave benefits related to the coronavirus outbreak.

Other Provisions

The Act provides funding for economic assistance and requires health plans to cover COVID-19 testing at no charge. A refundable tax credit for employers that provide paid leave benefits as required by the Act is also included. The U.S. Treasury is expected to use its regulatory authority to advance funds to some small businesses to cover the cost of providing paid sick leave.