

# EMPLOYEE RIGHTS

## PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

### ▶ PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- $\frac{2}{3}$  for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at  $\frac{2}{3}$  for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

### ▶ ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days* prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

### ▶ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

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| <ol style="list-style-type: none"><li>1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;</li><li>2. has been advised by a health care provider to self-quarantine related to COVID-19;</li><li>3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;</li><li>4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);</li></ol> | <ol style="list-style-type: none"><li>5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or</li><li>6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.</li></ol> |
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### ▶ ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



**WAGE AND HOUR DIVISION**  
UNITED STATES DEPARTMENT OF LABOR

For additional information  
or to file a complaint:  
**1-866-487-9243**  
TTY: 1-877-889-5627  
[dol.gov/agencies/whd](https://dol.gov/agencies/whd)



EMERGENCY PAID SICK LEAVE & EMERGENCY FMLA LEAVE QUICK REFERENCE CHART					
Related to	Reason for Leave	Employee	Leave	Maximum Pay	Notes
Self	1-Subject to federal, state or local quarantine order	Full time or part time employee	Emergency Paid Sick Leave	100% pay for 10 work days up to \$511/day	As of April 1, there is no current federal, state or local quarantine that would apply in Alabama.
	2-Advised to quarantine by health care provider	Full time or part time employee	Emergency Paid Sick Leave	100% pay for 10 work days up to \$511/day	
	3-Experiencing symptoms and seeking a diagnosis	Full time or part time employee	Emergency Paid Sick Leave	100% pay for 10 work days up to \$511/day	
Others	4-Caring for a person subject to quarantine order from govt. officials or health care provider	Full time or part time employee	Emergency Paid Sick Leave	67% pay for 10 work days up to \$200/day	As of April 1, there is no current federal, state or local quarantine that would apply in Alabama, but this reason still may apply if ordered by a health care provider.
	5-Caring for child whose school or daycare is closed	Full time or part time employee employed for at least 30 days	Emergency Paid Sick Leave	67% pay for 10 work days up to \$200/day	Total of 12 weeks; Applies only to children under the age of 18
			Emergency FMLA Leave	Additional 10 weeks up to \$200/day	
6-Experiencing similar condition as specified by HHS	Full time or part time employee	Emergency Paid Sick Leave	67% pay for 10 days up to \$200/day		

To summarize, if the leave is required based on the employee's own health, they earn 100% of their pay for 2 weeks. If the leave is based on caring for another, they earn 67% of their pay for 2 weeks. Additional leave is available for childcare up to 10 weeks at 67% of their pay.