This document provides answers to frequently asked questions about the Families First Coronavirus Response Act (FFCRA). The FFCRA includes two new provisions. The first is the Emergency Paid Sick Leave Act (EPSLA), which provides up to 10 days of paid sick leave for certain reasons, including caring for a child whose school or place of care is closed, or whose child care provider is unavailable. The second provision is the Emergency Family and Medical Leave Expansion Act (EFMLEA), which requires employers to provide up to 12 weeks of paid leave for certain reasons, including caring for a child whose school or place of care is closed, or whose child care provider is unavailable.

Employees are eligible for paid leave if they have been employed for at least 30 calendar days by the employer and have been employed since March 11, 2020. Employees who have been employed since March 11, 2020, can request expanded family and medical leave on April 10, 2020.

If your employer reduces your scheduled work hours, you can still use paid sick leave or expanded family and medical leave. However, if you work fewer hours than your normal schedule, your employer may require you to use provided or accrued paid vacation. If you work a reduced schedule but are still able to work your normal number of hours, you can still use paid sick leave or expanded family and medical leave.

If you request leave to care for your child whose school or place of care is closed, or whose child care provider is unavailable, you must also provide the employer with appropriate documentation. This documentation should include the name of the school, place of care, or child care provider that has closed or become unavailable; the name of the child being cared for; and the date that you are requesting leave.

If you request leave under the EFMLEA or EPSLA, you may also be eligible for unemployment insurance benefits. However, you will not be eligible for unemployment insurance if you requested leave prior to the closure or took leave that you were not entitled to.

The Department encourages employers and employees to collaborate to achieve maximum flexibility. Therefore, if you and your employer agree that you will work your normal number of hours, but outside of your normally scheduled workdays, your employer may allow you to use paid sick leave or expanded family and medical leave.
2020, is a Monday that does not fall in any of the twenty-six full workweeks from Monday, October 14, 2019, to Monday, April 13, 2020. Assuming you use a Monday to Sunday workweek, there are...

Consider the examples below involving two employees with irregular schedules who take leave on April 13, 2020. For both employees, the six-month period used for estimating average hours consists of 183 calendar days from October 14, 2019, to April 13, 2020.

Once the Department fully enforces the Act, it will retroactively enforce violations back until the effective date of the Act and will subject non-compliant employers to civil penalties. The Secretary of Labor has made reasonable, good faith efforts to inform employers and employees of their rights and obligations under the Emergency Paid Sick Leave Act and Emergency Family and Medical Leave Expansion Act.

**Question 40**

May I take expanded family and medical leave to care for a child other than my child?

You may take paid sick leave or expanded family and medical leave to care for your child only when you need to, and only if that need is caused by COVID-19 if you are a child care provider, for example, or if the employee is taking expanded family and medical leave to care for the employee's child whose school or place of care is closed, or the child care provider is unable to provide care (including both hours actually worked and hours for which the employee took leave).

You must pay your seasonal employee 2/3 of the base daily paid leave amount, up to $200 per day and $10,000 in total, if you had scheduled to be paid when you took leave. You may calculate the daily amount you must pay a seasonal employee with an irregular schedule by taking the following...
When children are required to complete distance learning, the children’s school closed for COVID-19 related reasons. What documentation may I require from the employee to document medical leave to care for a child whose school is closed for a COVID-19 related reason. These (and other) reasons are legitimate and do not affect the employee's ability to telework effectively for the children while teleworking. This does not mean that the employee cannot now take leave to care for his or her children whose schools are closed for a COVID-19 related reason. If an employee works for a business that has more than 500 employees and the business is not required to provide leave under the FFCRA, the employee may still be entitled to leave if the business is a joint employer with the employee’s actual employer. If the joint employer is required to provide leave under the FFCRA, then the joint employer cannot bar the actual employer from providing leave. This is so even if the joint employer has been providing leave for only a portion of the employee’s workweek. For example, the number of hours of paid sick leave for the first employee discussed in the FFCRA may be rounded up to the nearest 15 minutes. As an employer, generally, yes. It is common and acceptable for employers to round to the nearest tenth, quarter, or half hour.