

HR COMPLIANCE BULLETIN



DOL Q&As on Employee Leave Under the FFCRA

Since the passage of the Families First Coronavirus Response Act (FFCRA) in March 2020, the U.S. Department of Labor (DOL) has issued—and added to—a lengthy series of questions and answers (Q&As) about employee leave under the Act.

Leave Under the FFCRA

The FFCRA requires employers with fewer than 500 employees to provide 12 weeks of **FMLA leave** for childcare reasons related to COVID-19. The new FMLA leave must be compensated after the first 10 days (80 hours), at two-thirds of an employee's wage, up to \$200 per day.

The FFCRA also requires employers with fewer than 500 employees to provide 80 hours of **paid sick time** for specified reasons related to COVID-19.

The DOL Q&As

The DOL Q&As provide detailed guidance to employers and employees on issues like eligibility for and administration of leave under the Act. The Q&As are grouped in topic areas, including:

- Definitions
- Eligibility
- Coverage
- Application
- Enforcement
- Return to School

Action Steps

Employers subject to the FFCRA should review the DOL Q&As.

The FFCRA

Enacted March 28, 2020

The FFCRA legislation included two employee leave laws to address the COVID-19 emergency.

Expanded FMLA Leave

The FFCRA expanded the FMLA to provide partially compensated time off for COVID-19-related childcare purposes.

Paid Sick Leave

The emergency paid sick leave provisions of the FFCRA allow employees 80 hours of paid time off for specified COVID-19 reasons.

Q&As on FFCRA Leave

- Following the enactment of the FFCRA, the DOL issued Q&As providing guidance on the implementation of the Act's leave provisions.
- The lengthy Q&As have been supplemented several times and cover topics relating to eligibility for and administration of leave.



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