

PAID FAMILY LEAVE DURING COVID-19

WHAT CONGRESS IS DOING TO HELP

The Families First Coronavirus Response Act (FFCRA) helps to provide some employees with paid sick leave or expanded family and medical leave for reasons related specifically to COVID-19. These provisions last through December 31, 2020 and apply to “covered businesses,” which typically are companies with 500 employees or less. Businesses with fewer than 50 employees, as well as health care providers and emergency responders, may qualify for an exemption.



THE ACT PROVIDES FOR THE FOLLOWING:

HIGHLIGHTS IN FFCRA

- **Two weeks (up to 80 hours) of paid sick leave** at the employee’s regular rate of pay if the employee is unable to work because the employee is quarantined and/or experiencing COVID-19 symptoms and seeking a medical diagnosis.
- **Two weeks (up to 80 hours) of paid sick leave** at two-thirds the employee’s regular rate of pay because the employee is unable to work in order to care for a family member subject to quarantine or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19.
- **Up to an additional 10 weeks of paid expanded family and medical leave** at two-thirds the employee’s regular rate of pay where an employee is unable to work due to a need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

QUALIFYING REASONS UNDER FFCRA

The FFCRA and accompanying guidance issued by the U.S. Department of Labor further specifies what constitutes a qualifying reason to take paid sick leave. A worker who is employed by “covered businesses” and is unable to work or telework may take paid sick leave if the employee:

- **Is subject to a federal, state or local quarantine or isolation order** related to COVID-19. Shelter-in-place and stay-at-home orders issued by your state or local government officials are considered a “local quarantine or isolation order.”
- **Has been advised by a health care provider to self-quarantine** and is unable to telework.
- **Is experiencing qualifying symptoms of COVID-19 and is seeking a medical diagnosis.** “Qualifying symptoms” include fever, dry cough, shortness of breath or other COVID-19 symptoms identified by the U.S. Centers for Disease Control and Prevention (CDC).

- **Is unable to work due to caring for a qualified individual** who is subject to a quarantine or isolation order, or has been advised by a health care provider to self-quarantine. “Qualified individual” must be an employee’s immediate family member, a person who regularly resides in the employee’s home or a similar relationship
- **Is caring for a child whose school or childcare provider has closed** due to COVID-19, and no other suitable person is available to care for the child
- **Is experiencing any other substantially similar condition** specified by the Secretary of Health and Human Services (HHS), in consultation with the Secretaries of Labor and Treasury

For additional details and guidance on employee paid leave rights during COVID-19, please visit The Department of Labor’s online resource page: [COVID-19 and the American Workplace](#)

THERE’S MORE TO DO

IN THE NEAR TERM

March of Dimes is grateful Congress took action to provide paid sick and family leave for some workers impacted by COVID-19. The new programs can be improved, though, by ensuring all workers at businesses with over 500 employees or fewer than 50 have access to these protections and expanding the eligible reasons for taking leave. Specifically, in the next COVID-19 legislative response package, we ask that Congress:



- Extend the availability of Emergency Family and Medical Leave benefits from December 31, 2020 to December 31, 2021
- Eliminate the large employer exemption
- Remove the authority of the Secretary of Labor to exempt employees of businesses with fewer than 50 employees
- Remove the ability to exempt health care providers and emergency responders from the right to paid leave

IN THE LONG-TERM, MAKE IT PERMANENT

To more fully protect the health and financial security of all American families during the pandemic, March of Dimes urges Congress to enact a permanent paid family leave and sick days benefits for all workers as provided for in the [Providing Americans Insured Days of Leave \(PAID Leave\) Act](#). This legislation would:

- Provide all workers with 14 emergency paid sick days in the event of a public health emergency, including the current COVID-19 crisis, reimbursed in full by the federal government
- Provide all workers 12 weeks emergency paid family and medical leave, fully reimbursed by the federal government
- Permanently ensure workers can accrue 7 paid sick days
- Permanently enact a paid family and medical leave program, as called for under the FAMILY Act