

COVID-19 PAID LEAVE | QUICK GUIDE

This quick guide will help your organization find the right path when navigating the new paid leave laws under the federal Families First Coronavirus Response Act (FFCRA) and Emergency Paid Sick Leave from NYS.

Is my organization subject to federal paid leave legislation under Families First Coronavirus Response Act (FFCRA)?

All organizations with **fewer than 500** employees must provide mandatory paid leave effective April 1, 2020.

There are **three types** of paid leave available to employees under FFCRA:

1

To Care for Self

Two Weeks Emergency Paid Sick Leave at Full Pay for employees subject to quarantine order, advised to self-quarantine by provider, or experiencing COVID-19 symptoms and seeking a diagnosis

2

To Care for Another Individual

Two Weeks Emergency Paid Sick Leave at 2/3rds Pay to care for an individual quarantined as a result of public order or as required by healthcare provider

3

To Care for Minor Child(ren)

Twelve Weeks of Job-Protected Emergency Family Medical Leave: First Two Weeks at 2/3rds Pay under Emergency Paid Sick Leave **PLUS** next Ten Weeks at 2/3rds Pay under Emergency Family Medical Leave for employees unable to perform work in order to care for minor child(ren) (under 18) when school or childcare provider is closed

Refer to Federal Website for Guidance:

<https://www.dol.gov/agencies/whd/pandemic/ffcra-employer-paid-leave>

Organizations with **more than 500** employees are **NOT** subject to new federal legislation.

Are any organizations or employees exempt from FFCRA?

Refer to Federal Website for Guidance:

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

Organizations with fewer than 50 employees may request exemption from certain paid sick leave and expanded family and medical leave requirements if providing an employee such leave would jeopardize the viability of the business as a going concern. [See FAQ #58-59]

“Health Care Providers” may be excluded by their employer from new federal leave. [See FAQ #56]

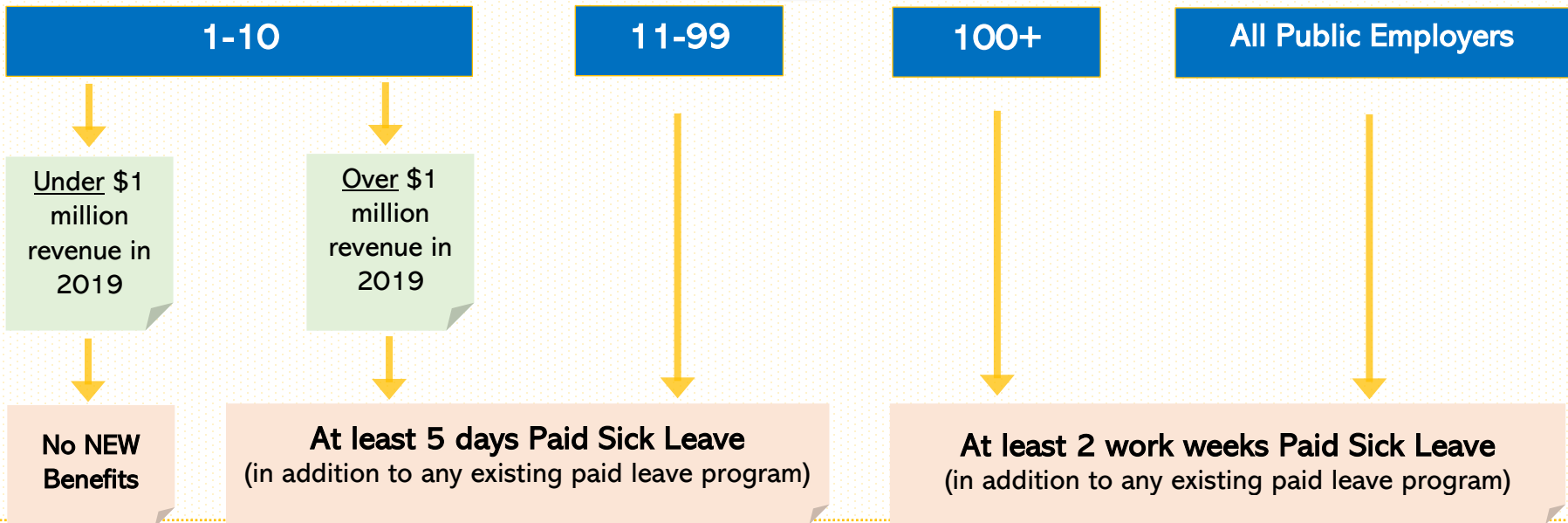
“Emergency Responders” may be excluded by their employer from new federal leave. [See FAQ #57]



What does New York State require?

Based on organization size and revenue thresholds, most New York State employers must provide **Emergency Paid Sick Leave** as a mandatory benefit, effective retroactively to January 1, 2020.

NUMBER OF EMPLOYEES as of 1/1/2020



NY State Paid Sick Leave is to care for self only, if an employee is under quarantine or isolation due to COVID-19 by issue of the State, New York State Department of Health, local Board of Health, or other authorized government entity.

This new benefit is in addition to statutory benefits already available to workers in New York: NY State Paid Family Leave and New York State Short Term Disability.

The number of paid days is based on calendar days, and the pay required would represent the amount of money that the employee would have otherwise received during a 5 or 14 day period.

Refer to New York State Website for Guidance:
<https://paidfamilyleave.ny.gov/covid19>

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