

Quick Guide to Families First Coronavirus Response Act Questions For NCSRCC Staff Only

All qualified FFCRA leave is reimbursed to the employer via tax credits! It's good for employers.

Who is covered:

1. Does the employer have 500 or more employees? If yes, NOT covered by FFCRA.
2. Employers of fewer than 50 employees may apply for exemption. (But probably shouldn't.)
3. FFCRA generally only applies to child care of children under 14 unless special needs.
4. FFCRA expires 12/31/20

Types of Leave:

1. Paid Sick Leave
 - a. 100% of wages (up to \$511/day) PLUS health contributions for 2 weeks.
 - i. Under quarantine order from public health official.
 - ii. Advised by health care provider to quarantine related to COVID-19
 - iii. Has COVID-19 symptoms and seeking medical diagnosis
 - b. 2/3 pay up to \$200 per day plus health contributions for 2 weeks.
 - i. Caring for individual under quarantine order or isolation order
 - ii. Caring for child if school or place of care is unavailable
 - iii. Is experiencing substantially similar condition
2. Extended Family and Medical Leave (applies only to employees of 30 days or longer)
 - a. 2/3 pay up to \$200 per day for up to 10 additional weeks.
 - i. Child's school or daycare is unavailable or closed

Troubleshooting FFCRA and Other Employer Leave:

1. Employers MAY NOT require employees to take paid leave at the same time as their first two weeks of paid leave.
2. Employers MAY require employees take extended family leave concurrently with other paid leave.
3. FMLA applies after FFCRA is exhausted. Health contributions still required under FMLA.

Other Leave when FFCRA Does Not Apply:

1. Remember, FFCRA isn't the only option. Unemployment and Short Term Disability under the Health Fund may apply

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Unemployment, Short Term Disability and FFCRA Scenarios:

- a. What if the employer shuts down a job due to COVID, but the employee isn't covered by a FFCRA qualified reason?
 - i. Unemployment should apply. However, the employee will have to report any income from that week. 1-2 day shutdowns are problematic.
- b. What if the employee is sent home due to an exposure?
 - i. If they have symptoms or get a doctor note, they may qualify for FFCRA.
 - ii. If they don't have symptoms and don't get doctor order, they should apply for Unemployment. Income received that week is reportable to UI.
- c. What if the employee was exposed or is sent home but the employer is jerking them around?
 - i. Have the employee get public health or doctor opinion. That will cover them and the leave is then paid under FFCRA.
- d. What if the employer institutes a policy on masks or leave?
 - i. We support mask mandates. Employer must negotiate under NLRA