Understanding When and How to Ask for Leave Under the Families First Coronavirus Response Act

This fact sheet answers:

• What is the Families First Coronavirus Response Act?
• What is Emergency Family Medical Leave?
• What is Emergency Paid Sick Leave?
• And More
What Is the Families First Coronavirus Response Act (FFCRA)?

The FFCRA is a new law that helps employees during COVID-19. It gives some employees new rights to take leave from work.

The FFCRA has two main parts:
- Emergency expanded FMLA
- Emergency paid sick leave

Your rights under the FFCRA are different based on the reason you need leave and the type of job you have.

What Employers Have to Follow the FFCRA?
- Private employers with less than 500 employees. Employers with less than 50 employees may be exempt.
- Some public employers

When Can I Use Emergency FMLA?

You can use emergency FMLA if you are unable to work or work remotely because you are caring for a child whose school is closed or whose childcare provider cannot care for her for reasons related to COVID-19.

How Long Can I Use Expanded FMLA for COVID-19?

Full-time employees may take up to 12 weeks of job-protected leave. Part-time employees may take the number of hours of work they are normally scheduled to work over a 12 week period.

Will I Get Paid If I Use Expanded FMLA for COVID-19?

The first 10 workdays are unpaid. The rest of your leave will be paid at 2/3 pay. You can choose to use emergency paid sick leave for the first two weeks.
When Can I Use Emergency Paid Sick Leave for COVID-19?
You can use Emergency Paid Sick Leave if you cannot work or work from home because you:
• Are in a government quarantine or isolation (including shelter-in-place and stay-at-home orders);
• Have been told by a health care provider to self-quarantine;
• Are experiencing COVID-19 symptoms and are trying to get a medical diagnosis;
• Are caring for a person who is in quarantine/isolation;
• Are caring for a child whose school or daycare is closed; or
• Have any other very-similar condition specified by the Secretary of Health and Human Services.

How Long Can I Use Emergency Paid Sick Leave for COVID-19?
Full-time employees may take 80 hours of leave. Part-time employees may take the number of hours of leave that they usually work over a 2-week period.

How Much Will I Get Paid Using Emergency Paid Sick Leave?
Leave is paid at either your full-rate or 2/3 depending on the reason you take leave. See how much you will get paid here (questions 7 and 8): www.dol.gov/agencies/whd/pandemic/ffcra-questions

Can I Take Leave to Care for My Adult Child?
For both Emergency Paid Leave and Expanded FMLA, your child must be under the age of 18 or 18 or older AND incapable of self-care due to a physical or mental disability.
Where Can I Learn More About Expanded FMLA and Emergency Paid Sick Leave?

You can learn more from the Department of Labor at these websites:

- [FFCRA Questions and Answers](#)
- [Employee Paid Leave Rights](#)
- [FFCRA Poster for Private Employees](#) and for [Federal Employees](#)
- [FFCRA Regulations](#)