

SUMMARY OF 2020 FEDERAL COVID-19 LEAVE LAWS

	COVID-19 FMLA	COVID-19 SICK LEAVE
Effective dates	No later than 4/1/20 through 12/31/20	No later than 4/1/20 through 12/31/20
Eligibility	Employed 30 or more days Health care workers can be excluded	Any period of employment – no minimum Health care workers can be excluded
Qualifying conditions	Employee cannot work or telework because minor child’s school or child care closed due to covid-19.	Eligible employee cannot work or telework because: a) Health care provider advised or health officer ordered employee quarantined; b) Employee has covid-19 symptoms; c) Employee caring for individual in quarantine; d) Minor child’s school or child care closed. e) Experiencing similar condition specified by SHHS
Duration of leave	<ul style="list-style-type: none"> • First 10 days unpaid – employee can elect to substitute paid • Subsequent days paid leave <p>FMLA continues to provide 12 weeks of protected leave for qualifying conditions of which covid-19 leave is one; other FMLA qualifying conditions remain the same.</p>	<ul style="list-style-type: none"> • Full time = 80 hours leave • Part-time = leave equal to the # hrs worked on average over a two-week period • Employer cannot require employee to use other paid leave first • Leave cannot be carried over 1 year to the next • Leave ends the shift immediately following termination of qualifying condition • Other employee leave benefits not excluded
Rate of pay	<p>Paid leave rate = 2/3 of employee’s regular salary for the number of hours the employee would otherwise be normally scheduled to work.</p> <p>Max: \$200/day; \$10,000 aggregate</p>	<p><u>For employee quarantine or symptoms:</u> paid leave rate = to employee’s salary for hrs taken. Max = \$511/day up to \$5110.00 aggregate</p> <p><u>For care of another or closed school / child care:</u> paid leave rate of 2/3 employee’s regular salary. Max = \$200/day up to aggregate of \$2000.00</p>
Restoration to position	Required unless exception	Cannot discharge, discipline, or discriminate for taking leave
Notice by employee	Reasonable	Reasonable
Effective dates	No later than 4/1/20 through 12/31/20	No later than 4/1/20 through 12/31/20

SOURCE: 2020 Families First Coronavirus Response Act; Division C-Emergency Family and Medical Leave Expansion Act; Division E-Emergency Paid Sick Leave Act.

Updated March 26, 2020