

Coronavirus Updates

Families First Coronavirus Response Act Emergency Paid Sick Leave Act

The Emergency Paid Sick Leave Act (EPSLA) requires employers with fewer than 500 employees to provide paid sick leave to employees who, regardless of how long they've worked for the company, are unable to work (or work remotely) who fall into one or more of six categories related to COVID-19.

Hours:

- Full-time employees are entitled to 80 hours of paid sick leave.
- Part time employees are entitled to an equivalent number of hours they work on average over a two-week period.
- These hours are not eligible to be deducted from the employee's allotted sick leave or sick pay amounts.

Communication

A notice regarding this act will be prepared and approved by the Secretary of Labor within 7 days of the enactment of this Act. Employers must post this communication in a clearly visible place within the work space.

Failure to Pay

The bill prohibits retaliation on any employee who takes leave in accordance with the guidelines. Failure to pay this required sick leave will be treated as failure to pay minimum wages in violation of the Fair Standards Act.

Exceptions

- 1.The Secretary of Labor may provide exemptions to employers with fewer than 50 employees if providing leave to employees would jeopardize the viability of the business.
2. Employers of healthcare workers or first responders may elect to exclude their employees from benefits under the Act.



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The Six Categories of Eligibility:

1. The employee is subject to a federal, state or local quarantine or isolation order.
2. The employee has been advised by a healthcare provider to self-quarantine due to concerns related to the virus.
3. The employee is experiencing symptoms of the virus and seeking a medical diagnosis.
4. The employee is caring for another individual who is subject to categories 1 or 2 above.
5. The employee is caring for their child if the child's school or place of childcare has been closed or is unavailable due to the virus.
6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.

The Payment Scales:

If the leave is taken for categories 1-3:

- The employers must pay the leave at the employees' normal rates.
- A per-employee maximum of \$511 per day and \$5,110 in total.

If leave is taken by reason of category 4-6:

- The leave must be paid at a rate equal to at least 2/3 their normal rate.
- A per-employee maximum of \$200 per day and \$2,000 in total.



Reimbursements

Families First Coronavirus Response Act

The Act provides tax credits for employers to offset the cost of wages that are paid to employees as part of the bill's family leave and sick leave provisions, through the end of 2020.

Emergency Paid Sick Leave Act

The credit for sick leave paid under the EPSLA is equal to the actual wages paid by the employer, subject to a limit of \$511 per day, per employee, if paid for personal sickness. The credit is limited to \$200 per day if the sick leave is used to care for another individual or child.

Emergency Family Medical Leave Expansion Act

The credit for leave paid under the EFMLEA is limited for each employee to \$200 per day, with a maximum of \$10,000 per employee.

Additional Credits

The Act allows an additional payroll tax credit for any group health plan expenses that are related to the sick leave or emergency family medical leave benefits paid.

HOW TO GET REIMBURSED

First and foremost, keep records and let Avizo know. The credits are reported each quarter on the employer's payroll tax return and are refundable to the extent that the credit exceeds the employer's payroll tax liability.

The Act also provides for similar benefits for self-employed individuals who would be eligible for EPSLA benefits had they been an employee of a business, via refundable payroll tax credits. Finally, the Act makes these same wages not subject to the employer's share of the Social Security portion of FICA tax (6.2% of wages).

