

[S-Corps](#)

Families First Coronavirus Response Act



Justworks

Last updated March 23, 2020

Signed into law on March 18, 2020, the Families First Coronavirus Response Act is an economic stimulus measure that temporarily mandates covered employers to provide eligible employees with paid sick leave and paid family and medical leave, among other provisions. The Act is effective April 2 and expires December 31, 2020. This Help Page summarizes some of the key provisions of the Act that impact employers.

Bear in mind that the regulatory landscape around issues such as PTO and leave is fluid and may change quickly, as legislators at every level of government continue to address COVID-19.

Justworks customers can view legal updates, as well as resources from federal agencies like the CDC, DOL, and EEOC and state-level agencies by logging into their ThinkHR account, and visiting the [COVID-19 Resource Center](#).

Emergency Sick Leave

The Act mandates that employers with 500 or fewer employees provide 80 hours of emergency paid sick leave to full-time employees who are under quarantine due to a government order or health care provider's advisement, who are experiencing COVID-19 symptoms and seeking diagnosis, or for other similar circumstances specified by the Secretary of Health and Human Services. Employers must provide part-time employees with sick leave in an amount equivalent to the hours they typically work in a two-week period. The maximum benefit is capped at \$511/day per employee.

Employers are also required to allow employees to use emergency sick leave under the Act to care for someone who is quarantined or to care for their child whose school or daycare is closed. For employees utilizing leave to care for another, the maximum benefit is capped at \$200/day per employee.

Emergency Family & Medical Leave

The Act also expands the scope of the Family and Medical Leave Act to require emergency paid leave for specific circumstances related to COVID-19.

Specifically, employers with fewer than 500 Employees are required to provide 12 weeks of job-protected leave to any employee who has worked at the company for at least 30 days and is unable to work or telework due to their child's school or daycare closing. Under the Act, the first two weeks of family medical leave are unpaid, but the employee may use Emergency Sick Leave under the Act to cover this portion. Weeks three through twelve must be paid at two-thirds the employee's regular pay, capped at \$200/day and \$10,000 in aggregate per employee.

The Act permits the Department of Labor to exempt small businesses with 50 or fewer employees if providing paid leave would put them out of business.

Tax Relief

The funds that employers use to pay employees for emergency paid sick leave and emergency paid family and medical leave and their employer contribution to health insurance premiums are fully refundable via tax credits.

Other Provisions

The Act contains many other provisions not addressed here, including provisions surrounding health insurance coverage for COVID-19 testing, and funding for state unemployment insurance programs, and other benefit programs.

Other Leave Laws

Employers implementing the mandates under the Act should be mindful of their other requirements under pre-existing laws. For example, employees of covered employers remain [eligible for unpaid, job-protected FMLA leave](#). Many state and local laws also require job-protected family and medical leave, or paid sick leave. Employers should consult an attorney regarding their compliance with the Act and how the Act interplays with these other mandates.

Disclaimer

This material has been prepared for informational purposes only, and is not intended to provide, and should not be relied on for, legal or tax advice. If you have any legal or tax questions regarding this content or related issues, then you should consult with your professional legal or tax advisor.



Was this article helpful?

✓ Yes

× No

15 out of 18 found this helpful

Have more questions? [Submit a request](#)

Return to top

Related articles

[Terminating an Employee](#)

[Terminating an Employee - New York](#)

[Member Types in Justworks](#)

[Wage Theft Notice Requirements - California](#)

[Wage Theft Notice Requirements - Minnesota](#)

CONTACT US

(888) 534-1711

support@justworks.com

[@JustworksHR](#)

[slack.justworks.com](#)

(858) 247-0005