

DOL Issues First Round of Guidance on the Families First Coronavirus Response Act

March 25, 2020

The U.S. Department of Labor's Wage and Hour Division (WHD) announced on March 24, 2020 its first round of published guidance regarding the Families First Coronavirus Response Act (FFCRA or the Act) for employees and employers. This guidance is provided in a [Fact Sheet for Employees](#), a [Fact Sheet for Employers](#) and [Questions and Answers](#) document. The Act will take effect on **April 1, 2020**. This is a change from the original expected effective date of April 2, 2020.

The FFCRA contains two acts, the Emergency Paid Sick Leave Act (EPSLA) and the Emergency Family and Medical Leave Expansion Act (EFMLEA). The EPSLA creates emergency sick leave for employees and their families affected by COVID-19 and the EFMLEA amends and expands the Family and Medical Leave Act to provide an additional amount of leave for specific COVID-19 reasons.

This guidance addresses critical questions regarding the EPSLA and the EFMLEA, including:

- ✓ How an employer must count the number of their employees to determine coverage;
- ✓ How small business can obtain an exemption;

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ACT 1. Emergency Paid Sick Leave Act (EPSLA)

ACT 2. Emergency Family and Medical Leave Expansion Act (EFMLEA)

- ✓ How to count hours for part-time employees; and
- ✓ How to calculate the wages employees are entitled to under the law.

According to the WHD, this is just the first round of information and compliance assistance. A workplace poster required for covered employers will be released later this week, along with additional regulatory guidance.

DISCLAIMER: *This Bulletin is intended only as a summary and general overview of the new Act as written and currently understood. Further clarification may be needed once the Act is brought into practice. If you have any questions, please contact a member of the Acrisure Compliance Solutions team.*

COVID-19 HELPFUL RESOURCES



U.S. Department of Labor (DOL)

<http://www.dol.gov/agencies/whd/pandemic>

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Health and Human Services (HHS)

Centers for Disease Control and Prevention

<https://www.cdc.gov/>