

Families First Coronavirus Response Act

Use Chart

The Families First Coronavirus Response Act applies to all private employers with less than 500 employees.

The Secretary of Labor may draft regulations that exclude employers with less than 50 employees whose businesses would not be viable if they comply with the FFCRA, but currently these employers are covered.

Employers of healthcare providers and emergency responders have the ability to limit their employee's ability to take leave under this law. If an employer is considered a Healthcare Provider under the FMLA, the employer is considered one under the FFCRA as well.

No Retroactivity: The Emergency Family Leave and Paid Sick Leave laws are effective April 2, 2020. If an employer offers this leave prior to April 2, 2020, the employer will not be reimbursed for any leave given to employees before the effective date. If an employer enacts these leave provisions before April 2 and employees take leave prior to April 2, the employer will need to pay for the leaves without reimbursement from the IRS.

This is the latest update as of today 3/23/20.

Type of Leave	Reason for Use	Eligibility	Length of Leave	Pay
Emergency Family Leave	Care for Employee's Child if School/Childcare closed due to COVID-19 or Childcare provider is unavailable	Employee for 30 days at Company	12 weeks An employee can use Paid Sick Leave during First 10 days	First 10 Days: Unpaid Day 11 – Week 12: 2/3 Employee's Regular Hourly Rate of Pay Pay Cap: \$200 per day/\$10,000 total
Paid Sick Leave	Care for Employee's Child if School/Childcare closed due to COVID-19 or Childcare provider is unavailable	Any employee	80 hours (Full Time) Average Hours Worked for 2 Weeks (Part Time)	2/3 Employee's Regular Hourly Rate of Pay Pay Cap: \$200 per day/\$2,000 total
Paid Sick Leave	Employee is subject to a Government Quarantine/Isolation Order re: COVID-19	Any employee	80 hours (Full Time) Average Hours Worked for 2 Weeks (Part Time)	Employee's Regular Hourly Rate of Pay Pay Cap: \$511 per day/\$5,111 total
Paid Sick Leave	Employee is Self-Isolating as Ordered by a Healthcare Provider b/c diagnosed with COVID-19 or concerns re: COVID-19	Any employee	80 hours (Full Time) Average Hours Worked for 2 Weeks (Part Time)	Employee's Regular Hourly Rate of Pay Pay Cap: \$511 per day/\$5,111 total
Paid Sick Leave	Employee Needs Medical Care/Diagnosis if Employee has COVID-19 Symptoms	Any employee	80 hours (Full Time) Average Hours Worked for 2 Weeks (Part Time)	Employee's Regular Hourly Rate of Pay Pay Cap: \$511 per day/\$5,111 total
Paid Sick Leave	Employee is Caring for Family Member who is subject to Government Quarantine/Isolation or is Self-Isolating as Ordered by a Healthcare Provider re: COVID-19	Any employee	80 hours (Full Time) Average Hours Worked for 2 Weeks (Part Time)	2/3 Employee's Regular Hourly Rate of Pay Pay Cap: \$200 per day/\$2,000 total

Type of Leave	Reason for Use	Eligibility	Length of Leave	Pay
Paid Sick Leave	Employee is Experiencing Any other Substantially Similar Condition specified by Secretary of Health and Human Services	Any employee	80 hours (Full Time) Average Hours Worked for 2 Weeks (Part Time)	2/3 Employee's Regular Hourly Rate of Pay Pay Cap: \$200 per day/\$2,000 total
Family and Medical Leave Act	Employee or Employee's Family Member has a "Serious Health Condition" and Needs Continuing Medical Treatment. Serious Health Condition includes COVID-19 if the Symptoms are Severe. Continuing Treatment includes: Seeing a Healthcare Provider 2 or more times if Employee is out for 3 or more Days or Being Prescribed a Regimen by a Healthcare Provider after the First visit.	Employee who has worked for Company for 12 months and 1,250 hours in last 12 months. Company has 50 or more employees in one location or within 75 miles.	12 Weeks	Unpaid