



CLIENT ALERT
March 30, 2020

CORONAVIRUS (COVID-19)

**Additional Guidance Published by the U.S. Department of Labor on Paid Sick Leave
and Expanded FMLA Benefits under the
The Families First Coronavirus Response Act (FFCRA)**

On March 28, 2020, U.S. Department of Labor released additional guidance for workers and employers explaining the application of the FFCRA provisions related to paid sick leave and expanded Family and Medical Leave Benefits.

Within this guidance, the Department of Labor confirms that the Act's provisions will take effect on **April 1, 2020**, one day earlier than the effective date of the legislation which was identified as becoming effective no later than April 2, 2020. Please note the effective date of April 1, 2020 for all purposes relevant to implementation of the FFCRA.

Additionally, the guidance provides greater detail relative to issues including, but not limited to, paid parental leave and documentation to be submitted by employees, the intermittent use of leave under the Emergency Family and Medical Leave Expansion Act, and the interaction of furloughs and reduced hours with the provisions of the FFCRA, confirming that furloughs and reductions in hours that occur due to a lack of work are not considered to be occurring for one of the covered COVID-19 qualifying reasons, even though the reduction in available work may related to the COVID-19 pandemic. The guidance also confirms that employees are not entitled to Emergency Paid Sick Leave and EFMLEA Leave if their Employer has closed their worksite, discussing the implications for both Employers closing before and after April 1, 2020.

Below please find links to the news release from the U.S. Department of Labor discussing the additional guidance, and a link to the guidance, which is prepared in a Question and Answer format.

News Release:

<https://www.dol.gov/newsroom/releases/whd/whd20200328>

3/28/2020 Questions and Answer Guidance:

<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>

Beard Legal Group monitors these legislative developments on a daily basis. Please do not hesitate to contact us with any specific concerns arising for your organization.

While the Beard Legal Group Client Alert is designed to provide information on topics of concern, it is not legal advice and Employers should contact their Legal Counsel for advice related to their specific circumstances.

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