**HR 6201 - Families First Coronavirus Response Act**

Summary of provisions related to leave benefits and unemployment.

Division C – Emergency Family and Medical Leave Expansion Act

* Creates the Public Health Emergency Leave Program, built on the Family Medical Leave Act (FMLA).
* Covers employers with fewer than 500 employees (currently FMLA is over 50 employees) as well as government employers.
* Employees who have been on the job for at least 30 days (currently 12 months under FMLA) receive 12 weeks with job protected leave.
* Applies in situations where an employee is unable to work or telework in order to care for a minor child because a school or childcare provider is not operating as a result of a federal, state or local declared COVID 19 public health emergency.
* During first 10 days, leave is unpaid, and employees can elect but not be mandated to use accrued time.
* After ten days, employer must provide a benefit equal to at least 2/3 their regular pay, capped at $200 per day and $10,000 in the aggregate.
* There is a calculation for workers with varying schedules with a 6 month look back if available; if not based on “reasonable expectation.”
* DOL can exempt health care providers and emergency responders, and employers with fewer than 50 employees.
* Employers in multiemployer CBAs, can satisfy their obligations, by contributions to a fund where employees can access paid leave for Coronavirus based on the hours they have worked.
* Relaxed restoration of position requirements for employers with under 25 employees.
* Expires at the end of the calendar year.

Division D – Emergency Unemployment Insurance Stabilization and Access Act of 2020

$1 Billion in emergency UI Funding for states.

* $500 million to all states for increased costs in administration provided they meet very minimal requirements for notification and methods of application for benefits.
* $500 million for states with 10% spikes in unemployment, and who ease eligibility requirements and access to unemployment compensation for claimants, including waiving work search requirements and the waiting week, and non-charging employers directly impacted by COVID–19 due to an illness in the workplace or direction from a public health official to isolate or quarantine workers.

Part E – Emergency Paid Sick Leave Act

* Applies to employers with fewer than 500 employees and public employers.
* Employers must provide COVID-19 related paid sick leave of 80 hours for full time employees; prorated for part time employee based on average hours in a 2-week period.
* Paid leave is capped $511 per day and $5110 in the aggregate for employees subject to federal, state, or local quarantine order; advised to self-quarantine by a health care provider; or experiencing symptoms and seeking a diagnosis.
* Paid leave is capped at $200 per day and $2000 in the aggregate for employees caring for an individual quarantined as a result a public order or advised by a health care provider; caring for a minor child whose school or child care provider is not operating; or experiencing a similar condition specified by HHS, Treasury or Labor.
* No requirement that the employee has worked for the employer for any duration prior to taking leave.
* Hours may not carry over from year to year.
* There is a calculation for workers with varying schedules with a 6 month look back if available; if not based “reasonable expectation.”
* Available immediately and an employee cannot be required to use other employer provided paid leave first.
* Provisions for employer signatories to a multiemployer bargaining agreements to satisfy the requirements.
* The leave under this section shall not diminish any benefit provided by CBAs, state and local laws, and existing employer policy.
* Expires at the end of the calendar year.

*Updated: March 18, 2020*